

MINUTES OF MEETING OF THE PUBLIC SERVICES COMMITTEE OF DUNGANNON AND SOUTH TYRONE BOROUGH COUNCIL HELD ON TUESDAY 29 JUNE 2010 IN THE COUNCIL OFFICES, CIRCULAR ROAD, DUNGANNON

MEMBERS PRESENT: Councillor McGuigan (Chair)

Councillors F Burton (7.47 pm), R Burton (7.44 pm), Cavanagh, Gildernew, Gillespie, Reid (7.42 pm)

OFFICERS PRESENT: J Eagleson, Recycling Officer (RO)
R Gillis, Senior Licensing Officer (SLO)
F Kirk, Deputy Director of Building Control (DDBC)
F McClements, Deputy Director of Environmental Health (DDEH)
B McMinn, Director of Technical Services (DTS)
L Marshall (Secretariat)

IN ATTENDANCE: Chris Coyle, Southern Group Environmental Health Committee

APOLOGIES: Councillors Daly, Greenaway and O'Neill

The meeting started at 7.30 pm

1 ELECTION OF CHAIR

In the absence of the Mayor and Deputy Mayor the outgoing Chair, Councillor Gillespie, took the Chair for the election of Chair.

Under the previously agreed d'hondt arrangement nomination was sought from SF.

Resolved That Councillor McGuigan be elected Chair.

Councillor McGuigan took the Chair.

2 ELECTION OF VICE CHAIR

Under the previously agreed d'hondt arrangement nomination was sought from SDLP.

Resolved That Councillor Cavanagh be elected Vice Chair.

3 PRESENTATION ON AIR QUALITY

Mr Coyle made presentation (appendix 1) on Church Street Air Quality Management Area (AQMA) Action Plan. The presentation provided a background to the need to declare an AQMA in the Church Street area, the formation of a stakeholder committee, the content of the action plan and time table for its delivery.

(Mr Coyle left the meeting at 7.50 pm)

4 TECHNICAL SERVICES

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

4.1 Illegal Dumping of Fuel Laundering Waste

DTS circulated report (appendix 3) which provided members with an overview on the amount of waste being deposited at Derryhubbert Road and Derrycor Road and disposal costs for same.

Members felt it important to raise this issue again with NIEA and to put pressure on them to take action. Should there be no movement on this matter over the summer period then this Council should look towards bearing cost of a clean up (subject to approval from Auditor).

Resolved That it be recommended to the Council to pursue NIEA with a view to having them take necessary action. As a preliminary measure Council should also investigate auditors view on this Council bearing cost of clean up.

4.2 Recycling Initiatives

RO made reference to report (appendix 4) which provided cost of implementing each of the proposals relating to minimising the amount of recyclable waste going to landfill. It is hoped that some proposals will be funded under the 'Rethink Waste Recycling Fund', this funding application has now been submitted. Other proposals are of minimal cost to Council.

Proposed by Councillor Cavanagh
Seconded by Councillor Reid and

Resolved That it be recommended to the Council to proceed with implementing the recycling initiatives as laid out in report.

4.3 Adoption of Report

Proposed by Councillor Gillespie
Seconded by Councillor R Burton 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.

5 TULLYVAR UPDATE

Members were updated on Tullyvar as per report of Director of Technical Services (appendix 2).

(J Eagleson and B McMinn left the meeting at 8.25 pm)

6 BUILDING CONTROL

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

6.1 Refusals

The Director of Building Control advised that as further information required had not been received he recommended refusal of the applications as listed on (appendix 6).

6.2 Building Regulation Contraventions – Enforcement Articles 18 & 21

DDBC advised of error in this section of report which should read –

'It also gives details of the penalties, which may be imposed by the Courts' – not Councils.

6.3 Adoption of Report

Proposed by Councillor Gildernew
Seconded by Councillor Cavanagh 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.

(F Kirk left the meeting at 8.27 pm)

7 ENVIRONMENTAL HEALTH

The report (appendix 7) of the Director of Environmental Health was presented reference being made to the undernoted:

7.1 Fire Safety Reform – Licensed Premises

As per report, SLO referred to letter from the Licensing Forum of Northern Ireland and the Institute of Licensing, Northern Ireland Branch in relation to the future role of Councils in licensing premises and asking that Councils continue to support proposals that Council Officers (and ultimately Councils through issuing licences) retain the role of enforcing fire safety in premises for which they have direct responsibility.

New legislation awaiting approval would remove the role of enforcing fire safety conditions from Council and place it in the hands of the NI Fire and Rescue Service but Council Officers and licensing professionals have been working to obtain an agreement that such powers are delegated to Councils to allow them to continue to enforce this extremely important aspect of safety in licensed premises. NI Fire and Rescue Service are agreed in principle to such a course of action, subject to approval by their Board.

Resolved That it be recommended to the Council to support the proposal that relevant powers as re necessary be devolved to Councils.

7.2 Betting, Gaming, Lotteries and Amusements (NI) Order 1985

As per report, SLO referred to letter asking for Council support in the production of a Memorandum of Understanding between HM Revenue and Customs and Councils where information will be shared which will assist in determining whether an applicant for an Amusement Permit is a 'fit and proper person'.

Resolved That it be recommended to the Council to support the production of a Memorandum of Understanding which will allow information sharing in relation to Amusement Permits.

7.3 Adoption of Report

Proposed by Councillor Cavanagh
Seconded by Councillor Gillespie 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.

(R Gillis left the meeting at 8.34 pm)

8 AGENDA 21

The report (appendix 8) of the Agenda 21 Co-ordinator was presented reference being made to the undernoted:

8.1 Arbor Week

Members felt it important to continue to involve local schools in Arbor Week. Members also discussed the possibility of the replacement of tree in Castlecaulfield which was damaged over the Christmas period last year.

8.2 Landfill Tax

DDEH advised that this item will be brought to Council next week.

8.3 Adoption of Report

Proposed by Councillor Gillespie
Seconded by Councillor Cavanagh and

Resolved That it be recommended to the Council that the report of the Agenda 21 Co-Ordinator be adopted, and that all recommendations, subject to the foregoing, be approved.

9 ANY OTHER BUSINESS

9.1 Aughnacloy Eco Park

Member highlighted concerns relating to disabled access at Aughnacloy Eco Park.

DDEH agreed to bring this matter to the attention of the Director of Development.

10 DURATION OF MEETING

The meeting was called for 7.30 pm and ended at 8.45 pm.

MAYOR_____

CHIEF EXECUTIVE _____
(Acting)