



14 November 2017

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Cookstown at Mid Ulster District Council, Council Offices, COOKSTOWN, BT80 8DT on Tuesday, 14 November 2017 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation - Contact NI regarding Northern Ireland Suicide Prevention Bill

Matters for Decision

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| 5. | Street Naming and Property Numbering | 9 - 16 |
| 6. | Dual Language Signage Request | 17 - 24 |
| 7. | Dual Language Signage Survey | 25 - 32 |
| 8. | Service Level Agreement between Mid Ulster District Council and E.P.B Team | 33 - 48 |
| 9. | Department for Infrastructure Roads Proposals to Mid Ulster Council | 49 - 54 |
| 10. | Sustainable Northern Ireland SLA Funding Request | 55 - 66 |
| 11. | The Consultation on Regulations to restrict the age of sale for nicotine inhaling products to over eighteens | 67 - 74 |
| 12. | Brown Bin Food Waste Scheme Project/Funding Update | 75 - 92 |
| 13. | Installation of an Entrance Feature on Council Property at Mill Park, Innishrush | 93 - 102 |

Matters for Information

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| 16 | Entertainment Licensing Applications | 123 - 134 |

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18	Dual Language Signage Legislative Requirements	151 - 154
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20	Recycle Week 2017	159 - 166
21	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2017	167 - 170
22	Removal of horses from Glassmullagh former landfill site	171 - 174
23	NI climate Change Adaptation Programme Consultation	175 - 180
24	Risk Assessment Initiative in Childcare Settings	181 - 184
25	Specialist advice received for Ageing Well tender process	185 - 186
26	Draft Consultation on 'The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2017'	187 - 198
27	Invasive Species Control and Maintenance on Council Property	199 - 250

Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

28. Entertainment Licensing - Tropicana Inns
29. Tender for the supply and delivery of telescopic loader/handler
30. Contract for construction of Drumcoo Waste Transfer Station
31. Outline Business Case (OBC) for the Development of Waste Management Infrastructure for Kerbside Collected Recyclates
32. Tender report for the appointment of a PPE / Work Wear Supplier
33. Ballygawley Villages Scheme - Capital Project

Matters for Information

34. Confidential Minutes of Environment Committee held on 10 October 2017
35. Capital Projects Update
36. Off Street Car Parking; Quarter 2 2017/2018

restoring
wellbeing
through
Contact

Manifesto 2017

Zero Suicide -
A Culture of Innovation
A Culture of Discipline



Zero Suicide the only target to aim for, a commitment to patient safety, commencing with NI health & justice systems:

1.

Driving suicide to zero must commence with health and justice care systems, affirming the conviction that, 'no one should die alone, in despair, by suicide'. All learning achieved from saving lives in our care must be urgently applied to community and family settings.

The zero suicide concept and disciplined practices emerged from the ambitious 'perfect depression care' quality performance improvement initiative at Henry Ford Health System, Detroit. The results were remarkable, driving the suicide death rate to zero in just three years. The zero suicide challenge is a bold aspiration commencing with health and justice systems. More than 200 zero suicide pilots are underway across the US while Mersey Care NHS Trust leads the UK initiative. The NI Assembly All Party Group on Suicide Prevention will champion zero suicide early adoption for NI health and justice systems. As the current provider, Contact propose the regional Lifeline service as the inaugural NI zero suicide pilot.

2.

Continuity of care at crisis point must ensure critical real-time information sharing agreed by memorandum of understanding, investing in robust multi-agency relationships, applying 24/7 'air traffic control', gold standard patient safety quality assurance for everyone in our care.

The zero suicide model requires unhindered commitment to real-time patient information sharing, ensuring the most accessible blended care package for the person in distress, including support for family/loved ones/safety contacts. We believe Lifeline has a vital regional bridging and linking role, from crisis point to stabilisation, ensuring robust clinical assessment, safety planning and warm handover to the right care, at the right time, engaging GP and family/loved ones, navigating the often difficult crisis stabilisation to recovery journey.

3.

No wrong door every patient at risk of suicide must receive comprehensive clinical assessment and safety plan at first point of contact (including family/loved ones, GP and crisis clinical support), testing safety plan relevance on every subsequent contact.

Promising 'no wrong door' at crisis point, complements the urgent drive to achieve 'air traffic control' quality care safety standards. 'No wrong door' affirms care system commitment to eradicate delay, guaranteeing care continuity at crisis point. Crisis service excellence requires maximum cross-service liaison, guaranteeing competent, cooperative workforce collaboration, agreed by memoranda of understanding, ensuring real-time safety planning - 100% of the time - shared by secure online systems, complemented by 24/7 telephone hotline, text and email connectivity. In practice 'warm handover' means not one of our patients gets lost in the system; no one falls through the cracks; every service partner commits to real-time bridge-building, dissolving silo working; celebrating humane and engaging systems of care; supported by switched-on, can-do leadership, enlivening everyday health and justice system bureaucracy with a comprehensive suicide prevention policy-to-practice commitment to drive significant reduction in suicide deaths for people in our care.

4.

Perfect crisis care requires 100% commitment to a 'no blame' culture, championed by accessible, visible and competent corporate leadership accountability – with immediate learning from honest mistakes celebrated as opportunities to achieve continuous service improvement excellence.

For enduring zero suicide culture change within health and justice systems, staff must experience visible, competent leadership, demonstrating everyday values of disciplined, compassionate care,

Every suicide is preventable until the last moment of life



driving patient safety. Crisis care excellence celebrates learning from honest mistakes as opportunities for immediate system-wide change, generating workforce trust by valuing courageous, sustained innovation. Zero suicide initiatives dramatically improve staff experience of management support, replacing the blame culture with fair accountability and supportive, disciplined change strategies. The zero suicide philosophy celebrates small triumphs of recovery, affirming every life as a life worth living. Key success measures include confidential assessment of workforce confidence in management competence and commitment to generate humane communication, trusting relationships, and robust pathway to care systems designed to greatly reduce patient deaths by suicide.

5.

NI civic leadership must invest in competent, courageous suicide prevention championship, encouraging compassionate understanding while promoting courageous lived experience voices of hope and recovery. We need a regional Suicide Prevention Standing Conference to celebrate what works and drive the zero suicide challenge.

The NI Assembly All Party Group on Suicide Prevention will feasibility test the zero suicide model, facilitating regular suicide prevention learning events, generating unity of purpose and cohesive civic leadership understanding and support. Trauma informed practice explains the torment preceding and following death by suicide. Suicide bereavement brings complex grief and heightened community tension. A Suicide Prevention Standing Conference uniting public, private and charitable efforts is required to drive the zero suicide culture of hope, innovation and discipline, showcasing hard evidence on what works, mobilising leadership, championing suicide prevention messages of hope and recovery, particularly at times of increased community tension.

6.

If suicide is preventable, then NI health and justice systems have a unique opportunity and compelling obligation to provide world-class suicide prevention integrated care, from crisis-point, to stabilisation and recovery, with a renewed, ambitious, relentless resolve to drive the NI suicide death rate down, establishing NI as the safest-from-suicide region in the UK and Ireland within the next five years.

The zero suicide twin focus on health and justice systems appreciates that police, prison and probation services often encounter vulnerable people at grave risk of harm. Of concern, emergency services have no formal links with health care systems enabling reciprocal, comprehensive critical health care information sharing for people in crisis. This gap represents an enduring risk to life for people suffering suicidal crisis, repeatedly noted by serious adverse incident (SAI) review following suicide deaths. Cross-sector communication gaps at crisis point must be remedied. Culture change is urgently required, transforming silo-bound incrementalism towards whole-system excellence – transforming piecemeal stop-start change to a no-excuses drive for perfect crisis care. Championship for time-bound, measureable, disciplined culture change will bring the zero suicide concept to life. Five years concentrated effort over the course of the NI Assembly 2016-2020 Programme for Government will make an immense difference, substantially reducing the NI suicide death rate for people in our care. Now is the time for the zero suicide approach. Nothing less will do.

Perfect crisis care

No wrong door at times of crisis

WHO IS CONTACT?

Contact is a charity specialising in crisis counselling and suicide prevention

OUR VISION:

Society free from suicide

OUR MISSION:

Getting you through the most difficult times

- ▶ Contact provides the free-phone regional Lifeline crisis response helpline and wraparound counselling service Lifeline 0808 808 8000 for NI, under license to the NI Public Health Agency.
- ▶ Contact pioneered Independent Schools Counselling in Northern Ireland (2006-2009).
- ▶ Contact provides the independent counselling support and advice service to the Northern Ireland Historical Institutional Abuse Inquiry, in partnership with Advice NI.
- ▶ Over the past five years Contact annual International Suicide Prevention: What Works? conference series, showcase suicide prevention research and best practice.

Contact workforce and Board are committed to ensure that no one should die alone, in despair by suicide, welcoming the World Health Organisation ambitious goal to drive the global suicide rate down 10% by 2020.

Our goal is zero suicide for people in our care.

For further information about Contact and useful resources, including expert video presentations from Contact annual International Suicide Prevention: What Works? Conferences, please visit

www.contactni.com
email: info@contactni.com

 **Search for Contact NI**
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Contact contributed to the International Zero Suicide in Health Care Declaration, published March 2016, which can be viewed by visiting **www.zerosuicide.org**

Contact

BRIEFING UPDATE 2017

NI Suicide Prevention Bill

Clinical Duties of Candour, Competence and Cooperation

CRITICAL ASSUMPTIONS:

The proposed NI Suicide Prevention Bill

- 1) accepts suicide is a preventable harm (WHO Global Suicide Report 2014)
- 2) regards clinical engagement with patient family and friends as an essential protective safety factor for suicide prevention, in every case
- 3) following patient suicide, best practice lessons learned from critical incident review demonstrate family engagement as an important protective factor against future suicide
- 4) all references to engage family includes family and friends; references to clinician include clinician/team; patient, service user and client are interchangeable terms

INDIVIDUAL CLINICAL DUTY OF CANDOUR

When instances of patient harm or near-miss involve clinician error, urgent supervisory support will enable timely disclosure to the patient / family of what went wrong at the earliest possible opportunity. The clinical duty of candour requires clinician full and frank disclosure of all factors contributing to circumstances leading to the near-miss incident or actual patient harm. The clinical duty of candour will set minimum standards specifying clinician responsibilities including remedial steps towards restitution where possible. Each clinician has a further duty to implement lessons learned with immediate effect in order to identify, avoid, trap or mitigate similar future risk of preventable patient harm.

CORPORATE DUTY OF CANDOUR

All clinical service providers have a corporate duty to inform staff and patients with full and timely candour where corporate error results in near-miss incidents and patient harm. The corporate duty of candour will define professional obligations, supports and time constraints for full and frank disclosure specifying who will inform the individual patient/family members, recording feedback on progress towards restitution and lessons learned. The corporate duty of candour will set clear time-bound action plans to implement, monitor and evaluate lessons learned. Action plans will include remedial measures to enhance capacity to avoid, trap and mitigate future risk of patient harm repetition. Feedback from applied lessons learned will be available to every patient /family following preventable harm incidents.

CLINICAL DUTY OF COMPETENCE

Individual & Provider / Employer Duty of Competence

All health and social care providers and clinicians will have a statutory duty to achieve discipline-specific pre-qualification accredited suicide prevention risk assessment and safety planning intervention competence training. The clinician will demonstrate professional competence to practice, updated every three years. This duty will require (at least) three-hour initial suicide prevention awareness gatekeeper training for allied health professionals followed by annual CPD one-

hour updates to maintain accreditation / registration; six-hour pre-qualification training for frontline clinicians followed by annual updates. The goal of suicide prevention gatekeeper and clinical risk assessment/safety planning training will enhance workforce confidence and competence across health, social care and justice systems as suicide prevention practitioners.

Clinical duty of competence for suicide risk assessment and safety planning will demonstrate applied understanding of 'just culture' and 'clinical human factors' at initial prequalification training and mandatory annual updates.

While clinicians will have a mandatory clinical duty of suicide prevention risk assessment and safety planning competence, employers will maintain compliance and governance responsibility ensuring steady progress towards just culture and clinical human factors competence, reported regularly to the Protect Life 2 Suicide Prevention Strategy Implementation Board, independently monitored for compliance.

Importantly, corporate duty of competence must distinguish between forensic accountability when things go wrong and clinical review that enables unhindered timely access to comprehensive lessons learned implementation strategies.

DUTY TO COOPERATE

The corporate duty to cooperate will ensure critical information sharing at crisis point by direct referral as the standard continuity of care best practice. Corporate health, social care and justice system providers must screen for and eradicate custom and practice restrictions that may impede cooperation to provide the most efficient, timely and relevant suicide prevention risk assessment and safety planning intervention for all crisis care patients.

The corporate clinical duty to cooperate will ensure staff release to complete standardised up-to-date continuous professional development, integrating clinical duties of candour and competence compliance testing.

Individual clinicians will be duty bound and adequately protected to cooperate with all suicide prevention and preventable harm inquiries applying communication best practice standards to ensure timely implementation for all aspects of the Suicide Prevention Bill.

The corporate duty to cooperate will champion excellent staff, patient/family and community engagement, demonstrating high visibility corporate leadership accountability. Health and justice system leadership duty to cooperate will also model just culture communication, demonstrating evidence-informed culture and practice change, ensuring whole-system planning, implementation and review to drive patient safety from suicide.

FERGUS CUMISKEY
CEO Contact

WHO IS CONTACT?

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OUR VISION:

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Getting you through the most difficult times

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Report on	Street Naming and Property Numbering
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	For Members to consider the street naming of a new residential housing development within Mid-Ulster.
2.0	Background
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11, the Council is tasked with the responsibility of approving street naming and numbering of buildings erected thereon.</p> <p>The policy for Street Naming and Dual Language Signage Policy – Section 5.0: Naming of New Streets, as adopted (See Appendix 1) forms the basis for considering proposals for the street naming of new developments.</p>
3.0	Main Report
3.1	<p>The Building Control Department has received a request for the naming of a new residential development as follows:-</p> <p style="padding-left: 40px;">I. Site off Killymeal Road, Dungannon.</p> <p>An application has been submitted by J&V Construction for the naming of a street within a new residential development off Killymeal Road, Dungannon. The developer has submitted the following options for consideration (See Appendix 2) in relation a new street within the development.</p> <ol style="list-style-type: none"> 1. Sycamore Drive 2. Lime Drive 3. Cypress Drive <p>As the options submitted are linked to the locality in each case, it is considered that each option demonstrates compliance with the policy as adopted.</p>

4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: None Human: None
4.2	<u>Equality and Good Relations Implications</u> None
4.3	<u>Risk Management Implications</u> None
5.0	Recommendation(s)
5.1	<p>It is recommended that consideration is given to the approval of the following proposals for the street naming of a new residential development within Mid Ulster.</p> <p style="text-align: center;">1. Site off Killymeal Road, Dungannon.</p> <p style="text-align: center;"> Either Sycamore Drive Or Lime Drive Or Cypress Drive </p>
6.0	Documents Attached & References
6.1	<p>Appendix 1 - The Policy for Street Naming and Dual Language Signage Policy – Section 5.0: Naming of New Streets.</p> <p>Appendix 2 - Pro-forma containing street naming proposals, location map and site layout plan for new street off Killymeal Road, Dungannon.</p>

MID ULSTER DISTRICT COUNCIL

Street Naming and Property Numbering Policy for New Developments (Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

5.0 NAMING OF NEW STREETS

- 5.1 Proposals for new street names linked to traditional place names will be favorably considered and that if such a place name is traditionally in a language other than English, that name may also be considered as the name by which that place may be known.

5.2 Criteria - General

To maintain the heritage and identity of the area administered by Mid Ulster District Council in naming a new Street and/ or Housing Development the following criteria shall be adhered to. The name chosen shall:

1. Reflect the local townland name, or a local geographical/ topographical, social or historical feature.
2. The name shall not use the townland name within which the street and/ or the housing development is situated. The townland name shall still form part of the postal address.
3. The name should not mark any historical or political event or any individual or family, living or deceased.
4. The prefix of the name can only be the same as an existing Street or Road name prefix in the locality if it is accessed from that street or road.
5. To avoid confusion over addresses the name should not sound similar to an existing Street or Road name in that District Electoral Area.
6. The erected nameplate shall express the name in English; and may express that name in any other language other than English in accordance with Article 11 of the 1995 Order.
7. Although not prescriptive or exhaustive the running order/hierarchy for Street naming should follow an easily understood pattern, for example:
 - Road–Street–Avenue–Mews–Drive–Lane–Close–Alley

Naming of New Streets and Housing Developments: *Procedure*

- Developers should submit an application for a new Street/ Development naming to the Council's Building Control service within the Public Health and Infrastructure Department ("the Department") before any promotional activity on the sale of properties commences.
- The applicant should recommend at least 2 but no more than 3 names per street for consideration, outlining how they consider the proposed names comply with the criteria referred to within Section 5.2 above.
- If the Department determines that the name(s) does not conform to the criteria within 5.2 of this Policy, the developer/ applicant will be informed of this and asked to submit an alternative name(s) and/or written representations as to why they disagree. When the Council receives an alternative name(s) and the Council Officer deems that it meets the criteria then it will be recommended to the Council's Environment Committee for consideration.
- If the developer/ applicant is not in agreement with the Department's evaluation they can make written representations which will be considered at the next available meeting of the Environment Committee.
- The developer/ applicant will be informed of the approved name following approval of the Environment Committee minutes at the next available Council meeting of Mid Ulster District Council.
- Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision.
- If following the non-acceptance of a proposed name the applicant/ developer does not resubmit an alternative name to the Council within 8 weeks of the date of the decision letter, the Council may identify a name and notify the applicant/ developer of their intention to approve that name. The Council shall allow four weeks to elapse from the date of the notification of the name before presenting it to the next available Environment Committee.
- If a street name has been approved by the Council it shall not be considered for change within 6 months from the date of approval, unless in accordance with the Council's Standing Orders.
- Names shall be shown on nameplates which will include the townland where relevant.
 - New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: J+V Construction,
30 Greenagh Road, Dungannon

Description: Killymeal Road, Dungannon

Ref: F1342117

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Sycamore Drive	Quite a number of Sycamore trees growing in the development.	Quite a number of Sycamore trees in the development, many with a preservation order preventing them from being felled. Therefore they will become a significant feature within the Development.
Option 2	Lime Drive	Large number of Lime trees growing in the Development	Quite a number of Lime trees in the development, many with a preservation order preventing them from being felled. Therefore they will become a significant feature within the Development.
Option 3	Cypress Drive	Cypress trees in development.	Quite a number of Cypress trees in the development, many with a preservation order preventing them from being felled. Therefore they will become a significant feature within the Development.

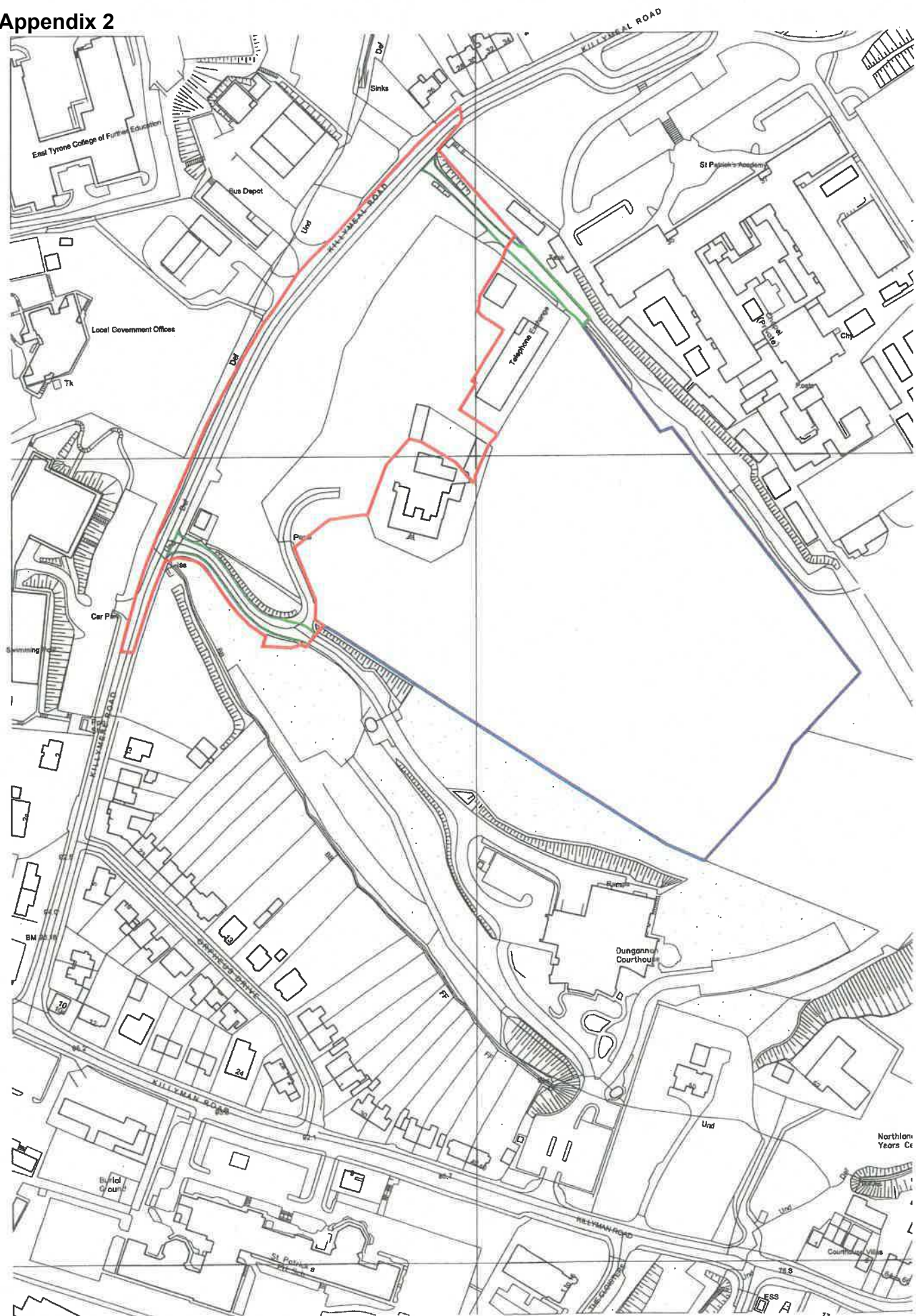
* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed *John McCann*

Dated 10/10/2017

Appendix 2



LOCATION MAP
scale 1 : 2 5 0 0



4.5x70m visibility splay as per Planning Permission M/2008/0425/F

2.0x60m visibility splays to both entrances to Sites 1 & 2

ment Offices
4.5x70m visibility splay as per Planning Permission M/2008/0425/F

Existing wall to be removed and rebuilt behind visibility splays

Any existing apparatus in the footway must be relocated behind visibility splays

Drainage to be added to main sewer in road

New 1m high retaining wall to be set back behind visibility splays

30m Forward Sight Splays to be maintained as indicated

Public road boundary (EHS,PHB)

Telephone Exchange

Right of way to existing telephone exchange gates

Pedestrian route

Report on	Dual Language Signage Request
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To advise Members of requests for Dual Language Signage and subsequently to seek approval to undertake the surveys of all applicable residents on the streets/roads in question.
2.0	Background
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.</p> <p>The Policy for Street Naming and Dual Language Signage – Section 6.0, as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.</p>
3.0	Main Report
3.1	<p>The Building Control Service within the Directorate of Public Health and Infrastructure have received a valid letter signed by an occupier of the street in each case requesting signage to be erected in a second language being “Irish” adjacent to the nameplate in English as follows:-</p> <ol style="list-style-type: none"> 1. Central Avenue, Cookstown - (See Appendix 2) 2. Beltonanean Road, Cookstown – (See Appendix 3) <p>The occupiers have been confirmed as residents evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted (See Appendix 1).</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Within current resources Human: Within current resources</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None</p>

4.3	<u>Risk Management Implications</u> None
5.0	Recommendation(s)
5.1	Approval to proceed with the Street Naming Survey for the streets as noted below in accordance with the policy for Street Naming and Dual Language Signage. <ol style="list-style-type: none"> 1. Central Avenue, Cookstown 2. Beltonanean Road, Cookstown
6.0	Documents Attached & References
6.1	Appendix 1 – Street Naming and Dual Language Signage – Section 6.0: Dual Language Signage Nameplates Policy. Appendix 2 – Letter received from resident of Central Avenue, Cookstown. Appendix 3 – Letter received from resident of Beltonanean Road, Cookstown.

MID ULSTER DISTRICT COUNCIL

Dual Language Signage Nameplates

(Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

6.0 DUAL LANGUAGE SIGNAGE NAMEPLATES

6.1 The Council will apply this policy when considering applications for dual language signage expressing the name of the street in a language other than English, to both existing and new streets.

6.2 The 1995 Order gives the Council a discretionary power to erect dual language signs or second nameplates, adjacent to the nameplate in English. In exercising this discretionary power the Council must have regard to any views on the matter expressed by the occupiers of premises in that street.

6.3 Criteria - General

The Council in making arrangements and providing opportunities for dual language signage within street naming shall;

1. Have regard to any views on the matter expressed by occupiers of the street
2. For the purposes of the policy, “occupiers” shall mean any person who resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which has its frontage immediately adjoining the street, hereafter referred to as ‘property’. Only the views of occupiers aged 18 or over in each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties , the ‘occupier’ will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

6.4 The provision of dual language Street Names will normally only be considered in the following circumstances:

- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid petition or letter, signed by occupiers of the street must be made to Council to enable this matter to be considered. Requests should be made to Building Control Service within the Public Health and Infrastructure Department. A petition / letter request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the address of the petitioner is contained on the petition / letter and; the individuals name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A petition / letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid petition as referenced at 1, above. A petition will be deemed to be valid where it is completed by a minimum of one householder on that street. Approval will be sought from the Environment Committee to undertake the survey requested by the valid petition / letter.
3. Upon agreement, the Council will canvass, by post, all occupiers listed on the Electoral Register and the Pointer addressing system of that street; seeking their views on the request to erect a dual-language street nameplate. Each letter will contain survey forms for the number of occupiers registered on the Electoral Register for that property at that time.
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of the occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate be approved and erected. The Environment Committee having considered the request and the result of the survey may agree to permit or not permit the erection of the dual language nameplate.
6. Where 51 % of occupiers (rounded to nearest whole number) that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate shall not be approved or erected.
7. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.

Adopted by Council 23/03/17

8. Where the request is granted and the other language is Irish, the Irish Language Section within Department of Culture and Leisure and / or an approved translator will provide the Irish language form of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The other language will not be used to express the name of the street for statutory purposes
9. The font and size of lettering of the other language shall be in accordance with that as shown in Appendix E.
10. Following the Council's decision on the matter all occupiers of the street will be notified of the decision.
11. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix 2

Central Avenue
Cookstown
BT80 8AJ

Mid Ulster Council
Burn road
Cookstown
Co Tyrone

21 June 2017

A chara

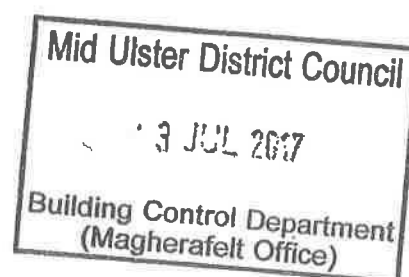
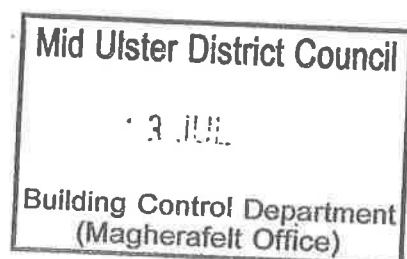
Re: Street names in Irish

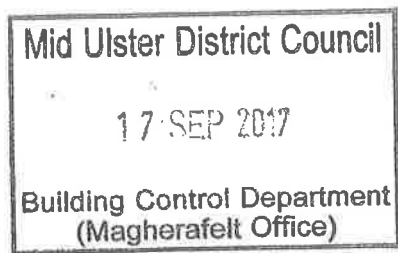
I refer to the above and request that the Council carries out a survey of my street to consider the feasibility of providing street signage in Irish as well as English.

I believe that this should be provided across the district but recognise that a consultation with residents is required.

Thank you for your consideration of this request and I look forward to hearing from you.

Is mise





Beltonanean Rd
Cookstown
Co. Tyrone
BT80 9TP

Dear Sir/Madam,

I am writing to you as a resident of Beltonanean Rd, Cookstown to request a bilingual road sign for Beltonanean Road.

As someone who uses Irish on a daily basis, works through Irish and has spoken Irish for over the last 14 years, a dual language sign would not only recognise that Irish is a spoken language amongst many residents in Mid-Ulster but it would also give recognition to the original Irish placename Bailte na n-Éan giving its meaning to the later anglicised version Beltonanean. I believe a bilingual sign would be fitting to the history of the area and a welcoming sign to those who speak Irish in the area today.

Thank you for taking the time to consider my application.

Kind Regards

Report on	Dual Language Signage Survey
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report								
1.1	To advise Members on the result of a survey undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplates requests								
2.0	Background								
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.</p> <p>The Policy for Street Naming and Dual Language Signage – Section 6.0, as adopted (See Appendix 1) forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.</p> <p>Members had previously agreed to canvass, by post, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case.</p> <ol style="list-style-type: none"> 1. Burnbank, Cookstown 2. Castleview Heights, Dungannon 3. The Milestone, Dungannon 								
3.0	Main Report								
3.1	<p>The Building Control Service within the Directorate of Public Health and Infrastructure issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate on that street/road:</p> <p>Completed surveys were received by the return date and the outcome is as follows in each case:</p>								
3.2	<table border="1"> <tr> <td>Name of Street</td><td>Burnbank, Cookstown</td></tr> <tr> <td>Language Requested</td><td>Irish</td></tr> <tr> <td>Date Request Validated</td><td>22/08/2017</td></tr> <tr> <td>Survey Request Approved by Environment Committee</td><td>12/09/2017</td></tr> </table>	Name of Street	Burnbank, Cookstown	Language Requested	Irish	Date Request Validated	22/08/2017	Survey Request Approved by Environment Committee	12/09/2017
Name of Street	Burnbank, Cookstown								
Language Requested	Irish								
Date Request Validated	22/08/2017								
Survey Request Approved by Environment Committee	12/09/2017								

Surveys Issued	29/09/2017
Surveys returned by	27/10/2017
Survey Letters Issued	45
Survey Letters Returned	22
Replies in Favour	20
Replies not in Favour	2
Invalid	0
Valid Returns	22
Percentage of Yes	91%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicated a “yes” then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Burnbank, Cookstown.

3.3

Name of Street	Castlevew Heights, Dungannon
Language Requested	Irish
Date Request Validated	22/08/2017
Survey Request Approved by Environment Committee	12/09/2017
Surveys Issued	29/09/2017
Surveys returned by	27/10/2017
Survey Letters Issued	125
Survey Letters Returned	47
Replies in Favour	44
Replies not in Favour	2
Invalid	1
Valid Returns	46
Percentage of Yes	96%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicated a “yes” then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Castlevew Heights, Dungannon.

3.4

Name of Street	The Milestone, Dungannon
Language Requested	Irish
Date Request Validated	22/08/2017
Survey Request Approved by Environment Committee	12/09/2017
Surveys Issued	29/09/2017
Surveys returned by	27/10/2017
Survey Letters Issued	81
Survey Letters Returned	34
Replies in Favour	29
Replies not in Favour	5
Invalid	0
Valid Returns	34
Percentage of Yes	85%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicated a “yes” then the Members

	are requested to consider to permit or not permit the erection of the dual language nameplates at The Milestone, Dungannon.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Within current resources</p> <p>Human: Within current resources</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None</p>
4.3	<p><u>Risk Management Implications</u></p> <p>None</p>
5.0	Recommendation(s)
5.1	<p>That Members agree the erection of the Dual Language Nameplates in Irish (See Appendix 2) in accordance with the Street Naming and Dual Language Signage – Section 6.0: Dual Language Signage Nameplates Policy as adopted for each street as more than 51% of surveys returned were in favour in each case:</p> <ol style="list-style-type: none"> 1. Burnbank, Cookstown 2. Castleview Heights, Dungannon 3. The Milestone, Dungannon
6.0	Documents Attached & References
6.1	<p>Appendix 1 – Street Naming and Dual Language Signage – Section 6.0: Dual Language Signage Nameplates Policy.</p> <p>Appendix 2 – Dual Language Nameplate Translation for each street/road.</p>

MID ULSTER DISTRICT COUNCIL

Dual Language Signage Nameplates

(Article 11 of The Local Government (Miscellaneous Provisions) (NI) Order 1995)

Revised Policy and Procedure

6.0 DUAL LANGUAGE SIGNAGE NAMEPLATES

6.1 The Council will apply this policy when considering applications for dual language signage expressing the name of the street in a language other than English, to both existing and new streets.

6.2 The 1995 Order gives the Council a discretionary power to erect dual language signs or second nameplates, adjacent to the nameplate in English. In exercising this discretionary power the Council must have regard to any views on the matter expressed by the occupiers of premises in that street.

6.3 Criteria - General

The Council in making arrangements and providing opportunities for dual language signage within street naming shall;

1. Have regard to any views on the matter expressed by occupiers of the street
2. For the purposes of the policy, “occupiers” shall mean any person who resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which has its frontage immediately adjoining the street, hereafter referred to as ‘property’. Only the views of occupiers aged 18 or over in each property that is occupied and listed on the Electoral Register at the date of survey will be considered.
3. In relation to properties , the ‘occupier’ will include the owner and family members or tenants as listed on the current Electoral / Rates Register as residing at that address or tenants in actual possession of the premises, but not employees within such premises at the date of the survey.
4. The naming of the street in a language other than English does not authorise or require its use as, or part of, the address of any person or the description of the land for the purpose of any statutory provision; e.g., Building Control applications.

6.4 The provision of dual language Street Names will normally only be considered in the following circumstances:

- In the case of existing streets, where the Council has been petitioned and/or consulted with the occupiers of premises in that street and other persons it deems appropriate, in accordance with these arrangements.

Dual Language Signage Nameplates: *Procedure*

In deciding whether it should exercise its discretionary powers in relation to erection of dual language nameplates under Article 11 of the 1995 Order, the Council shall only do so after having regard to the views of occupiers of premises which has its frontage immediately adjoining that street.

The procedure for seeking and assessing the views of occupiers and criteria to be applied in deciding whether to erect a dual language nameplate in a language other than English is;

1. A valid petition or letter, signed by occupiers of the street must be made to Council to enable this matter to be considered. Requests should be made to Building Control Service within the Public Health and Infrastructure Department. A petition / letter request shall be valid if; it is from an occupier who appears on the Electoral Register as maintained by the Electoral Office for NI; the address of the petitioner is contained on the petition / letter and; the individuals name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A petition / letter may be received by email but it must be attached as a file and signed. The Council shall not accept a request made within the body of an email.
2. The Environment Committee will receive notification of submitted requests by way of valid petition as referenced at 1, above. A petition will be deemed to be valid where it is completed by a minimum of one householder on that street. Approval will be sought from the Environment Committee to undertake the survey requested by the valid petition / letter.
3. Upon agreement, the Council will canvass, by post, all occupiers listed on the Electoral Register and the Pointer addressing system of that street; seeking their views on the request to erect a dual-language street nameplate. Each letter will contain survey forms for the number of occupiers registered on the Electoral Register for that property at that time.
4. The occupiers will be advised of the date by which completed surveys must be returned. Incomplete or illegible survey returns will not be counted. Completed surveys must be returned in the self- addressed envelopes provided for that purpose. Only replies received by the specified date shall be considered.
5. For purposes of assessment where 51 % (rounded to nearest whole number) of the occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate be approved and erected. The Environment Committee having considered the request and the result of the survey may agree to permit or not permit the erection of the dual language nameplate.
6. Where 51 % of occupiers (rounded to nearest whole number) that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then this shall be presented to the Environment Committee for decision recommending that the dual language street nameplate shall not be approved or erected.
7. If the request is refused by those households surveyed, further requests will not be considered until the expiry of 12 months from the date at which the Environment Committee refuses it.

8. Where the request is granted and the other language is Irish, the Irish Language Section within Department of Culture and Leisure and / or an approved translator will provide the Irish language form of the street name. Any other language shall be obtained from an approved translation service the cost of which will be notified to the Environment Committee when receiving the report on the outcome of the survey. The other language will not be used to express the name of the street for statutory purposes
9. The font and size of lettering of the other language shall be in accordance with that as shown in Appendix E.
10. Following the Council's decision on the matter all occupiers of the street will be notified of the decision.
11. Where agreed, a new dual language nameplate will be erected at the start and finish of the street or road in question and at such points along it as required e.g. at other road junctions, in accordance with any operational requirements as determined by the Property Services Team.

Appendix 2

Dual Language Nameplate

	Current Name	Irish Translation
Road	Burnbank	Bruach an tSrutháin
Townland	Cookstown	An Chorr Chríochach

	Current Name	Irish Translation
Road	Castleview Heights	Arda Radharc an Chaisleáin
Townland	Lisnahull	Lios an Choill

	Current Name	Irish Translation
Road	The Milestone	Cloch an Mhíle
Townland	Mullaghmore	An Mullach Mór

Report on	Service Level Agreement between Mid-Ulster District Council and E.P.B. Team
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To advise Members on the signing of a Service Level Agreement between Mid Ulster District Council and the Energy Performance of Building Team for the period 1 April 2017 to 31 March 2018.
2.0	Background
2.1	<p>The Service Level Agreement (SLA) with the Energy Performance of Building team allows for a consistent approach across each Council in Northern Ireland in relation to the education, enforcement and monitoring of compliance of the relevant requirements of the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended).</p> <p>In accordance with the Energy Performance of Building Regulations (NI) 2008 (as amended) there are a number of requirements which require officers to monitor and enforce as necessary.</p> <ol style="list-style-type: none"> 1. Energy Performance Certificates (EPC) which have a rating from A to G are required as follows: <ol style="list-style-type: none"> i. Each new building erected requires the production of an EPC. ii. Each building presented for sale or rental requires a current EPC to be made available to any perspective buyer or tenant. iii. Where buildings have been modified into a different number of units with services modified or extended. 2. Display Energy Certificates (DEC) are required to be displayed where the buildings are frequently visited by the public and have a floor area of more than 250m². An advisory report is produced in conjunction with a DEC and is valid for a period of 7 years and indicates recommendations which will result in an improved rating if carried out. 3. Inspection reports to be carried out on air conditioning systems with an effective rate output of more than 12KW. The systems should be checked and inspection reports produced at regular intervals not exceeding 5 years.

	Since the introduction of the Energy Performance of Building Legislation in 2008, an Enforcement Protocol has been in place between the Department of Finance and Personnel and Belfast City Council to co-ordinate a fully funded EPB Team which worked in conjunction with the 26 Councils in Northern Ireland and subsequently the 11 Councils since 2015 to enforce and monitor the specific requirements of the EPB legislation.
3.0	Main Report
3.1	<p>The EPB Team which is employed by Belfast City Council are currently funded by Department of Finance for the amount of £150,000. There is no additional funding required from Mid-Ulster District Council for services provided by the EPB team.</p> <p>The primary responsibility of enforcement of the EPB Regulations in Mid-Ulster is through the Building Control Department to ensure compliance across the District. Building Control Officers carry out random visits to estate agents and relevant commercial premises to assess compliance of the EPB Regulations on a regular basis. The Council may be audited by DoF (NI) to ensure compliance across the District and hence avoid any penalties for non-compliance of the EPB legislation across the District.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Within Current Resources</p> <p>Human: Within Current Resources</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None</p>
4.3	<p><u>Risk Management Implications</u></p> <p>Non-compliance of EPB Regulations in line with the EU Directive.</p>
5.0	Recommendation(s)
5.1	It is recommended that Mid Ulster District Council approve the signing of the Service Level Agreement with the EPB Team (see Appendix 1).
6.0	Documents Attached & References
6.1	Appendix 1 – Service Level Agreement document.

Service Level Agreement

between

**Mid Ulster
District Council**

and

EPB Team (facilitating authority)

1 April 2017 - 31 March 2018

Effective Date: 01 April 2017

Approval of the Service Level Agreement

This document identifies the roles of all parties to ensure effective working in partnership to satisfy the requirements of the EU Directive, the EPB Regulations and in delivering the requirements of the EPB Enforcement Protocol 2017-2018

In signing below, I agree to the terms and conditions outlined in this

Service Level Agreement

Signed

Head of Mid Ulster District Council Building Control

or

Director of Public Health and Infrastructure, Mid Ulster District Council

Date

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- 2.0 Terms of Reference
- 3.0 Agreement Overview
- 4.0 Goals & Objectives
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- 6.0 Confidentiality
- 7.0 Variations
- 8.0 Service Agreement
 - 8.1 Service Availability
 - 8.2 Request for Service
 - 8.3 Service Provider Responsibilities
- 9.0 Customer Responsibilities
 - 9.1 Provision of quarterly EPB Feedback information
- 10.0 Amendments and Revisions to Service Level Agreement

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1.0 Forward

Enforcement responsibility for the Energy Performance of Buildings (Certificates and Inspections) Regulations (NI) 2008 (as amended) referred to as the 'EPB Regulations' transferred to district councils on 3 December 2009. The exception to this is enforcement relating to district councils' own relevant buildings which remains with the Department of Finance and Personnel (DFP), restructured in 2016 as the Department of Finance (DoF).

District councils (as the enforcement authority) should be seen to lead the way in demonstrating EPB compliance with regard to council owned/leased relevant buildings. Councils must ensure that the appropriate energy certificates are in place as required: Energy Performance Certificate (EPC); Display Energy Certificate (DEC) and Air-conditioning Inspection Report (ACIR).

Belfast City Council (BCC), with the approval of the other district councils, has coordinated enforcement of the EPB requirements on behalf of all district councils since January 2010 through a dedicated EPB Team funded by the DoF. The Co-ordination, administration and management of EPB activities are carried out in accordance with an Enforcement Protocol (between DoF and BCC) and follows the guiding principles of the Government's Regulators Code. This code requires that regulatory activity is carried out in a way which is transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed.

This Service Level Agreement (SLA) clarifies the roles and responsibilities of all parties in satisfying the requirements of the EU Directive, the EPB Regulations and in delivering the requirements of the Enforcement Protocol 2017-2018. The SLA is an essential element which outlines how the EPB Team will work in partnership with district councils to collate data, determine EPB compliance levels and address any matters arising from quarterly feedback.

To date the feedback data from district councils has proved invaluable in providing statistical information and evidence of EPB Regulations enforcement across N.Ireland. This information has been used by the DoF to respond to a number of potential infraction proceedings which Europe has presented to the UK Region. The feedback data documents the EPB activities being carried out by councils: level and nature of compliance, volume of enforcement letters issued, number of site visits and various awareness raising activities.

Meetings between DoF representatives, the EPB Team manager, a representative of the Building Control Managers and a Belfast City Council manager are held on a quarterly basis to review the enforcement activities undertaken by the 11 councils during the previous quarter. This provides opportunity for all parties to discuss any issues that may have arisen with the operation of the Protocol or this SLA and to agree the emphasis for forthcoming enforcement activities.

2.0 Terms of Reference

For the purpose this document the following terms of reference include:

Service Provider: The Energy Performance of Buildings (EPB) Team

Customer: Building Control Manager/ Head of Service on behalf of the Council

Stakeholders: Elected Council Members, Building Control staff of the 11 councils in N.Ireland, DoF, members of the public/ members of industry affected by EPB Regulations

Document owner: Head of Building Control or

Director of Public Health and Infrastructure, Mid Ulster District

3.0 Agreement Overview

This Agreement represents a Service Level Agreement (the Agreement) between the Energy Performance of Buildings Team (the Service Provider) and the Council Building Control Manager (the Customer).

Each of the 11 councils in N.Ireland are responsible for the provision of EPB related services required to support and sustain enforcement of the EPB Regulations 2008 and any subsequent amendments to these regulations.

This Agreement remains valid until superseded by a revised agreement mutually endorsed by the Customer.

This Agreement outlines the parameters of all EPB related activities as identified in Section 9.0 Customer responsibilities, these are mutually understood by the stakeholders. This Agreement does not supersede current processes and procedures unless explicitly stated herein.

4.0 Goals & Objectives

The **purpose** of this Agreement is to ensure that the proper elements and commitments are in place to provide a consistent EPB related service support and delivery between the Customers and the Service Provider and to promote positive working in partnership.

The **goal** of this Agreement is to obtain mutual agreement on EPB related service provision between the Service Provider and the Customer.

The **objectives** of this Agreement are to:

- Fulfill the EPB enforcement requirements set out by the EPB Regulations
- Clearly define ownership, accountability, roles and/or responsibilities
- Present a clear, concise and measurable description of service provision to the Customer
- Monitor and raise levels of compliance for properties affected by the EPB Regulations
- Satisfy the requirements of the EPB Enforcement Protocol 2017-18 set out by the Department of Finance (DoF) and agreed with the facilitating council.

5.0 Periodic Review

This Agreement is valid from the Effective Date outlined herein until further notice. This Agreement should be reviewed at a minimum once per fiscal year; however, in lieu of a review during any period specified, the current Agreement will remain in effect.

The Customer is responsible for facilitating regular reviews of this document. Contents of this document may be amended as required, provided mutual agreement is obtained from the primary stakeholders and communicated to all affected parties. The Customer will inform the Document Owner of all subsequent revisions and obtain mutual agreements / approvals as required.

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Amendments and revisions are records in Section 10.0 of this SLA.

Document owner: Chief Executive of the Council

Customer: Building Control Manager/ Head of Service on behalf of the Council

Review Period: as required and within 12 months from 01 April 2017

Review Date: before 31 March 2018

6.0 Confidentiality

The Service Provider will treat as strictly confidential all information acquired by it from, or about the other councils, and external suppliers. No party will disclose such information to any other party, directly or indirectly, except where disclosure is required by law or is with the relevant parties' prior written consent.

Whilst under the conditions of the Protocol, the EPB Team are required to report to the DoF where any council within which EPB compliance has not been scrutinised during a reporting period; the EPB Team may be required to identify any such council.

The DoF will monitor the EPB Activities of district councils by carrying out an audit of that council's processes, enforcement activities and means to record / act upon findings, and awareness raising activities.

7.0 Variations

There may be circumstances during the year which prevent the full discharge of the Service Level Agreement through no fault of any party. Circumstances in which variations may occur during the period of the Service Level Agreement may include:

- Non-provision of responsibilities by the Service Provider or Customer
- Significant changes in the anticipated workload

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- New regulations or change in policy
- Performance of Hardware / Software

All parties will discuss the need for any variation to the Service Level Agreement at the earliest opportunity and will make any variation by mutual agreement.

8.0 Service Agreement

The following detailed service parameters are the responsibility of the Service Provider in the ongoing support of this Agreement.

The following sections provide relevant information as to the extent of services provided by the EPB Team in order to maintain a consistent level of support during this period.

8.1 Service Availability

Service Provider coverage parameters specific to the services covered in this Agreement are as follows:

- Telephone support : 0900 to 1700 Monday – Friday
- Calls received out of office hours will be forwarded to a mobile phone and best efforts will be made to answer / action the call, however there will be a backup answer phone service
- Email support: 0900 to 1700 Monday – Friday
- Emails received outside of office hours will be collected, however no action can be guaranteed until the next working day
- On-site assistance guaranteed within 72 hours during the business week

8.2 Request for Service

In support of services outlined in this Agreement, the Service Provider will respond to service related incidents and/or requests submitted by the Customer within the following time frames. The priority level will be determined by the Service Provider.

- 0-5 hours (during business hours) for issues classified as **High** priority.
- Within 12 hours for issues classified as **Medium** priority.
- Within 5 business days for issues classified as **Low** priority.

Remote assistance will be provided in line with the above timescales dependent on the priority of the support request.

8.3 Service Provider Responsibilities

The following Services to be provided are covered under this Agreement:

- Manned free phone and mobile telephone support available to the general public and 11 council building control services
- Email support available to the general public and all council building control services
- Each district council will have a dedicated support officer from within the EPB Team who will aim to provide assistance and advice on specific queries or opinions related to EPB regulations when required within one week of receiving the query.
- Monthly assistance provided by the dedicated EPB support officer to each council for EPB enforcement activities. This will be commensurate to individual council requirements in relation to EPB activity
- Dissemination of quarterly DoF reports to all councils along with any outcomes and relevant information arising within 10 days of the meeting.

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- Provision of advice, guidance and interpretation of EPB legislation with the aim of achieving consistency of EPB enforcement across all councils
- Provision of DoF liaison on behalf of the councils
- Provision of Landmark Register liaison through the DoF on behalf of the councils
- Through DoF liaison, the provision of monthly reports from the Landmark Register to assist with data collection, enforcement and EPB awareness activities
- Provision of training for any revisions / amendments to the EPB Regulations or recasts to the EU Directive
- Provision of EPB related information and web links to use on individual council websites where available
- Presentations to stakeholders as requested or required
- Provision of EPB Regulations related legal opinions
- Provision of EPB related data for individual council committee reports
- Attendance at relevant council committee meetings upon request
- Offer guidance and support with enforcement procedure and proceedings
- Provision of EPB related media information and articles within budget requirements
- Reporting to BCNI Committee and BCNI Managers upon request
- Provision of EPB advisory leaflets and literature within budget requirements
- Any revision or amendment to the SLA will be communicated and documented to the Customer

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9.0 Customer Responsibilities

Customer responsibilities in support of this Agreement include:

- Availability of a customer representative when resolving EPB related requests or related incidents
- Councils shall maintain paper and/or electronic records in such a way that enables the DoF to verify enforcement activities undertaken in any given quarter. Such information should identify clearly verification checks or audits on the work being undertaken to enforce the EPB Regulations. If required, the DoF and/or NI Audit office will be given access to all relevant documentation to demonstrate that the EPB Regulations are being enforced.
- To facilitate the requirements of DoF officials (including those from its internal audit and from the NI Audit Office), access may be given to all relevant documentation to facilitate random verification spot checks on the work being undertaken to enforce the EPB Regulations.
- The enforcing council will underwrite the cost of any court proceedings.
- Provision of council EPB feedback data is required to assist in determining levels of compliance (as stipulated by the DoF) in the quarterly report and must be forwarded to the Service Provider within five business days from the end of quarter period

9.1 Provision of quarterly EPB Feedback information

The EPB feedback data required from the Customer (as complied within the quarterly EPB Team feedback form) includes the following information:

EPC (Energy Performance Certificate):

- number of marketing estate agents or private agents in council area
- number of marketing estate agents or private agents visited/checked for compliance in domestic and non-domestic sectors for properties for both sale and rental (on site, on internet, in press, etc)
- number of properties being advertised by a marketing agent which do not have the EPC energy rating indicator on all their advertising commercial media. To determine if an agent is compliant, if 90+ % of properties have a valid EPC energy rating indicator on commercial media (website, third party website, press, brochure, window display, radio etc.) they may be deemed as being compliant.
- number properties identified as having to display the EPC (where an EPC has been carried out and the building has a floor area over 500m² and which are visited by the public, for example restaurant, retail, school) and the number of properties compliant
- number of new build or buildings modified into units to be used separately
- number of new build or buildings modified into units to be used separately with EPCs lodged on the Landmark Register
- where compliance is not found, the reasons for this
- and the enforcement action taken for any non-compliance

DEC (Display Energy Certificate):

- number of properties visited which require a DEC (with a floor area over 250m² of a building which is whole or part publically funded and which is visited by the public);
- number of properties with valid DEC (in date and correctly displayed) and which have a valid advisory report (AR) issued
- number of advisory reports which are not valid, ie have expired the seven year period and the building is still required to have a DEC

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- where compliance is not found, the reasons for this
- and the enforcement action taken for any non-compliance

Air-conditioning Systems:

- number of properties identified as requiring an air-conditioning inspection report (ACIR) to be carried out (system has an output greater than 12kW, is used for the comfort cooling and uses refrigerant gas)
- the number of properties with air-conditioning which are compliant, ie. have a valid ACIR lodged onto the Landmark Register
- number of ACIR which are not valid, ie have expired the five year period and the air-conditioning system is still in use
- where compliance is not found, the reasons for this, and
- any enforcement action taken for non-compliance

Complaints and queries:

- any complaints and queries to council in respect of EPC, DEC or air-conditioning, the action taken and the outcome or action carried out by the council to resolve the situation.

Enforcement Correspondence:

- number and nature of breaches identified,
- number of enforcement letters issued (Letters 1 and 2)
- extent of compliance gained as a result of enforcement letters issued
- action taken and outcome
- where compliance is not found, the reasons for this
- number of Penalty Charge Notices issued by nature of breach and associated income
- number of Penalty Charge Notices (PCN) withdrawn and reason for withdrawal; and details of any County Court appeals.

10.0 Amendments and Revisions to Service Level Agreement

As a result of further grant funding from the Department of Finance, the scope of work carried out by the EPB Team has been extended for a further year, to complete on 31 March 2018.

Document Owner: Head of Building Control / Chief Executive of the 11 District Councils		
Revision reference:	Revision date:	Author:

Revision Ref:

Date

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Report on	Department for Infrastructure Roads Proposals to Mid Ulster Council
Reporting Officer	Andrew Cassells, Director of Environment & Property
Contact Officer	Andrew Cassells, Director of Environment & Property

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek the agreement of Members in relation to proposals from Department for Infrastructure Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.
2.0	Background
2.1	Department for Infrastructure Roads are consulting the Council with proposals to introduce measures designed to improve network safety, sustainability and efficiency to encourage safe and sustainable travel.
3.0	Main Report
3.1	<p>The following outlines the proposal to be brought to the attention of the Environment Committee:</p> <p>Proposed Provision of a Disabled Persons' Parking Bay – Hillcrest, Aughnacloy</p> <p>Department for Infrastructure Roads are proposing to provide a disabled persons' parking bay at Hillcrest, Aughnacloy.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices 1 and 2 to this report.</p> <p>Proposed Provision of a Disabled Persons' Parking Bay – Parkview, Pomeroy</p> <p>Department for Infrastructure Roads are proposing to provide a disabled persons' parking bay at Parkview, Pomeroy.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices 3 and 4 to this report.</p>

4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Not applicable</p> <p>Human: Not applicable</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>The proposal will assist in improving the mobility of a disabled resident within the Mid Ulster District Council area.</p>
4.3	<p><u>Risk Management Implications</u></p> <p>The introduction of the aforementioned proposals at this location will assist in the management of road safety issues.</p>
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposals submitted by Department for Infrastructure Roads.
6.0	Documents Attached & References
6.1	<p>Appendix 1</p> <p>Letter from Department for Infrastructure Roads dated 25th October 2017; Proposed Provision of a Disabled Persons' Parking Bay at Hillcrest, Aughnacloy.</p>
6.2	<p>Appendix 2</p> <p>Drawing – Proposed Provision of the Disabled Persons' Parking Bay at Hillcrest, Aughnacloy</p>
6.3	<p>Appendix 3</p> <p>Letter from Department for Infrastructure Roads dated 23rd October 2017; Proposed Provision of a Disabled Persons' Parking Bay at Parkview, Pomeroy.</p>
6.4	<p>Appendix 4</p> <p>Drawing – Proposed Provision of the Disabled Persons' Parking Bay at Parkview, Pomeroy.</p>



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Network Development

Chief Executive
Mid Ulster District Council
Ballyronan
Magherafelt
BT45 6EN

County Hall
Drumragh Avenue
Omagh

Tel: 028 8225 4085

25 October 2017

Dear Mr Tohill

PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT HILLCREST, AUGHNACLOY

DfI Roads is proposing to provide a disabled persons' parking bay at Hillcrest, Aughnacloy, as detailed on the attached map.

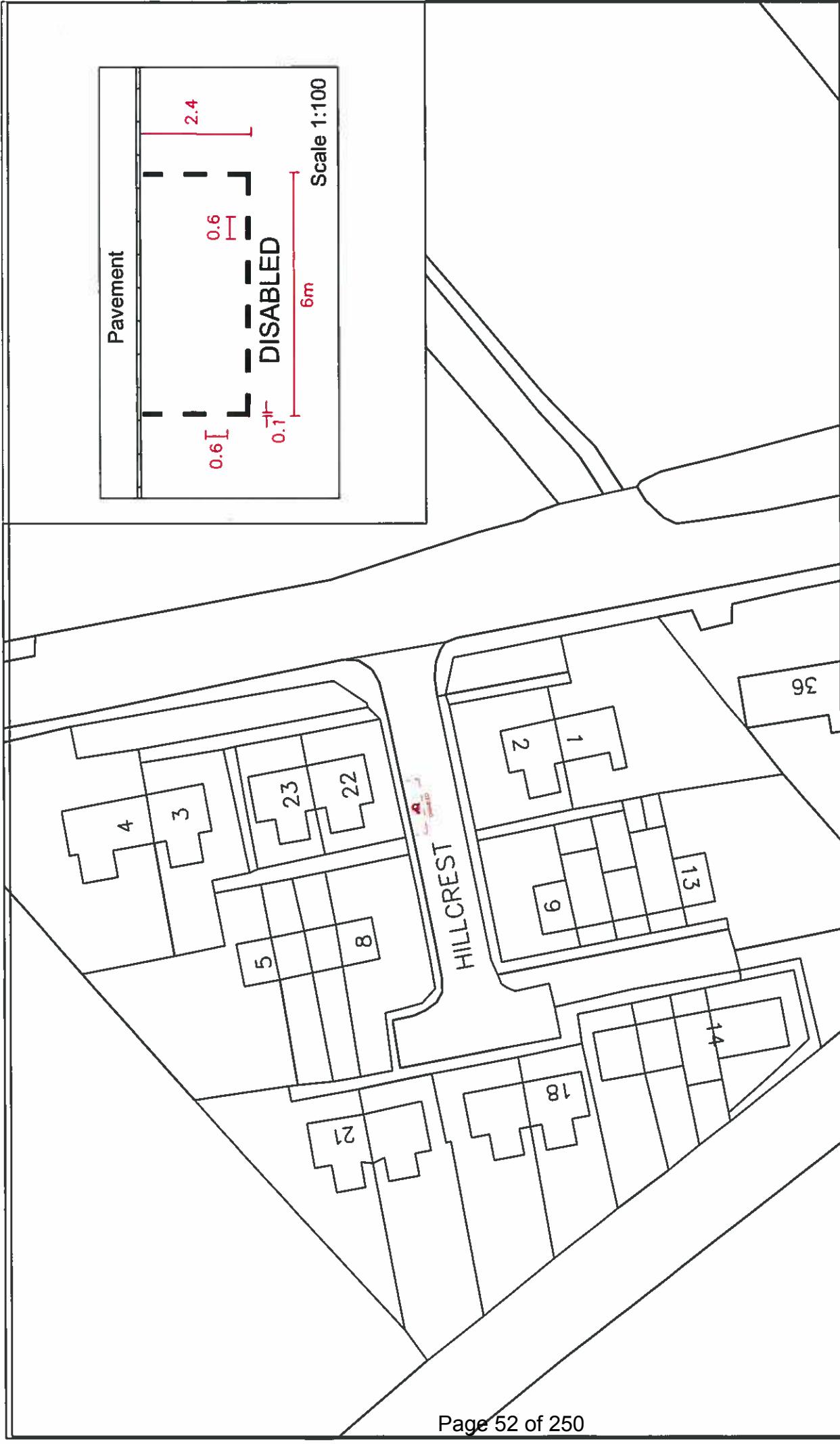
PSNI have been consulted and are in agreement with the proposal.

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc



DfI Roads

An Agency within the Department for
Regional Development
www.dfid.gov.uk

22 Hillcrest Park Aughnacloy Disabled Parking Bay

Date: October 2017

Traffic Management
County Hall
Drumragh Avenue
Omagh
BT79 7AF

Telephone: (028) 82255643
Fax: (028) 82255642
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Department for

Infrastructure

An Roinn

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Network Development

Chief Executive
Mid Ulster District Council
Ballyronan
Magherafelt
BT45 6EN

County Hall
Drumragh Avenue
Omagh

Tel: 028 8225 4085

23 October 2017

Dear Mr Tohill

PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT PARKVIEW, POMEROY

DfI Roads is proposing to provide a disabled persons' parking bay at Parkview, Pomeroy, as detailed on the attached map.

PSNI have been consulted and are in agreement with the proposal.

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

89 Park View Pomeroy



Report on	Sustainable Northern Ireland SLA Funding Request
Reporting Officer	Raymond Lowry
Contact Officer	Yvonne Zellmann – Sustainability Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To request continued Council support of Sustainable NI from 2017 to 2020 in the form of £5,000 annual membership funding.
2.0	Background
2.1	Sustainable NI was established in 1997 to support Northern Ireland local government in mainstreaming sustainable development policies and activities throughout their organisations. To date, Sustainable NI has been financially supported by local authorities with additional funding from charitable trusts. It is currently solely funded through council subscriptions to the Local Government Sustainable Development Forum. Mid Ulster District Council contributed £5,000 to Sustainable NI for the 2016/17 financial year.
2.2	Sustainable NI has over 25 years of direct experience of the sustainable development agenda in Northern Ireland. It has positioned itself to provide authoritative advice on all aspects of sustainable development with expertise on a wide variety of issues including green procurement, sustainable construction and renewable energy and smart technology; it has published a suite of associated support materials for guidance and reference.
3.0	Main Report
3.1	A funding request has been received by Sustainable NI (appendix 1) to ask Council to provide continued support for their services with an annual subscription of £5,000 over the next three financial years (2017-20). For this period, Sustainable NI are suggesting the adoption of a basic Service Level Agreement (SLA) for client organisations and have provided a 'model' SLA (appendix 2) which can be tailored to reflect specific requirements.
3.2	<p>The following detailed services will be provided by Sustainability NI as part of the SLA:</p> <ul style="list-style-type: none"> • Provide assistance and guidance for Council to comply with the Departments' reporting requirements through a Sustainability toolkit. • Assist Council to develop a Sustainability Policy and Action Plan • Work in partnership with Council to build Sustainability into its plans for the delivery of the Strategic Growth plan.

	<ul style="list-style-type: none"> • Manage, maintain and expand the Sustainable Development Forum to promote good practice at a local level. • Provide support to Council and other public bodies to deliver government initiatives to meet Sustainability and Energy Reduction targets in the region. • Promote understanding and awareness of sustainability issues in Council through the provision of staff training, workshops and other events. • Work in collaboration with Council on EU project delivery to raise awareness on sustainable initiatives, through seminars, training and workshops. • Work in partnership with Council to develop strategies to mitigate the effects of climate change at a regional level. • Work in partnership with Council to advise and support the Sustainable Food Cities application process and the development of a regional Food Network initiative.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: £5000 annual contribution to Sustainable NI for 3 years (Apr 2017- Mar 2020) Human: Staff time required to engage in the Sustainable Forum activities.
4.2	<u>Equality and Good Relations Implications</u> N/A
4.3	<u>Risk Management Implications</u> Reduced impact on potential joint initiatives with other sustainable organisations / departments and potential delays in keeping abreast of new legislation.
5.0	Recommendation(s)
5.1	Members are requested to note the content of this report and approve the Service Level Agreement with Sustainable NI for period April 17 – March 2020 subject to review every 12 months .
6.0	Documents Attached & References
6.1	Appendix 1 - Letter of 10 July 2017 from Nichola Hughes re Three Year Commitment: Sustainable Northern Ireland.
6.2	Appendix 2 - Draft Service Level Agreement between Mid Ulster District Council and Sustainable NI 1st April 2017 – 31st March 2020



Council funding underpins the existence of Sustainable NI and I hope you will be able to add the support of Mid Ulster District Council with an annual subscription of £5000 over the next three financial years (2017-20). For this period, we are suggesting the adoption of a basic Service Level Agreement (SLA) for client organisations and, to that end, we have attached a suggested SLA together with a work plan to guide the activities of the Sustainable Development Forum over the next three years.

I hope that Sustainable NI can continue to help you to deliver Mid Ulster's sustainability objectives and, to that end, I would welcome an opportunity to discuss your requirements in some more detail so that we may tailor the Service Level Agreement accordingly.

Yours sincerely,



Nichola Hughes
Sustainability Officer



Sustainable Northern Ireland is a Company limited by guarantee 11038784 and registered with The Charity Commission for Northern Ireland NIC103426



Service Level Agreement

between

Mid Ulster District Council

and

Sustainable NI

1st April 2017 – 31st March 2020

Sustainable Northern Ireland (SNI) is a NI charity working with partners to advance the pursuit of sustainable development by public authorities and others. We are committed to the principles of sustainable development; our work programmes encourage organisations to integrate these principles throughout their own operations and business planning functions. Sustainable Northern Ireland also established the Belfast Food Network, a project to develop initiatives that will make Belfast a Sustainable Food City.

Approval of the Service Level Agreement

This document defines the roles of all parties to ensure effective working in partnership between the two parties named below to promote and enhance sustainable development in the council area.

In signing below, we agree to the terms and conditions outlined in this Service Level Agreement.

Mid Ulster District Council

Signed:

Position:

Date:

Sustainable NI

Signed:

Position:

Date:

Overview

Under the NI (Miscellaneous Provisions) Act 2006 councils have a statutory duty to contribute to the achievement of sustainable development in Northern Ireland. This has been reinforced in the Community Planning component of the 2014 Local Government Act. In addition, the Strategic Planning Policy Statement, which provides councils with strategic direction for local development plans, is founded on the principles of sustainable development. This legislation provides a strong mandate for action on sustainability by the eleven councils, as well as their statutory partners.

Sustainable NI offers a range of technical and strategic support services to help councils understand the scope of their legislative responsibilities on sustainable development and to put in place the structural arrangements needed to comply with these obligations. Sustainable NI supplies expert advice on sustainability issues, as well as signposting to policy research and case studies, in areas as diverse as renewable energy, spatial planning, sustainable food and climate change adaptation. It also provides tailored support through its use of specialised toolkits, such as the Sustainability Audit Matrix.

Sustainable NI also manages the Local Government Sustainable Development Forum, a network of officers responsible for sustainable development in Northern Ireland. It provides critical support for councils in the SD statutory duty compliance process, fostering an environment in which colleagues have been able to share experience and intelligence in an atmosphere of trust and mutual support.

This support has helped to stimulate a healthy level of good practice on sustainable development among councils, especially important in the face of a diminished role undertaken by central government departments.

Terms of Reference

For the purpose of this document the following terms of reference include:

Service Provider:	Sustainable NI
Customer:	Mid Ulster District Council
Document Owner:	Mid Ulster District Council

Agreement Overview

This agreement represents a Service Level Agreement (the Agreement) between Sustainable NI (the Service Provider) and Mid Ulster District Council (the Customer).

The Agreement will be reviewed annually and will remain valid until superseded by a revised agreement mutually endorsed by the Customer and the Service Provider.

This Agreement outlines the parameters of all related activities by the Service Provider and the responsibilities of the Customer.

The purpose of this Agreement is to ensure that the proper commitments are in place to provide satisfactory service support and delivery between the Client and the Service Provider and to obtain mutual agreement on the services that will be provided to the Client in year.

The objectives of this Agreement are to:

- Clearly define ownership, accountability, roles and/or responsibilities
- Present a clear, concise and measurable description of service provision to the customer

Service Agreement

The following detailed service parameters are the responsibility of the Service Provider in the ongoing support of this Agreement:

- Provide assistance and guidance for Council to comply with the departments' reporting requirements through a Sustainability toolkit.
- Assist Council to develop a Sustainability Policy and Action Plan
- Work in partnership with Council to build Sustainability into its plans for the delivery of the Strategic Growth plan.
- Manage, maintain and expand the Sustainable Development Forum to promote good practice at a local level.
- Provide support to Council and other public bodies to deliver government initiatives to meet sustainability and energy reduction targets in the region.
- Promote understanding and awareness of sustainability issues in Council through the provision of staff training, workshops and other events.
- Work in collaboration with Council on EU project delivery to raise awareness on sustainable initiatives, through seminars, training and workshops.
- Work in partnership with Council to develop strategies to mitigate the effects of climate change at a regional level.
- Work in partnership with Council to advise and support the Sustainable Food Cities application process and the development of a regional Food Network initiative.

Customer Responsibilities

Customer responsibilities in support of this Agreement include:

- Availability of a customer representative to liaise with the Service Provider
- On-going support for the initiatives developed by the Service Provider
- Appoint an Officer to represent Council at the Northern Ireland Local Government Sustainable Development Forum
- Provide a level of financial support to assist with the running costs of Sustainable NI's office facility and the delivery of the services provided.

Confidentially

The Service Provider will treat as strictly confidential all information acquired through its actions in delivery of the Agreement. No party will disclose such information to any other party, directly or indirectly, except where disclosure is required by law or is with the relevant parties' prior written consent.

Variations

There may be circumstances during the duration of the Agreement which prevent the full discharge of each party's responsibilities through no fault of either party. Circumstances in which variations may occur during this period may include, but are not limited to:

- No-provision of responsibilities by the Service Provider or Customer
- Significant changes in the anticipated workload
- Changes in Government or EU legalisation

Each party will discuss the need for any variation to the Service Level Agreement at the earliest opportunity and will make any variation by mutual agreement

Periodic Review

This Agreement is valid from the effective date outlined herein until further notice. The Agreement will be reviewed annually. However, in lieu of a review during any period specified, the current Agreement will remain in effect.

The Customer is responsible for facilitating regular reviews of this document. Contents of this document may be amended as required, provided mutual agreement is obtained from the Customer and the Service Provider. The Customer will inform the Document Owner of all subsequent revisions and obtain mutual agreement/approval as required.

Amendments and revisions are recorded in the document.

Review Date: on or before 31st March 2018

Document Owner:		
Revision Reference	Revision Date	Author

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Local Government Sustainable Development Forum Work-plan 2017-20

SD Forum's Measures of Success	Targets (2017-2020)
Governance	
1. All eleven councils are members of the SD Forum, actively participating in its meetings and other activities.	<i>100% of district councils are members of the SD Forum, actively participating.</i>
2. Quarterly meetings of the SD Forum are held, with additional working group meetings, as required.	<i>A minimum of four SD Forum meetings will be arranged.</i>
3. The terms of reference for the SD Forum, its membership and its work-plan will be subject to a biennial review, led by the SD Forum Management Group.	<i>The SD Forum Management Group will instigate a review of the SD Forum's current terms of reference (adopted in December 2015), its membership and its work-plan.</i>
Compliance	
1. Performance Indicators: The SD Forum develops a model set of indicators to assess organisational progress on sustainability.	<i>By March 2018, the SD Forum has agreed a set of indicators as a means of providing evidence of progress in achieving improvement objectives.</i>
2. Compliance tools: The SD Forum's Sustainability Assessment Tool (SAT) is revised to reflect the augmented responsibilities of councils.	<i>By March 2018, an SD Forum working group has drafted amendments to the existing SAT that will meet the criteria set out in the departmental Guidance for Local Government Performance Improvement.</i>

SD Forum's Measures of Success	Targets (2017-20)
Capacity-Building	
1. Skills Training: The SD Forum develops resources for its members to support their delivery of sustainability skills training for colleagues	<i>By March 2019, training materials will have been developed and tested by member organisations.</i>
2. Expert Speakers: The SD Forum provides presentations from identified experts on a range of topics to support members' professional development	<i>By March 2018, the SD Forum will organise presentations on topics to include: NI Executive SD policy; sustainability in capital projects; community energy models; climate change adaptation; open data; waste management; sustainable procurement; Energywise programme.</i>
3. Guidance Materials: The SD Forum develops guidance materials for members to support their promotion of sustainability principles throughout their organisations	<i>By December 2018, an SD Forum working group will have developed a suite of guidance materials on topics to include: SD legislation; councils' SD duties; procurement (inc Fairtrade); sustainable food & catering; adapting to climate change; transport; energy opportunities; sustainability in Local Development Plans.</i>
4. Study Visits: The SD Forum will arrange study visits for members to projects that demonstrate best practice in sustainable development.	<i>By March 2018, the SD Forum will have organised study visits to identified projects of best practice. These projects may include Incredible Edible Cloughmills; Lightsource Solar Farm; the PRONI building, biomass and CHP installations in Culmore.</i>
5. Conference: The SD Forum will collaborate with partners to organise a NI-wide event on sustainable development.	<i>By March 2018, the SD Forum will have organised an event in collaboration with partners (DAERA? NIEL? Climate NI?)</i>
Communication	
1. Promoting the SD Forum: The SD Forum will develop engagement plans to build its profile among councillors and senior managers.	<i>By March 2018, the SD Forum will collaborate with NILGA to engage councillors and with SOLACE to promote the SD Forum to CEOs.</i>
2. Promoting progress and best practice in sustainable development within the local government sector and sharing this information unilaterally through a report.	<i>By March 2019, the SD Forum will have contributed evidence to a report on the state of sustainable development in Northern Ireland's local government sector.</i>

Report on	The Consultation on Regulations to restrict the age of sale for nicotine inhaling products to over eighteens
Reporting Officer	Fiona McClements
Contact Officer	Fiona McClements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform Council about the Department of Health's consultation on Regulations to restrict the age of sale for nicotine inhaling products (NIPs) to over eighteens and to seek approval for a response to be forwarded from MUDC.
2.0	Background
2.1	<p>Since 2011, the popularity of nicotine inhaling products, the most popular of which are e-cigarettes, has grown exponentially. A recent survey carried out in Northern Ireland showed that 16% of adults here have tried e-cigarettes at least once and that 6% of the population currently use them (over 85,000 people). Reasons given for using them vary from health reasons i.e. to quit smoking or to reduce the number of cigarettes smoked, to financial reasons as they are cheaper than cigarettes.</p> <p>Given that e-cigarettes are relatively new products, there are no legal restrictions in Northern Ireland regarding who can purchase them or where they can be used.</p> <p>However, the revised EU Tobacco Products Directive, which was implemented across the UK from May 2016, does introduce a number of requirements for e-cigarettes in order to ensure that they are safer for use by consumers. Key measures in the EU Directive relate to unlicensed nicotine inhaling products and include:</p> <ul style="list-style-type: none"> • a limitation on the nicotine content of e-liquids; • a requirement for manufacturers and importers to report on ingredients in, and emissions resulting from, the use of e-cigarettes and provide toxicological data; • a requirement for the provision of information to consumers, including a health warning on packaging; and • restrictions on cross-border advertising and promotion – including a ban on advertising on television, radio and the internet.

3.0	Main Report
3.1	<p>In Northern Ireland, at present, there are no restrictions on the sale of e-cigarettes. This is not the case in the rest of the UK where they are now prohibited for sale to under eighteens. A number of e-cigarette products are marked by their manufacturers as only suitable for use by adults and most responsible retailers will refuse to sell them to under eighteens, however, a consistent approach in the form of a minimum age of sale requirement is preferable. E-cigarette use has been estimated as being 95% safer than tobacco use in a 2015 Public Health England report. However, the relative newness of these products means that the long-term effects of inhaling the chemicals present in e-cigarettes is still unknown. For smokers who find they cannot give up tobacco, e-cigarettes would certainly appear to present a less harmful option but their use by non-smokers is strongly discouraged. While e-cigarettes do not contain many of the harmful components of tobacco, they do contain nicotine. Nicotine is highly addictive and according to the World Health Organisation, exposure to nicotine whilst still in adolescence can lead to long-term consequences for brain development. As a result, the WHO recommends that the sale and/or distribution of e-cigarettes to minors is banned.</p>
3.2	<p>Detail of Proposed Regulations</p> <p>Regulations will be made in accordance with Section 1 of the Health (Miscellaneous Provisions) Act (Northern Ireland) 2016. The draft regulations propose that a minimum age of sale of eighteen years will apply to “nicotine inhaling products (NIPs). This definition, which is the same as that used in similar regulations introduced in England and Wales from 1 October 2015, covers all e-cigarette devices and their refills. Within the regulations, a “nicotine inhaling device” covers any device which is intended for the purpose of enabling nicotine to be inhaled through a mouth piece, regardless of how they are powered. The device will still be covered by the regulations even if the user intends it for the purposes of inhaling non-nicotine containing e-liquids. The proposed regulations do not cover component parts such as batteries, charging devices and electrical leads for NIPs.</p> <p>The draft regulations will also make it an offence for an adult to purchase a nicotine-inhaling product on behalf of a child, unless it has been prescribed for that child. This will bring the purchase of NIPs into line with other age-restricted products such as tobacco and alcohol. The proxy purchase offence could also apply to some NIPs which are licensed as medicines. For example, where a product is licensed for general sale but is indicated for use by over eighteens only, it would be an offence for an adult to purchase such a product on behalf of a child. As is the case with tobacco and alcohol, the adult making the purchase on behalf of the child would be committing the offence and not the retailer who has sold the product.</p> <p>Members from Northern Ireland Tobacco Task Group and Northern Ireland Consumer Protection sub-group, have prepared a response to the Department of Health’s consultation on regulations restricting the age of sale for nicotine inhaling products to over eighteens. This consultation response has been considered by this Department and amended to reflect the MUDC Environmental Health view.</p>

4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: N/A</p> <p>Human: Potential staff time spend on test purchasing exercises.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>N/A</p>
4.3	<p><u>Risk Management Implications</u></p> <p>N/A</p>
5.0	Recommendation(s)
5.1	That members consider and agree the content of the draft response to consultation as attached .
6.0	Documents Attached & References
6.1	Proposed Mid Ulster District Council response to the Department of Health's Consultation on Regulations Restricting the age of sale for nicotine inhaling products to over eighteens.

REGULATIONS RESTRICTING THE AGE OF SALE FOR NICOTINE INHALING PRODUCTS TO OVER EIGHTEENS

Consultation Response Questionnaire

September 2017

CONSULTATION RESPONSE QUESTIONNAIRE

You can respond to the consultation document by e-mail or in writing.

Before you submit your response, please read **Appendix 1** at the end of this questionnaire, regarding the Freedom of Information Act 2000 and the confidentiality of responses to public consultation exercises.

Responses should be sent to:

By e-mail: phdconsultation@health-ni.gov.uk

In writing: Population Health Directorate Administration Team
Department of Health
Room C4.22
Castle Buildings
Belfast
BT4 3SQ

**RESPONSES CANNOT BE CONSIDERED AFTER 5.00PM ON FRIDAY 27
OCTOBER 2017**

I am responding: as an individual ☐ on behalf of an organisation ☒
(please tick a box)

Name:	Mid Ulster District Council
Job Title:	Head of Environmental Health
Organisation:	Mid Ulster District Council
Address:	Circular road
	Dungannon
	BT71 6DT
Tel:	03000 132 132
E-mail:	Env.health@midulstercouncil.org

Q1. Do you have any comments regarding the definition of nicotine inhaling products proposed in the draft regulations?

Yes ☐ No ☒

Mid Ulster District Council welcomes the definition of a “nicotine inhaling device” as it covers any device which is intended for the purpose of enabling nicotine to be inhaled through a mouth piece, and covers those which the user intends for the purposes of inhaling non-nicotine containing e-liquids.

Q2. Do you agree that there should be an offence of proxy purchasing in relation to the underage sale of nicotine inhaling products?

Yes ☒ No ☐

Mid Ulster District Council agrees that there should be an offence of proxy purchasing in relation to the underage sale of nicotine inhaling products (NIPs) as it will hopefully act as a deterrent, however it is anticipated that there may be practical difficulties for enforcement.

Q3. Do you agree that there should be exemptions for licensed nicotine inhaler products as set out in regulations 5 and 6 the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations?

Yes ☐ No ☒

Mid Ulster District Council agrees with the exemption for licenced NIPs set out in Regulation 5, however, whilst we recognise that Regulation 6 is intended to allow the sale of medicinal NIPs designed for under 18s in the same way as other nicotine replacement therapy e.g. gum and patches, we believe that NIPs may be more attractive to children and young people and should therefore remain under the strict control of pharmacists.

Q4. Do you have any comments on the level of fixed penalty notice fines applicable for the age of sale and proxy purchasing offences in relation to nicotine inhaling products?

Yes ☒ No ☐

Mid Ulster District Council supports the level of fixed penalty notice fines as this brings them in line with similar tobacco offences, which will hopefully act as a deterrent and encourage compliance.

Q5. Do you have any information or evidence which would inform the consultation-stage impact assessment? This may be in relation to the impact the proposed legislation would have on retailers, manufacturers or distributors.

Yes ☐ No ☒

No

Q6. Do you wish to make any other comments or provide other evidence about possible health, economic or social impacts of the regulations, whether adverse or beneficial?

Yes ☒ No ☐

Mid Ulster District Council fully supports the introduction of this legislation and every effort made to effectively reduce the accessibility of NIPs to children and young people.

Appendix 1

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at:

<http://www.informationcommissioner.gov.uk/>).

Report on	Brown Bin Food Waste Scheme Project/Funding update
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the success of the Re-launch of the brown bin scheme and to seek approval for expenditure of funding on a second phase of Food Waste Communications.
2.0	Background
2.1	At the Committee meeting in May members were updated on the successful Re-launch of the Councils organic waste kerbside collection scheme in order to focus on the diversion of food waste from black bins to brown bins so as to comply with the new requirements of the Food Waste (NI) Regulations thereby improving our recycling rate and saving money.
3.0	Main Report
3.1	Over the past six months new "Recycling to the Max" Information Packs, including a free roll of kitchen caddy liners, leaflet and new bin labels, have been delivered to all of the households in the district (approximately 54,000 No.) which was a significant undertaking. A total of £65,000 funding was obtained from DAERA to assist with this initiative/project.
3.2	<p>The distribution of the Recycling Information Packs was supported by an intensive communications campaign throughout the period which included the following activities:</p> <ul style="list-style-type: none"> • Installation of new Food Waste livery on refuse vehicles (see appendix 1) • Photo-calls with Chair and associated features in local press/radio • Updates on Council website, social media and Bin-Ovation App • Feature in Insight Council magazine
3.3	The campaign generated a great deal of interest/queries from the general public and requests for the provision of brown bins and/or kitchen caddies from householders who had never previously received one. As a result approximately 800 No. additional brown bins and 1100 No. kitchen caddies were provided, free of charge, to householders over the six month period (charges for the purchase of brown bins were re-introduced at the start of October). As a result the Council is now fully compliant with its legal obligations under the Food Waste (NI) Regulations 2005 which require a container for food waste collection to be made available to each household in its district.

3.4	<p>Figures for the April to June quarter, when compared to the same quarter last year, have confirmed that the campaign is working very well, showing a 6.7% increase in the amount of compostable material collected from brown bins with a corresponding decrease in the amount of residual waste collected in black bins (as per breakdown shown in below table)</p> <table><tr><td></td><td><i>April to June 2016</i></td><td><i>April to June 2017</i></td><td><i>Variance (%)</i></td></tr><tr><td><i>Black bin tonnage</i></td><td><i>6868</i></td><td><i>6410</i></td><td><i>-458 tonnes (- 6.7%)</i></td></tr><tr><td><i>Brown bin tonnage</i></td><td><i>3780</i></td><td><i>4035</i></td><td><i>+ 55 tonnes (+6.7%)</i></td></tr></table>		<i>April to June 2016</i>	<i>April to June 2017</i>	<i>Variance (%)</i>	<i>Black bin tonnage</i>	<i>6868</i>	<i>6410</i>	<i>-458 tonnes (- 6.7%)</i>	<i>Brown bin tonnage</i>	<i>3780</i>	<i>4035</i>	<i>+ 55 tonnes (+6.7%)</i>
	<i>April to June 2016</i>	<i>April to June 2017</i>	<i>Variance (%)</i>										
<i>Black bin tonnage</i>	<i>6868</i>	<i>6410</i>	<i>-458 tonnes (- 6.7%)</i>										
<i>Brown bin tonnage</i>	<i>3780</i>	<i>4035</i>	<i>+ 55 tonnes (+6.7%)</i>										
3.5	<p>A further increase in the amount of food waste collected is expected to be reported for the last (July to September) quarter given the fact that not all Recycling Information Packs and additional brown bins/caddies had been distributed by the end of June.</p>												
3.6	<p>However in order to sustain this performance and help drive further improvements it is proposed to undertake a second phase of Food Waste Communications before the end of the year. This will involve the application of another “No Food Waste” sticker to the lids of black bins throughout the district reminding householders to use their brown bins for food waste all the year round (sample of reminder sticker included at appendix two).</p>												
3.7	<p>In order to assist with this second phase of communications a funding application (to purchase the necessary stickers) was submitted on 20th September to DAERA, via WRAP Local Authority Support, and I am pleased to report that a Letter of Offer for £5,300 was received one month later on 20th October (copy included at appendix three).</p>												
4.0	Other Considerations												
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial:</p> <p>This latest letter of offer brings the total amount of funding secured by Environmental Services for waste management projects in Mid Ulster district to approximately £320k. The cost of providing the additional brown bin and caddies will be more than offset by savings in residual waste treatment compared to processing of brown bin material.</p> <p>Human: A significant amount of officer time has been involved in the Re-launch campaign</p>												
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>Each householder in the district is now being offered the same level of service in relation to refuse and recycling i.e. a fortnightly collection of black, blue and brown bins.</p>												
4.3	<p><u>Risk Management Implications</u></p> <p>The Council is now fully complaint with its legal obligations under the Food Waste (NI) Regulations 2005 which require a container for food waste collection to be made available to each household in its district.</p>												
5.0	Recommendation(s)												

	Members are asked to note the contents of this report and to endorse the second phase of Food Waste Communications and acceptance/expenditure of related funding as outlined.
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6.0	Documents Attached & References
6.1	Photograph of new Food Waste livery on refuse collection vehicle
6.2	Proposed No Food Waste sticker
6.3	WRAP/DAERA Project Funding Agreement



No food waste please!

Remember to use your brown bin
for food waste all year round

Call 03000 132 132
www.midulstercouncil.org/recycle



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Ref: NIP008-001 Project Funding Agreement

John Murtagh
Environmental Projects Officer
Ballyronan Road
Magherafelt
BT45 6EN

20th October 2017

Dear John,

Re: WRAP Local Authority Support: Recycling Food Waste Communications to Householders.

We have reviewed your recent expression of interest, and I am pleased to inform you that WRAP has agreed to offer Mid Ulster District Council a grant award of **£5,300** subject to your signed acceptance below and the submission of any required prerequisites.

Please note the items outlined in the Key Conditions section of the contract. Also note that the Award is subject to monitoring and evaluation criteria being agreed. The metrics outlined in Section 1.2 of the Agreement will form the basis for reporting progress to DAERA in the form of a Post Project Review (PPR) Form (included as Project Schedule, Annex 1).

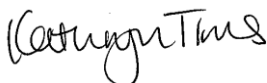
Important: Grant funds can only be used towards the eligible items detailed in the Project Schedule below and your project must be completed within the agreed timescales. In order to drawdown your grant, you will be required to complete an Application for Payment form (template provided by WRAP) attaching the required evidence as detailed in the milestones table.

If you wish to accept this award, please can an authorised signatory read and accept the full terms and conditions below, and sign and return this document to myself, Kathryn Tims (Project Manager) at the address above or by email to: kathryn.tims@wrap.org.uk.

Please find attached a New Grant Recipient Account Request Form template which should be completed on your headed paper and returned with the signed terms and conditions. On receipt of these documents we will issue a Purchase Order which should be referenced when making your claim. Also note that the Award value is exclusive of Value Added Tax (VAT).

Should you have any questions or require further information please contact me on 028 9590 8023 or 07773 961894. Congratulations on receiving a grant award from WRAP, we look forward to working with you on this new project.

Yours sincerely



Kathryn Tims, Project Manager, NI

Enclosures:

Project Schedule and Terms and Conditions
New Grant Recipient Account Request Form template

WRAP is a registered Charity No. 1159512 and registered as a Company limited by guarantee in England & Wales No. 4125764. Registered office at Second floor, Blenheim Court, 19 George Street, Banbury, Oxon, OX16 5BH.

WRAP has achieved ISO9001:2015 certification for our design, development, management and delivery of programmes and projects which provide resource sustainable solutions.

PROJECT SCHEDULE

Document Version No: 1

The Contract Number: NIP008-001

(Definitions)

1. “The Project”

- 1.1 The aim of this project is to deliver a communication campaign with the aim of influencing and encouraging householders in the Mid Ulster District Council area to reduce food waste.
- 1.2 The campaign will deliver the following performance targets
 - To put a “No Food Waste” Sticker on 53,000 black bins throughout the MUDC area by 31st December 2017
- 1.3 WRAP shall provide funding support towards the eligible items detailed in Section 2 ‘Project Costs’ which shall lead to the following benefits:
 - Increased awareness of the Council’s food waste collection service
 - Increased understanding of how food waste should be recycled
 - Food waste diverted from landfill

2. “Project Costs”

- 2.1 The grant funds shall contribute towards the following eligible items only:

ITEM	Description/Deliverables	Total (Exc VAT)	Grant Contribution from WRAP (Exc VAT)
1	65,000 high quality long lasting No Food Waste Stickers (0.10 pence each)	£5,300	£5,300
2	Fitting of the stickers to every black bin by MUDC staff	£10,600	£0
	TOTAL	£15,900	£15,900

3. “Timescales & Milestones”

- 3.1 **Project commencement** date shall be: On the last date signed by contract parties.
- 3.2 **Project Completion** date shall be: on or before the final milestone

Milestone	Description	Date	Grant Payment
1	ALL communication activities listed in Section 2 should be completed.	31 December 2017	£5,300
		Total	£5,300

4. “Monitoring & Evaluation”

- 4.1 On completion of the project the Recipient agrees to provide the Department of Environment, Agriculture and Rural Affairs with on-going monitoring information. The Recipient shall report of Project progress by submitting a post project evaluation progress report to the Department. The Department reserves the right to return any report for rewriting should the Department, in it’s sole discretion, deem the report is not of the standard expected.

- 4.2 All reports and monitoring data shall be submitted on the prescribed templates issued to the Recipient by the Department. The Post Project Review (PPR) Form is included as Project Schedule, Annex 1

5. “Contacts”

- 5.1 Day-to-day contact at for any queries relating to this grant shall be:

For WRAP: Kathryn Tims Email kathryn.tims@wrap.org.uk Tel: 028 9590 8023 or 07773 961894	For Local Authority: Name John Murtagh Email John.Murtagh@midulstercouncil.org Tel: 03000 132 132
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TERMS AND CONDITIONS

Between: **The Waste and Resources Action Programme** (Company No. 4125764) whose registered office is at 2nd Floor Blenheim Court, 19 George Street, Banbury, OX16 5BH (“WRAP”)

And **Mid Ulster District Council** (the “Recipient”) whose office is at Ballyronan Road, Magherafelt BT45 6EN.

NOW IT IS HEREBY AGREED as follows:

This agreement shall come into force when both parties have executed the agreement.

1. KEY OBLIGATIONS

1.1 The Recipient undertakes:

- 1.1.1 to carry out, or procure the carrying out of, the Project, in accordance with the terms of this Agreement, in a good and workmanlike manner, with good quality materials and substances of their respective kinds, in accordance with the Project application and also with any regulatory consents, and to undertake due monitoring of the progress of the Project;
- 1.1.2 to report on the progress of the Project to WRAP as required by WRAP;
- 1.1.3 to meet and liaise with WRAP or their appointed staff as reasonably required by WRAP;
- 1.1.4 to permit WRAP, WRAP’s staff or appointed contractor to inspect the Project, discuss any Progress Reports and/or any payment applications as they may reasonably require during normal working hours and on reasonable prior notice and provide them with or ensure that they are provided with all necessary assistance and facilities for such purpose;
- 1.1.5 to report to WRAP in the requested manner and at the requested time;
- 1.1.6 to commence, or procure the commencement of, the Project on the Project Commencement Date;
- 1.1.7 to complete, or procure the completion of, the Project on or before the Project Completion Date.
- 1.1.8 The Recipient will, unless WRAP agrees otherwise, repay to WRAP any Project Funding paid to it as a result of an administrative error by WRAP, the Recipient, or any other person.
- 1.1.9 The Recipient will liaise with the WRAP Project Manager to develop and sign off the communication activity schedule;
- 1.1.10 The Recipient will liaise with the WRAP Project Manager and ensure WRAP communication template materials are used correctly.
- 1.1.11 the Recipient agrees to provide WRAP with project monitoring information detailed in 5 of the project schedule.

2. CONTRACTOR’S REPRESENTATIONS

- 2.1 The Recipient represents to WRAP at all times that the following representations are true and accurate in all material respects, and are not misleading, and will notify WRAP of any breach of any of such representations at the earliest opportunity:
 - 2.1.1 the Recipient is duly incorporated and validly existing and the Recipient has the power to enter into and perform, and has taken all necessary corporate action to authorise its entry into and performance of, this agreement;
 - 2.1.2 no breach of this agreement is continuing; and
 - 2.1.3 all information provided to WRAP for the purposes of this agreement is true and accurate as at the date it was provided and as at the date of this agreement.

3. INDEMNITY AND INSURANCE

- 3.1 The Recipient will, on demand, indemnify and agrees to keep indemnified WRAP against all costs, expenses, actions, charges, claims, damages, proceedings and other liabilities sustained or incurred by WRAP as a result of any breach of this agreement by the Recipient.
- 3.2 The Recipient will maintain appropriate insurance cover for the Project with reputable insurers (and provide evidence of such insurance to WRAP on request).

4. CONFIDENTIALITY

- 4.1 The Recipient will not make or consent to the making of any public statement or announcement, or engage in any promotional activity concerning this agreement or WRAP without WRAP's consent, not to be unreasonably withheld or delayed. Where WRAP provides such consent, the Recipient will acknowledge WRAP in any publicity material.
- 4.2 The design of all publications in any media produced by the Recipient in relation to this agreement must conform to standards communicated by WRAP from time to time to the Recipient and templates must be approved by WRAP or their appointed contractor in advance of publication.
- 4.3 The Recipient undertakes to maintain in confidence and not use for any purpose other than the performance of this agreement all information acquired or generated in consequence of this agreement or otherwise relating to WRAP which comes into its possession save where such information:
 - 4.3.1 is in the public domain;
 - 4.3.2 enters the public domain lawfully and through no breach of any obligation of confidentiality;
 - 4.3.3 is disclosed to the Recipient by a third party acting lawfully;
 - 4.3.4 is the subject of the express consent of WRAP for publication or disclosure; or is obliged to be disclosed by law.
- 4.4 WRAP may disclose information concerning the Project and the Recipient:
 - 4.4.1 to third parties in order to promote, as it thinks fit, its association with the Project and for the purposes of research, reporting to the government or any public bodies and provision of publicly available information, provided the information is not of a confidential nature and the Recipient has notified WRAP in writing of that confidentiality; and
 - 4.4.2 to its professional advisers and technical consultants as required solely for the purposes of this agreement.

5. TERMINATION

- 5.1 WRAP may terminate this agreement immediately by written notice if:
 - 5.1.1 One of the following insolvency events occurs:
 - (a) a receiver, trustee or similar officer is appointed in respect of the whole or any part of the undertaking or assets of the Recipient or its assets;
 - (b) any action is taken for or with a view to the winding up (which includes, where such person is or has legal status other than as a company (as defined in the Companies Act 1985) any corresponding process applicable to that person) or administration of the Recipient (or the bankruptcy of the Recipient where applicable);
 - (c) the Recipient becomes, or is deemed to be insolvent (or, where applicable, bankrupt), unable to pay its debts as they fall due, or is deemed under applicable law to be so, or has an excess of liabilities over assets (taking into account contingent and prospective liabilities); or
 - (d) the Recipient ceases to operate (or, where applicable, dies or ceases to have legal capacity).
 - 5.1.2 the Recipient fails to comply with the terms of this agreement in any material respect (unless such non-compliance is remediable in the opinion of WRAP);

- 5.1.3 any representation made by the Recipient is or proves to have been incorrect or misleading in any material respect (unless such representation is remediable in the opinion of WRAP), and in such circumstances WRAP shall cancel all further payment under this agreement and may, at WRAP's discretion, demand repayment of all monies already paid for the Project (and the Recipient shall comply within any such demand).
- 5.2 WRAP will also have the right to terminate this agreement at any time by notice to the Recipient and in such circumstances WRAP will pay the Recipient a fair and reasonable amount for the Project completed to the satisfaction of WRAP before the date of termination but the Recipient will not be entitled to any other payment or recourse from WRAP.
- 5.3 In the event of termination, the Recipient will promptly provide WRAP with a full report on the status of the Project together with all information, documentation, property and materials relating to the Project as soon as reasonably practicable and in any event within 14 days.

6. MISCELLANEOUS

- 6.1 Terms will have the meaning given to them in Project Activity Schedule above (Definitions).
- 6.2 Any notice under this agreement will be in writing and served by sending the same to the other party at its address set forth above marked for the attention of the company secretary or such other address from time to time notified by that party for the purpose of notices under this agreement.
- 6.3 The Recipient shall not assign or transfer any of its rights and/or obligations under this agreement.
- 6.4 The Recipient shall not enter into any subcontract for the performance of its obligations under this agreement except with the prior written consent of WRAP. Where a subcontract has been consented to by WRAP this shall not relieve the Recipient of any of its obligations under this agreement.
- 6.5 This agreement comprises the entire understanding of the parties in relation to the matters referred to in this agreement.
- 6.6 The authorised officers for the receipt of all day to day communications relating to this agreement shall be as stated in the Project Schedule hereto under day-to-day contacts.
- 6.8 Nothing in this agreement is intended to confer on any person any right to enforce any provision of this agreement which that person would not have had but for the Contracts (Rights of Third Parties) Act 1999.
- 6.9 The provisions of Clauses 4 (Confidentiality), 5 (Termination) and 6 (Miscellaneous) will survive the termination of this agreement irrespective of the reason for termination for a period of 6 years.
- 6.7 This agreement when executed by both parties shall become legal document covered under English and Welsh law.

IN WITNESS WHEREOF, the parties have executed this agreement.

For and on behalf of: **The Waste and Resources Action Programme**

Signature:

Print name: Dr Ian Garner

Title: Head of WRAP Northern Ireland Date:

For and on behalf of: **Local Authority: Mid Ulster District Council**

Signature:

Print name:

Title:

Date:

The above has full authorisation of the Recipient to act as signatory in respect of this grant agreement.

Project Schedule, Annex 1

DAERA PPR Template



FOOD WASTE COMMUNICATIONS FUND FOR COUNCILS 2017-18

POST PROJECT REVIEW (PPR) FORM

COUNCIL:

(TO BE COMPLETED BY COUNCIL)

Post Project Review (PPR) is sometimes referred to as Post Project Evaluation (PPE)

The aim of the Post Project Review (PPR) is to examine the efficiency and effectiveness of the project. It is the main substance of an Ex post evaluation and follows on from the Project Evaluation Review (PER). It compares outturn against estimated costs and benefits and generally reviews success in achieving objectives.

The PPR should ideally be carried out by an independent source (i.e. someone outside of the project team). It is normally carried out after a suitable time has elapsed to allow the project to have become embedded. The timing for the review will be stated within the Funding Agreement.

1. Assessment of Project Objectives

Taking the objectives from the original application/economic appraisal, assess whether they were achieved or not and provide some commentary to support this i.e. recycling rate increases, amount diverted from landfill and so on.

Objective (as specified in the original application/economic appraisal)	Explanation/Commentary

2. Tonnage Table

Tonnage data for mixed and separate food waste collection schemes. This would be comparison data between the three months following the end of your communications activity and July to September 2017. It would be helpful if this was also presented as kg/hh/wk (i.e. the total kg collected in a week (or average week) divided by the total number of households served)

Material Collected	July - Sep 2017	Jan - Mar 2018*	Difference
Tonnages			
Mixed Food Collection (kg/hh/pw)			
Separate Food Waste Collection (kg/hh/pw)			

*** provisional figures**

3. Assessment of Monetary costs and benefits

Please provide the estimated recurrent cost/benefits (these should be consistent with what was outlined in the options appraisal) and the actual cost/benefits in the box below.

COSTS			
Description of costs	Estimated Costs (£)	Actual Cost (£)	Variance (%)
BENEFITS			
Description of benefit	Estimated Benefit (£)	Actual Benefit (£)	Variance (%)
Benefit to waste operational savings from additional food waste recycling			

If any cost varied by more than 10% please provide an explanation for this in the box below:

--

4. Additional Information as a consequence of the Communications project

In the table below, please provide if known:

- Any indication of numbers of individuals reached through your communications activities, e.g. Opportunities To See (OTS), Added Value Equivalent (AVE) for advertising;
- Any consumer / customer feedback information;
- Any identified issues with contamination, e.g. is food packaging being presented?
- Any set out / participation data you may have pre and post intervention;
- Number of requests for containers / liner sacks, etc.

Additional information	Details
Numbers of households reached through our communications activities	

Any consumer / customer feedback information	
Any identified issues with contamination	
Any set out / participation data you may have pre and post intervention	
Number of requests for containers / liner sacks etc	
Number of bin stickers applied	
Number of leaflets/letters issued	
Relevant digital analytics e.g. website and social media	
Examples of food recycling communications used	

5. Non-monetary benefits assessment

Evaluate to what extent the non-monetary benefits identified in the application/economic appraisal either have or have not been achieved and provide explanations to support this.

Non Monetary benefit (as specified in the original application/economic appraisal)	Explanation

Identify any additional Non-Monetary benefits not previously anticipated in the original application/economic appraisal in the box below.

6. Risks

In the box below detail any instances where impacts from identified risks required management/mitigation of and how well they were handled. Also outline any risks that were not foreseen and explain how these risks were handled.

Risk	Explanation

7. Value for Money

Value for money (VFM) requires an overall assessment of all the aspects considered in the evaluation. That is, using the boxes provided make a judgement as to the extent to which the project delivered value for money taking into account costs and benefits. Make sure to justify your VFM judgement in the box provided.

Given the information presented above do you believe the project still represented value for money?

☐ Yes ☐ No

Please use the box below to comment on the overall success of the project and demonstrate why the project did/did not provide VFM.

8. Lessons learned

Were any lessons learned about the ongoing project management with respect to preventing cost overruns, achieving objectives and managing the realisation of benefits that might benefit others conducting similar projects? Identify factors that went well with respect to the management of the project, which can be usefully applied to future projects.

Comments – you may add further comments about the project. You may attach reports or evidence of project achievements. List any attachments here

9. Dissemination of Lessons learned from the Project Evaluation

Please state in the box below how the Lessons Learned from this project evaluation will be disseminated amongst relevant staff.

PPE completed by

Date PPE Completed

Please email this form, once completed, to [Philip Palmer](mailto:philip.palmer@daera-ni.gov.uk), Rethink Waste and EU Funding Team, Environmental Policy Division, DAERA at philip.palmer@daera-ni.gov.uk

Report on	Installation of an Entrance Feature on Council Property at Mill Park, Innisrush
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	David Bell, Grounds Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek member's approval for installation of an Entrance feature at Mill Park, Innisrush by the local regeneration group in conjunction with NIHE.
2.0	Background
2.1	The legacy Magherafelt District Council acquired a small parcel of land at the entrance to Mill Park in Innisrush in 2009. See location map and image attached in Appendix 1.
2.2	During this year NIHE having been working with the Four Towns Rural Regeneration Group to develop an entrance feature that reflects the local history through the restoration of a mill wheel. However it has been identified that the land is owned by Council and not NIHE.
3.0	Main Report
3.1	The proposed scheme would see the permanent removal of a flagpole and flag from the site and replacement with a new entrance feature in the village.
3.2	Permission is sought from the Chairperson of Four Towns Rural Regeneration Group to proceed with entrance feature on council property. The scheme is being supported by the Housing Executive through their Cohesion Fund. See appendix 2 for correspondence from both stakeholders. The scheme has been designed by a NIHE contractor as detailed in Appendix 3.
3.3	It should be noted the local regeneration group will undertake maintenance of the feature and surrounding area if permission is granted.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u>
	Financial: None.
	Human: Officer time to liaise with stakeholders should approval to proceed by granted.

4.2	<u>Equality and Good Relations Implications</u> Proceeding with the scheme will promote good relations and express shared history of the flaxmill industry locally.
4.3	<u>Risk Management Implications</u> None.
5.0	<u>Recommendation(s)</u>
5.1	Members are requested to note the contents of the report including appendices and recommend granting permission for installation of the entrance feature on the Council owned land at Mill Park, Innisrush.
6.0	<u>Documents Attached & References</u>
6.1	Appendix 1 – Location map and image
6.2	Appendix 2 – Stakeholder correspondence
6.3	Appendix 3 – Scheme design

Appendix 1 – Location Map and Image

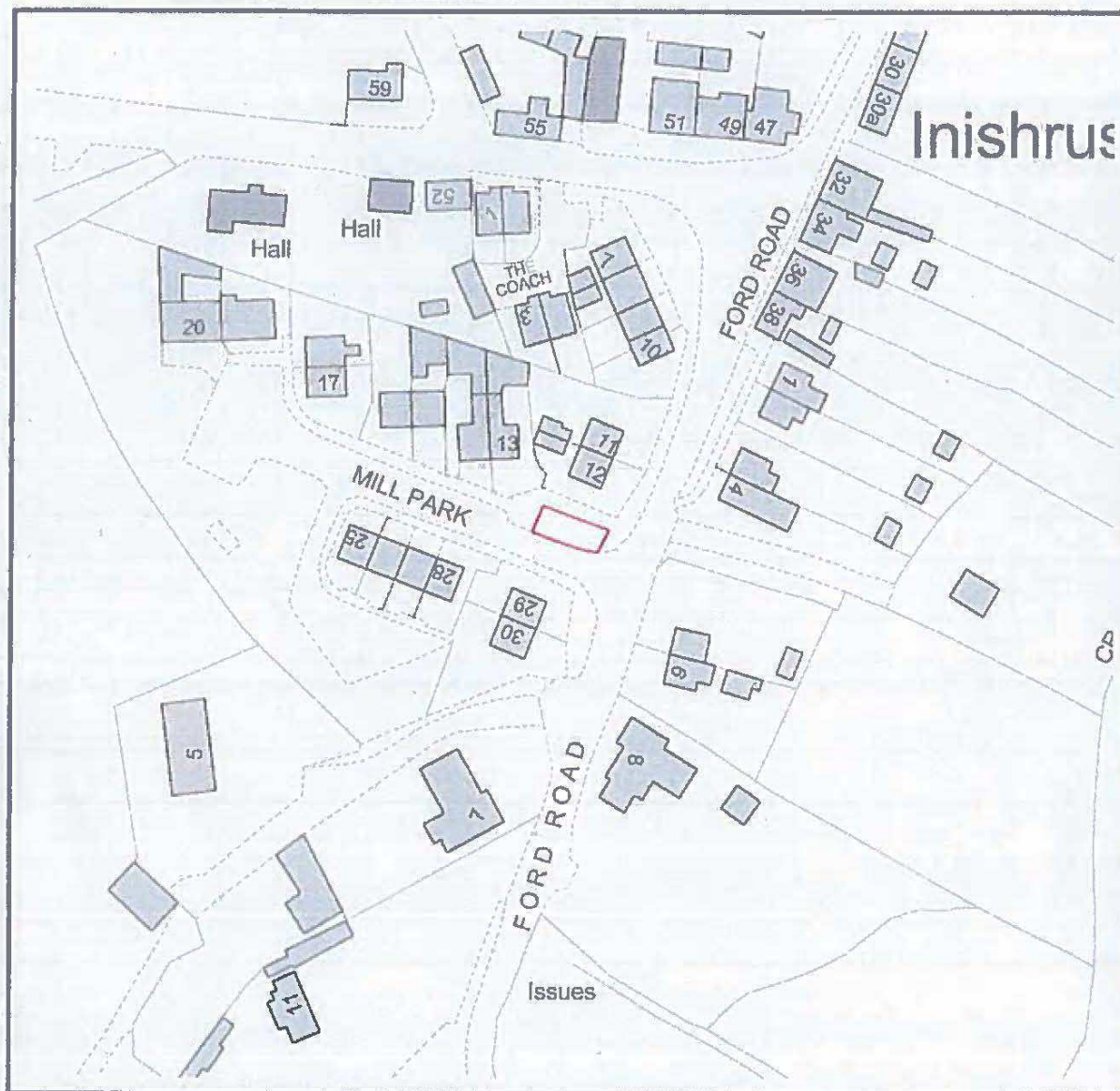
NIHE TO MAGHERAFELT DISTRICT
COUNCIL.

N.I.H.E.
AREA OFFICE
RICHMOND CHAMBERS
THE DIAMOND
L'DERRY BT48 6QP



ADDRESS LAND AT
MILL PARK
INNISRUSH, MAGHERAFELT

REF. NO. LE/707/2834.



ORDNANCE SURVEY MAP NO. I.G. 65-05 N.W.

APPROXIMATE SCALE 1:1250

Based upon Ordnance Survey of Northern Ireland's data with permission of the Controller of Her Majesty's Stationery Office, © Crown copyright and database rights NIMA ES&LA209.3

PLEASE ENSURE THAT YOUR CLIENT(S) IS/ARE SATISFIED THAT THE BOUNDARY AS OUTLINED IN RED ON THE MAPS ATTACHED IS CORRECT



22nd September 2017

Mr Gary McDonald
Chairperson
Four Towns Rural Regeneration Group
52 Innisrush Road
Portglenone
BT44 8LG

Mr Terry Scullion
Head of Environment & Property
Mid Ulster District Council
Ballyronan road
BT45 6EN

Dear Mr Scullion


Ref: Permission to erect entrance feature at Mill Park, Innisrush

We would appreciate your help in relation to above and outline below our reasons for seeking permission to erect entrance feature on Council ground.

- This piece of land at the entrance to Mill Park in Innisrush has for some years had a flagpole and on cultural celebrations has been used to display flags for cultural identity.
- As a group we have been given permission to use the old mill wheel as an entrance feature to the Park and permission from the community to remove the flag and flagpole permanently.
- We have been working with the Housing Executive's Cohesion Unit and have received funding for this project and we are as advised by them using the services of their approved contractors 'Out There Services' to complete the ground work for the project. The supplier for restoring the wheel is also a reputable contractor.
- As a group we see great potential for the residents of Innisrush for this entrance feature as it will be a lasting expression of our shared history with the flaxmill industry and will also promote good relations and cohesiveness between all cultures and traditions.

We hope you will seriously consider our request for permission to go forward with this project. As a group we are more than happy to commit to the upkeep of the entrance feature and surrounding area.

Yours sincerely



Gary McDonald

Chairperson
Four Towns Rural Regeneration Group

Mr Terry Scullion
Head of Environment & Property
Mid Ulster District Council
Ballyronan road
BT45 6EN

Friday 22nd September 2017

Dear Terry

Ref: Entrance Feature for Mill Park, Innisrush

The four towns rural regeneration group have been working in partnership with the housing executive's cohesion unit over recent months on a project that will remove a flagpole and flag from the entrance to Mill Park at Innisrush and provide them with a new Entrance Feature to reflect the history of the mill.

We are supporting this project financially as we believe this will leave a lasting expression of good relations and promote cohesiveness between all agencies concerned.

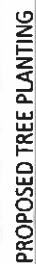
I write to you in support of the above group's request to receive permission to go ahead with this project on Council ground as it will enhance the Innisrush area and help build lasting good relations.

If you have any queries or want to talk to me further about the project please do not hesitate to contact me.

Yours sincerely

Marilyn Giboney
Bric2 Good Relations Officer
Northern Ireland Housing Executive
7 Holmview Terrace
Omagh BT79 OAH
Tel: 02882253346 Ext: 6846
Mobile: 07795362769
Email: Marilyn.giboney@nihe.gov.uk

CLIENT: NIHE
AREA: NORTH 1



Acer 'Atropurpureum'



Rosa 'Flower carpet' Pink



Rosa 'Flower carpet' Yellow



Olearia hassii




Spiraea japonica




Ceanothus thyrsiflorus Repens

PROPOSED PLANTING


PLAN KEY




PROPOSED
TREE PLANTING




LOW TO MEDIUM SHRUB
AND HERBACEOUS
PLANTING (10L CG)




GROUNDCOVER ROSE
PLANTING (10L CG)




LAWN
GRADE II QUALITY TURF




TIMBER SLEEPER WALL
(500MM HIGH)



BENCHES



PRECAST BLOCK PAVING
(VARIOUS SIZES X50MM)
(NATURAL)



PRECAST TEGULA
KERBEDGE
(NATURAL)

REVISION

DATE

DESCRIPTION

Out There

181 Templepatrick Road

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info@outthere-services.com

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PROJECT

WATER WHEEL ENTRANCE
FEATURE, INISHRUSH -
PROPOSED LANDSCAPE LAYOUT

CLEAN

DATE

PROJECT NUMBER

DESIGNED BY

CHECKED BY

DATE

B.MCC.

E.P.

29.08.17

SCALE

AS SHOWN

DWG NO

1:75

A3

1 out of 1

**WATER WHEEL ENTRANCE FEATURE, INISHRUSH -
3D ILLUSTRATION (1)**

**CLIENT: NIHE
AREA: NORTH 1**



**WATER WHEEL ENTRANCE FEATURE, INISHRUSH -
3D ILLUSTRATION (2)**

CLIENT: **NIHE**
AREA: **NORTH 1**



**WATER WHEEL ENTRANCE FEATURE, INISHRUSH -
3D ILLUSTRATION (3)**

CLIENT: NIHE
AREA: NORTH 1



**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 October 2017 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor McGinley, Chair

Councillors Buchanan, Burton, Cuthbertson, Gillespie, Glasgow, Kearney, McFlynn, B McGuigan, S McGuigan, McNamee, Mulligan, O'Neill, M Quinn, Reid (7.02pm) and Totten

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Mrs Forde, Member Support Officer

The meeting commenced at 7.00pm

E235/17 Apologies

None.

E236/17 Declarations of Interest

The Chair reminded Members of their responsibility with regard to declarations of interest.

Councillors McFlynn and Burton declared an interest in Agenda Item 35 Ageing Well – Tender Process.

E237/17 Chair's Business

The Chair, Councillor McGinley reminded Members that it was World Mental Health Day highlighting the statistic that one in four people are affected each year. He encouraged Members to continue to play their part in raising awareness and continue to promote positive mental health.

Councillor Burton concurred with the Chair drawing attention to the statistics in relation to people losing their lives to suicide. The Councillor also made reference to people suffering from depression emphasising how debilitating the condition can be.

Councillor Reid entered the meeting at 7.02pm

Councillor Burton extended congratulations to Castlecaulfield Horticultural Society who earlier in the day had won the Northern Ireland Amenity Award for best kept

small village which gains them entry into the All Ireland competition. Councillor Burton conveyed the thanks of the Horticultural society to the committee and staff who worked with them. The Councillor acknowledged the awards the Horticultural Society had won in recent years and how the village of Castlecaulfield was becoming a tourist attraction with people going out of their way to pass through it.

The Chair, Councillor McGinley commended the valuable work carried out by Castlecaulfield Horticultural Society.

E238/17 A6 Randalstown – Castledawson Dualling

The Chair, Councillor McGinley welcomed Ms Johnston and Mr McLaverty from Farrans Group. The representatives delivered a presentation on the A6 Randalstown – Castledawson dualling scheme.

The Chair, Councillor McGinley thanked the representatives for the presentation and invited Members questions.

Councillor Glasgow advised he had attended the 'Meet the Buyer' event and sought clarity as to the number of people who would be working 'on the ground' on the project. In response Mr McLaverty advised approximately 150 'boots on the ground', 70 staff, approximately 45 sub-contractors and also attributed to the economic impact for local shops and cafes in the area.

Councillor Gillespie commended the project highlighting in particular the high level of recycling of clay etc.

In response to Councillor B McGuigan's question in relation to objectors and potential hold-ups Mr McLaverty advised that objectors could only go back to the Supreme court in they had new evidence and emphasised that they had been requested to move the project forward. Councillor B McGuigan advised that people had waited 50 years for the road and would welcome the completion of the project.

The Chair, Councillor McGinley advised that he regularly commutes on the road and asked if it was anticipated that there would be a backlog of traffic until 2020 or would it ease up prior to that.

Mr McLaverty advised that the completion of the project Randalstown to Toome in 2019 should ease traffic congestion and advised that due to wildlife implications work on site could only take place for six months of the year.

Councillor Kearney thanked the team for the presentation and in relation to the park and ride asked if there would be amenities on site. In response, Mr McLaverty advised that Translink prescribe if amenities are to be incorporated at the park and ride sites but to date he was aware that none were planned for the park and ride but indicated there would be 60 additional spaces.

Councillor Burton concurred with Councillor Kearney emphasising that it was a pity amenity provision had not been included in the plan. The Councillor stated that if people were to be encouraged to utilise park and ride facilities together with public

transport some form of amenity provision should be made highlighting Ballygawley site as one at which amenity provision would be welcomed. In response Mr McLaverty stated he would bring the comments back to the relevant agency.

Councillor McGinley thanked the representatives of Farrans and they left the meeting at 7.30pm.

Matters for Decision

E239/17 NIHE – Traveller Provision

The Director of Public Health and Infrastructure presented previously circulated report which provided update on the meetings held with NIHE in relation to the Travelling Community residing at Creagh Industrial site.

The Chair, Councillor McGinley reminded Members that traveller provision had been previously requested.

Councillor Cuthbertson asked if there was the same demand for travellers as in conversation with the NIHE they had indicated many travellers now reside in settled housing provided by the Housing association. In response the Director of Public Health and Infrastructure advised that many do reside in permanent housing but that his understanding was that there is a particular group of travellers who had been on a temporary site for a few years.

Councillor Burton referred to the Special Council meeting in September when representative of the NIHE had indicated that in the past sites had been developed and when the particular family group left another family group would not use it, thus the facility lay vacant.

The Director of Public Health and Infrastructure advised that the statutory responsibility was with the NIHE and they would incur cost of site development and management and that the proposal was for Council to assist with potential site identification.

Councillor S McGuigan stated that the NIHE had ‘dragged their feet’ on the matter and that they were now being ‘hand held’ by Council.

Proposed by Councillor Kearney
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to appoint a design team to assist NIHE with the assessment and identification of appropriate sites for transit traveller provision.

E240/17 Transport NI Proposals to Mid Ulster Council (Disabled Parking Bays)

Members considered previously circulated report which sought agreement in relation to proposals from Transport NI with regard to proposed provision of a Disabled

Persons' Parking Bay at Moore Street, Aughnacloy and Queens Avenue, Magherafelt.

The Director of Environment and Property noted Councillor Reid's request that Transport NI be asked to provide disabled parking bays in Perry Street and Church Street, Dungannon. Councillor Cuthbertson stated that he had raised this with officers during Phase 2 of the Dungannon Public Realm scheme and he had been assured accommodation would be made but this had not happened.

Members were reminded that they too should lobby transport NI in relation to requests for disabled parking bays.

Proposed by Councillor Reid
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposals submitted by Transport NI in relation to proposed provision of a Disabled Persons' Parking Bay at Moore Street, Aughnacloy and Queens Avenue, Magherafelt.

E241/17 Cott Lane Footbridge

The Director of Environment and Property presented previously circulated report which provided detail of a Principle Inspection Report on the condition of Cott Lane Footbridge and sought approval for the instigation of a detailed structural analysis of same.

Councillor McFlynn welcomed this work stating that anyone who walks in the area would know the bridge and be aware of its daily use.

Councillor McNamee proposed the recommendation to approve the instigation of a detailed structural analysis of Cott Lane Footbridge and suggested that funding opportunities should be explored.

Councillor McFlynn seconded the proposal.

Councillor Cuthbertson asked if Council owned the bridge and if land registry had any information. In response the Director of Environment and Property advised that it had been constructed approximately 100 years ago by the County Council and that the legacy Cookstown Council had asserted a right of way over the bridge and carried out work on the bridge in 2002 and thus it would then have come into the remit of Mid Ulster Council. He advised it was a footbridge accessed through fields and laneways and that unfortunately there was a dearth of information on it but emphasised that the report was recommending a structural analysis.

Proposed by Councillor McNamee
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to approve the instigation of a detailed structural analysis of Cott Lane Footbridge.

E242/17 Property Services Landfill Communities Fund Proposals

The Head of Property Services presented previously circulated report which sought approval for two Council led applications to the Landfill Communities as undernoted. It was noted that there was no other sources of funding available.

- *Football Pitch adjacent to Tobermore Driving Range:* Replacement and upgrade of the existing football pitch floodlights. The project would improve the spread and quality of lighting, resulting in improved safety, and lower utility costs. Cost: £48,350 to include new lighting columns and foundations, new sports heads, upgraded NIE supply, new cabling and wiring.
- *Dry Store, (Former GNR Goods Shed) Railway Yard, Cookstown:* To replace the failing roof on a large storage shed at the Old Railway Yard. The project would see the roof on the listed building replaced and electrics upgraded to improve the useable of the building for storage in a safe and dry environment, whilst preserving the local built heritage. Cost: £100,000 to include a new roof, rain water goods and electrics

Councillor Glasgow stated that although there were substantial costs the projects were very different but equally worthwhile.

Proposed by Councillor Glasgow
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to make submit applications for Landfill Communities Fund funding to deliver the projects aforementioned, subject to successful applications and availability of funds. Total cost of projects £148,350.

E243/17 Winter Maintenance – Footpath Snow/Ice Clearance

The Head of Property Services presented previously circulated report which sought approval to enter into agreement with DfI/Transport NI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing. It was noted that it was not necessary to trigger the agreement last year.

In response to Councillor Reid's question the Head of Property Services confirmed that generally the area is maintained through Council resources.

Councillor M Quinn drawing attention to the areas highlighted for clearing asked if there was scope to widen the clearance out. In response the Head of Property Services advised that only the retail centres were detailed within the agreement.

Councillor Cuthbertson stated that Church Street, Perry Street and Northland Row, Dungannon should be included. In response the Director of Environment and Property stated that the Planning Department had depicted the retail centres on the maps, that it is rare that the agreement has to be triggered stating that the last

significant snow was in 2010 and emphasised that Council should remain with the Planners definitions of retail centres.

Councillor Burton stated that if a town was geographically level that would be fine but stressed a common sense approach should be applied highlighting that Dungannon was on a hill and the areas mentioned were particularly steep.

Proposed by Councillor Burton
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to investigate widening the remit of the agreement to include Church Street, Perry Street, and walkway from Perry Street car park to Market Street, Dungannon.

The Chair Councillor McGinley emphasised that the request would be noted.

Proposed by Councillor S McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to Council to enter into discussion with DfI/ Transport NI to reach agreement on the 2017/18 winter season with regard to the treatment of footways during extreme conditions following heavy snowfall or prolonged freezing.

E244/17 Bin Ovation App – Additional Report It Functionality

The Head of Environmental Services presented previously circulated report which sought approval to incorporate the new 'Report It' functionality on the Bin Ovation App to allow users to report issues such as dog fouling, litter etc. directly from their phone or tablet.

Councillor Glasgow asked if the app would increase response times to complaints such as dog fouling particularly at 'hotspots'. In response the Head of Environmental Services stated that the app would prove useful in improving response times as incidents would be reported quicker and emphasised that the app could be shared between services.

The Chair Councillor McGinley stated that it would be useful if feedback was reported to the committee on highest uses, hotspot locations, response times etc.

Proposed by Councillor Glasgow
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council that the Report It Function be incorporated within the Bin Ovation App.

E245/17 Street Naming and Property Numbering

Members considered previously circulated report regarding the naming of new residential housing developments within Mid Ulster as undernoted:

Proposed by Councillor Cuthbertson
Seconded by Councillor Reid and

Resolved That it be recommended to Council to name development off Ballynorthland Demesne, Dungannon as Ballynorthland Manor

Proposed by Councillor B McGuigan
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Coolshinney Road, Magherafelt as Foxfield Park.

Councillors Reid and Glasgow declared an interest in Renaming and Renumbering Existing Streets

E246/17 Renaming and Renumbering Existing Streets

The Head of Building Control presented previously circulated report regarding a request for the renaming and renumbering of an existing street and sought approval to undertake a survey of all applicable residents on the street/road in question.

In response to Councillor Cuthbertson's question Councillor Reid stated that one resident had raised concerns as mail was being mixed up and other residents had followed suite.

Proposed by Councillor McNamee
Seconded by Councillor M Quinn and

Resolved That it be recommended to Council to proceed with the Street Naming Survey of occupiers of Lough Terrace, Newmills in accordance with the Policy for Street Naming and Dual Language Signage.

E247/17 Blind Cord Safety Video 'It only takes seconds' shortlisted for UK CIEH Award

The Head of Environmental Health presented previously circulated report which advised that the blind cord safety video 'It only takes seconds' has been shortlisted for a UK CIEH Award. The report sought approval for representation from Mid Ulster Council at the awards ceremony.

The Director of Public Health and Infrastructure advised that it was normal policy for one officer and one Member to attend.

Councillor Gillespie stated the Chair of committee should accompany appropriate officer.

Councillor Reid stated the work in relation to this project was excellent with parents and childcare providers had benefitted.

Proposed by Councillor Gillepsie
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council that the Chair of Committee and one officer attend the CIEH Awards Ceremony in London on 2 November 2017.

E248/17 Bus Shelters

The Head of Technical Services presented previously circulated report which provided update on the progress of bus shelter applications at various locations in the district following meeting with DfI Roads. The report also sought approval on the future design of bus shelter provision. The Head of Technical Services advised that there would be site meetings on Wednesday 11 October and Wednesday 18 October with Translink. He further advised that Translink and Clear Channel had proposals to erect 10 bus shelters in the Mid Ulster area.

The Chair, Councillor McGinley stated that Members had wrote to Translink and they had received no response and requested that the officer raise this at forthcoming meetings.

Councillor Reid proposed option 3.

Councillor J O'Neill requested further details on the proposed site meetings stating that he would like to attend.

The Chair, Councillor McGinley requested that the Head of Technical Services circulate details of the site meetings to Members.

Councillor Cuthbertson suggested that Council should remain with option one as it was tried and tested. He also made reference to the seat being removed as it hindered young people from congregating in them. Referring to option 3 the Councillor stated that after a period of time the Perspex goes hazy using the example of Gortmerron Link Road in Dungannon. He also sought clarification on who would maintain the shelters.

The Chair, Councillor McGinley sought clarity in the difference between three and five. The Head of Technical Services stated that option 3 had advertising panels which assists with the maintenance costs. He highlighted that the cost of option 3 was £11,500 whilst Council had a budget of £1500 per shelter. The Officer advised that the difference between option 1 and option 4 was that the latter had a curved roof.

Councillor Reid withdrew his proposal due to costs stating his thoughts in proposing the option 3 had been from a point of view of restricting antisocial behaviour.

Councillor Mulligan stated that cost factor must be considered and in a rural community it was functionality and thus proposed either option 1 or option 4 and that option 5 could be used in the towns and villages

The Head of Technical Services advised that application was being submitted to Translink for funding for some shelters and if application is refused Council could then erect the shelter .

Councillor S McGuigan stated that if Translink funding was unsuccessful he would support the proposal for Option 4.

Councillor Cuthbertson stated that option 1 would be his preference in keeping with the existing structures in the district.

Councillor Burton stated that a common sense approach should be taken in that bus shelters on rural roads should have sides on them.

The Chair Councillor McGinley stated that option 1 and option 4 were of similar structure only that option 4 had a curved roof.

Councillor Burton stated that many rural bus shelters had grass growing up through them and asked how often it would be cut. The Director of Environment and Property stated that strimming took place twice a year he also stated that it would be useful to be advised if bus shelters were no longer required.

Proposed by Councillor Mulligan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to approve design option four for future bus shelters in the District.

Councillor Mulligan left the meeting at 8.25pm

Matters for Information

E249/17 Minutes of Special Environment Committee held on 17 August 2017

Members noted minutes of Special Environment Committee held on 17 August 2017.

E250/17 Minutes of Environment Committee held on 12 September 2017

Members noted minutes of Environment Committee held on 12 September 2017.

Councillor Cuthbertson in relation to E212/17 Property Services Landfill Communities Fund proposals indicated he had requested a report on treatment of noxious weeds and invasive species on council property to be brought to the October meeting and not a future meeting.

In response to Councillor Cuthbertson's request that Council write to the property owner in Perry street who had an issue in relation to off street parking the Director of Environment and Property advised to date Council had not received the deeds to Perry Street Car Park, that the property owner had previously received correspondence from Council but that he would provide them with a further update.

In response to Councillor Reid's the Director of Environment and Property advised that he had requested that the gates of Knockloughrim PlayArea/Pitch be locked and that there had been no reports of antisocial behaviour at Cottage Quinn cemetery received by the Department. Regarding a suggested amendment to the minute the Chair, Councillor McGinley confirmed the minutes were for information and had been ratified at Council.

Resolved That it be recommended to the Council that the Director of Environment and Property provides the property owner in Perry Street with an update in relation to off street carparking issue.

E251/17 Mid Ulster Bonfire Working Group

The Director of Public Health and Infrastructure presented previously circulated report which provided update from Bonfire Working Group following Special Environment Committee held on 17 August 2017. He advised that the actions at 3.3 of the report should read as undernoted:

- (i) Members continuing on their work with the Bonfire Working Group and wait until the findings of the Flags and Emblems Committee being made known before inviting other agencies ie. PSNI, Fire Service and NIEA to becoming involved.
- (ii) Engagement with local communities who wish to host bonfires and those who don't wish to host bonfires on Council land to ensure adherence to Good Practice with Council and other Statutory Agencies to promote public safety at bonfires.
- (iii) Officers to prepare an Options Paper for the introduction of an application and licencing process, which should meet certain criteria for building bonfires, with this being done through the Bonfire Working Group and then brought back to committee for consideration.
- (iv) Illegal bonfires be put on the Risk Register and being brought back to committee.

The Director of Public Health and Infrastructure drew attention to the final version of the position paper detailed in the report advising that all agencies had contributed to it.

In response to Councillor M Quinn's question the Director of Public Health and Infrastructure advised that Council focus is on bonfires on their own property and that third party activities is dealt with through the NIEA and PSNI.

Councillor Cuthbertson sought clarification as to why the Council was paying for removal of tyres when the NIEA, as detailed on page 7 of the position paper, remove them with no charge. The Director of Public Health and Infrastructure stated that the

position paper contained generic statements regarding the position of the NIEA. He also advised that the NIEA had removed asbestos from Council premises and further clarified that council had paid for removal of tyres from its own land as they were responsible to do so.

The Director of Environment and Property clarified that the figure of 20m3 had originated from the Flytipping Protocol which the Council had entered into with the NI Environment Agency originally on a pilot basis.

In response to Councillor B McGuigan's question the Director of Public Health and Infrastructure advised that the bonfire working group would only involve other statutory agencies as and when required.

Members noted previously circulated report which provided update from Bonfire Working Group following Special Environment Committee held on 17 August 2017.

Councillor Reid declared an interest in Coalisland Public Realm as he had been involved in ongoing meetings

E252/17 Coalisland Public Realm Progress Report

The Director of Public Health and Infrastructure presented previously circulated report which provided update on progress of Coalisland Public Realm scheme.

The Director of Public Health and Infrastructure drew attention to the public consultations taking place in Coalsiland and advised it was hoped to have a final design option for November. The Director highlighted Option One in relation to formalising access to carparking at the Cornmill together with the design of either angled parking at the rear of the centre which was subject to agreement with private landowner. He further advised that Officers were engaging to deal with dereliction issues, that a bus layby would be incorporated at Lineside and traffic would have a right turn lane at the site of the old police station.

In relation to Option Two the Director of Public Health and Infrastructure advised the one way system in this layout would continue further out and go through the Square but stated it was less favoured as traffic at busy times may be more difficult to manage. He reiterated that the options were out for consultation with the community and that there would be meetings with stakeholders.

Councillor B McGuigan asked if the money was ring-fenced for public realm schemes and if the current political situation could lead to delays in projects. In response the Director of Public Health and Infrastructure advised that meetings took place with the funding team on a regular basis and no indication had been given regarding delays in funding but that he would be able to confirm further when the proposals were formally submitted for assessment.

Councillor B McGuigan expressed concerns regarding public realm funding.

In response to Councillor M Quinn's enquiry as to how people who are not able to attend the public meeting can access details of the proposals the Director of Public

Health and Infrastructure advised that the information was on public display at venues in Coalisland and available through the web site together with the submission forms for comments. The Director advised that the public display would be exhibited for a number of weeks at the Cornmill Heritage Centre, Coalisland and Public Information events were scheduled for Wednesday 11 October between 1-2pm and 5.30pm – 6.30pm.

Members noted previously circulated report which provided update on progress of Coalisland Public Realm scheme.

E253/17 DfI Proposals to Vest Land at Killyman Road, Dungannon

The Director of Environment and Property presented previously circulated report which advised of the Department of Infrastructure's intention to make a vesting order for lands at Killyman Road, Dungannon for the purposes of a cycle path.

Members noted previously circulated report which advised of the Department of Infrastructure's intention to make a vesting order for lands at Killyman Road, Dungannon for the purposes of a cycle path.

E254/17 Off Street Car Park Strategy: Consultation

The Head of Property Services presented previously circulated report which advised of Council's Off Street Car Park Consultation.

Councillor McNamee expressed his disappointment as he, together with other Members had not received an update in relation to Union Street Carpark, Cookstown. He stated that the information had been requested at Cookstown Town Centre forum meetings and made mention of meetings to be facilitated with businesses and residents. In response the Director of Environment and Property advised that he had provided a briefing note to officers responsible for the Town Centre Forum. The Director stated he would forward the briefing note to members and outlined its content namely that the matter of a restrictive covenant preventing the Council from levying car parking charges at Union Place Car Park was raised recently in relation to the Preferred Option (4) contained within the Car Parking Strategy. The Director advised that following examination of the title deeds and legal advice received on the matter the situation is as follows:

1. The initial land was vested in the Cookstown Urban District Council from six land owners in April 1970; there are no restrictive covenants in these deeds in relation to car parking charges.
2. Subsequently following local government reorganisation in 1972 the land was transferred to the Department of the Environment as the competent Roads Authority.
3. The second parcel of land was purchased in September 1978; again there are no restrictive covenants in these deeds in relation to car parking charges.
4. At this time (1978) Access Agreements (Rights of Way) were entered into individually with the occupiers of the properties which front onto William Street and have a rear entrance taken from the lands occupied by the car park.
5. These Agreements were limited to the access road to the rear of these properties and allow for free and unimpeded access over that strip land as indicated.

6. By way of these Agreements the Council is prevented from allowing parking on the access strip or indeed charging for the use of the access strip.
7. The Council could therefore introduce charges to the car park so long as the access to the rear of the William Street properties is unaffected by such an introduction.

In relation to the consultations with businesses the director advised that the requests for meetings were being worked through and that the consultation had opened.

Councillor Glasgow concurred with Councillor McNamee and stated that his understanding had been that Members had asked to see the questions prior to the consultation opening and the first he saw the questions was in the press. The Councillor emphasised that he and others were coming under pressure with the public in regard to this matter.

Councillor Buchanan stated he had received an email regarding the matter.

The Chair, Councillor McGinley advised that the briefing note would be circulated to Members and in moving forward the information would go directly to Members.

E255/17 Communities in Bloom Awards Feedback

The Head of Property Services presented previously circulated report which advised of the success for Mid Ulster District following the Communities in Bloom Awards in Canada. The report also included judge's feedback on the Castlcaulfield entry.

Members noted previously circulated report which advised of the success for Mid Ulster District following the Communities in Bloom Awards in Canada. The report also included judge's feedback on the Castlcaulfield entry.

E256/17 Property Services Disposal of Assets – Fleet/Plant

The Head of Property Services presented previously circulated report which advised of the disposal/sale of surplus fleet, plant and equipment from Council for the period 10 April 2017 to 30 September 2017.

Members noted previously circulated report which advised of the disposal/sale of surplus fleet, plant and equipment from Council for the period 10 April 2017 to 30 September 2017.

E257/17 Review of Arrangements for Collection of Second Bins

The Head of Environmental Services presented previously circulated report which advised on the outcome of a review process in relation to collection arrangements for second black bins across the District in line with Council policy.

Members noted previously circulated report which advised on the outcome of a review process in relation to collection arrangements for second black bins across the District in line with Council policy.

E258/17 Regulatory Inspection of Council Waste Management Activities

The Head of Environmental Services presented previously circulated report which provided update on recent regulatory inspection of Council waste management activities.

Members noted previously circulated report which provided update on recent regulatory inspection of Council waste management activities.

E259/17 Tullyvar Joint Committee Update

Members noted previously circulated report which provided update on the business of Tullyvar Joint Committee.

E260/17 Building Control Workload

Members noted previously circulated report which provided update on the workload analysis for Building Control.

E261/17 Entertainment Licensing Applications

Members noted previously circulated report which provided update on Entertainment Licensing Applications across the Mid Ulster District.

E262/17 Dual Language Signage Request

The Head of Building Control presented the previously circulated report in relation to a dual language signage request.

In response to Councillor Cuthbertson's question the Chair Councillor McGinley stated that the request referred to the whole of the Killyliss Road. The Head of Building Control advised that everyone on the road registered on the electoral register would be contacted. Councillor Cuthbertson expressed concern in relation to costs. The Chair, Councillor McGinley emphasised that the Council had a policy in relation to dual language signage requests and that this was what was being applied. He advised the Councillor that to propose an amendment to the policy a notice of motion would have to be brought to council.

In response to Councillor Glasgow's question the head of Building Control advised that names and signatures are withheld for data protection reasons.

Councillor Cuthbertson suggested that the names be retained on the documents and the matter dealt with through confidential business. In response the Chair Councillor McGinley stressed that Council must be as transparent as possible and that there would be no benefit in knowing the names of requesters. The Director of Public Health and Infrastructure stated that data protection requirements apply.

Members noted previously circulated report which provided detail on a dual language signage request.

E263/17 Restart a Heart Day

The Head of Environmental Health presented the previously circulated report which provided detail of Mid Ulster 'Restart a Heart Day' events being held on 16 October 2017 and invited Members to attend.

Councillor Reid stated that the work was very important and advised that if you suspected a person was suffering a heart attack you should get them to take a deep breath and cough as the action massages the heart.

Members noted previously circulated report which provided detail on Restart a Heart Day.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E264/17 to E269/17.

Matters for Decision

- E264/17 Property Services – Tender report for the appointment of Vehicle Suppliers
- E265/17 Tender for the collection and recycling of waste tyres
- E266/17 Moneymore Recreational Centre – Capital Project

Matters for Information

- E267/17 Confidential Minutes of Environment Committee held on 12 September 2017
- E268/17 Capital Projects Update
- E269/17 Ageing Well – Tender Process

E270/17 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.20 pm.

CHAIR _____

DATE _____

Report on	Building Control Workload
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report		
1.1	To provide Members with an update on the workload analysis for Building Control across Mid-Ulster District Council.		
2.0	Background		
2.1	<p>Building Control applications are received in three different forms:-</p> <ul style="list-style-type: none"> a Full Applications - submitted with detailed working drawings. b Building Notices - minor work not usually requiring detailed plans, e.g. provision of insulation to roof space, etc. c Regularisation Applications – where work has been carried out without an approval, an application must be submitted for retrospective approval. 		
3.0	Main Report		
3.1	Workload Analysis	October 2017	Accumulative 2017/18
	Total number of Applications	152	1163
	Full plans applications received	65	477
	Building Notices applications received	76	576
	Regularisations applications received	11	110
	Estimated value of works submitted	£17,034,387	£98,053,409
	Number of inspections carried out by Building Control Officers	949	6264

	Commencements	188	1266
	Domestic Dwellings	29	368
	Domestic alterations and Extensions	149	836
	Non-Domestic work	10	62
	Completions	132	1004
	Domestic Dwellings	32	233
	Domestic alterations and Extensions	89	715
	Non-Domestic work	11	56
	Property Certificates Received	181	1265
3.2	Over the past month, a number of significant applications have been received as noted in Appendix 1.		
4.0	Other Considerations		
4.1	<u>Financial & Human Resources Implications</u> Financial: Within current resources Human: Within current resources		
4.2	<u>Equality and Good Relations Implications</u> None		
4.3	<u>Risk Management Implications</u> None		
5.0	Recommendation(s)		
5.1	Members are requested to note the content of this report.		
6.0	Documents Attached & References		
6.1	Appendix 1 - List of significant applications received by Building Control.		

Significant Developments 25th September 2017 – 21st October 2017

Applicant	Location of Development	Details of Development	External value of development
Donnelly Bros (Dungannon) Ltd	59 Moy Road, Dungannon	Erection of a Car Showroom (floor area 5079m ²) B.C. fee - £12,440	£3,000,000
Pulleys International	Farlough Road, Dungannon	Erection of Workshop & Canteen (floor area 3581m ²) B.C. fee - £8,019.50	£1,736,785
Rahoran Ltd	The Olde Fairways Avenue, Fivemiletown	Erection of 20no. Dwellings (average floor area 104m ²) B.C. fee - £4,345	£1,230,484
Tealrock Properties Ltd	Ballynorthland Manor, Dungannon	Change of use from a Nursing Home to 10 Apartments B.C. fee - £5,395	£990,205
Molesworth Presbyterian Church	69 Molesworth Street, Cookstown	Alterations & Refurbishment of Church B.C. fee - £3,810	£673,500
Clogher Valley Free Presbyterian Church	100 Ballagh Road, Fivemiletown	Erection of Church (floor area 511m ²) B.C. fee - £3,290	£569,254
Tyrex	200 Coalisland Road, Dungannon	Erection of Storage Building (floor area 1250m ²) B.C. fee - £3,125	£536,250

Report on	Entertainment Licensing Applications
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update Members on Entertainment Licensing Applications across Mid Ulster District Council area.
2.0	Background
2.1	<p>The Council has responsibility for Licensing Places of Entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985.</p> <p>Entertainment Licensing applications are received on a continual basis across the District.</p> <p>Statutory Consultations are carried out with PSNI and NIFRS for each entertainment licence application (grant or renewal) submitted.</p> <p>An officer will carry out an inspection of each place of entertainment to ensure compliance on site and that all certification and information deemed necessary in accordance with the approved policy has been addressed.</p>
3.0	Main Report
3.1	<p>As previously agreed a list of applications for all grant/renewal of Entertainment Licences in Mid Ulster District Council is attached (see Appendix 1). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence.</p> <p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> 1 A current Fire Risk Assessment detailing the following: <ol style="list-style-type: none"> (a) means of escape from premises (b) management responsibilities for day to day safety aspects (c) details of review on an annual basis <p>The fire risk assessment submitted is audited by the inspecting officer</p> 2 Electrical certification is required for the following: <ol style="list-style-type: none"> (a) General electrical installation (b) Emergency lighting system (c) Fire alarm system

3.2	<p>3 Details of current public liability insurance for premises</p> <p>4 Copy of public advertisement in local press</p> <p>Following the application for the grant / renewal of an Entertainment Licence being submitted and validated, an inspection is carried out to ensure that the premises are in compliance with all relevant guidance and legislation.</p> <p>Areas which would be inspected are as follows:</p> <ol style="list-style-type: none"> 1. Means of escape from the venue ie. Final exit doors and Easy Opening Devices are satisfactory and escape routes are free from obstruction etc. 2. All floor, wall, and ceiling coverings are in compliance and in good condition. 3. All firefighting equipment is correctly positioned and serviced as required. 4. The general condition of the premises is satisfactory. 5. All management documentation is in place.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Within Current Resources</p> <p>Human: Within Current Resources</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None</p>
4.3	<p><u>Risk Management Implications</u></p> <p>None</p>
5.0	Recommendation(s)
5.1	Members are requested to note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Schedule of applications received for the Grant/Renewal of Entertainment Licences.
6.2	Appendix 2 – Schedule of Entertainment Licence applications which have been granted/renewed.

Appendix 1

Schedule of applications received for the Grant/Renewal of Entertainment Licences in October 2017

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
R McAleer	McAleer's Bar	5-11 Donaghmore Road, Dungannon	Annual	Monday To Saturday From : 11:30 To : 01:00 Sunday From : 11:30 To : 24:00	330
K McGrath	The Ceili House	48 Main Street, Coalisland	Annual	Monday To Saturday From : 11:30 To : 01:00 Sunday From : 12:30 To : 01:00	50

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
A Donaldson	Cookstown Hockey Club	40 Molesworth Street, Cookstown	Annual	Monday To Sunday From : 13:00 To : 01:00	126
G McCulloch	St Swithin's Church Hall	47 Church Street, Magherafelt	14 Unspecifi ed Days	Monday To Sunday From : 18:00 To : 24:00	380
F Brunt	St John's Parish Halls	Murley Road, Fivemiletown	14 Unspecifi ed Days	Monday To Friday From : 18:00 To : 24:00 Saturday From : 10:00 To : 24:00 Sunday From : 09:30 To : 22:00	570

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
1 Oak Leisure Ireland Limited	Time Bar Venue	40-42 James Street, Cookstown	Annual	Monday To Sunday From : 12:00 To : 02:00	960
E Bell	The Four Corners	1 Mullaghmoyle Road, Coalisland	Annual	Monday To Saturday From : 11:00 To : 01:30 Sunday From : 12:00 To : 01:30	218
C Sheeran	Bottle Of Benburb	241- 247 Derryfubble Road, Benburb	Annual	Monday To Friday From : 13:00 To : 13:00 Saturday From : 11:30 To : 01:00 Sunday From : 11:30 To : 24.00	90

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
C Eastwood	Pot Black Snooker Club	2b Burn Road, Cookstown	Annual	Monday To Sunday From : 08:00 To : 02:00	86
P Toner	The Thatch Bar	19 Molesworth Street, Cookstown	Annual	Monday To Saturday From : 11:30 To : 01:30 Sunday From : 12:30 To : 00:30	50
C Forbes	Cashino Palace	1 Cemetery Road, Cookstown	Annual	Monday to Saturday From : 12:00 To : 23:00 Sunday From : 14:00 To : 23:00	40

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
J Conway	The Belfast House	3 Orritor Street, Cookstown	Annual	Monday to Saturday From : 11:30 To : 01:00 Sunday From : 12:00 To : 24:00	120
1 Oak Leisure Ireland Limited	Lanyon Hall & Black Horse Bar	21-23 Molesworth Street, Cookstown	Annual	Monday To Sunday From : 12:00 To : 02:00	1115
A McAlynn	St Patrick GFC	111a Ballyneil Road, Moneymore	Annual	Monday to Sunday From : 11:00 To : 23:00	220
V Daly	The Ryandale	16-18 The Square, Moy	Annual	Monday To Saturday From : 11:30 To : 01:00 Sunday From : 12:30 To : 24:00	1074

Appendix 2

Schedule of applications issued for the Grant/Renewal of Entertainment Licences in October 2017

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
P Forbes	The Cove Bar	126 Shore Road, Magherafelt	Annual	Monday To Sunday From: 11:30 To: 01:00
P Mulgrew	The Roadside Tavern	36-38 The Square, Stewartstown	Annual	Monday To Saturday : From: 11:00 To: 01:00 Sunday : From 12:00 To: 24:00
M Barry	Ma Quinns	65 James Street, Cookstown	Annual	Monday To Saturday : From: 11:30 To: 01:00 Sunday : From: 12:00 To: 24:00

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
H J McCracken	The Farmer's Rest Bar	1 Tullynure Road, Cookstown	Annual	Monday To Saturday From: 11:30 To: 23:00
M Devlin	Moe's	86 Chapel Street, Cookstown	Annual	Monday To Sunday From: 11:30 To: 01:30
S Canavan	Killymoon Golf Club	200 Killymoon Road, Cookstown	Annual	Tuesday To Friday From: 18:00 To: 23:00 Saturday : From: 14:00 To: 24:00 Sunday : From: 14:00 To: 23:00

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
P Donnelly	St Patrick's Parish Hall	137 Ballinderry Bridge Road, Coagh	Annual	Monday To Sunday From: 09:00 To: 24:00
R Forbes	The Bridge Bar	86 Ballinderry Bridge Road, Coagh	Annual	Monday To Saturday From: 11:00 To: 01:00 Sunday From 12:00 To: 01:00

Report on	On-Line Property Certificate Applications
Reporting Officer	William Wilkinson
Contact Officer	William Wilkinson

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform Members of the introduction of the on-line property certificate application portal for Mid-Ulster District Council.
2.0	Background
2.1	<p>Currently, there are approximately 2000 applications submitted predominantly by solicitors to the Building Control Service within Mid-Ulster District Council for property certificates each year.</p> <p>Applications for property certificates are received by the Building Control Department in paper form. All relevant application details must be loaded onto the Tascomi system prior to officers completing the property certificate for return to the solicitor. The internal turnaround time for a property certificate application is 10 days, however when postage time is added from and to solicitors, the timeline could be in excess of 20 days from date of leaving a solicitors office to the date of return .</p>
3.0	Main Report
3.1	<p>Due to the process which is currently adopted, the opportunity was identified to provide an online facility for the application of property certificates.</p> <p>An online application facility is paperless and reduces the time lapse considerably from date of application to date of returned completed property certificate.</p> <p>Building Control Officers from Mid-Ulster District Council have liaised closely with Tascomi to develop an online application facility for property certificates and have also actively piloted the facility with a local solicitor.</p> <p>It has become apparent that there are considerable time savings as online applications will be returned to the applicant within 10 days thus omitting the time lapse caused by postage. There are further benefits within office administration as there is no longer a paper trail required as the entire on-line process is completed electronically.</p> <p>Following the successful testing of the online application facility for property certificates, all solicitors who submit property certificate applications to Mid-Ulster District Council were invited to information sessions on 19th October 2017 in the Dungannon, Cookstown and Magherafelt Offices where a demonstration of the on-line process was given.</p>

	The information sessions were very well attended with over 50 representatives from local solicitors in attendance. See attached (Appendix 1), copy of presentation given to all solicitors and their administration staff who attended the information sessions.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: Within current Resources Human: Within current Resources
4.2	<u>Equality and Good Relations Implications</u> None
4.3	<u>Risk Management Implications</u> None
5.0	Recommendation(s)
5.1	It is recommended that Members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Copy of presentation given for on-line applications for property certificates.

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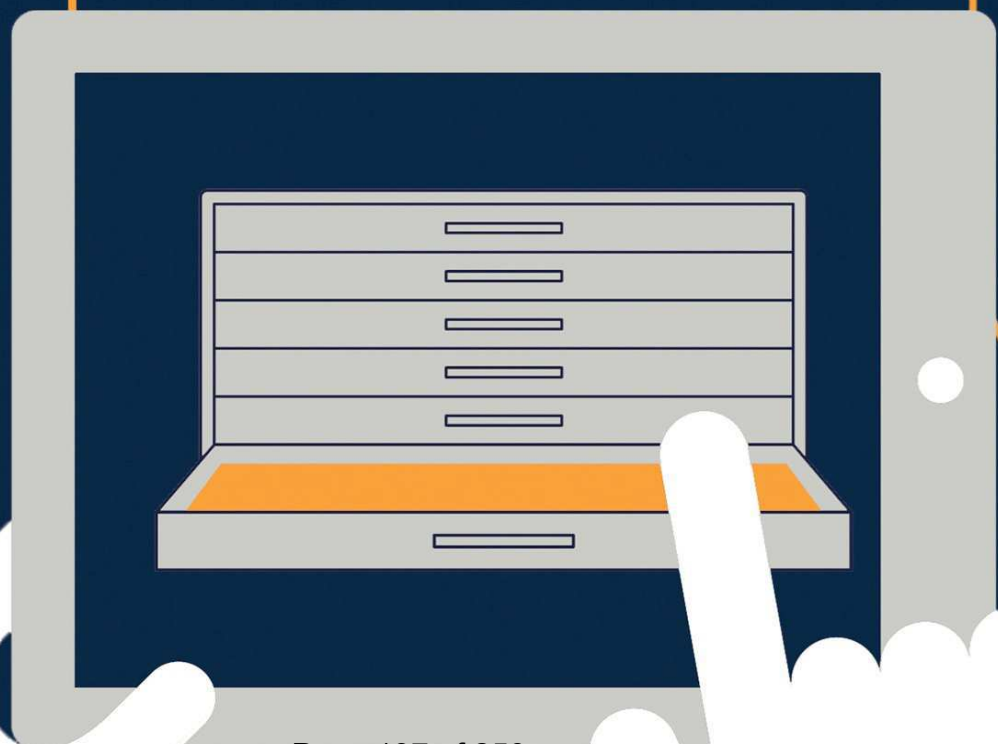




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COUNCIL DIRECT USER GUIDE - PROPERTY CERTIFICATES

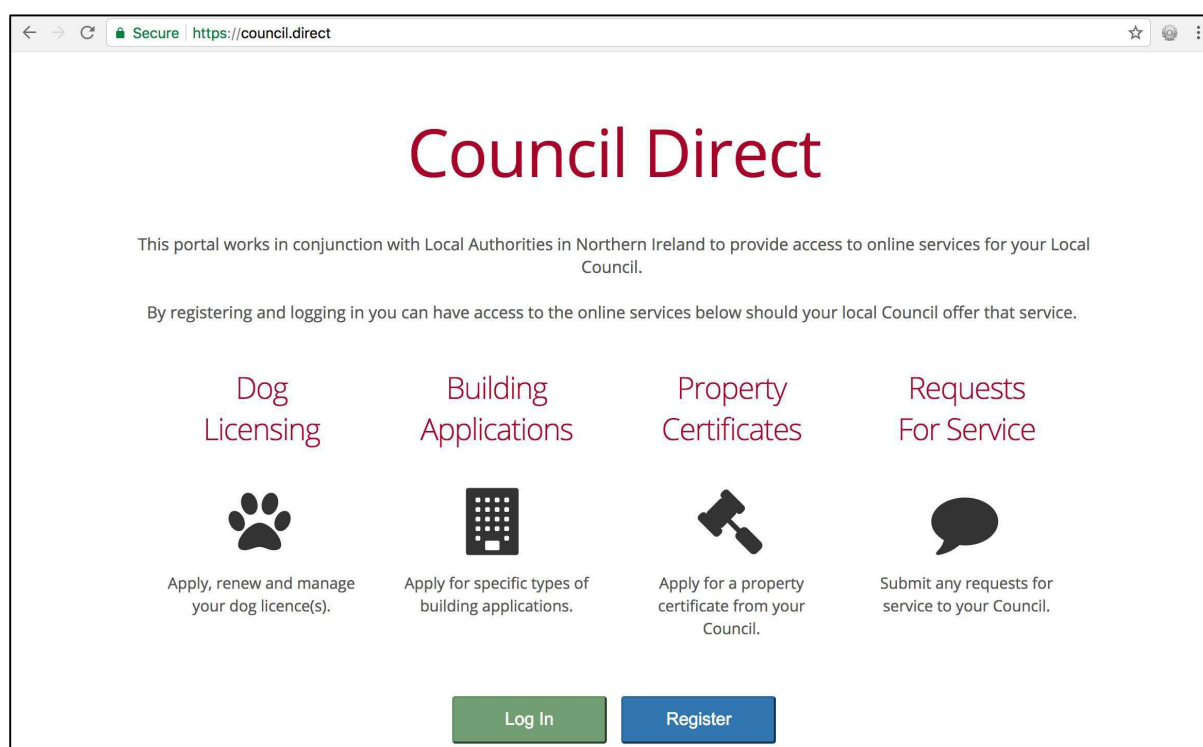
1.0 Introduction

Council Direct is an online portal, working in conjunction with Local Authorities in Northern Ireland to provide access to online services for Local Councils.

This guide is for the purpose of providing support to users when submitting a Property Certificate application online, using Council Direct.

The Council Direct portal can be accessed at the following URL:

<https://council.direct/>





2.0 Registering & Logging In

Users will be required to register for Council Direct in order to log in – you can do this by selecting the blue 'Register' button on the landing page.

Registration

Can't find your address? [Click here](#) to enter it manually.


May your Local Council use the following methods to contact you about Council Services
e.g. dog licence reminders, emergency procedures, bin collections etc?

☐ Email

☐ SMS

The reCAPTCHA below is a spam filter. Please tick the box to confirm you are a real person before proceeding with the registration.

☐ I'm not a robot


reCAPTCHA
[Privacy](#) - [Terms](#)



When registering, the following fields are **mandatory**:

- Email address
- Password
- Firstname, Surname
- Address
- Either telephone or mobile number

Once the correct details have been entered, you should select 'Register' at the bottom of the form. After doing so, you will be shown the following message:

✓ Congratulations. Your registration was successful. Please click on the verification link emailed to you to log in.

You will then need to check your emails for the verification email that has been sent to you, and click the '**Verify My Account**' link in the email.

If you do not verify your account, you will be unable to make any submissions in the portal and a red error message, as below, will be displayed to you when you are logged in.

Unverified User! Please check your emails and verify your account to use this portal.

Once you have registered for an account, you will be able to log in to the portal at any time. It is important to note that if you forget your password, you will be able to trigger a Password Reset email using the '**Forgot Password?**' option, as indicated below.

Sign In

E-mail Please enter email address

Password

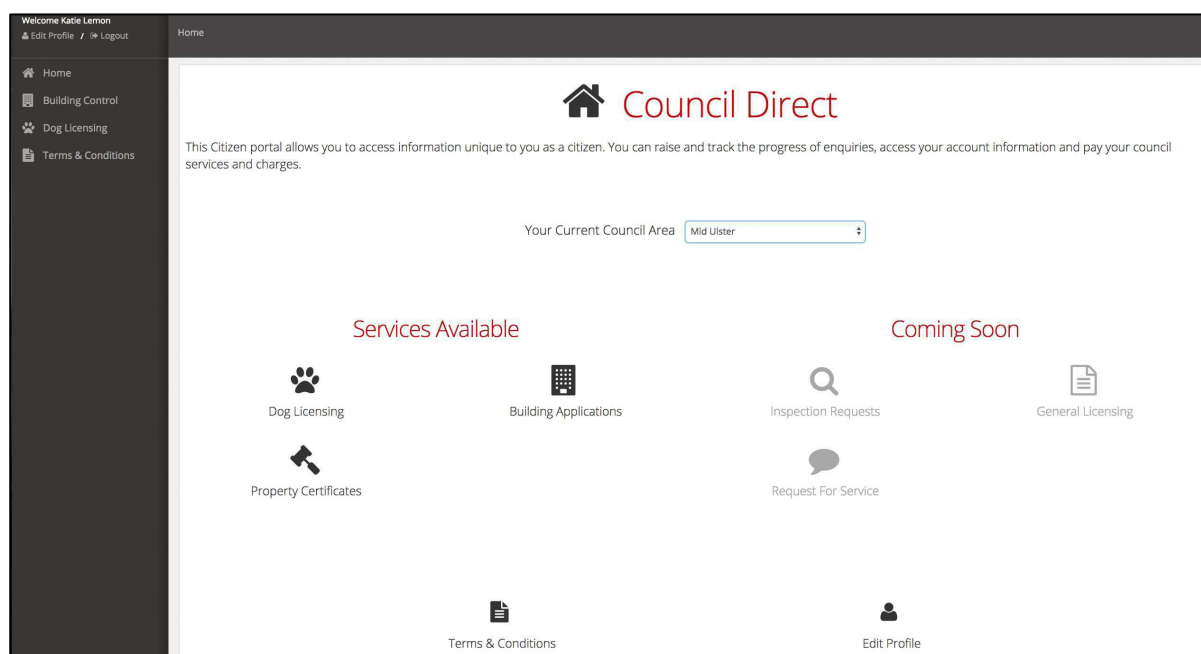
[Forgot password?](#)

[Return to Homepage](#) [Sign in](#)



3.0 Council Direct Homepage

After logging in to the portal, you will be presented with the following home page.



When navigating around the portal, you will have two options. You can use the collapsible menu to the left of the screen, or you can use the various icons in centre.

Should you need to edit your profile details that you registered with, you can do so in the top left-hand corner, using the 'Edit Profile' option. Alternatively, there is an 'Edit Profile' icon at the bottom of the screen.

'Your Current Council Area' will be automatically selected based on the address you entered when registering – however, this can be changed as needed. Changing this will filter the options available for the specific Council you choose.

Once you have selected the Council you would like to submit to, you can then select the appropriate option from the 'Services Available' area.



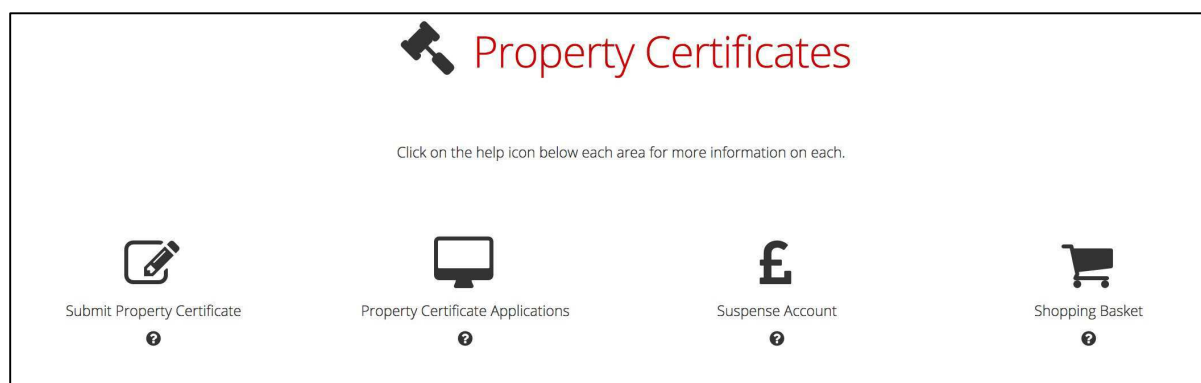


4.0 Property Certificates Homepage

After selecting the Property Certificates icon on the homepage of the portal, you will be taken to the Property Certificates homepage & presented with a number of options:

- Submit Property Certificate
- Property Certificate Applications
- Suspense Account
- Shopping Basket

You will also notice small '?' icons beside each of the options, giving you an explanation of what each option contains.



4.1 Submitting a Property Certificate Application

When you have selected the 'Submit Property Certificate' option, you will be taken to the below screen:



For step one of the submission process, you will firstly need to confirm your Council Area – this is the Council to which you would like to submit the application.

When you have selected your Council area, you will be asked to select your Search Type and Property Type. You will also have the option to add any additional notes to your application as required (screenshot below).



Submit a Property Certificate

1 Step 1 2 Step 2 3 Step 3 4 Step 4

← Prev Next →

Your Local Council Is Mid Ulster [Change](#)

Property Certificate Details

Search Type ☐ 10 Year Search
☐ 1973 Search
☐ Follow 10 Year Search
☐ Specific 10 Year Search

Property Type ☐ Dwelling
☐ Residential
☐ Commercial
☐ Land Only - (Please ensure you enter a Site Location on the next step)
☐ Other

Notes

Upon selecting the appropriate search type, a corresponding fee will be generated.

When the correct information has been entered for Step One, you will be able to proceed to Step 2 of the submission process, using the green 'Next' button in the top right of the screen.

Step 2 will cover Enquirer Details & Address/Location of Site details, as shown below.

Submit a Property Certificate

1 Step 1 2 Step 2 3 Step 3 4 Step 4

← Prev Next →

Enquirer Details

Enquirer Reference

Forename Katie

Surname Lemon

Company Name Tascomi

Address 3 BALLYNAHINCH STREET
HILLSBOROUGH
DOWNS
BT26 6AW [Change Address](#)

Telephone

Mobile 12345678910

Email katie.lemon@tascomi.com

Address/Location of Site Details

Owner Name

House Name/Number

Postcode

[Search](#)

[Can't find your address? Click here to enter it manually.](#)

Upon entering a house name or number and postcode, you will be able to search for the address and select the correct entry from a dropdown that will appear. If the



details are not recognised or found, you will have the option to enter the location or address details manually, using the link indicated below.

Address/Location of Site Details

Owner Name

House Name/Number

Postcode

Search

Can't find your address? Click [here](#) to enter it manually.

Opting to enter the address manually will produce the following pop-up:

Enter Site Address

Building Number

Street Name

Locality

Town

County

Postcode

Cancel

✓ Submit

When you have entered the appropriate details for the Enquirer and the Location, you should proceed to the next step, as before, using the green 'Next' button.



Step 3 (below) will require a file upload of at least 1 map clearly demonstrating the position of the dwelling in relation to site boundaries. It is asked that you ensure that maps are of scale 1:1250 or 1:2500. Only image files (JPG, PNG etc.) and PDF files will be accepted here. There is also a file size limit of 25MB.

Submit a Property Certificate

1 Step 1 2 Step 2 3 Step 3 4 Step 4

File Uploads

It is necessary to provide at least 1 map clearly showing the position of the dwelling in relation to the site boundaries. Only image files (jpg, png) and PDFs will be accepted. Please ensure that the maps are of scale 1:1250 or 1:2500.

Drop files here or click to upload.

Please upload any files that will help support your request. Only image files (JPG, PNG etc) and PDF files will be accepted. Files over 25mb will not be accepted.

Step 4, the final stage of the submission process, will provide a summary of the details you have entered through the process for confirmation, as shown below. You will have the option to return to previous steps to make any amendments as needed, using the blue 'Previous' button on the top right of the screen. If you are happy with the details, you should select the green 'Finish' button to submit your application.

Submit a Property Certificate

1 Step 1 2 Step 2 3 Step 3 4 Step 4

Property Certificate Details

Search Type: Specific 10 Year Search
Fee: £60.00
Property Type: Residential
Notes:

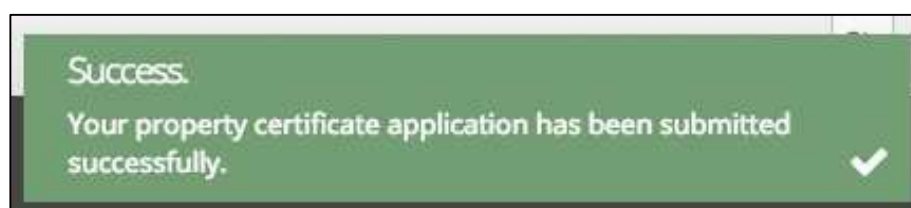
Enquirer Details

Enquirer Reference: -
Forename: Katie
Surname: Lemon
Company: Tascomi
Address: 3 BALLYNAHINCH STREET
HILLSBOROUGH
DOWN
BT26 6AW
Telephone: 12345678910
katie.lemon@tascomi.com

Owner Name:
Address: 1234
BALLYRONAN ROAD
MAGHERAFELT
Londonderry
BT45 6EN

Mobile:
Email:

When you have submitted your application successfully, the following green message will appear in the top right corner of your screen:





4.2 Shopping Basket

After submitting, your application will appear in your Shopping Basket. The Shopping Basket functionality will then allow to pay for multiple items at one time, should you wish to do so. You can also leave the items until a later stage to pay if needs be.

Property Certificates Shopping Basket

Your Current Council Area: Newry and Mourne

Below is a list of all your unpaid online property certificates applications for Newry and Mourne.

ID Reference	Search Type	Address	Submitted	Cost	<input type="checkbox"/>
000011	10 Year Search	1 BALLYNAHINCH STREET HILLSBOROUGH DOWN BT26 6AW	11-10-2017	£60.00	<input type="checkbox"/>
000010	10 Year Search	1 BALLYNAHINCH STREET HILLSBOROUGH DOWN BT26 6AW	11-10-2017	£60.00	<input type="checkbox"/>

Delete Selected Property Certificate(s) Pay For Selected Property Certificate(s)

Using the checkbox along the right-hand side of the data grid, you can select the items you wish to pay for and then select the 'Pay for Selected Property Certificate(s)' option at the bottom of the screen. You can also delete multiple items from your Shopping Basket if they are no longer required, using the red 'Delete Selected Property Certificate(s)' option to the left.

When you select to pay for your Property Certificate applications, you will be presented with a pop-up, as shown to the right.

Here you will see a view of the items you have selected to pay for, and a total cost.


You will then have the option to pay using your Suspense Account (see section 4.3) or you can continue to the WorldPay payment provider by selecting the 'Pay' option where you can enter card details to complete your transaction.

Pay For Property Certificates

You are about to pay for the selected property certificates. A summary of the details are below.

ID Reference	Address	Cost
000011	1 BALLYNAHINCH STREET HILLSBOROUGH DOWN BT26 6AW	£60.00
		£60.00

☐ Pay With Suspense Account (£500.00 available).

 **WorldPay**

All credit and debit card transactions are securely handled by WorldPay.

After pressing 'Pay' you will be transferred to their site unless you have opted to pay by account.

Cancel Pay



4.3 Suspense Account

The Suspense Account functionality will allow you to add a sum of money to your account to be used for transactions. This will eliminate the need to enter card details for every payment, as you will be able to pay via your suspense account.

£ Property Certificates Suspense Account

Your Current Council Area Newry and Mourne

Below is your suspense account details for Newry and Mourne.

£ Suspense Account

Minimum topup value is £undefined

Balance (£) 500.00

Last Topup (£) 500.00

Topup Date 11-10-2017

Topup (£)

[Topup Account](#)

Within your Suspense Account, you will have a view of your current balance, as well as the amount you last topped up with & when this top up occurred.

In order to top up your account, you will simply need to enter the amount you wish to top up with and then select the blue 'Topup Account' option at the bottom of the screen. You will then be redirected to the WorldPay payment provider screen, where you can enter your card details to complete the transaction.

When making a payment from your shopping basket, and you wish to use your Suspense Account, you should populate the following checkbox on the pop-up:

☐ Pay With Suspense Account (£500.00 available).



If your payment has been successful, you will be presented with a Payment Successful message, as below:

Payment Successful!

Your property certificate has been submitted and your payment was successful.

Your receipt number is **3079073718**.

The application will go through validation, if there are any discrepancies with the application applicants will be contacted by the Building Control Department.

[Return to the Council Direct portal](#)

If you would like to follow up about this online property certificate, please contact Newry and Mourne District Council using one of the methods outlined below.

Telephone: 028 3031 3031

Fax: 028 3031 3077

Email: complaints@newryandmourne.gov.uk

You will be provided with a Receipt Number, and the relevant Council details should you wish to follow up on your submission.

After submitting and paying successfully, you will also receive an email from WorldPay containing a transaction receipt, as well as an email from the Council Direct portal to confirm that your Property Certificate application (with reference number) has been submitted to the Council.

4.4 Submission History

Any applications that you have created will appear in the 'Property Certificate Applications' section of the portal. Here you will say any previous submissions you have made, whether they have been paid or not. You'll be able to see the application reference, search type, address, submission date, cost & status, such as submitted or unpaid.

Property Certificate Applications					
Your Current Council Area Newry and Mourne					
Below is a list of all your online property certificate applications for your selected Council area.					
Property Certificate Applications					
Filter		10			
ID Reference	Search Type	Address	Submitted	Cost	Status
000011	10 Year Search	1 BALLYNAHINCH STREET HILLSBOROUGH DOWN BT26 6AW	11-10-2017	£60.00	Submitted
000010	10 Year Search	1 BALLYNAHINCH STREET HILLSBOROUGH DOWN BT26 6AW	11-10-2017	£60.00	Unpaid
Showing 1 to 2 of 2 entries					
First		Previous	1	Next	Last

Report on	Dual Language Signage Legislative Requirements
Reporting Officer	Mark Kelso
Contact Officer	Mark Kelso

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform Members of the legislative requirements on dual language signage requests in accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11.
2.0	Background
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English .</p> <p>The policy for Street Naming and Dual Language Signage as adopted by Council in March 2017 forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.</p>
3.0	Main Report
3.1	Upon receipt of requests for dual language signage, the details of the individuals are checked with the Electoral Registry Office to confirm the request is from a registered citizen on that street /road. Once the application has been validated in accordance with Council Policy an information report is brought to the next meeting of the Environment Committee.
3.2	The question was raised as to why the name and address details of the requestor are withheld. In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11, the Council must give consideration to and process requests for dual language signage. The Council policy outlines the mechanism by which this is delivered. There is no legislative requirement within the legislation which specifically requires the requestor's name and address to be identified.
3.3	Legal advice has confirmed that under the Data Protection Act 1998 personal data must not be disclosed to anyone other than the data subject , unless by consent or it is a registered disclosure required by law. As there is no statutory obligation on Council to disclose the name and address details of the requestor, any disclosure would be in breach of Data Protection legislation and leave Council open to challenge and potential formal action .

4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: N/A Human: N/A
4.2	<u>Equality and Good Relations Implications</u> N/A
4.3	<u>Risk Management Implications</u> N/A
5.0	Recommendation(s)
5.1	That Members note the content of the report.
6.0	Documents Attached & References
6.1	N/A

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern Ireland)
Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for the

purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—

“nameplate” includes any means of signifying a name in writing;

“street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and

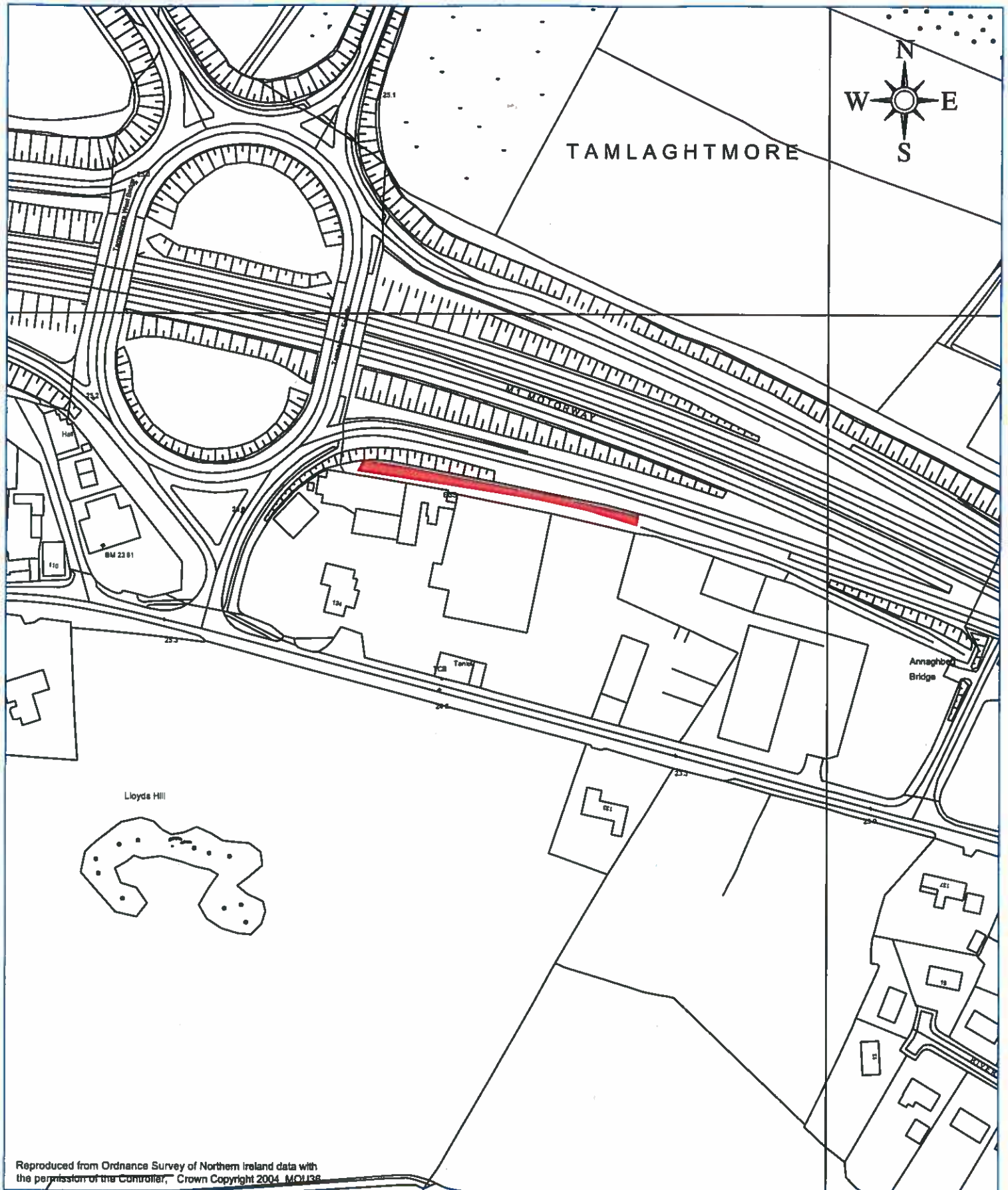
so much of any local Act as relates to the naming of streets or the numbering of houses or building

Report on	DfI Proposals for Abandonment & Disposal of Land, Tamnamore Roundabout, Dungannon
Reporting Officer	Andrew Cassells, Director of Environment & Property
Contact Officer	Andrew Cassells, Director of Environment & Property

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform Members of the Department for Infrastructure's intention to carry out an abandonment and disposal of land at Tamnamore Roundabout, Dungannon.
2.0	Background
2.1	The Department for Infrastructure are informing Council of their proposals to carry out an abandonment and disposal of a roadway embankment at Tamnamore Roundabout, Dungannon.
3.0	Main Report
3.1	<p>Under Article 68(1) of the Roads (Northern Ireland) Order 1993, the Department for Infrastructure proposes to carry out an abandonment and disposal of a roadway embankment at the aforementioned location.</p> <p>It is noted that an Order made under Paragraph (1) may:</p> <ul style="list-style-type: none"> (a) Provide for the retention or removal of any cables, wires, mains, pipes or other apparatus placed along, across, over or under the stopped-up or abandoned road and (b) Provide for the extinction, modification or preservation of any rights as to the use or maintenance of such cables, wires, mains, pipes or apparatus.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Not applicable</p> <p>Human: Not applicable</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>Not applicable</p>

4.3	<u>Risk Management Implications</u> Not applicable
5.0	Recommendation(s)
5.1	That the Environment Committee notes the content of the report and opportunity to present a response.
6.0	Documents Attached & References
6.1	Appendix 1 Location Map: Department for Infrastructure – Abandonment & Disposal of Land at Tamnamore Roundabout, Dungannon



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transportni

DUNGANNON SECTION OFFICE
MOYGASHEL
CO. TYRONE
BT71 7QR

**PROPOSED DISPOSAL AND
ABANDONMENT OF LAND AT
TAMNAMORE RBT
AREA: 578M2**

O.S. SHEET No. 161 14NW
161 14SW
161 14NE
161 14SE



Department for
**Regional
Development**
www.drdni.gov.uk

DATE : OCT 17
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Report on	Recycle Week 2017
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the activities carried out for Recycle Week 2017.
2.0	Background
2.1	Environmental Services carries out recycling education and awareness activities throughout the Mid Ulster Council area to promote recycling and reduce waste to landfill.
2.2	Recycle Week is an annual initiative coordinated by WRAP (Waste Resources Action Programme), who manage the national recycling campaign under the Recycle Now brand. WRAP asks partners within the waste management sector including businesses and local authorities to promote Recycle Week to stakeholders and the general public.
2.3	This year's Recycle Week ran from Monday 25 September to Sunday 1 October, with this year's theme being, 'Recycling - It's Worth It!' The aim of the week was to encourage the public to recycle more, by demonstrating the benefits of recycling items from all around the home.
3.0	Main Report
3.1	The theme for Recycle Week this year was chosen to dismiss some of the myths often portrayed around recycling and to show that recycling really is worth it. Bespoke resources were launched under a sub theme of, 'What goes around comes around' for partners to download and use during Recycle Week. This aimed to show what items are turned into when they are recycled, to capture attention and put across simple but important messages about why it's worth it to recycle.
3.2	<p>The Recycling Officers worked closely with the Communications Team who worked together to create short videos for promotion through social media, as well as adding news items to the website and issuing a press release. Releases on Facebook, Twitter and the website were as follows:</p> <ul style="list-style-type: none"> • 20th Sept: News item on Bin-ovation • 22nd Sept: Launch of Recycle Week highlighting that the area once again achieved the highest overall recycling rate of all 11 councils for the first quarter of 2017/2018 (see attached)

3.3	<ul style="list-style-type: none"> • 25th Sept: 'We're Proud to support Recycle Week' posts • 26th Sept: A video showing accepted materials (and contamination) in the blue bin https://www.facebook.com/dungannonlife/videos/1904455756248223/ • 28th Sept: A video with an inspirational householder on upcycling household items and furniture https://www.facebook.com/dungannonlife/videos/1906394819387650/ <p>Recycling talks/visits were carried out at the following in and around Recycle Week, which were themed to coordinate with the national campaign (see attached photos):</p> <ul style="list-style-type: none"> • Tobermore PS • Dungannon WI • St Elizabeth's Senior Citizens Group, Moygashel • St Mary's PS Dunamore, KS1 & KS2 • Carntall PS, Clogher, • Glen PS, KS1 & KS2 • St Columba's PS, Straw, KS1 & KS2 • Maghera PS KS2 • Phoenix Integrated PS, Cookstown • St Mary's PS, Stewartstown • St Mary's PS, Dunamore <p>Recycle Week promotions carried out by the business sector e.g. Dunbia, Granville were also supported during the week.</p> <p>The Recycling Team will continue with ongoing education and awareness activities. Their focus remains on increasing food waste recycled through the brown bins for the remainder of 2017. The first quarter of 2018 will focus on dry recycling through the blue bin, in line again with the national WRAP campaign.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: None</p> <p>Human: The Recycling Officers and the Communications Officers spent a substantial amount of time on the various forms of communication carried out for Recycle Week.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None</p>
4.3	<p><u>Risk Management Implications</u></p> <p>None.</p>

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5.0	Recommendation(s)
5.1	Members are asked to note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 Recycle Week 2017 Press release
6.2	Appendix 2 Photographs from Recycling Talks at Schools

6.1 Appendix 1 Press Release

Mid Ulster celebrates impressive recycling rate this Recycle Week!

22 September 2017

Mid Ulster has achieved the highest overall recycling rate of all 11 councils for the first quarter of 2017/2018 (April-June 2017).

Provisional figures just released show Mid Ulster's overall recycling rate stands at 60.18% for the quarter, up from 55.34% for the same period last year and the best of all the 11 councils.

However the figures also show that the dry recycling rate increased by only 1.62% for the quarter (from 21.37% to 22.99%).

The statistics have been released ahead of this year's Recycle Week which takes place from 25th September – 1st October and is encouraging residents to recycle more efficiently in the blue bin.

Blue bins should be used for disposing of paper, cardboard, aerosol cans, food and drink cans, plastic bottles and containers, envelopes and glass. Items such as nappies, liquids and food waste cannot be disposed of in the blue bin.

Most people remember to dispose of every-day kitchen items like plastic bottles and cereal boxes in the blue bin so this year's Recycle Week aims to raise awareness about ensuring the blue bin is also used for disposing of bathroom and bedroom items like empty deodorants, aerosols and perfume and aftershave bottles.

Aerosols such as deodorants and hair sprays can be recycled again and again without any loss in quality, so you may see them come back in items such as parts of your mobile phones, dishwashers or even as another aerosol can - what goes around comes around!

If everyone in Mid Ulster recycled one more deodorant, it would save enough energy to power a typical primary school for 50 days!

The Chair of the Council's Environment Committee, Councillor Ronan McGinley commented, "The fact that Mid Ulster has once again achieved the highest overall recycling rate of all 11 councils here proves there is a huge recycling effort being made in the district. These incredible figures don't just keep happening by chance. We are very fortunate that the majority of our residents are doing the work on the ground and supporting the Council in its dedication to promoting recycling."

“However, there is always more that can be done and Recycling Week this year gives us the perfect opportunity to tackle blue bin recycling head-on. Remember, recycling doesn’t just happen in the kitchen, make sure you are also disposing of all appropriate bathroom and bedroom items correctly in the blue bin!”



For more information about your local recycling scheme, including details of what can and cannot be recycled from around the house, visit www.midulstercouncil.org/recycling or download the Council’s free Binovation app from the App Store or Play Store.

6.2 Appendix 2 Sample Photos from Recycling Talks



St. Mary's PS, Stewartstown



St. Columba's PS, Straw



Carntall PS, Clogher

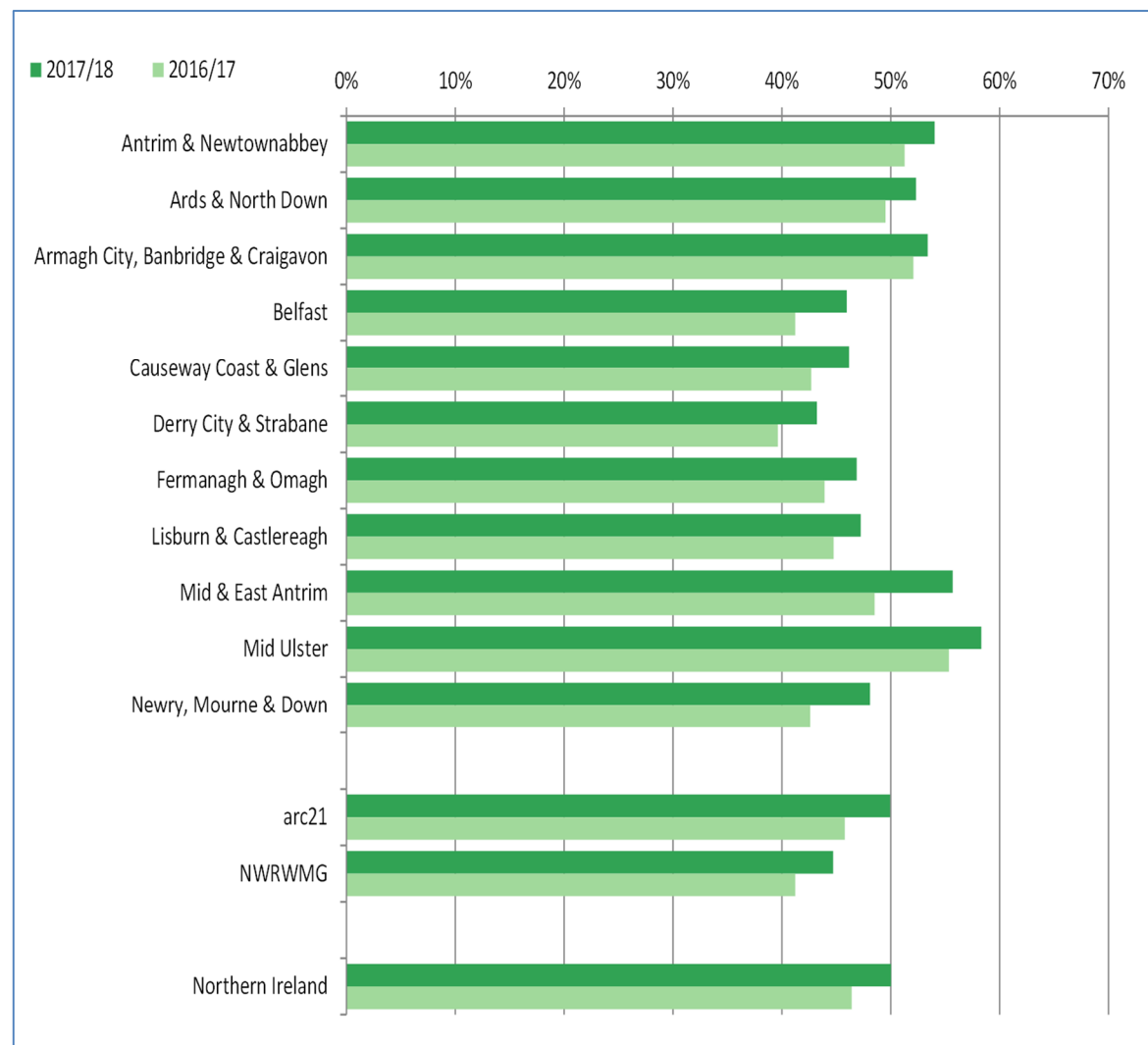
Report on	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2017
Reporting Officer	Mark McAdoo, Head of Environmental Services
Contact Officer	Mark McAdoo, Head of Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the Councils performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for the (quarter one) period of April to June 2017.
2.0	Background
2.1	<p>The above (provisional) report was published on 26th October 2017 by the Department of Agriculture, Environment and Rural Affairs (DAERA). The data in the report is based on quarterly returns made to Wastedataflow, a web based system, used by all local authorities throughout the UK to report on local authority collected municipal waste (LACMW). A full copy of the report (including appendices) can be accessed via below:</p> <ul style="list-style-type: none"> • https://www.daera-ni.gov.uk/publications/northern-ireland-local-authority-collected-municipal-waste-management-statistics-april-june-2017
3.0	Main Report
3.1	Northern Ireland's Councils collected 263,167 tonnes of Local Authority Collected Municipal Waste (LACMW) between April to June 2017. This was a similar amount to the 262,883 tonnes collected during the same three months of 2016.
3.2	The household waste preparing for reuse, dry recycling and composting rate was 50% between April to June 2017, an increase on the 46.4% recorded during the same three months of 2016.
3.3	<u>It is pleasing to report that, once again and for the ninth consecutive quarter, the highest household waste recycling rate of 58.3% was recorded in Mid Ulster District.</u> This is an improvement of 3 percentage points on the figure recorded in the same quarter last year (as illustrated in Fig. 1 below):

Fig. 1. Household waste preparing for reuse, dry recycling and composting rate by council and waste management group

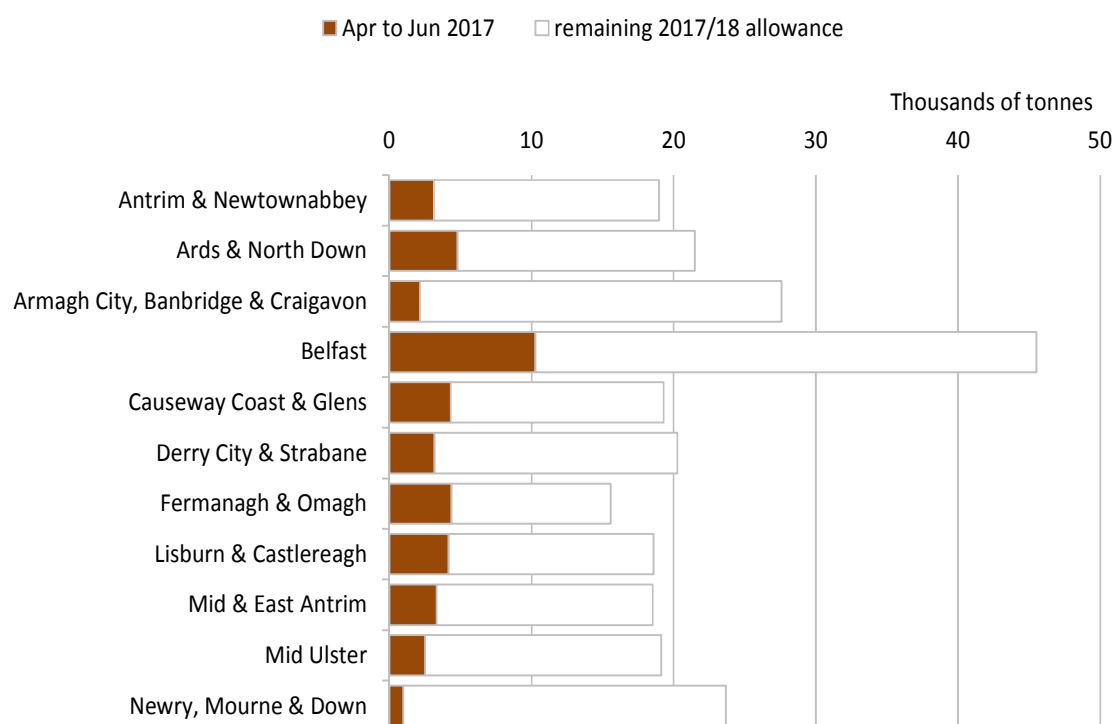
Northern Ireland, April to June 2016 and April to June 2017



3.4

With regard to the Northern Ireland Landfill Allowance Scheme (NILAS) allocation Mid Ulster District Council utilised only 13.1% of the available annual allowance (19,131 tonnes) during the first quarter i.e. landfilled only 2,501 tonnes of Biodegradable Local Authority Collected Biodegradable Municipal Waste (BLACMW). This was the third lowest utilisation of all eleven Councils (as illustrated in Fig. 2 below)

Fig. 2. Biodegradable LAC municipal waste allowance sent to landfill by council, Northern Ireland, April to June 2017



4.0 Other Considerations

4.1 Financial & Human Resources Implications

Financial: None

Human: A significant amount of time is spent by the Recycling Officers in gathering, collating and submitting the necessary data for quarterly WDF and NILAS returns

4.2 Equality and Good Relations Implications: None

4.3 Risk Management Implications

Failure to meet NILAS targets could result in NIEA fines and EU infraction proceedings.

5.0 Recommendation(s)

5.1 Members are asked to note and invited to comment on the content of this report.

6.0 Documents Attached & References: None

Report on	Removal of horses from Glassmullagh former landfill site
Reporting Officer	Mark McAdoo, Head of Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform members on actions taken to deal with the removal, impounding and stabling of horses belonging to members of the travelling community from Council owned lands.
2.0	Background
2.1	A plantation of Short Rotation Coppice (SRC) willows was established on Council lands at the former Glassmullagh landfill site, extending to some 6.4 hectares, by the former Dungannon and South Tyrone Borough Council.
2.2	Following a complaint from an adjoining neighbour regarding a willow beetle infestation at the site; the willow was harvested by a local contractor in September 2016. In order to prevent a repeat infestation of willow beetle arrangements were being made to have the borders of the plantation sprayed with appropriate insecticide this spring (in April 2017).
2.3	However the Council was prevented from carrying out the spraying due to the illegal placement of horses on the land (as the insecticide would have been harmful to them).
3.0	Main Report
3.1	On Friday 24 th March 2017 Environmental Services were notified, via Environmental Health, that the same adjoining neighbour had observed horses being placed on the lands at Glassmullagh by members of the travelling community (without approval).
3.2	Following investigation by Council Officers it was confirmed that the lock on the gate had been cut and access gained to the site and a number of horses were grazing the lands.
3.3	On 29 th March the PSNI were informed and having ascertained the owners, the police pursued the act of trespass and criminal damage. Simultaneously the Council notified colleagues in Animal Welfare who recommended that a 7 day 'Abandonment Notice' be placed on the gate under the Welfare of Animals Act (NI) 2011 Section 14. The notice was posted on 5 th April with an expiry date of 12 th April (copy attached as Appendix one).
3.4	Over the course of the following week/10 days considerable pressure was applied, via Animal Welfare Officers and the PSNI to have the animals removed. As a result four horses were removed however a horse and foal were left on site. Due to increased concerns from adjoining neighbours regarding the willow beetle encroaching into their properties, and concerns regarding members of the travelling community entering onto private property, the Council had no alternative but to take enforcement action. A further notice was posted to the gate on 26 th March confirming the action being taken by Council to remove and impound the remaining animals.

3.5	On Thursday 27 th March 2017 the Council engaged the services of a contractor (from a framework utilised by Animal Welfare) to remove the remaining animals from off the lands. A horse and foal was taken into private stabling with the Council bearing the costs of transportation and stabling. As no-one came forward to claim the horses, over the following months the private stabling company explored/exhausted all its options to re-home the animals (Council officers also carried out their own extensive investigations).
3.6	Thankfully after considerable research and in conjunction with Crosskennan Animal Sanctuary, the horses were relocated to Cork where they were assessed by a vet, microchipped and appropriate dental and farrier work carried out. Once passed fit for travel the mare and foal were moved on to a re-homing programme in Germany on 6 th October. This was done on a voluntary basis at no additional cost to the Council.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: The cost of removing and stabling the horses (over five months) was £5495.</p> <p>Human: Officer time in administering the process</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>Enforcement action was necessary to maintain a harmonious and cordial working relationship with adjoining neighbours and landowners at Glassmullagh.</p>
4.3	<p><u>Risk Management Implications</u></p> <p>The Council could have faced legal action had it not taken steps to deal with the beetle infestation at Glassmullagh. The Council could also have suffered reputational damage had it instructed the stabling company to dispose of the horses rather than re-homing them.</p>
5.0	Recommendation(s)
5.1	It is recommended that members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix One – Abandonment Notice
6.2	Appendix Two – Photograph of horse at Glassmullagh

ABANDONMENT NOTICE

Welfare of Animals Act (NI) 2011 Section 14

Description: **6 No. Horses**

Found at the following address / location: **Old Ballygawley Road, Glassmullagh,
Dungannon**

A person commits an offence if, without reasonable excuse, that person abandons an animal for which that person is responsible. This includes leaving an animal unattended and without any provision for its welfare, such as food, water and shelter.

If you are the legal owner, or have information regarding the ownership of the horses, please call 03000 132 132.

This Notice is giving 7 days' notice to the owner of the horses to come forward. After this time period, if no information is forthcoming, the horses may be re-homed, sold or humanely destroyed in accordance with the provisions of Section 14 of the Welfare of Animals Act (NI) 2011 and the Animals (NI) Order 1976.

Date 7 Day Notice Period Start: 5th April 2017

Date Notice Period Ends: 12th April 2017

Police Informed on 29th March 2017

Signed:

Andrew Cassells
Director of Environment & Property



Report on	NI Climate Change Adaptation Programme consultation
Reporting Officer	Raymond Lowry
Contact Officer	Yvonne Zellmann - Sustainability Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To invite Members to consider/approve the completed response to 2 nd Northern Ireland Climate Change Adaptation Programme (2019-2024) consultation.
2.0	Background
2.1	<p>Climate NI invited Councils to contribute to the development of the second Northern Ireland Climate Change Adaptation Programme (2019-2024) which will set out what Northern Ireland government, local councils, business and society are doing to adapt better to the changing climate.</p> <p>As it was recognised that local government has a key role to play in increasing reliance to climate change in NI this consultation aims to identify local government activities that are completed, underway or could be scheduled before 2024 that could help address the UK Committee on Climate Change (CCC) recommendations for addressing the risks facing Northern Ireland.</p>
3.0	Main Report
3.1	A climate resilience workshop was carried out with officers throughout the various departments in September to compile information required for the response to the Northern Ireland Climate Change Adaptation Programme consultation. The workshop was facilitated by Sustainable NI (with input from Climate NI). Sustainable NI also collated the data and provided a report on same.
3.2	In line with the consultation template a number of key priority areas were discussed at the workshop and both the existing Council contributions as well as the gaps noted. Using the workshop outcomes Sustainable NI completed the consultation Excel document (available on request) listing details of all MUDC activities that are underway, scheduled or could be underway by 2024 to help address Climate Change risks in Northern Ireland. The completed response will be submitted to Climate NI subject to Committee approval (appendix 1).
3.3	<p>The Key Priority Areas discussed in the consultation are:</p> <p>Key Priority Area - Natural Capital, including Terrestrial/Coastal/Marine/Freshwater ecosystems, soils and biodiversity</p> <p>Outcome Objective NC1: We have species, habitats and water bodies that are resilient to the impacts of climate change.</p>

	<p>Outcome Objective NC3: We have soils and land types that are resilient to the impacts of climate change.</p> <p>Key Priority Area - Infrastructure Services Outcome Objective IF1: We have Transport & Network Services that are resilient to the impacts of Flooding & extreme weather.</p> <p>Key Priority Area - People & Built Environment Outcome Objective P1: We have people, homes, buildings and communities that are resilient to the impacts of flooding & extremes of weather.</p> <p>Key Priority Area - Disruption to Businesses & supply chains Outcome Objective B1: We have businesses that can adapt to the impacts of Climate Change & extreme weather.</p> <p>Key Priority Area - Food Security/Global Food Production Outcome Objective I1: We have a food system that is resilient to impacts of Climate Change.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>The services of Sustainable NI were used to help putting together the consultation response along with Sustainability Officer.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>N/a</p>
4.3	<p><u>Risk Management Implications</u></p> <p>N/a</p>
5.0	Recommendation(s)
5.1	That Members note the content of the attached response on NI Climate Change Programme.
6.0	Documents Attached & References
6.1	Appendix 1: Council Response to consultation on Northern Ireland Climate Change Adaptation Programme (2019-2024).

Council Response to consultation on Northern Ireland Climate Change Adaptation Programme (2019-2024).

Key Priority Area - Natural Capital, including Terrestrial/Coastal/Marine/Freshwater ecosystems, soils and biodiversity

Outcome Objective NC1: We have species, habitats and water bodies that are resilient to the impacts of climate change.

Outcome Objective NC3: We have soils and land types that are resilient to the impacts of climate change.

Council activities to address risks:

- Local Biodiversity Action Plan is helping to improve condition and extent of ecological networks, including promotion of ecological corridors through public awareness and training events and general promotion of grass and, woodland and hedgerows in private and council owned sites. Council is promoting the 'Don't mow, let it grow' campaign with several trial sites within the district.
- Biodiversity impact assessments carried out on all Council-led development e.g. LDP, capital projects.
- New wetland conservation site at a disused landfill site (Tullyvar) and considering creating woodlands in other landfill sites that are due to close.
- NIFSA Forest Schools Awards Programme is promoting environmental education in local schools.
- PPS7 encourages open space for biodiversity pathways.
- Environmental Health Officers, on request, sample private water supplies and provide advice where necessary. Sampling takes place of public swimming pool water to ensure compliance with national quality and safety standards.
- Monitoring and reporting indigenous and invasive species and diseases like Ash Dieback via CeDAR project. Carried out staff training on identification of species of interest.
- Baseline survey of indigenous species carried out within council owned sites and a remediation strategy developed.
- Enforcement of PPS7 which requires wind farms in peat lands to have habitat management plans in place to prevent pollution and stop flooding.

Key Priority Area - Infrastructure Services

Outcome Objective IF1: We have Transport & Network Services that are resilient to the impacts of Flooding & extreme weather.

Council activities to address risks:

- PPS15 requires consideration of SuDs in all planning decisions relating to new and existing development. Council does not undertake monitoring of SuDS at present.
- Taking account of the latest flood maps and flood risk management plans on a site by site basis when reviewing planning applications and also strategically through consideration of flood risk in the Local Development Plan.

Key Priority Area - People & Built Environment

Outcome Objective P1: We have people, homes, buildings and communities that are resilient to the impacts of flooding & extremes of weather.

Council activities to address risks:

- Local Development Plan accounts for flood risk from new development on flood plains

- PPS15 requires consideration of SuDs in all planning decisions relating to new and existing development.
- Flood risk taken into account in all long-term investments on council owned sites. Flood risk of the site itself and critical infrastructure serving it are examined as part of the options appraisal process.
- Planning policy requirement for vulnerability assessment of building users and escape plan for planning applications in areas of flood risk.
- Participation in Severe Weather Groups to identify local flooding hotspots.
- Involvement in Community Resilience Groups. Community Resilience Action Plans include measures such as weather warnings and protocols to evacuate vulnerable groups in emergency situations.
- Council coordinates the local multi-agency emergency response, as set out in the Emergency Plan. Council buildings function as emergency rest centres / hubs. Councils store and disseminate emergency aid (grit, sand bags and bottled water) to support local communities.
- Environmental Health teams administer government hardship funds. This includes dealing with complaints and eligibility checks.
- Local Development Plan encourages passive solar building design to reduce overheating risk (and energy consumption) in new developments.
- Provision of local air quality data to DAERA. Air quality data is collated with health statistics to produce an annual report on air quality and health.
- Establishment of local air quality management areas which require transport infrastructure to bypass town centres in order to improve air quality.

Key Priority Area - Disruption to Businesses & supply chains

Outcome Objective B1: We have businesses that can adapt to the impacts of Climate Change & extreme weather.

Council activities to address risks:

- PPS15 requires the Council to consider flood risk and climate impacts in Local Development Plan and planning decisions affecting industrial land.
- In absence of an agency response, Council often first port of call e.g. removal of fly tipped waste (less than 22 tonnes) and deployment of staff to assist businesses clean-up after a flood event e.g. flooding of the Linen Green in Moygashel.
- Council have taken steps to reduce flood risk of landfill sites and minimise leachate. Plans in place to eventually close all landfill sites.
- Improved resilience in waste streams due to increased recycling rates, increased recycling capacity and a new transfer station is helping to keep waste moving, reducing possible impacts of flooding on waste processing and disposal.
- Economic Development Plan promotes sustainable development including renewable energy measures which improves the resilience of local businesses.
- Council's Business Continuity Plan includes contingency provisions such as flexible working arrangements for staff, standby generators, emergency work hubs and provision of copper telephone connections should digital infrastructure fail.
- Promotion of water efficiency within council premises where possible e.g. Cookstown leisure centre borehole and ISO14001 in operation at some sites.

Key Priority Area - Food Security/Global Food Production

Outcome Objective I1: We have a food system that is resilient to impacts of Climate Change

Council activities to address risks:

- Council allotments and support for community food growing schemes provide local food growing skills and increases local food production which reduces reliance on imported food.

Report on	Risk Assessment Initiative in Childcare Settings
Reporting Officer	Fiona McClements
Contact Officer	Fiona McClements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform Members of a risk assessment initiative delivered to childcare settings across the district for which Council is the health and safety enforcing authority.
2.0	Background
2.1	Council Environmental Health Departments in Northern Ireland are responsible for the enforcement of Health and Safety legislation in a range of childcare settings such as private day nurseries and crèches; playgroups; certain after schools groups and other funded childcare providers for the under 5s. Council does not however have any health and safety enforcement remit over nursery units attached to schools or with private childminders.
2.2	Health and safety inspections of childcare establishments carried out by Council Environmental Health Officers within Northern Ireland over the last few years have established that some premises are not meeting their legal duty in relation to risk assessment. In some cases, where Council officers have conducted investigations into incidents involving children in such premises, the failure to carry out a suitable and sufficient risk assessment has been identified as a key contributing factor.
3.0	Main Report
3.1	<p>As part of managing health and safety in childcare premises, the risks to health and safety must be controlled. In order to do this, childcare settings need to think about what might cause harm to people (employees, visitors and children attending) and decide on whether they are taking reasonable steps to prevent that harm. This is known as risk assessment.</p> <p><i>The Management of Health and Safety at Work Regulations (NI) 2000</i> requires every employer to carry out a suitable and sufficient assessment of the risks to employees and to others who may be affected by their undertaking. Employers with five or more employees are required to record the significant findings of the assessment.</p> <p>A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to adequately control the risks. Many childcare providers will already be taking steps to protect their staff and the children in their care, but risk assessment will help in deciding whether the management have covered all that they need to.</p>

	<p>One of the recurring issues identified by officers during inspections is that although many childcare settings already carry out and record routine checks of the environment, facilities, equipment, resources etc., the completion of such checklists on their own do not satisfy the legal requirement for risk assessment, as they are regarded as a control measure.</p>
3.2	<p>Risk assessment in childcare settings is important for the following reasons:</p> <ul style="list-style-type: none"> • It prevents accidents, injuries, ill health and associated costs; • It will help establish whether childcare settings are doing enough to manage health and safety or if they need to do more to safeguard children, staff and others who may be affected by their undertaking; • It increases staff morale and motivation; • It's the law
3.3	<p>In order to address poor risk assessment within childcare settings MUDC EH depts. decided to write to all day nurseries and playgroups to raise this important issue and to provide relevant guidance to assist managers to complete or review a risk assessment.</p> <p>To achieve this, a small task group with representation from a number of Councils, chaired by MUDC's Principal Environmental Health Officer (Health and Safety) produced a health and safety guidance pack specifically for childcare establishments to assist proprietors and managers in carrying out a risk assessment or reviewing an existing assessment for their premises.</p> <p>Within the MUDC area the pack was sent to 90 child care settings and it contained:</p> <ul style="list-style-type: none"> • information on the key steps to carrying out a risk assessment; • a sample risk assessment for a day nursery; • a risk assessment template; • guidance on preparing a health and safety policy; • guidance on carrying out a COSHH assessment; • information on accident reporting; and • Recommendations on animals being brought into childcare settings. <p>The childcare settings also received an electronic copy of the pack to facilitate them in tailoring the template to be site specific for their premises. Information on how to access general guidance on risk assessment and other health and safety topics was also signposted.</p> <p>A letter accompanying the guidance pack asked childcare settings to undertake the following actions:</p> <ul style="list-style-type: none"> • To complete a risk assessment, if they had not already done so. • Review any existing risk assessment in light of the guidance and templates. • Write down the results of the risk assessment to enable review at a later date • Obtain proprietor or management committee signatures on all risk assessments • Implement the findings of the risk assessment • Communicate the risk assessment by bringing it to the attention of all staff. • Ensure that a copy is kept at the premises and available for examination. <p>Child care settings were reminded that risk assessments are working documents and should be reviewed on an annual basis or sooner, for example, after an accident, a change in working procedures or the introduction of new activities or equipment.</p>

	The childcare settings were informed that officers from the health and safety team are available to assist with any further queries and that risk assessments will be examined in detail at their next scheduled health and safety inspection.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: N/A Human: N/A
4.2	<u>Equality and Good Relations Implications</u> N/A
4.3	<u>Risk Management Implications</u> N/A
5.0	Recommendation(s)
5.1	It is recommended that Council note the content of the report.
6.0	Documents Attached & References
6.1	A copy of the Health and Safety guidance pack can be obtained from the Environmental Health Department and will be uploaded onto the Council website in the near future.

Report on	Specialist advice received for Ageing Well tender process
Reporting Officer	Fiona Mc Clements
Contact Officer	Fiona Mc Clements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to update the Committee on the process to obtain external expertise to support the delivery of the Ageing Well Framework tendering process.
2.0	Background
2.1	<p>The Ageing Well Initiative is a community planning led partnership approach seeking support and promoting long, quality, independent living for older people.</p> <p>Phase 1 of the Ageing Well Framework (previously circulated) is proposed to be delivered through a community and voluntary sector model.</p> <p>Mid Ulster Council is the lead partner in the contracting of a future service to deliver an Ageing Well initiative for Mid Ulster. To support in the development of a tender specification, permission was sought for external expertise to be employed.</p>
3.0	Main Report
3.1	<p>A Specification document was drawn up for the procurement of a specialist consultant. This documentation along with the Phase 1 Ageing Well proposal was sent to a number of relevant consultancy firms on Friday 29th September with the tender closing at 12.00pm on Thursday 6th October.</p> <p>Requested assistance from the consultant entailed:</p> <ul style="list-style-type: none"> • Assessment of the Draft Ageing Well Service specification • Support and advice throughout the contract process (alongside the Procurement Department) • Attendance at a pre-procurement meeting assessment panel (advisory capacity) • Advice on regulatory or legal issues relating to TUPE or other transfer from existing provision to the new service model. <p>Upon closure of the tender, the contract was awarded to David R Williamson Senior Partner at Williamson Consulting.</p> <p>A procurement panel for the Ageing Well specification has been convened consisting of Mid Ulster Council officers and a partner representative from the funders with the external consultant acting as an advisor.</p>

	The anticipated timeframe for the finalised specification document on e-tender is the end of October 2017 with the procurement panel convening for assessment at the end of November 2017.
4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: £3840 excluding VAT. Human: None
4.2	<u>Equality and Good Relations Implications</u> None
4.3	<u>Risk Management Implications</u> None
5.0	Recommendation(s)
5.1	To note the external expertise had been engaged to assist with the Ageing Well tendering process.
6.0	Documents Attached & References
	None

Report on	Draft Consultation on 'The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2017'.
Reporting Officer	Fiona McClements
Contact Officer	Fiona McClements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	This Report relates to draft proposed amendments to The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015. These will take the form of Amendment Regulations to be known as 'The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2017'. The purpose of this report is to update members on the proposed changes to the existing legislation and its likely effect on Mid Ulster District Council.
2.0	Background
2.1	<p>Legislation on fluorinated greenhouse gases ("F-gases") helps to limit Northern Ireland's gaseous emissions and minimises the effects of global warming and ozone layer eradication. Fluorinated Greenhouse Gases ("F-gases") include:</p> <ul style="list-style-type: none"> • hydrofluorocarbons ("HFCs") • perfluorocarbons ("PFCs") • sulphur hexafluoride ("SF6") <p>F-gases are used in several sectors of industry in Northern Ireland, including:</p> <ul style="list-style-type: none"> • Refrigeration (both stationary and mobile) • Air conditioning (both stationary and mobile) • Fire equipment • Aerosols • Heat pumps • High-voltage switchgear
3.0	Main Report
3.1	<p>Effects of F-gas emissions</p> <p>F-gases are, in the short term, harmless to humans, animals and plants. However, in the long term, they have a very high Greenhouse Warming Potential ("GWP"), much higher than carbon dioxide, contributing to rising global temperatures.</p>
3.2	EU legislation therefore requires that the use of F-gases is restricted and monitored. Laws on F-gases have therefore been compiled for Northern Ireland.
3.3	A number of provisions were introduced by the 2015 Northern Ireland Regulations on F-gases to ensure that stakeholders working with F-gases in industry carry out their roles with only limited leakage of F-gases into the atmosphere. Provisions of the 2015 Northern Ireland Regulations on F-gases included requirements for:

3.4	<ul style="list-style-type: none"> • All users to ensure that F-gases are not intentionally released in to the atmosphere • Individuals and companies to be qualified for work with F-gases • Companies to record and report to the EU on their use of F-gases (large scale use only) • The labelling of products containing F-gases • Leakage checks and repairs for large products containing F-gases, including during production and transportation of products • Placing F-gases on the market • Using F-gases within quantities laid out in quotas • Recovery of F-gases after use of the product • Restrictions on the use of F-gases for some types of industrial processes • all users of F-gases to co-operate with regulators during inspections • Warning notices and fines can be imposed for failure to comply with these 2015 Northern Ireland Regulations on F-gases <p>The Fluorinated Greenhouse Gases (Amendment) Regulations (NI) 2017</p> <p>The proposed new regulations above will make a number of amendments to the 2015 F-Gas regulations.</p> <ul style="list-style-type: none"> • Update a series of references to EU Regulations to their newest versions. • Remove specific references to certification bodies and now allows general provisions for the Department to appoint same. • Require Department to publish any such appointments. • Detail new requirements related to the service of notices (in particular electronic service and companies operating in different countries). • Place a duty on Councils to comply with a direction from the Department in relation to enforcement. • Introduce new labelling requirements for products containing F-gases, which you may need to enforce. For example, the weight of F-gases will need to be expressed in kilograms and the CO₂ equivalent to be expressed in tonnes (on a label). Also, when a product containing F-gases or pre-blended polyols is also to be labelled, further information needs to be displayed on the label. • An additional matter (to do with assigning bodies having done reasonable checks on undertaking assigned by them) now enforceable in NI by the use of an enforcement notice. • A requirement upon importers of certain equipment to complete an on-line recording tool, the failure to do so would be enforceable by Council or NIEA.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: None Human: No additional Human Resource.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>N/A</p>

4.3	<u>Risk Management Implications</u> N/A
5.0	Recommendation(s)
5.1	That Members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 (Draft) The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2017

ENVIRONMENTAL PROTECTION

<i>Made</i>	-	-	-	-	***
<i>Coming into operation</i>	-				***

Citation and commencement

- ## Amendment of the Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015

Amendment of regulation 1 (citation, commencement and application)

- ## Amendment of regulation 2 (interpretation: general)

- Page 190 of 250

- (a) for “Department of the Environment”, substitute “Department of Agriculture, Environment and Rural Affairs”; and
 - (b) insert the following definition at the appropriate place—
 ““the Interpretation Act” means the Interpretation Act (Northern Ireland) 1954⁽⁵⁾.”.
- (2) In regulations 2(2) and 27(1)(a), the words “(Northern Ireland) 1954” shall be omitted.

Amendment of regulation 3 (Interpretation: EU Regulations)

5.—(1) Regulation 3 is amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1)—

- (a) the following definitions are omitted—
 - (i) “Commission Regulation 1494/2007⁽⁶⁾”;
 - (ii) “Commission Regulation 303/2008⁽⁷⁾”;
 - (iii) “Commission Regulation 305/2008⁽⁸⁾”;
 - (iv) “Commission Regulation 308/2008⁽⁹⁾”; and
- (b) after the definition of “Commission Regulation 308/2008”, omit “and”;
- (c) in the definition of “Commission Regulation 1191/2014”, for “, as amended from time to time.”, substitute “,”;
- (d) after the definition of “Commission Regulation 1191/2014”, insert—

““Commission Regulation 2015/2065” means Commission Implementing Regulation (EU) 2015/2065 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States⁽¹⁰⁾;

“Commission Regulation 2015/2066” means Commission Implementing Regulation (EU) 2015/2066 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons carrying out installation, servicing, maintenance, repair or decommissioning of electrical switchgear containing fluorinated greenhouse gases or recovery of fluorinated greenhouse gases from stationary electrical switchgear⁽¹¹⁾;

“Commission Regulation 2015/2067” means Commission Implementing Regulation (EU) 2015/2067 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons as regards stationary refrigeration, air conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, containing fluorinated greenhouse gases and for the certification of companies as regards stationary refrigeration, air conditioning and heat pump equipment, containing fluorinated greenhouse gases⁽¹²⁾;

“Commission Regulation 2015/2068” means Commission Implementing Regulation (EU) 2015/2068 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format of labels for products and equipment containing fluorinated greenhouse gases⁽¹³⁾; and

“Commission Regulation 2016/879” means Commission Implementing Regulation (EU) 2016/879 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament

(5) 1954 c. 33 (N.I.)

(6) OJ No L 150, 20.5.2014, p 195.

(7) OJ No L 92, 3.4.2008, p 3.

(8) OJ No L 92, 3.4.2008, p 17.

(9) OJ No L 92, 3.4.2008, p 28.

(10) OJ No L 332, 18.12.2007, p 25.

(11) OJ No L 301, 18.11.2015, p 22.

(12) OJ No L 301, 18.11.2015, p 28.

(13) OJ No L 301, 18.11.2015, p 39.

and of the Council, detailed arrangements relating to the declaration of conformity when placing refrigeration, air conditioning and heat pump equipment charged with hydrofluorocarbons on the market and its verification by an independent auditor⁽¹⁴⁾.”.

(3) For paragraph (2), substitute—

“(2) Expressions used but not defined in these Regulations and used in the following legislation have the same meaning as they have in that legislation—

- (a) the 2014 Regulation;
- (b) Commission Regulation 1497/2007⁽¹⁵⁾;
- (c) Commission Regulation 1516/2007⁽¹⁶⁾;
- (d) Commission Regulation 304/2008⁽¹⁷⁾;
- (e) Commission Regulation 306/2008⁽¹⁸⁾;
- (f) Commission Regulation 307/2008⁽¹⁹⁾;
- (g) Commission Regulation 2015/2065;
- (h) Commission Regulation 2015/2066;
- (i) Commission Regulation 2015/2067;
- (j) Commission Regulation 2015/2068; and
- (k) Commission Regulation 2016/879.”.

(4) For paragraph (3), substitute—

“(3) A reference in these Regulations to Commission Regulation 1191/2014 is a reference to Commission Regulations 1191/2014 as amended from time to time.”

Amendment of regulation 4 (interpretation – offshore installations)

6. In regulation 4(1), after “used”, insert “, or intended to be used,”.

Insertion of new regulation 5A (service of notices)

7. After regulation 5(competent authority), insert—

“Service of notices

5A.—(1) This regulation applies to the service of notices under these Regulations, subject to any specific provision made in these Regulations for a particular type of notice.

(2) A notice takes effect when served.

(3) A notice may be served on a person by—

- (a) handing it to the person;
- (b) leaving it at the person’s proper address;
- (c) sending it by post to the person at that address, or;
- (d) subject to paragraph (9), sending it to the person by electronic means.

(4) A notice to a body corporate may be given to an officer of that body.

(5) A notice to a partnership may be given to a partner or a person who has the control or management of the partnership business.

(6) For the purposes of this regulation and of section 24 of the Interpretation Act (service of documents) in its application to this regulation, the proper address of a person is—

⁽¹⁴⁾ OJ No L 146, 3.6.2016, p 1.

⁽¹⁵⁾ OJ No L 333, 19.12.2007, p 4.

⁽¹⁶⁾ OJ No L 335, 20.12.2007, p 10.

⁽¹⁷⁾ OJ No L 92, 3.4.2008, p 12.

⁽¹⁸⁾ OJ No L 92, 3.4.2008, p 21. There is a relevant corrigendum (OJ No L 280, 23.10.2008, p 38).

⁽¹⁹⁾ OJ No L 92, 3.4.2008, p 25.

- (a) in the case of a body corporate or one of its officers, the address of the body's registered or principal office;
 - (b) in the case of a partnership, a partner or person having the control or management of the partnership business, the address of the principal office of the partnership;
 - (c) in any other case, the person's last known address.
- (7) For the purposes of paragraph (6), the principal office of a company registered outside Northern Ireland, or of a partnership undertaking business outside Northern Ireland, is its principal office within Northern Ireland.
- (8) If a person has specified an address in Northern Ireland, other than the person's proper address within the meaning of paragraph (6), as the one at which the person or someone on the person's behalf will accept notices of the same description as a notice under these Regulations, that address is also treated for the purposes of this regulation and section 24 of the Interpretation Act as the person's proper address.
- (9) A notice may be sent to a person by electronic means only if—
- (a) the person has indicated that notices of the same description as a notice under these Regulations may be given to the person by being sent to an electronic address and in an electronic form specified for that purpose, and;
 - (b) the notice is sent to that address in that form.
- (10) A notice sent to a person by electronic means is, unless the contrary is proved, to be treated as having been given at 9am on the working day immediately following the day on which it was sent.
- (11) In this regulation—
- (a) "electronic address" means any number or address used for the purposes of sending or receiving documents or information by electronic means;
 - (b) "notice" means an information notice or an enforcement notice; and
 - (c) "officer", in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body."

Replacement of regulation 6 (certification and evaluation bodies: stationary refrigeration, air conditioning and heat pump equipment)

8. For regulation 6, substitute—

"Appointment of certification, attestation and evaluation bodies

6.—(1) The Department, after consulting the Scottish Ministers, the Welsh Ministers and the Department for Environment, Food and Rural Affairs, may appoint such person and on such terms as the Department thinks fit to be—

- (a) in relation to Commission Regulation 2015/2067—
 - (i) a certification body for the purposes of Article 4 (certificates for natural persons);
 - (ii) an evaluation body for the purposes of Article 4; and
 - (iii) a certification body for the purposes of Article 6 (company certificates);
- (b) in relation to Commission Regulation 304/2008—
 - (i) a certification body for the purposes of Article 5 (personnel certificates);
 - (ii) an evaluation body for the purposes of Article 5; and
 - (iii) a certification body for the purposes of Article 8 (company certificates);
- (c) for the purposes of Commission Regulation 2015/2066—
 - (i) a certification body; and
 - (ii) an evaluation body;
- (d) for the purposes of Commission Regulation 306/2008—

- (i) a certification body; and
 - (ii) an evaluation body; and
 - (e) for the purposes of Commission Regulation 308/2008, an attestation body.(20)
- (2) The Department may charge such fees as the Department considers will enable the recovery of any reasonable expenses incurred in reviewing an application to be appointed as a certification, evaluation and/or attestation body under paragraph (1).”

Amendment of regulation 7 (certificates relating to stationary refrigeration, air conditioning and heat pump equipment, issued in EEA States and Great Britain)

9. For regulation 7, substitute—

“Certificates, relating to stationary refrigeration, air conditioning and heat pump equipment, issued in EEA States and Great Britain

7.—(1) A person who holds a valid certificate issued under Article 4 or 6 of Commission Regulation 2015/2067 by a certification body in an EEA State other than the United Kingdom in respect of an activity mentioned in Article 2 of that Regulation may not carry out that activity unless—

- (a) the certificate is written in English; or
- (b) the person holds a translation of the certificate in English.

(2) A person who holds a valid certificate issued under Article 4 or 6 of Commission Regulation 2015/2067 by a certification body appointed in Great Britain in respect of an activity mentioned in Article 2 of that Regulation may carry out that activity.”.

Omission of regulations 8 and 10

10. Regulations 8 (certification and evaluation bodies: fire protection systems and fire extinguishers) and 10 (certification and evaluation bodies: high-voltage switchgear) shall be omitted.

Amendment of regulation 11 (certificates relating to high-voltage switchgear issued in EEA States and Great Britain)

11.—(1) Regulation 11 is amended in accordance with paragraphs (2) to (3).

(2) In the heading, for “high-voltage”, substitute “electrical”.

(3) For “Article 4 of Commission Regulation 305/2008”, for each time that it appears, substitute “Article 3 of Commission Regulation 2015/2066”.

Omission of regulations 12 and 14

12. Regulations 12 (certification and evaluation body: fluorinated greenhouse gas-based solvents) and 14 (attestation bodies: air conditioning systems in certain motor vehicles) shall be omitted.

Amendment of regulation 16 (obligation of employers to employ qualified employees)

13. In regulation 16—

- (a) for sub-paragraph (a), substitute—
“(a) Article 2(1) of Commission Regulation 2015/2067;”; and
- (b) for sub-paragraph (c), substitute—
“(c) Article 1 of Commission Regulation 2015/2066;”.

(20) Details of appointed persons are available at: (insert web-site address where list of NI appointed certification, evaluation and attestation bodies are stored.

Amendment of regulation 17 (obligations on certification bodies, attestation bodies and evaluation bodies to provide information)

14. In regulation 17—

- (a) in paragraph (1)—
 - (i) for sub-paragraph (a), substitute—
“(a) Commission Regulation 2015/2067;” and
 - (ii) for sub-paragraph (c), substitute—
“(c) Commission Regulation 2015/2066;” and
- (b) in paragraph (4), for “Commission Regulation 308/2008”, substitute “Commission Regulation 2015/2065”.

Insertion of new regulation 17A (publication of details of certification bodies, attestation bodies and evaluation bodies)

15. After regulation 17, insert—

“Publication of details of certification bodies, attestation bodies and evaluation bodies

17A.—(1) The Department, after consulting the Scottish Ministers, the Welsh Ministers and the Department for Environment, Food and Rural Affairs, must publish the following information about any person appointed as a certification body, attestation body or evaluation body under regulation 6—

- (a) name;
- (b) company number, where relevant;
- (c) postal address;
- (d) telephone number; and
- (e) e-mail address.

(2) Publication under this regulation is to be in such a manner as the Department considers appropriate.”.

Amendment of regulation 18 (enforcement)

16.—(1) Regulation 18 is amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1), for “(5)”, substitute “(8)”.

(3) After paragraph 18(6), insert—

“(7) The district council must comply with a direction given to it under paragraph (2).

(8) A direction given under paragraph (2) may be revoked or modified by a further direction given under that paragraph.”

Amendment of regulation 23 (enforcement notices)

17.—(1) Regulation 23 is amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1), for sub-paragraph (c), substitute—

“(c) fails, where labelling for products and equipment is required under Article 12 of the 2014 Regulation, to comply with

Article 2 of Commission Regulation 2015/2068 (labelling format);”;

(3) In paragraph (11)(c)—

- (a) in head (i), for “Article 5 of Commission Regulation 303/2008”, substitute “Article 4 of Commission Regulation 2015/2067”;
- (b) in head (ii), for “Article 4(3)(a) or (c) of Commission Regulation 303/2008”, substitute “Article 3(3)(b) or (4) of Commission Regulation 2015/2067”;

- (c) in head (iii), for “Article 4(3)(b) of Commission Regulation 303/2008”, substitute “Article 3(3)(a) of Commission Regulation 2015/2067”; and
 - (d) in head (iii), for “3.1.2 of the essential requirements in Schedule 2 (Manufacturing – permanent joining) to the Pressure Equipment (Safety) Regulations 2016(21); and”, substitute “paragraph 21 (permanent joining) of Schedule 2 to the Pressure Equipment (Safety) Regulations 2016(22);”
- (4) At the end of paragraph 11(d), for “gases”, substitute “gases; and”.

Omission of Schedule 1 (certification and evaluation bodies (high-voltage switchgear))

18. Schedule 1 (certification and evaluation bodies (high voltage switchgear)) shall be omitted.

Amendment of Schedule 2 (2014 Regulation provisions)

19. In Schedule 2, in the table, after the entry entitled “Article 8(3)”, insert—

“Article 10(11)	Requirement on undertakings assigning tasks referred to in Article 10(1) to another undertaking to take reasonable steps to ascertain that the latter holds the necessary certificates for the required tasks.”
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Amendment of Schedule 3 (Commission Regulation provisions)

20.—(1) Schedule 3 is amended in accordance with paragraphs (2) to (3).

(2) For table 1 (Certification for stationary refrigeration, air conditioning and heat pump equipment), substitute—

“Table 1

Certification for stationary refrigeration, air conditioning and heat pump equipment

<i>Provision of Commission Regulation 2015/2067</i>	<i>Summary of subject matter</i>
Article 3(1) (read in association with Articles 2, 3(3) and (4))	Requirement on natural persons carrying out activities referred to in Article 2(1) (scope) to hold a certificate as referred to in Article 4 (certificates for natural persons) for the corresponding category, as set out in Article 3(2) (certification of natural persons).
Article 5.	Requirement on companies referred to in Article 2(2) to hold a certificate as referred to in Article 6 (company certificates).”.

(3) For Table 3 (certification for recovery of fluorinated greenhouse gases from high voltage switchgear), substitute—

“Table 3

Certification for electrical switchgear

<i>Provision of Commission Regulation 2015/2066</i>	<i>Summary of subject matter</i>
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(21) S.I. 1999/2001, to which there are amendments not relevant to this instrument.

(22) S.I. 2016/1105.

Article 2(1) (read in association with Articles 2(2) and (3) and 9)	Requirement, on natural persons carrying out the activities referred to in Article 1 (subject matter and scope) to hold a certificate as referred to in Article 3 (issuance of certificates to natural persons).”
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(4) After Table 5 (attestation for air conditioning systems in motor vehicles), insert—

“Table 6

Declaration of conformity and verification document for equipment charged with hydrofluorocarbons

<i>Provision of Commission Regulation 2016/879</i>	<i>Summary of subject matter</i>
Article 1(2)	Requirement for importers of equipment charged with hydrofluorocarbons to ensure that a copy of the declaration of conformity is available to the customs authorities when the customs declaration is submitted.
Article 4	Requirement, from 1 st January 2018, for importers of equipment to submit the verification document using the reporting tool made available under Article 1 of Commission Regulation 1191/2014 by 31st March every year for the preceding calendar year.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on [].



Dave Foster

A senior officer of the Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make updates to existing Regulations on fluorinated greenhouse gases (“F-gases”), to ensure that related new European Union legislation is correctly referenced. In addition, some new requirements on labelling of equipment containing F-gases are introduced.

F-gases are, in the short term, harmless to humans, animals and plants. However, in the long term, they have a very high Greenhouse Warming Potential (“GWP”), much higher than carbon dioxide, contributing to rising global temperatures.

EU legislation therefore requires that the use of F-gases is restricted and monitored. Laws on F-gases have therefore been compiled for Northern Ireland, as F-gases are used in a number of sectors of industry in Northern Ireland.

Report on	Invasive Species Control and Maintenance on Council Property
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Nat Woodside, Grounds and Cemetery Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update member's on Invasive Species control and maintenance on Council Property.
2.0	Background
2.1	As previously advised in 2016 a number of non-native species have been introduced to Northern Ireland, and all are considered to have potentially harmful effects upon our native habitats and biodiversity. This is principally by out-competing and excluding the native species to form dense and often spreading patches of the non-native species.
3.0	Main Report
3.1	<p>Schedule 9 of the Wildlife (NI) Order 1985, as amended by Section 27 Schedule 1 of the Wildlife and Natural Environment Act (NI) 2016 lists 32 plants that are legally controlled. The terrestrial species below are considered to pose the most significant problem in the Mid Ulster Council Area as follows:</p> <ul style="list-style-type: none"> • Salmonberry (<i>Rubus spectabilis</i>) • Japanese Knotweed (<i>Fallopia japonica</i>) • Giant Knotweed (<i>Fallopia sachalinensis</i>) • Himalayan Knotweed (<i>Persicaria wallichii</i>) • Giant Hogweed (<i>Heracleum mantegazzianum</i>), and • Indian Balsam (<i>Impatiens glandulifera</i>) (listed as Himalayan Balsam in the Order) <p>See appendix 1 for a descriptor of each specie.</p>
3.2	<p>Not all occur within the Council's land holdings, there are a number of already known occurrences of some plants that are listed. Feedback by grounds maintenance operatives throughout the season helps to record the species location and extent. Based on this information a control programme is established to define the priority for treatment. There are a number of different approaches to controlling these species, and a number of different factors are taken into account when selecting the most appropriate procedure, such as:</p> <ul style="list-style-type: none"> • The required timescale for the elimination of the plant, • The nature of the terrain, the surroundings and the soil in which the plant is growing, and • The accessibility of the site

3.3	Details of species identified on Council property is detailed in appendix 2.
3.4	<p>The Order does not make it illegal for a landowner to have a Schedule 9 plant growing on their property, but, it is an offence to cause it to grow in any new place regardless of how 'wild' that place is.</p> <p>The current inventory of Council sites continues to be monitored. Refresher identification training will be carried out at the start of the 2018 growing season when plants become more visible and records updated. Removal of young plants and herbicide treatment will also continue to restrict its establishment across Council sites, or in line with alternative guidance from Biodiversity staff. Where it is identified near the boundary of Council property, every effort will be made to inform the adjacent landowner.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: Removal of young plants and herbicide treatment is within resources. Extensive eradication would require specialist third party expertise.</p> <p>Human: In-house resources for routine maintenance. Third party expertise to assist with specie identification training and inventory recording.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>None.</p>
4.3	<p><u>Risk Management Implications</u></p> <p>There is a duty to ensure the control of invasive species on Council property or knowingly remove it from Council property leading to its further spread.</p>
5.0	Recommendation(s)
5.1	Members are requested to note the contents of the report.
6.0	Documents Attached & References
6.1	Appendix 1 – Description of dominant Species locally
6.2	Appendix 2 – Species identified on Council property

Appendix 1 - Mid Ulster Council Non-Native Invasive Plant Species Control Guidelines

Japanese Knotweed (Fallopia Japonica)

Locations:

Amongst the plants listed on Schedule 9, Japanese Knotweed has caused the most problems to date through adding to development costs and causing delays to development programs. It has the reputation of being able to seriously damage buildings; as a result, insurers and mortgage lenders generally have it on their 'Black List'. It occurs throughout lowland areas in the Mid-Ulster Council area and is particularly likely in urban brownfield locations.

Recognition:

Japanese Knotweed dies back to the ground every winter in Late-October/early-November to leave greyish skeletons of that years' growth. It starts to shoot again in mid-late April.

New canes are wide, often reddish, fast-growing shoots and grow to 20-60 cm or so before they start to unfurl leaves.



New Canes

In a mature patch of Japanese Knotweed in summer, the main bulk of the plant occurs as canes, like bamboo but thicker, and green, often speckled with red. These arise in distinct clusters from large crowns below the ground, and in very mature patches, the crowns begin to elevate above ground level. To the edge of a patch, canes are often shorter, giving the patch a slightly domed shape.

Shoots arising from frequently mown amenity grass will probably be numerous tiny and reddish. In the summer, mature leaves lose their red flush and the bright green foliage can stand out from other vegetation. Older leaves often have a lighter yellowish stripe along the midrib. Whatever form it takes, Japanese Knotweed has some distinctive diagnostic characteristics:

- New or old stems always have nodes with papery or worn, fibrous sheaths;
- Smaller stems and canes zig-gag between the leaf stalks;
- New leaves are produced in narrow rolled buds at the end of each shoot;
- Leaves may be variable in size, but all leaves big or small have a characteristic heraldic shield-shape with a slightly extended, pinched tip and in particular note the flattish 'cut-off' base of the leaf leading to a single corners at the end of the leaf base.

On the periphery of an established patch, new establishment has wiry, spreading, scarcely hollow stems, sometimes twining stems;



Adventive Growth



Japanese Knotweed Leaf Structure

Spread:

Japanese Knotweed flowers well, but does not produce viable seeds in Northern Ireland. Despite this, it has successfully become widespread in a relatively short time. If crowns are lifted and moved, they can become re-established; pieces of cut stem or cane can strike and form a new plant if discarded onto soil, but by far the most common way it spread is via underground stems called rhizomes. These are different from roots in that they have buds. As long as a section of detached rhizome has a bud, even a tiny fragment can regenerate a new plant.

Therefore collecting soil that has rhizomes and moving it to a new location is one sure way of illegally causing Japanese Knotweed to grow in a new location. This can be done not only by digging and dumping it, but as rhizomes are often in the surface layer of soil, by driving over soil with rhizomes or even walking over it if the ground is muddy – rhizome fragments can get lodged in mud, clinging to machinery or footwear. An undisturbed patch of Japanese knotweed will increase in size rather slowly, but if it is stressed (e.g. by cutting) it will 'run' by rapidly extending its rhizomes to as much as 7m from the parent plant, thus spreading the plant locally, and increasing the risk of it being transferred in soil to another location.

Control Methods:

It is recommended by many to excavating large volumes of contaminated soil, and take to deep fill landfill sites, however this is expensive and not a good use of our capacity for landfill in Northern Ireland. Therefore, unless there is a pressing need to excavate it e.g. in advance of a building or re-development project it is recommended to treat it in situ. Once Japanese Knotweed has been identified, it is best left undisturbed. **DO NOT** strim, mow, flail, break it down or otherwise damage the shoots or canes. This will only cause it to spread, and will result in regeneration.

Small plants

Small plants with relatively few canes exceeding 1cm in diameter can be treated by normal foliar herbicide application. Treatment by foliar application of glyphosate is effective, but probably not in a single season, eradication will likely require 2-4 seasons of treatment.

Two applications per season following the label instructions will help. Wait until the plant is in good leaf May/June before the first application, and delay the second application until September when rhizome uptake will be most effective.

As an alternative early-season Triclopyr may be used, however, Picloram is not recommended. It is not licensed for use near watercourses and remains active for several years, thus having a higher potential for ecological harm.

Picloram is widely used on Japanese Knotweed and may initially appears to be more effective as aerial growth is quickly suppressed, however it seems that the rhizome/crown is only kicked into dormancy but remains viable and regenerates 2-3 years later.

Large Plants

Once established as large patches with clumps of thick canes the plant will have a considerable underground presence, and spraying the leaves may only top kill it and keep

the plant in check. A more effective application is to inject the hollow canes close to the base of the plant with undiluted glyphosate. This introduces a comparatively massive dose of glyphosate directly into the underground parts. This can be carried out by specialized contractors or alternatively Council may prefer to train and equip in house staff

Injection is best done in June, when there are a good number of canes with a diameter > 1cm, but whilst there is time for follow up treatment in later in that season. In approximately 2 weeks, leaves will turn a custard yellow and drop off. For crowns with comparatively few canes compared to the underground mass, these may stay green and an additional dose will help. There will also be green leaves on small and sometimes twining shoots amongst the canes and especially at the stand edges where new plants are established – these are too small to inject and will need to be sprayed with a knapsack sprayer.

Japanese Knotweed often becomes established on the sides of watercourses from rhizome fragments that have been washed downstream. Treatment of these plants will require consent from DAERA.

Giant Knotweed (*Fallopia Sachalinensis*)

Locations

Found in similar locations to Japanese Knotweed this plant is much less widespread.

Recognition

In many respects, this plant is a larger version of the Japanese Knotweed. It dies back each winter and has jointed hollow canes. The canes commonly exceed 3m in height and the leaves are proportionately large, often in excess of 40 cm when fully extended. Like Japanese Knotweed it has a zigzag growth between the nodes, each node sheathed and bearing a leaf, it is often flushed red when young, and the recently emerged shoots are hard to tell apart. As the leaves mature though they quickly become heart-shaped rather than shield shaped, i.e. with rounder lobes at the base of the leaf, and the deeper impressed leaf veins leave the surface of the leaf slightly crinkly.



Giant Knotweed - Early emergence



Giant Knotweed - Developing

(Young shoots with the heart-shaped leaves)

Spread

Unlike Japanese Knotweed, it does produce fertile seeds. However, there is no evidence that dispersal by seed is an important mechanism for this plant. Like Japanese Knotweed, the clumps expand by extending rhizomes underground, and like Japanese Knotweed; the moving of soil containing rhizome fragments to a new location is the main way in which new colonies are established.

Control Methods

As per instruction Japanese Knotweed

Himalayan Knotweed (*Persicaria Wallichii*)

Locations

It is widespread in the lowlands of the Mid Ulster Council area and is generally associated with roadsides and riverbanks where it can form very dense stands.

Himalayan knotweed grows best in unshaded areas or semi shaded areas like woodland edges or hedge bases but will not penetrate far into woodland or scrub areas. It is equally at home in the dry or damp soils but avoids peat.

Recognition:

Compared to the other two knotweeds on our target list, this is a diminutive plant in Northern Ireland. Many sources confirm that it grows to 1.8 m or more, however in Northern Ireland at least, the climate may not be as favourable and it generally will not be much more than 100 cm tall. In winter, the plants die back to brittle grey-brown stems that are easy to break. The ground will be covered by grey leaf litter. The stems when they appear in early spring are green, often banded reddish towards the tip. They will have conspicuous sheaths around the nodes along the stem that are at least 1 cm long and hairy; these will be retained through the summer. The stem slightly zigzags between large tapering spear-shaped leaves that are at least 3 times as long as they are wide. They are slightly hairy, at least on the underside, and often have a reddish leaf stalk and mid-rib. Small white to pink, and honey-fragrant flowers appear in late summer, usually in some profusion, making this plant stand out unmistakably. The only other plants that are likely to cause confusion in summer are related garden species, and these tend to be hairier and not grow as tall.



Himalayan Knotweed (1)



Himalayan Knotweed Flowers



Himalayan Knotweed Stems

Spread

Himalayan knotweed rarely produces viable seed probably because it flowers late in the year here, and some populations appear to be sterile. Once established it does spread via rhizomes and can take over flowerbeds, prompting gardeners to dig out clumps to make space for the other plants.

Plants can regenerate from rhizome fragments or stem fragments as short as 2 cm. The dumping of garden waste with live rhizomes or stems is believed to be the main mechanism by which it becomes established in new locations.

Himalayan Knotweed can still be bought as a garden plant. Once established as a garden escape, cutting of the plant in managed areas or the transferal of soil that includes rhizomes can cause the plant to spread to further locations.

Stem or root fragments can be spread in contaminated fill material. There is no clear guidance on how far the rhizomes extend, but this plant does not have the same underground presence as Japanese or Giant Knotweed, and in undisturbed stands are unlikely to spread more than 2m below ground.

Control

Small stands

Roots are shallow making it easy to pull up. Small populations of young plants can be removed by hand pulling or digging ensure that all rhizomes are removed. Regularly repeated cutting can eventually eliminate small stands. Plants should be cut close to the ground in April. It re-sprouts vigorously following cutting, especially early in the growing season and until at least August revisit and cut at least monthly through the summer. Expect 2- 3 years before the plant is eliminated, and keep checking for re-establishment after that. Where practical, small populations can be covered with heavy-duty black polythene after the first cut. The area covered should extend beyond the plant base for at least 2 m (preferably more) and must remain in place throughout the growing season and beyond. The site should be checked until at least September of the following year and again the following .All cut or dug material should be collected and disposed of where it will not re-grow. Composting it is a likely option.

Large stands

Large stands it may be necessary to resort to herbicide application. Glyphosate can be sprayed on the leaves in Spring and again in late summer, or alternatively cut the plants within three nodes of their bases in summer and brush the herbicide directly onto the cut portion as a 'stump treatment'.

Salmonberry (*Rubus Spectabilis*)

Location

Salmonberry is occurring in new locations at an alarming rate. It will tolerate a wide range of conditions with respect to soil type, wetness, and shade. This allows it to grow in poor soils on disturbed brownfield sites, spread through woodlands as an understory, and to grow in relatively upland and exposed peatland sites. Once it is in an area it is adept at local dispersal itself without the help of humans, so it can become increasingly frequent in the locality. In terms of the threat it poses to biodiversity, it is more of a problem than Japanese Knotweed

Recognition

Salmonberry is a multi-stemmed shrub with the woody stems (canes) that in a mature stand reach around 3m tall. Individual stems are usually biennial. They are deciduous and the leaves fall in late-October. Over the winter a few of the older canes will die, but most shoot again the following year, to be joined by a crop of new canes. It is related to Bramble but is generally more erect. The thorns of bramble are also very different – Salmonberry thorns, if present are much smaller and more crowded. Another common and closely related species Raspberry (*Rubus idaeus*) can sometimes have similar thorns. In the winter it is possible to confuse poorly developed Salmonberry and well-developed Raspberries. Salmonberry is generally thornier, and mature stems often develop light russet tones but thorn development and stem colour are variable. In the summer, Salmonberry leaves are a bright green – lighter in shade than bramble, and importantly green underneath, lacking the white felted under surface of raspberry. Salmonberry leaves have an extra lobe, like a 'thumb', with either pink flowers very early in the summer or orange (not pink) fruits later on.



Winter Stems



Salmonberry (but it's not always as thorny as this)



Salmonberry Seedling



Bramble Seedling



Salmonberry Young Leaves



Salmonberry Young Berries

Spread

Salmonberry is fertile i.e. it produces viable seeds. Many sources indicate that fruit production is low, and this is certainly true in less-favourable exposed or shaded locations, but in sunny lowland areas, seed production can be prolific on canes around the periphery of stands. Seedling establishment is a significant factor in its local dispersal. Seeds seem to be bird-spread, with new plants often appearing below bird perches in woodland/scrub edges and isolated shrubs in the locality of well-established fruiting stands. Although most seed germination occurs during the first growing season, seeds may remain viable for several years. Once established, spread of Salmonberry stands is through rhizome extension, above ground creeping stems and layering of arching stems, perhaps supplemented by seed drop. Salmonberry can sprout from stem base, root crown, root stock or from rhizomes (underground stems). These regenerative structures are capable of relatively rapid production of aerial stems.

The rhizome network is complex and extensive. Rhizome diameters range 5-50mm and younger rhizomes can have buds every 1cm. Most are close to the surface, but they commonly extend to 30 cm and can reach depths over 100 cm. Normally the speed of spread is slow, although it exhibits a vigorous rhizome growth response to fire or mechanical removal when annual growth rates of 190 cm have been recorded. In Northern Ireland, rhizomes seldom seem to extend more than 1m from an aerial stem, though in extensively managed or unmanaged open to semi-shaded habitats, this spread can be relentless. Thus movement of soil from within 2m of a Salmonberry stand, even if it appears not to be fruiting, can illegally cause a new stand to become established wherever that soil is dumped or used.

Control

Cutting of Salmonberry encourages new and vigorous growth. Grubbing out will not kill it, and may transfer it to another site. Burning does not kill it. The most effective approach is likely to require the use of herbicides. In general, Triclopyr are usually regarded as most effective herbicides for woody species. However, glyphosate has been shown to be more effective on Salmonberry, and has less potential environmental impact.

It is not a safe or even practical proposition to spray tall dense stands that are above head height. The patch should be marked in summer, and re-visited in winter with a brush cutter and the winter canes cut to the ground. Cut canes can be left on site until they are clearly dried out and brittle. Cut stumps will regenerate vigorously the following year and can be treated from Mid-June onwards once the leaves have fully unfurled and present a dense canopy with a high leaf surface area to receive the spray. This is likely to be effective at killing the mature plant in a single season, but subsequent revisits the following early summer should check for new seedling establishment as well as for re-sprouting from the stumps. New seedlings and small plants are very easily killed with a single Glyphosate application. It may be prudent to allow any regeneration to grow on a bit before re-treating.

Giant Hogweed (Heracleum Mantegazzianum)

Location

This plant is often associated with riverbanks because the rivers can readily disperse the buoyant seeds, however it is by no means confined to riverside habitats, and will occur on roadsides waste ground, parkland and woodland etc... It is a lowland plant and will tolerate significant shade. Plant growth can be rapid and once a colony is established, expansion into adjacent habitats can be prolific. A flowering plant produces many seeds and can rapidly become a significant invasive colony.

Recognition

The native Hogweed (*Heracleum sphondylium*) is common and widespread in the lowlands. It can grow too as much as 2m, but this will be where surrounding vegetation lends it support, and the stem diameters will be little more than 2 cm wide. More commonly, it is around 100 cm tall. Giant Hogweed is usually 2m or more tall when mature, and the stems are much stouter, usually in excess of 5 cm diameter. An established colony that has already flowered is identifiable year-round – although the plant dies back to ground level each year, it leaves these dead hollow stems in place, bleached to an off white colour, often standing throughout the following winter.



Giant Hogweed (Note the A4 clipboard for scale)

If there are no stems to identify, the leaves are distinctly different, native Hogweed leaves are hairier, giving them a softer grey-green look, compared to the nearly hairless upper leaf surface of Giant Hogweed. The outline of the leaf lobes of native Hogweed are also blunter than they are in Giant Hogweed. Native hogweed stems are also hairy, the downward pointing white hairs nearly obscuring the stem. The sparser bristly white hairs of the Giant Hogweed stem arise from swollen purple bases – this is another good characteristic. New establishment (year 1 seedlings, year 2 plants) early in the year may superficially resemble our native Hogweed. If there is doubt, visit later in the year.



Giant Hogweed Leaf



Native hogweed leaf (internet source - Picture by Andrea Moro)



Giant Hogweed Stem



Seedling Establishment Seedling

Spread

Giant Hogweed reproduction and spread is solely by seeds. Most germinate after a single winter, but around 8% remain dormant and some can remain viable in the soil for six or more years. Seeds germinate as early as March. Following germination in year 1, seedlings grow to usually <45 cm in the first season, and over- winter as a large tap root with a terminal bud that will form the following year's shoots, which grow considerably bigger. Flowering begins in early May and peaks in late June. By the end of August, most seeds have ripened and dispersed. The mature plants die after flowering, but the dead stem holds the seeds aloft often more than 3m above the ground, and it is from this height that the dropped seeds scatter when winds shake the plant. Soil from within at least 4m of the nearest plant potentially has seeds scattered over the surface, and bear in mind they can float, so they could be washed further from the parent plant.



Seeds

Look a bit like sunflower seeds

Any activity that moves soil with seeds in it to a new location, such as excavation and removal, sweeping, driving over the area, or walking over the area in muddy footwear can all potentially create a new plant and a new problem in a new place.

Control

Cordon off areas where seeds are likely to occur and take whatever additional measures seem to be necessary to keep seeds in the locality. Duckboards, bog mats, or other temporary roads may need to be installed if access is an imperative. In some places where killing off the knotweed will expose sloping bare soil, it may be prudent to install temporary soil stabilisation measures, or find a more permanent solution such as 'soil nailing' or geotextiles.

Treatment of Giant Hogweed is a major commitment; total elimination should be the target. No plants must be allowed to set seed during the treatment period of 4-6 years until the seed bank is exhausted. Allowing mature seeds to fall will replenish the seed bank and extend the required treatment period. Control is preferably achieved by mechanical methods - protective clothing must be worn to prevent any contact between skin and sap (see Health and Safety section below). Seedlings and young plants can be hand-pulled.

Larger plants can be killed by digging them out. This is best done early in the year (starting in

February) when new growth is still small. Hogweeds are in the Carrot family, and below ground, a large plant will resemble a bunch of pale carrots. Below large plants the 'carrots' can be around 10 cm thick. The taproots should be cut 8-12 cm below ground level to remove the growing crown (the thick stem base with leaf scars from previous seasons growth) then the plant will not recover. The cut part of the plants should be removed from the soil and left to dry. Unfortunately, not all plants emerge at the same time and re-visiting the colony up until mid- July to repeat the procedure on newly emerged plants will be necessary



Early Season 2nd Year Plant

Cutting plants at or above ground level will not remove the crown thus allowing the plant to regenerate. Giant Hogweed often follows a biennial life cycle in Northern Ireland, i.e. flowering in year 2 then dying. It can take longer before flowering, and if it is cut *whilst* flowering, it will regrow from the root crown the following year, and in successive years until it has flowered. However, cutting is a way of keeping it in control by ensuring that new seeds are not set. Using a lopping saw on the end of a long telescopic handle is a reasonable method. Where the soil is not suitable for cutting the plants underground, e.g. if it is growing in rubble, or in an area with a lot of tree roots, and where establishment is too dense to contemplate hand pulling year 1 plants.



Prolific regeneration

If mechanical means of control are not considered suitable, then early-season glyphosate application is known to be moderately effective, apply between March and early June when hogweed leaves are green, actively growing and not too tall. A follow-up treatment, in July or August, will be needed to treat re-growth. During this follow-up treatment remove any flower heads present to decrease next year's seed source. Giant Hogweed plants can be sprayed later in the season as long as they are still green and not dying back. Do not expect to kill the underground parts in a single season. Treatment of the same plant may need to be repeated in subsequent years. All visits should include the removal of any newly established (Year 1) plants. These can be pulled or sprayed with a herbicide application. If an area is required for a development, which will require excavation in the Hogweed area, and there is no time to kill off the plants first (which is likely) then ideally re-design the project to avoid the Hogweed area. Otherwise a management plan should be compiled which could include scraping the area and removing the soil (with seeds) to a deep fill landfill site, or burying it elsewhere in the locality.

Health and Safety

Do not underestimate the potential health threat posed by this plant and its injurious effects. Touching the plant is painless, but contact with the sap (which is exuded onto the plant surface), can lead to severe photo-induced dermatitis, and light sensitivity lasting for years. Full PPE should be worn leaving no skin exposed. In particular long industrial nitrile gloves however try to avoid touching the plant – use a cloth to pull seedlings and young plants. Be aware of the cross contamination risk posed by rubbing uncover areas such as eyes – ensure eyes cannot be rubbed with sap-covered gloves. Goggles are also advised. Working on plants early in the year before they are established are an effective way of controlling risk. Ensure risk assessment is complete with all operatives aware of control procedures. As part of the risk assessment clean water is should be available in the likelihood of accidental exposure Where Giant Hogweed is located on Council Property in areas with free public access, consider roping the standoff and posting signs

Himalayan Balsam (*Impatiens Glandulifera*)

Location

Himalayan Balsam also known as Indian Balsam is principally a riverside or streamside species, but it has also colonised areas well away from any watercourse, particularly in woodlands. It can form extensive and dense stands, particularly in semi-shade where it can out-compete most native species. It is widespread throughout lowland. Although it is common on riverbanks, it will not grow where it is normally inundated. It grows particularly well in damp soils and will thrive in soils that are rich or poor in nutrients. A problem often attributed to Himalayan Balsam is that as it is an annual plant, it dies back in winter leaving no roots to bind the soil, which may then become vulnerable to erosion, particularly in riverside stands.

Recognition

This species is only recognizable when it germinates in March and April; the seedlings have distinctive pale green kidney-shaped seed leaves, and a reddish edge to the first true leaves. These grow quickly in the late spring developing rather translucent, and brittle green fleshy stems, large spear-shaped pointed leaves with regular small teeth fully around teeth around their margins, each tooth carrying a small globular 'gland'. There will be plants of different sizes in a stand of Himalayan Knotweed, with some becoming distinctly stocky, whilst others do not prosper and fade away. Typically, the larger plants that do make it will reach heights in excess of 100 cm. The whole plant has a slightly unpleasant sweet balsam smell that help confirms its identification. Once the plants produce flowers and seedpods there is no mistaking them, and the complex helmeted flowers in various shades from white through to purple make the plant easy to spot as well as easy to identify.



New Germination – Himalayan Balsam



Mature Growth – Himalayan Balsam

Spread

Seed dispersal is relatively efficient, with seeds 'pinging' up to 6m from the plant. They are mercifully short-lived in the seed bank, most only viable for a single year and none for more than three years. A single large plant can produce thousands of seeds, so spread can be prolific if they land in suitable locations. A suitable location is generally one that is disturbed, with plenty of bare moist soil. Thus in areas where work has recently been undertaken and where Himalayan Balsam was present. Soil from within 7m of the nearest plant should be regarded as potentially infested with seeds – less if it is upslope from the plant, and more if it is downslope, particularly if there is a pathway for seeds to be washed downslope in surface water. Thus, movement of soil from within 7m of a Himalayan Balsam plants that have set seed can start a new colony in a new site, and once again, seeds can be transported in mud clinging to machinery or to footwear.

Control

Even for the heavily infested areas, it is normally recommended that control be gained by mechanical methods to prevent seed production rather than by herbicide application. Although glyphosate is known to be effective, the plants are brittle and easy to scythe or strim, shallow-rooted and easy to uproot. The best time for cutting is when flowering has commenced, hence the plants are tall, colourful and easy to spot, but obviously before any viable seed is produced - between mid-June and mid-July. Cutting before mid-June results in the re-growth of plants, which develop flower heads that produce greater numbers of seeds than uncut stems. If there is access, a mower, or power scythe may be a quick way to dispense with the bulk of the stand.

The seed is short-lived, two years of intensive and thorough treatment should achieve a very dramatic reduction in the presence of Balsam, making the subsequent effort required in year 3 trivial in comparison to the first two years. Be aware that in typical waterside stands, there are likely to be untreated stands upstream from the council property, and hence a supply of new seeds each autumn carried downstream and deposited on the river bank.

Invasive Species Register And Action Plan

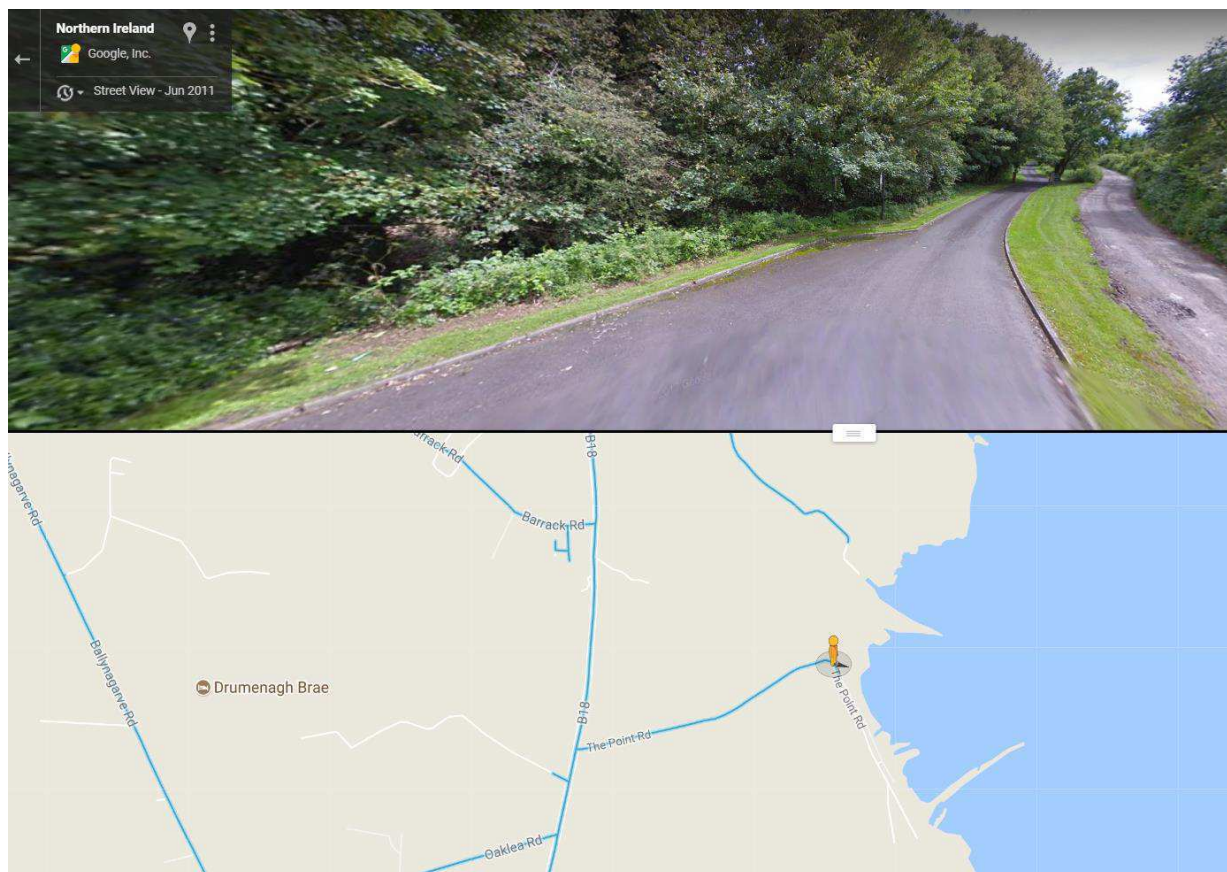


Identified Council sites with invasive species

- 1 Traad Point / Nature Reserve, Point Road, Ballyronan.
- 2 Polepatrick Cemetery/ Nursery, Castledawson Road, Magherafelt
- 3 Tobermore Driving Range, Maghera road, Tobermore.
- 4 Moykerran Woodland, Moykerran Crescent, Draperstown.
- 5 Swatragh Play area, Carhill Road, Swatragh
- 6 Riverside Park, Main Street, Coagh.
- 7 Cookstown Council Offices, Burn road, Cookstown.
- 8 Battery Harbour Building, Battery Road, Coagh.
- 9 Cabin Wood, Tullywiggan road, Cookstown
- 10 Ballyronan Wood, Shore Road, Ballyronan.
- 11 Railway Yard, Molesworth Road, Cookstown.
- 12 Blackhill, Drum Road, Cookstown.
- 13 River Blackwater Slipway, Charlemount Street, Moy.
- 14 Coalisland Canal, Lineside, Coalisland.
- 15 Brewery Lane, Donaghmore.
- 16 Washing Bay, Ballybeg Road, Coalisland.
- 17 Railway Park/Linear Park, Railway Road, Dungannon.
- 18 Drumcoo Park, Oaks Road, Dungannon.
- 19 Anne Street Carpark, Anne Street, Dungannon.
- 20 Dungannon Leisure Centre, Circular road , Dungannon
- 21 Moygashel Play Area, Ardmore Terrace, Moygashel
- 22 Washingford, Dungannon, Railway Road, Dungannon.

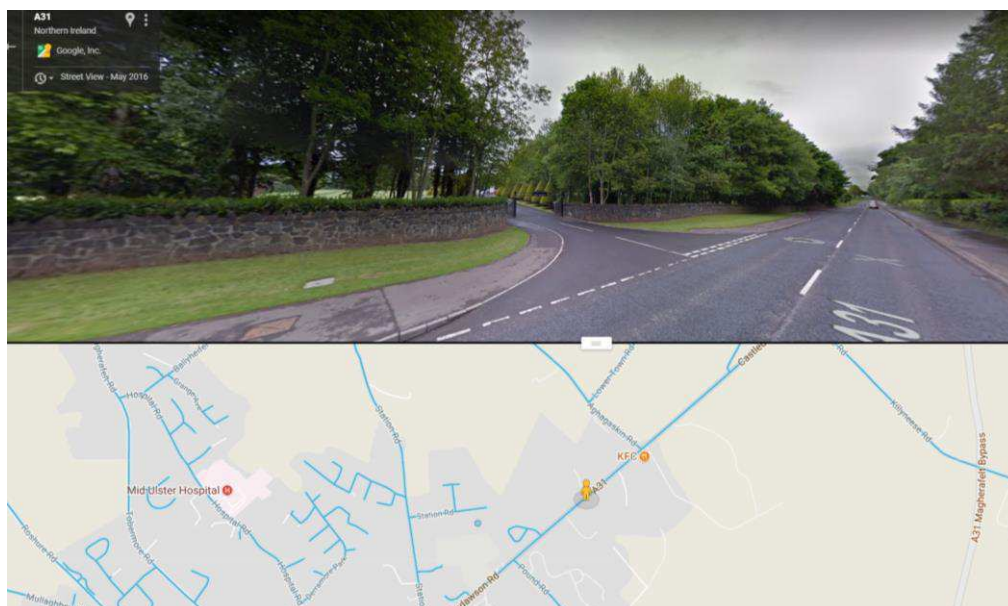
1) Traad Point / Nature Reserve, Point Road, Ballyronan.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Hard Surface	Japanese Knot weed	Treated with glyphosate	Treat with combination of glyphosate stem injection and spray	June September
Scrub land	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September
Wetlands	Giant Hogweed	Treated with triclopyr	Removal by mechanical means were accessible and treat with glyphosate	February
Wetlands	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



2) Polepatrick Cemetery/ Nursery, Castledawson Road, Magherafelt.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Giant Hogweed	Treated with triclopyr	Removal by mechanical means were accessible and treat with glyphosate	February



3) Tobermore Driving Range, Maghera road, Tobermore.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Giant Hogweed	Treated with triclopyr	Removal by mechanical means were accessible and treat with glyphosate	February



4) Moykerran Woodland, Moykerran Crescent, Draperstown.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Himalayan Balsam	Treated with glyphosate	Cut and remove where accessible and Bi annual treatment of glyphosate	June September



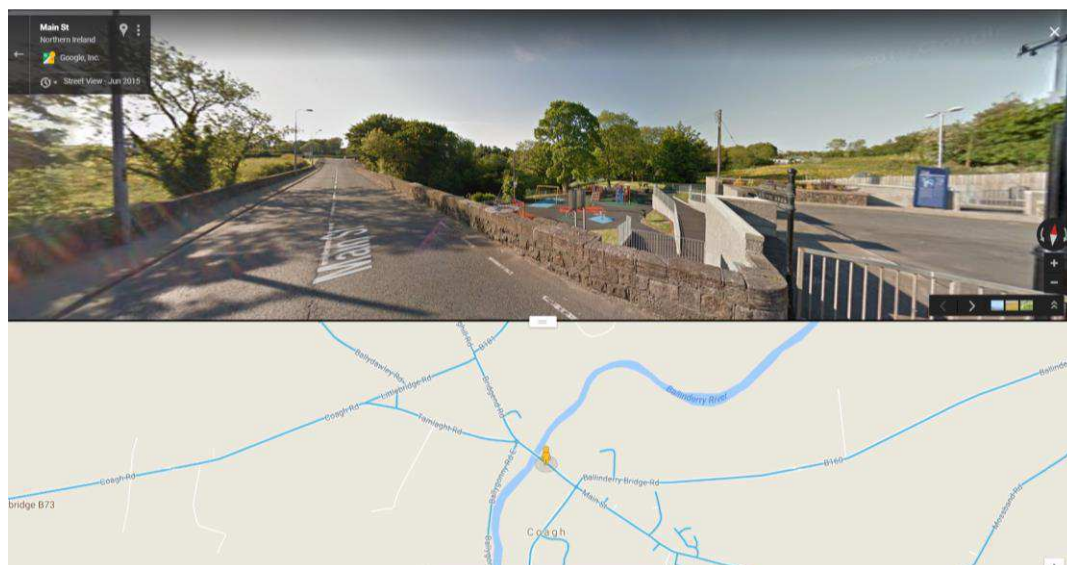
5) Swatragh Play area, Carhill Road, Swatragh.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Giant Hogweed	Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February
Wetland	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



6) Riverside Park, Main Street, Coagh.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Grassland	Giant Hogweed	Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February
Riverside	Himalayan Balsam	Treated with glyphosate	Cut and remove were accessible and Bi annual treatment of glyphosate	June September



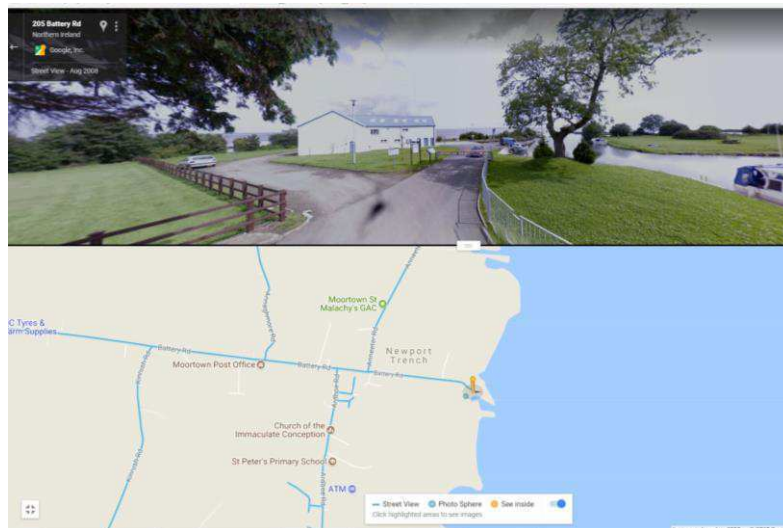
7) Cookstown Council Offices, Burn road, Cookstown.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Grassland	Japanese Knotweed	Outside council boundary	Treat with combination of glyphosate stem injection and spray	June September



8) Battery Harbour Building, Battery Road, Coagh.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Wetlands	Japanese Knotweed	Treated with glyphosate	Treat with combination of glyphosate stem injection and spray	June September



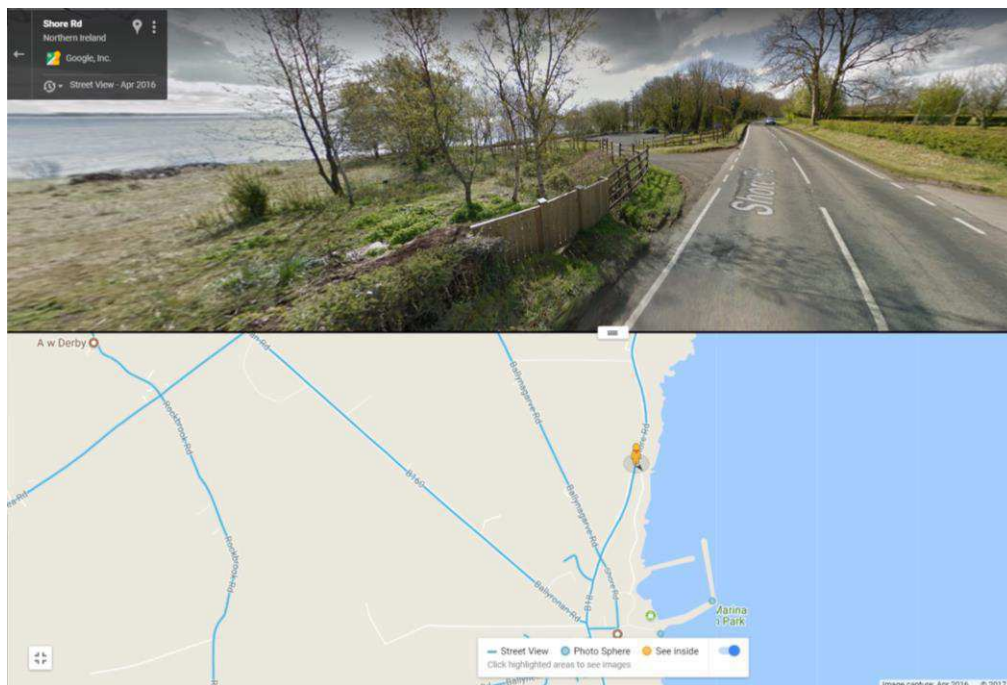
9) Cabin Wood, Tullywiggan road, Cookstown

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Giant Hogweed	Removed and Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February
Woodland	Japanese Knotweed	Treated with glyphosate	Treat with combination of glyphosate stem injection and spray	June September



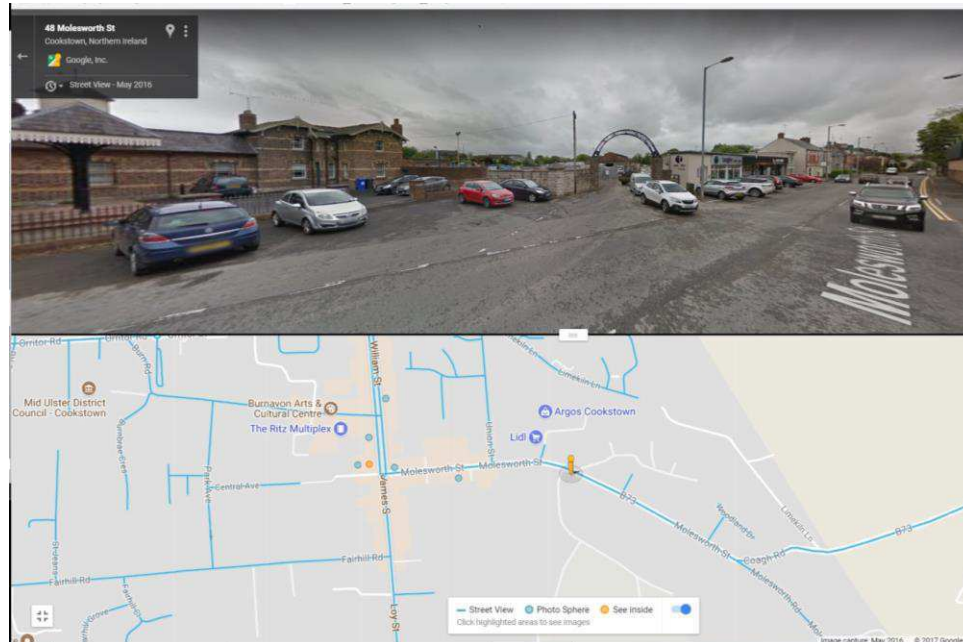
10) Ballyronan Wood, Shore Road, Ballyronan.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Wetlands	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



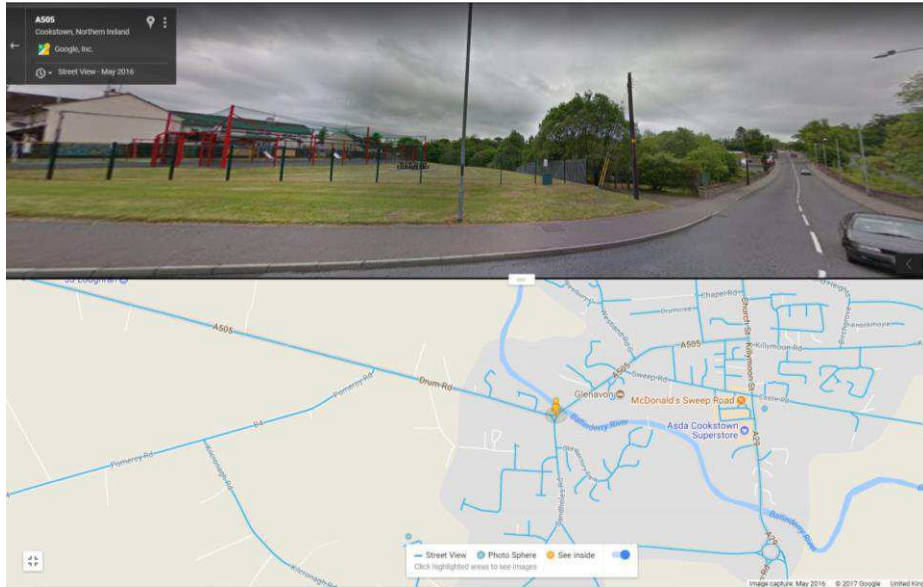
11) Railway Yard, Molesworth Road, Cookstown.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Scrub land	Japanese Knotweed	Treated with glyphosate	Treat with combination of glyphosate stem injection and spray	June September



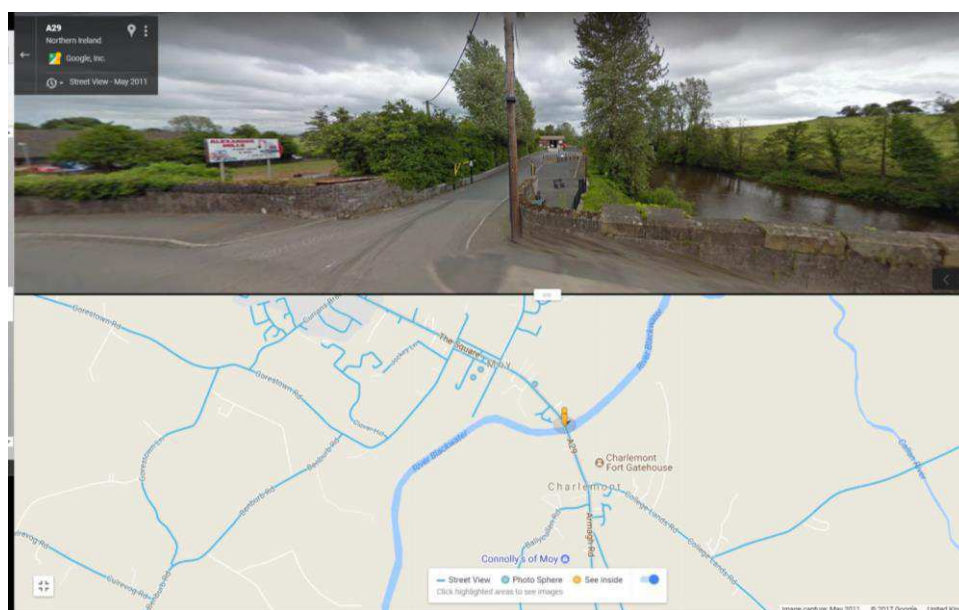
12) Blackhill, Drum Road, Cookstown.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Wetlands	Giant Hogweed	Removed and treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February
Wetlands	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



13) River Blackwater Slipway, Charlesmount Street, Moy.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Wetlands	Giant Hogweed	Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February
Wetlands	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



14) Coalisland Canal, Lineside, Coalisland.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Waste Land	Giant Hogweed	Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February



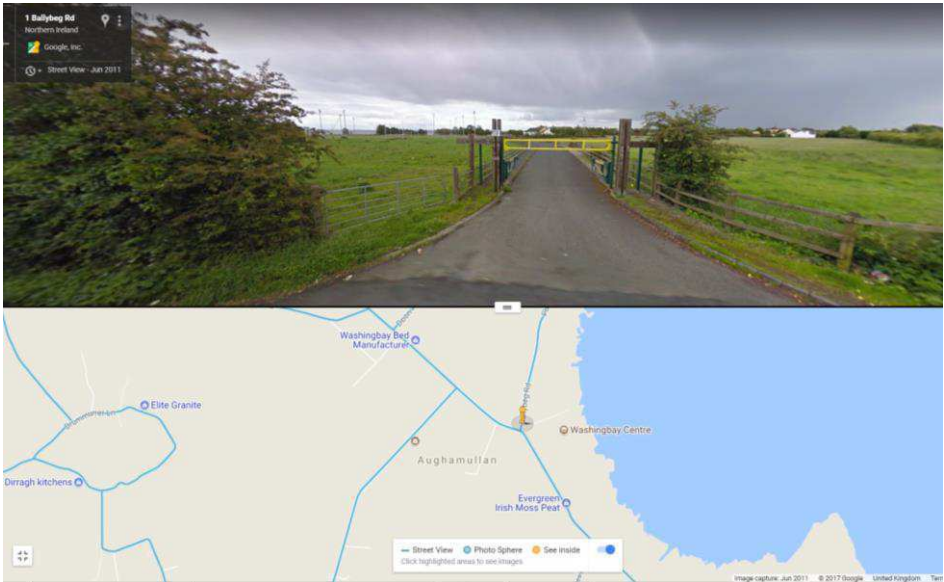
15) Brewery Lane, Donaghmore.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Grassland	Giant Hogweed	Treated with glyphosate	Removal by mechanical means were accessible and treat with glyphosate	February



16) Washing Bay, Ballybeg Road, Coalisland.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Wetlands	Himalayan Balsam	Treated with glyphosate	Cut and remove were assessable and Bi annual treatment of glyphosate	June September



17) Railway Park/Linear Park, Railway Road, Dungannon.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Parkland	Japanese Knotweed	Treated with triclopyr	Treat with combination of glyphosate stem injection and spray	June September



18) Drumcoo Park, Oaks Road, Dungannon.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Japanese Knotweed	Treated with triclopyr	Treat with combination of glyphosate stem injection and spray	June September



19) Anne Street Carpark, Anne Street, Dungannon.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Grassland	Japanese Knotweed	Treated with triclopr	Treat with combination of glyphosate stem injection and spray	June September



20) Dungannon Leisure Centre, Circular road , Dungannon

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Scrub land	Japanese Knotweed	Treated with triclopr	Treat with combination of glyphosate stem injection and spray	June September



21) Moygashel Play Area, Ardmore Terrace, Moygashel

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Woodland	Japanese Knotweed	Treated with triclopr	Treat with combination of glyphosate stem injection and spray	June September



22) Washingford, Dungannon, Railway Road, Dungannon.

SITE DESCRIPTOR	TARGET SPECIES	ACTION TAKEN	CONTROL PROGRAM	WHEN
Scrub area	Japanese Knotweed	Treated with triclopr	Treat with combination of glyphosate stem injection and spray	June September

