



11 June 2019

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, 11 June 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
3. Chair's Business

Matters for Decision

- | | | |
|----|--|---------|
| 4. | DfI Roads Proposal to Mid Ulster District Council -
Proposed 30MPH Speed Limit – Gulladuff Road, Bellaghy | 3 - 6 |
| 5. | DfI Roads Proposal to Mid Ulster District Council -
Proposed 40MPH Speed Limit – Moneymore Road,
Magherafelt | 7 - 10 |
| 6. | DfI Roads Proposal to Mid Ulster District Council -
Proposed Provision of a Disabled Persons' Parking Bay at
Jockey Lane, Moy | 11 - 14 |
| 7. | DfI Roads Proposals to Mid Ulster District Council -
Proposed Revocation of a Disabled Persons' Parking Bay
– Moore Street, Aughnacloy | 15 - 18 |
| 8. | DfI Roads Proposals to Mid Ulster District Council -
Proposed No Waiting at Any Time – Market Square,
Dungannon | 19 - 22 |
| 9. | DfI Roads Proposals to Mid Ulster District Council -
Proposed Limited Waiting at Any Time – Thomas Street,
Dungannon | 23 - 26 |

10.	Environmental Services Service Improvement Plan for 2019/20	27 - 42
11.	Landfill Closure and Aftercare Financial Provision	43 - 80
12.	Dual Language Signage Survey	81 - 108
13.	Street Naming and Property Numbering	109 - 132
14.	Service Level Agreement for provision of Structural Engineering Services	133 - 144
15.	Regulatory Information and Management System (RIAMS)	145 - 160
16.	The Roads Miscellaneous Provisions Act (NI) 2010	161 - 164

Matters for Information

17	Minutes of Environment Committee held on 1 April 2019	165 - 176
18	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2018	177 - 184
19	Recycling Centre Improvement Works	185 - 190
20	Revised Policy Guidance on Exhumations	191 - 202
21	Access at Polepatrick Cemetery and Park	203 - 206
22	Property Services Service Improvement Plan 2019/20	207 - 232
23	Building Control Workload	233 - 236
24	Entertainment Licensing Applications	237 - 246
25	Dual Language Signage Requests	247 - 290
26	Building Control Service Improvement Plan 2019/2020	291 - 312
27	Making Links to Promote Health and Wellbeing	313 - 316
28	Environmental Health Service Improvement Plan 2019/20	317 - 332
29	Entertainment Licencing Correspondence	333 - 336
30	Technical Services Service Improvement Plan 2019/20	337 - 360

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

31. Collection and treatment of Recycling Centre residual waste
32. Contract for Tullyvar Landfill Site Phase 4 Capping Works
33. Update in relation to the legacy agreement on vehicle tracking system
34. Tender report for the appointment of Vehicle Suppliers

Matters for Information

35. Confidential Minutes of Environment Committee held on 1 April 2019
36. Off –Street Car Parking Update 2018-2019
37. Capital Projects Update

Report on	DfI Roads Proposal to Mid Ulster District Council - Proposed 30MPH Speed Limit – Gulladuff Road, Bellaghy
Date of Meeting	Tuesday 11 th June 2019
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 DfI 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	DfI 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 proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed 30MPH Speed Limit – Gulladuff Road, Bellaghy</p> <p>DfI Roads are proposing to introduce a 30MPH speed limit on Gulladuff Road, Bellaghy and de-restrict the remaining length with street lighting.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:
	Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 Letter from DfI Roads dated 17 th May 2019; Proposed 30MPH Speed Limit at Gulladuff Road, Bellaghy.
6.2	Appendix 2 Drawing – Proposed 30MPH Speed Limit at Gulladuff Road, Bellaghy.



Department for

Infrastructure

An Roinn

Bonneagair

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Network Development

Mr A Tohill
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Mid Ulster District Council
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County Hall
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Omagh

Tel: 028 8225 4085

17 May 2019

Dear Mr Tohill

PROPOSED 30MPH SPEED LIMIT – GULLADUFF ROAD, BELLAGHY

DfI Roads is proposing to extend the 30mph on Gulladuff Road, Bellaghy and derestrict the remaining length with street lighting, as detailed on the attached map.

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

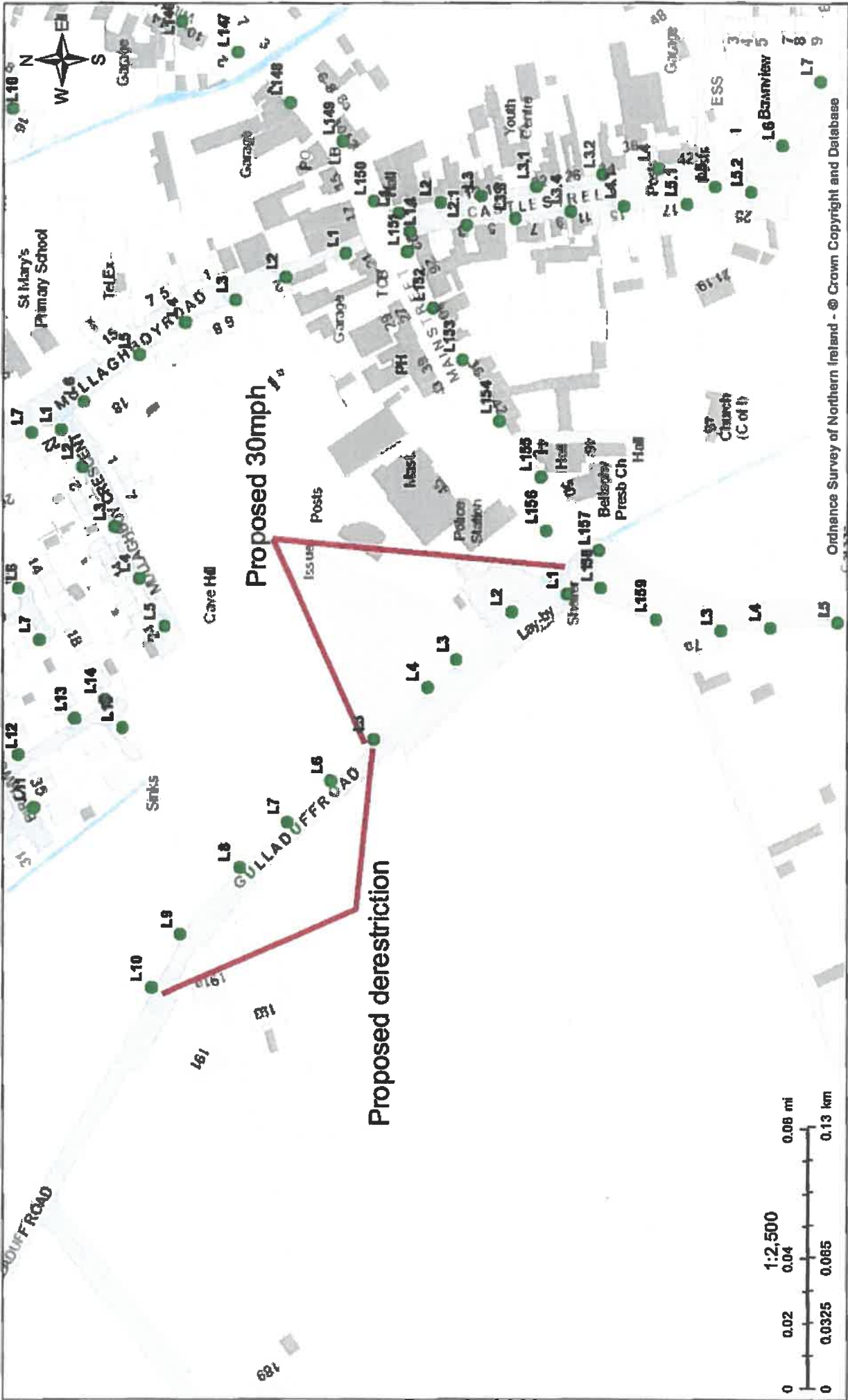
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed 30mph and derestriction - Gulladuff Road, Bellaghy



Report on	DfI Roads Proposal to Mid Ulster District Council - Proposed 40MPH Speed Limit – Moneymore Road, Magherafelt
Date of Meeting	Tuesday 11 th June 2019
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 DfI 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	DfI 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 proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed 40MPH Speed Limit – Moneymore Road, Magherafelt</p> <p>DfI Roads are proposing to introduce a 40MPH speed limit on Moneymore Road, Magherafelt.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:
	Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 Letter from DfI Roads dated 25 th March 2019; Proposed 40MPH Speed Limit at Moneymore Road, Magherafelt.
6.2	Appendix 2 Drawing – Proposed 40MPH Speed Limit at Moneymore Road, Magherafelt.



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25 March 2019

Dear Mr Tohill

PROPOSED 40MPH SPEED LIMIT –MONEYMORE ROAD, MAGHERAFELT

DfI Roads is proposing to introduce a 40mph on Moneymore Road, Magherafelt as detailed on the attached map.

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

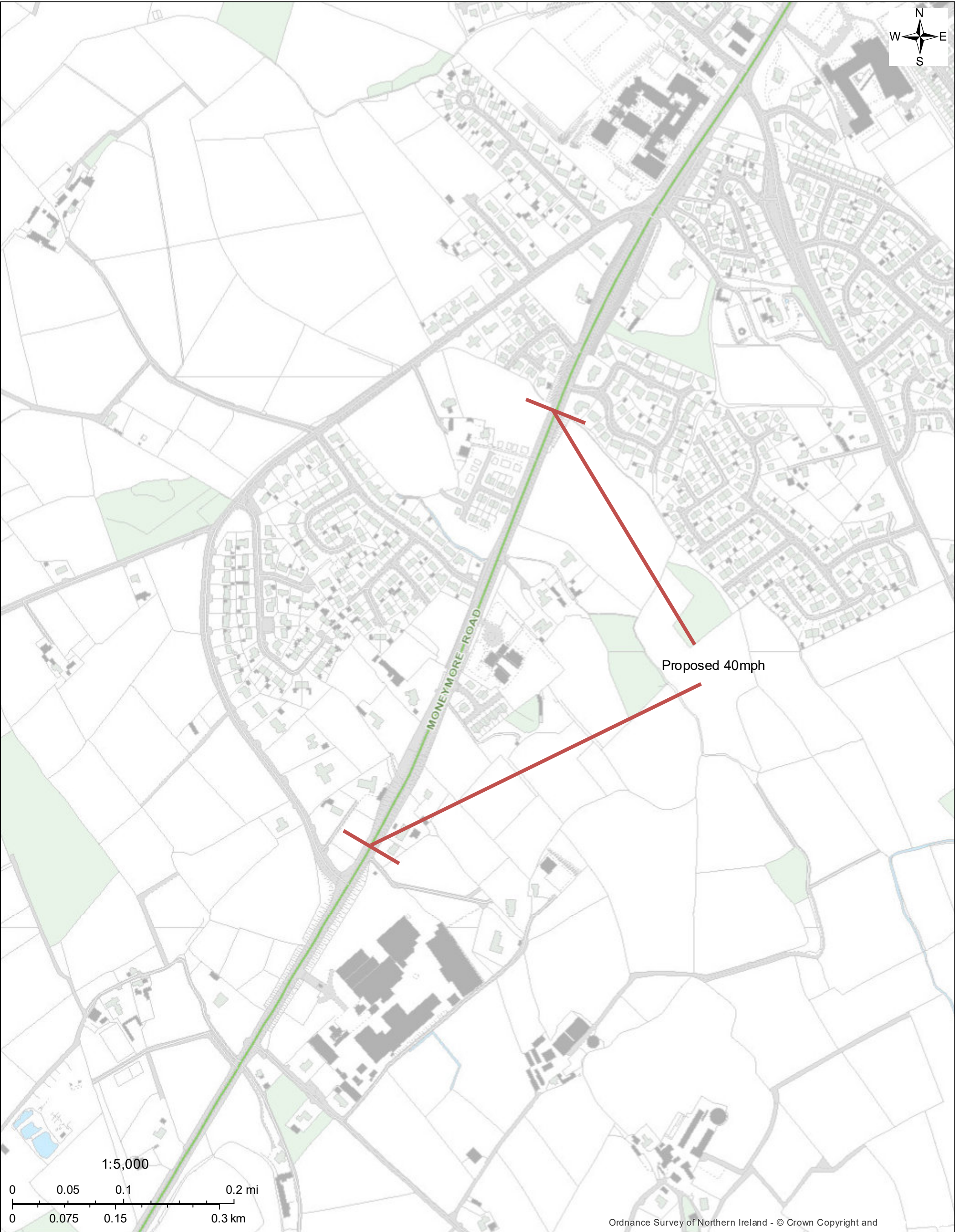
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed 40mph - Moneymore Road, Magherafelt



Thursday 21 March 2019 14:44:15

Report on	DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy
Date of Meeting	Tuesday 11 th June 2019
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 DfI 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	DfI 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 proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed Provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy</p> <p>DfI Roads are proposing to provide a disabled persons' parking bay at the above noted location.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	Human:
	Risk Management: The introduction of the aforementioned proposal at this location will assist in the management of road safety issues.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their duties in regard to disability.
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 Letter from DfI Roads dated 18 th April 2019; Proposed Provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy
6.2	Appendix 2 Drawing – Proposed Provision of a Disabled Persons' Parking Bay at Jockey Lane, Moy



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18 April 2019

Dear Mr Tohill

**PROPOSED PROVISION OF A DISABLED PERSONS' PARKING BAY AT
JOCKEY LANE, MOY**

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

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

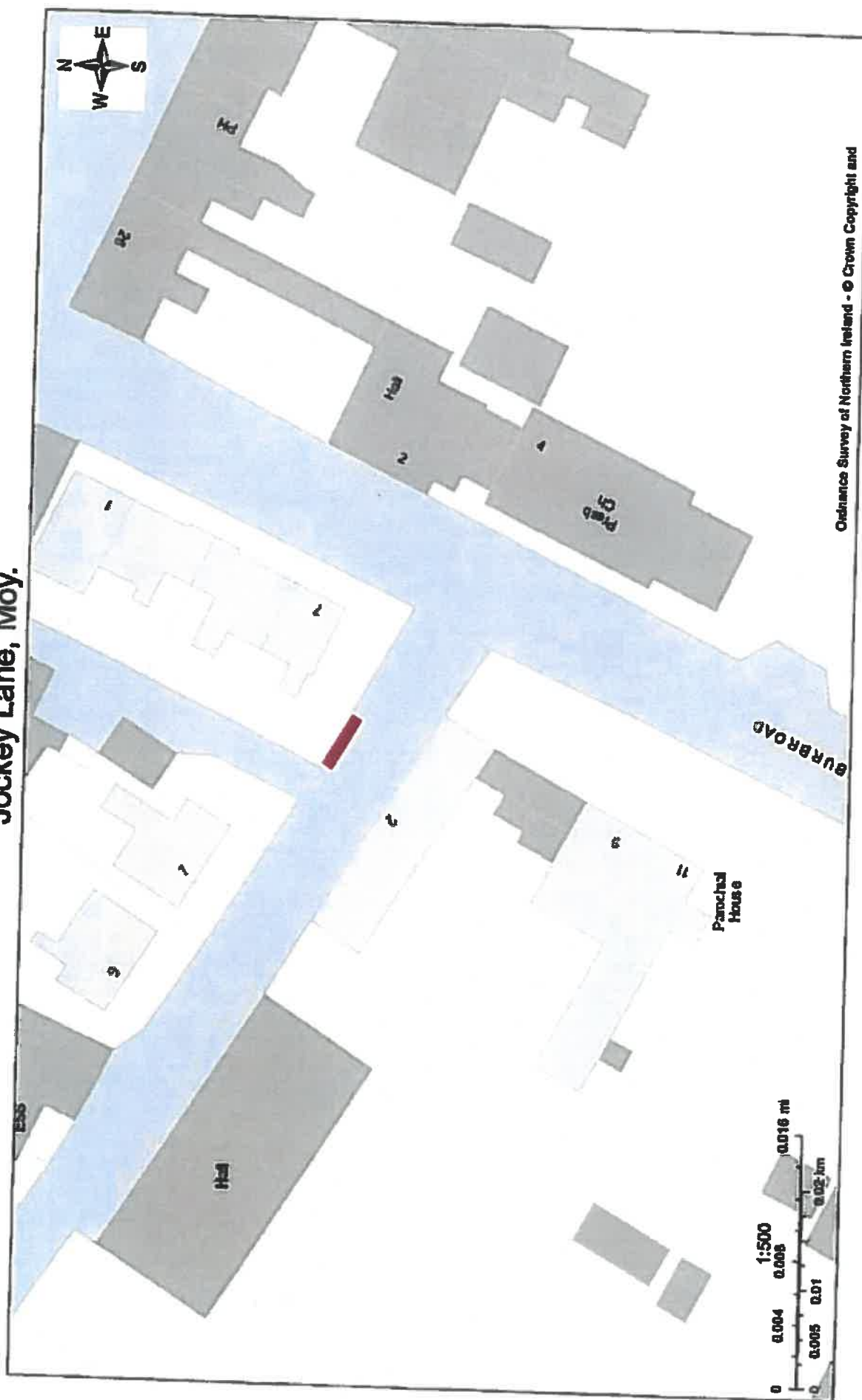
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Jockey Lane, Moy.



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Wednesday 17 April 2019 12:15:05



Report on	DfI Roads Proposals to Mid Ulster District Council - Proposed Revocation of a Disabled Persons' Parking Bay – Moore Street Aughnacloy
Date of Meeting	Tuesday 11 th June 2019
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 DfI 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	DfI 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 proposals to be brought to the attention of the Environment Committee:</p> <p>Proposed Revocation of a Disabled Persons' Parking Bay – Moore Street Aughnacloy</p> <p>DfI Roads are proposing to remove a disabled persons' parking bay at Moore Street, Aughnacloy.</p> <p>Consultation letter and location map of aforementioned proposals are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	<p>Risk Management:</p> <p>The introduction of the aforementioned proposals at this location will assist in the management of road safety issues.</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications:</p> <p>The introduction of the aforementioned proposals at this location will assist DfI in the discharge of their statutory duty.</p>
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposals submitted by DfI Roads.
6.0	Documents Attached & References
6.1	<p>Appendix 1</p> <p>Letter from DfI Roads dated 11th March 2019; Proposed Revocation of a Disabled Persons' Parking Bay at Moore Street, Aughnacloy</p>
6.2	<p>Appendix 2</p> <p>Drawing – Proposed Revocation of a Disabled Persons' Parking Bay at Moore Street, Aughnacloy</p>



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11 March 2019

Dear Mr Tohill

PROPOSED REVOCATION OF A DISABLED PERSONS' PARKING BAY AT MOORE STREET, AUGHNACLOY

DfI Roads is proposing to remove a disabled persons' parking bay at Moore Street, Aughnacloy, as detailed on the attached map, following consultation with local residents as the original applicant is no longer a resident.

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

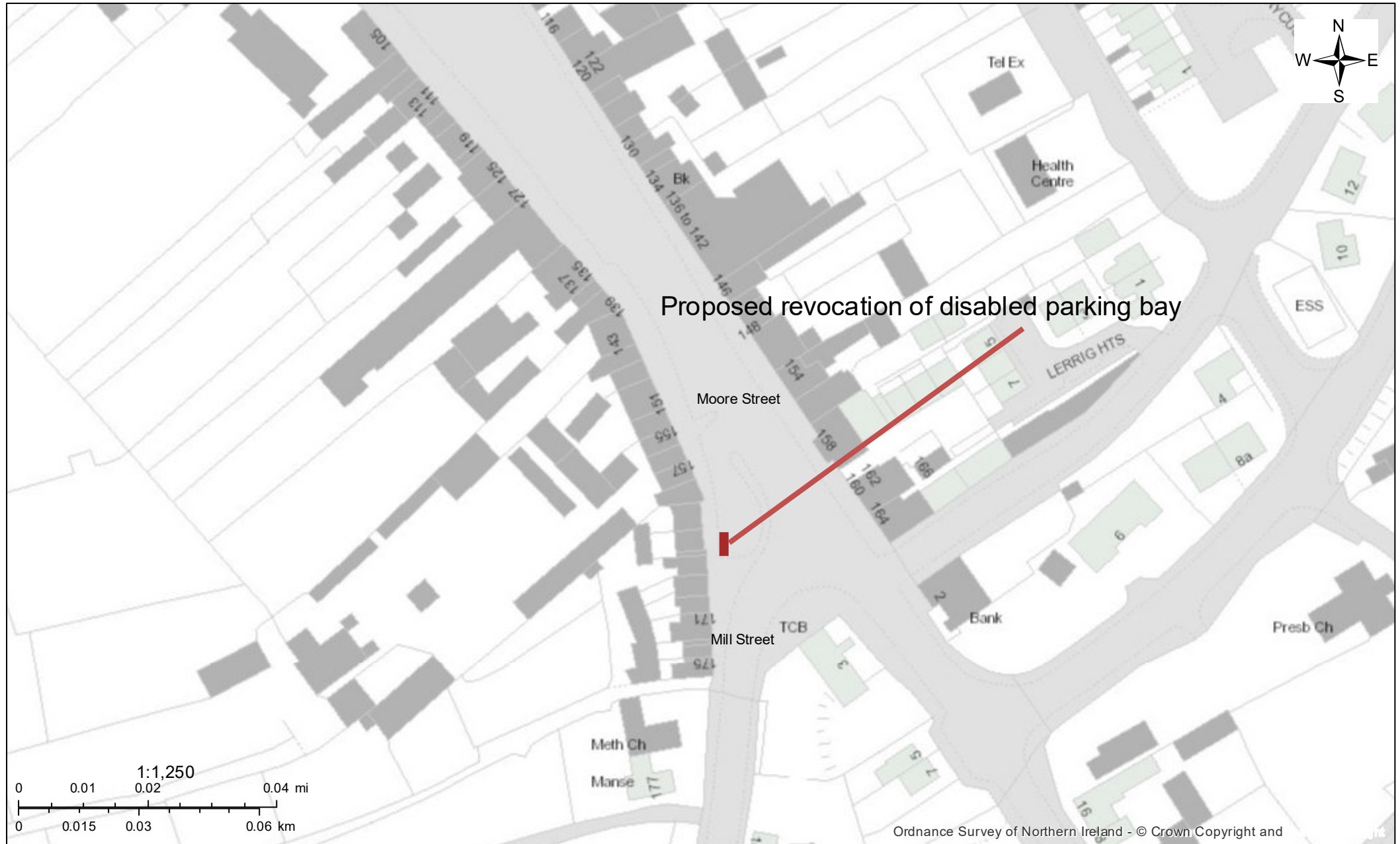
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed revocation of disabled parking bay - Moore Street, Aughnacloy



Monday 11 March 2019 09:48:40

Report on	DfI Roads Proposals to Mid Ulster District Council - Proposed No Waiting at Any Time – Market Square, Dungannon
Date of Meeting	Tuesday 11 th June 2019
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 agreement of Members in relation to proposals from DfI 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	DfI 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 No Waiting at Any Time – Market Square, Dungannon</p> <p>DfI Roads are proposing to introduce a stretch of No Waiting at Any Time, loading and unloading not permitted at Market Square, Dungannon.</p> <p>Consultation letter and location map of the aforementioned proposal are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: The introduction of the aforementioned proposal as this location will assist in the management of road safety issues.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	Rural Needs Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 Letter from DfI Roads dated 4 th April 2019; Proposed No Waiting at Any Time, Market Square, Dungannon
6.2	Appendix 2 Drawing – Proposed No Waiting at Any Time, Market Square, Dungannon



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4 April 2019

Dear Mr Tohill

PROPOSED NO WAITING AT ANY TIME – MARKET SQUARE, DUNGANNON

DfI Roads is proposing to introduce a stretch of no waiting at any time, loading and unloading not permitted on Market Square, Dungannon, 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

Proposed - No waiting at any time - Market Square, Dungannon



Thursday 4 April 2019 11:49:12

Department for



Infrastructure

Report on	DfI Roads Proposals to Mid Ulster District Council - Proposed Limited Waiting at Any Time – Thomas Street, Dungannon
Date of Meeting	Tuesday 11 th June 2019
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 agreement of Members in relation to proposals from DfI 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	DfI 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 Limited Waiting at Any Time – Thomas Street, Dungannon</p> <p>DfI Roads are proposing to introduce a stretch of Limited Waiting Monday to Friday 8.15am to 6.15pm, one hour in return in one hour on Thomas Street, Dungannon.</p> <p>Consultation letter and location map of the aforementioned proposal are attached as appendices to this report.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: The introduction of the aforementioned proposal as this location will assist in the management of road safety issues.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	Rural Needs Implications: The introduction of the aforementioned proposal at this location will assist DfI in the discharge of their statutory duty.
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 Letter from DfI Roads dated 10 th April 2019; Proposed Limited Waiting at Any Time, Thomas Street, Dungannon
6.2	Appendix 2 Drawing – Proposed Limited Waiting at Any Time, Thomas Street, Dungannon



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10 April 2019

Dear Mr Tohill

PROPOSED LIMITED WAITING AT ANY TIME – THOMAS STREET, DUNGANNON

DfI Roads is proposing to introduce a stretch of limited waiting Monday to Friday, 8.15am to 6.15pm, one hour in return in one hour, on Thomas Street, Dungannon, as detailed on the attached map.

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

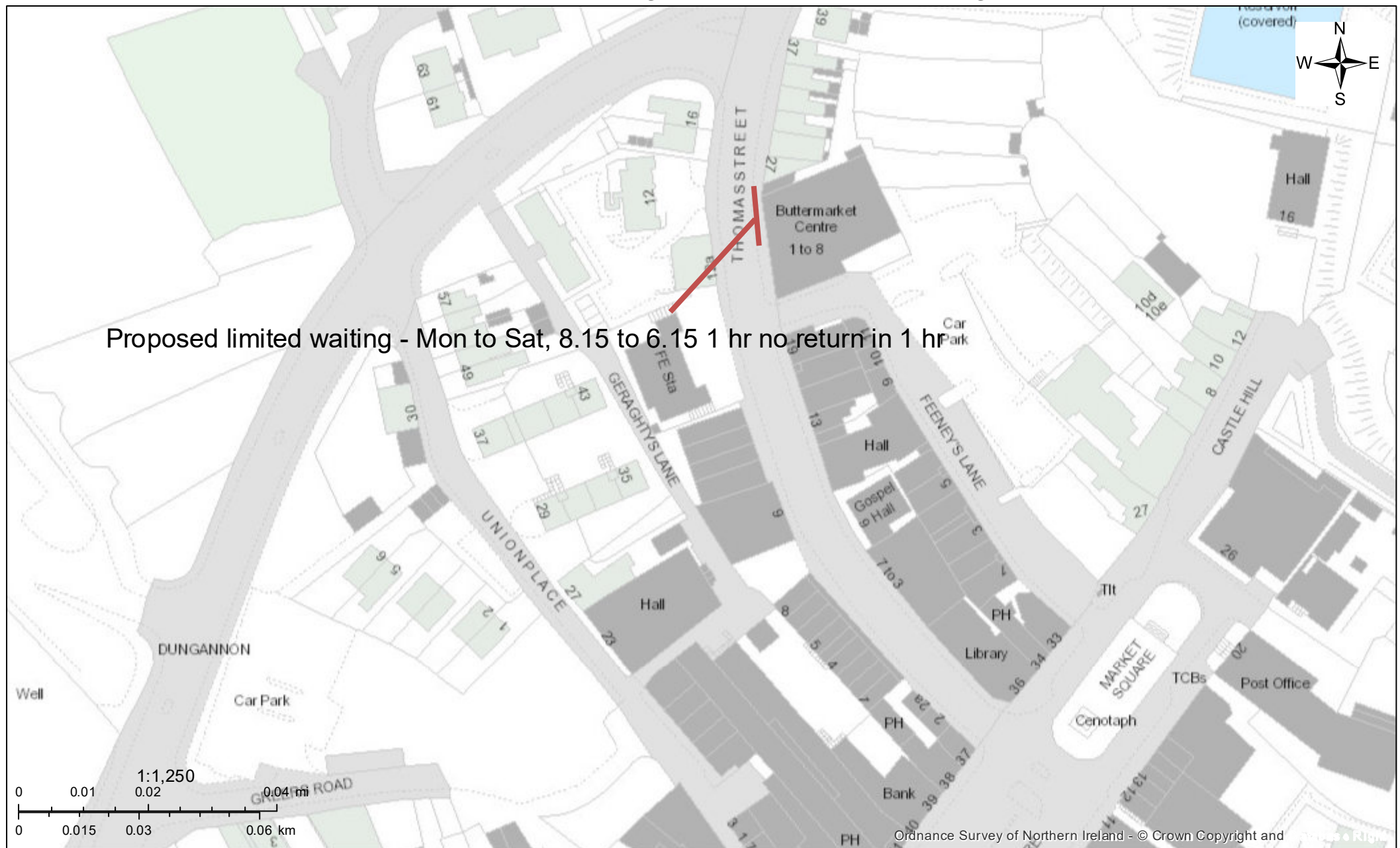
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Proposed limited waiting - Thomas Street, Dungannon



Wednesday 10 April 2019 11:09:07

Report on	Environmental Services Improvement Plan for 2019/20
Date of Meeting	11 th June 2019
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 inform members of the content of and to seek approval for the annual Service Improvement Plan (SIP) for Environmental Services for 2019/20.
2.0	Background
2.1	The Environmental Services Service Improvement Plan for 2018/19 was approved at the Environment Committee meeting in May 2018. Approval for a new Service Improvement Plan for Environmental Services for 2019/20 is now required.
3.0	Main Report
3.1	<p>Environmental Services is part of the Environment and Property Directorate and is responsible for the provision and management of the following services/facilities:</p> <ul style="list-style-type: none"> • <i>Refuse and Recycling kerbside collections (domestic and commercial)</i> • <i>Recycling Centres (civic amenity sites)</i> • <i>Waste Transfer Station/Facilities</i> • <i>Landfill Site Management/Aftercare</i> • <i>Delivery of waste related capital projects</i> • <i>Waste recycling, treatment and processing</i> • <i>Bulky waste collections</i> • <i>Removal of fly tipping and abandoned vehicles</i> • <i>Street/road cleansing and litter bins</i> • <i>Environmental Education and Awareness</i> <p>The Service successfully delivered one of the Council's Corporate Improvement Objectives, namely <i>"To help manage our waste and environment by reducing the amount of waste sent to landfill"</i> during the years 2017/18 and 2018/19.</p>

	<p>The Service Improvement Plan for 2019/20 includes the following details/sections:</p> <ul style="list-style-type: none"> • <i>Purpose, scope and responsibilities of the service</i> • <i>Customers and stakeholders</i> • <i>Overview of performance in 2018/19</i> • <i>Budget and staffing complement for 2019/20</i> • <i>Service work plan for 2019/20</i> • <i>Service contribution to Council Corporate Improvement Objectives</i> • <i>Risk management of service</i> <p>A full copy of the Service Improvement Plan for 2019/20 is attached as appendix.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial:</p> <p>The planned actions within the Service Improvement Plan will be delivered within the annual Environmental Services budget of £11.3m which accounts for approximately 30% of the Council's total annual budget for 2019/20.</p>
	<p>Human:</p> <p>Over 200 employees work within Environmental Services which make up over a third of the total Council workforce</p>
	<p>Risk Management:</p> <p>The SIP includes a summary of the main risks facing the Service in 2019/20</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications: The SIP includes a section on equality.</p>
	<p>Rural Needs Implications: Relevant policies will be screened as necessary.</p>
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report and to approve the Environmental Services Service Improvement Plan for 2019/20.
6.0	Documents Attached & References
6.1	Environmental Services Service Improvement Plan for 2019/20



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Environmental Services

SERVICE PLAN - 2019 / 20

Date

Consulted within staff team

18/04/2019

Discussed & signed off by Director

09/05/2019

CONTENT

SECTION	TITLE	PAGE NUMBER
1.0	OVERALL PURPOSE & SCOPE OF THE SERVICE	
1.1	Purpose and scope of the service	
1.2	Responsibilities	
1.3	Customers & Stakeholders	
1.4	Performance Overview in 2018/19	
2.0	SERVICE WORK PLAN - 2019/20	
2.1	Budget - 2019/20	
2.2	Staffing Complement – 2019/20	
2.3	Service Work Plan – 2019/ 20	
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2019/20	
3.1	Council's Improvement Objectives and Associated Programs - 2019/20	
3.2	Service Contribution to the Corporate Improvement Objectives	
3.3	Risk Management of Service	
4.0	EQUALITY	

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

Environmental Services is part of the Environment and Property Department and is responsible for contributing to the improvement of the local environment through the provision of all waste management and cleansing related services. Expenditure on Environmental Services accounts for around one third of the Councils total annual budget.

The facilities currently used in the delivery of the Environmental Services are as follows:

- *Cookstown Depot*
- *Dungannon Depot*
- *Magherafelt Depot*

- *Ballymacombs Recycling Centre*
- *Castledawson Recycling Centre*
- *Clogher Recycling Centre*
- *Coalisland Recycling Centre*
- *Cookstown Recycling Centre*
- *Draperstown Recycling Centre*
- *Drumcoo Recycling Centre/Waste Transfer Station*
- *Fivemiletown Recycling Centre*
- *Maghera Recycling Centre*
- *Magherafelt Recycling Centre*
- *Moneymore Recycling Centre*
- *Tullyvar Recycling Centre*

- *Ballymacombs Landfill Site*
- *Magheraglass Landfill Site/Waste Transfer Station*
- *Tullyvar Landfill Site*

1.2 Responsibilities

Environmental Services is responsible for the following functions/activities:

- *Refuse and Recycling kerbside collections (domestic and commercial)*
- *Provision of Recycling Centres*
- *Waste Transfer Facilities*
- *Landfill Site Management/Aftercare*
- *Delivery of waste related capital projects*
- *Waste recycling, treatment and processing*
- *Bulky waste collections*
- *Removal of fly tipping and abandoned vehicles*
- *Street and road cleansing*
- *Environmental Education and Awareness*

1.3 Customers & Stakeholders

Customers & Stakeholders
• All householders
• Commercial/trade customers
• Elected representatives i.e. Councillors/MLAs/MPs
• Local community groups/schools
• Housing/resident associations
• Central Government Departments e.g. DAERA/NIEA
• Northern Ireland Housing Executive
• Trade Union representatives
• Health and Safety Executive
• Other Council departments/staff

1.4 Performance Overview in 2018/19

The following table provides a progress summary and the impact made by last years' Service Plan (2018-19). With regard to the Council's 2018-19 Corporate Improvement Objective to "help manage our waste and environment by reducing the amount of waste sent to landfill" during the year the Council maintained its position as the top performing local authority in Northern Ireland by achieving the highest household waste recycling rate of all eleven Councils and by further exceeding the 50% EU target set for 2020.

2018/19 Performance Overview: (objectives from 2018/19 SIP in bold)	End of Year Progress Status: Completed/Commenced/Other
• To recycle/compost at least 52% of our household waste	Completed – achieved a household waste recycling rate of over 52%
• To ensure that our Northern Ireland Landfill Allowance Scheme (NILAS) annual allocation is not exceeded	Completed – less than 40% of annual NILAS allocation utilised during the year
• To restrict the amount of household waste landfilled to no more than 30% of the total	Completed – less than 30% of total household waste arisings landfilled
• To complete capital project/works for construction of a new waste transfer station at Drumcoo, Dungannon	Completed – new facility completed, licensed, staffed and operational October 2018 (within budget of £1.8m)
• To complete capital project/works for the final closure/capping of Magheraglass landfill site, Cookstown	Completed – site closure/capping works finished in March 2019 (within budget of £700k)
• To create a community woodland at Ballymacombs landfill, Bellaghy	Completed – tree planting (funded to value of £23k) undertaken in May 2018

<ul style="list-style-type: none"> • To identify further efficiencies and increase income within the refuse collection service 	Completed – charge for bulky waste collections introduced and review of assisted refuse collections carried out
<ul style="list-style-type: none"> • To reduce overtime costs via further harmonisation of service delivery for Recycling Centres and Street Cleansing 	Completed – implemented revised opening hours at all Recycling Centres Commenced – review of weekend Street Cleansing overtime ongoing
<ul style="list-style-type: none"> • To carry out safety works and other improvements at 6 No Recycling Centres 	Completed – improvement/works at 6 No sites (at a total cost of £215k)
<ul style="list-style-type: none"> • To introduce a prepayment/online system for the disposal of commercial waste at 3 main Recycling Centres 	Completed – prepayment (swipe card) system introduced in June 2018 with online payment facility in March 2019
<ul style="list-style-type: none"> • To award a new medium term contract for the processing of residual waste arisings across Mid Ulster 	Completed – new contract commenced with Regen Waste in July 2018 (min total value of £25m over 5 + 2 years)
<ul style="list-style-type: none"> • To secure funding to support the delivery of waste management services/projects 	Completed - external funding of £150k successfully applied for during the year
<ul style="list-style-type: none"> • To apply for Ambassador status under the Waste Industry Safety and Health Northern Ireland (WISHNI) Forum 	Completed – WISHNI Ambassador status awarded in March 2019

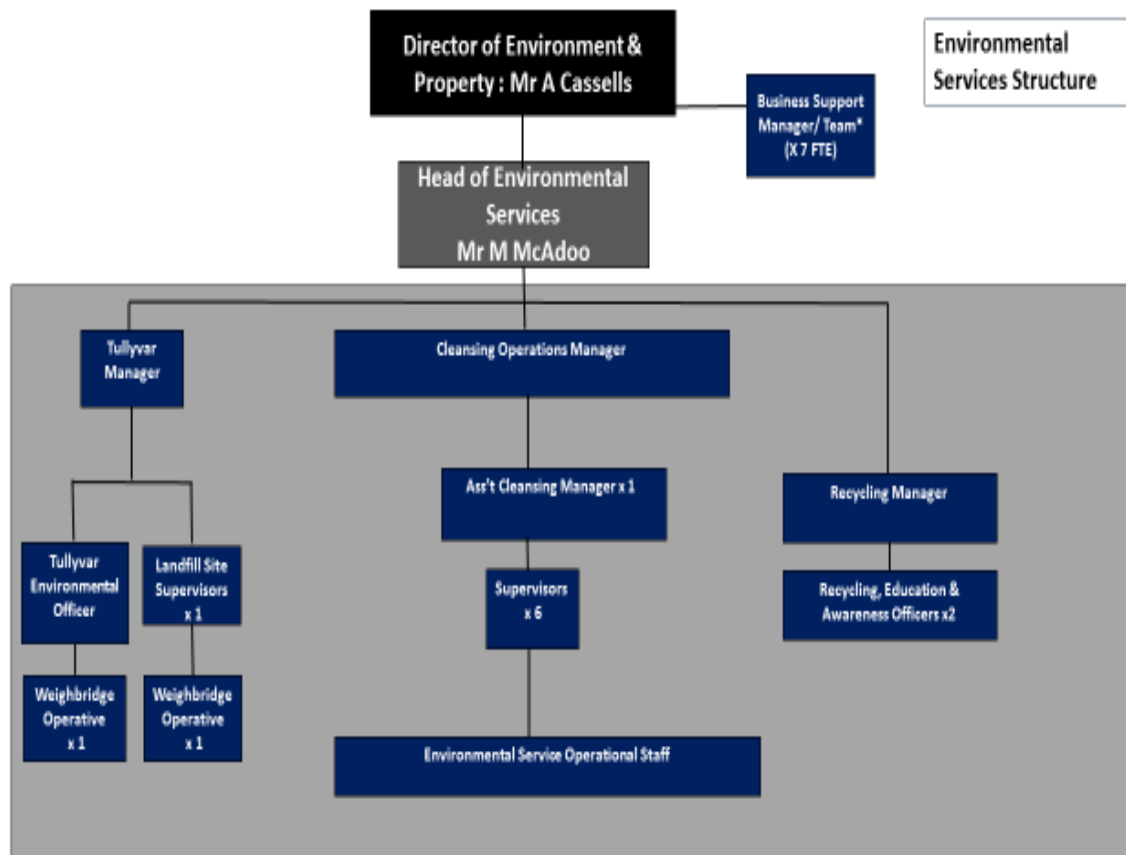
2.0 SERVICE WORKPLAN 2019/20

The following tables confirm the resources, financial and people, which the Service has access to throughout 2019-20 to deliver its actions, activities and core business.

2.1 Budget 2019/20

Service Budget Headings	£
Waste Recycling, Treatment and Processing	£5.9m
Refuse and Recycling Collection	£2.4m
Street and other Cleansing	£1.7m
Recycling Centres	£0.7m
Landfill Sites	£0.4m
Environmental Education/Awareness	£0.2m
Budget for 2019-20	£11.3m

2.2 Staffing Complement - 2019/20



Staffing		No. of Staff
Head of Service		1
Managers		3
Officers/Supervisors		10
Drivers		60
Attendants		30
Operatives		110
Total		214

SERVICE WORK PLAN

2.3 Service Work Plan - 2019/20

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To recycle/compost at least 55% of our household waste	Quarterly returns (WasteDataFlow) Quarterly/annual Waste Statistics NIEA Reports	54% achieved in 2017/18	At least 40,000 tonnes of household waste recycled or composted by 31 st March 2020	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 19 – March 20	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To utilise less than 50% of our (reduced) Northern Ireland Landfill Allowance Scheme (NILAS) annual tonnage/allocation	Quarterly returns (WasteDataFlow) Quarterly/annual Waste Statistics NIEA Reports	52.7% of annual allowance used in 2017/18 by the landfilling of 10,077 tonnes of BMW (Biodegradable Municipal Waste)	To landfill no more than 8,466 tonnes (50% of 16,932) of BMW (Biodegradable Municipal Waste) by 31 st Mar 2020	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 19 - March 20	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To restrict the amount of household waste landfilled to no more than 25% of the total	Quarterly returns (WasteDataFlow) Quarterly/annual Waste Statistics NIEA Reports	20,636 tonnes of household waste landfilled (28%) in 2017/18	To landfill no more than 17,500 tonnes of our household waste by 31 st Mar 2020	<ul style="list-style-type: none"> Collections of kerbside recyclable and compostable waste every two weeks Operation of Recycling Centres Delivery of Recycling Environmental Education programme/activities Management of Waste/Recycling Contracts 	April 19 – March 20	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To complete capital project contract/works necessary for the final closure/capping of Tullyvar landfill	Regular project risk reduction meetings on site Project delivered on time and within budget	Landfill site mothballed in Oct 2018 and regrading works undertaken in preparation for final capping	Remainder of landfill site to be fully capped by October 2019	<ul style="list-style-type: none"> Issue invitation to tender Obtain Council approval to award contract Commencement of works on site Completion of works on site 	May 19 June 19 July 19 Oct 19	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.1 Health & Wellbeing - We are better enabled to live longer</i>	<i>CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To obtain ISO 45001 health and safety accreditation for Drumcoo waste facility (Recycling Centre and Waste Transfer Site)	Site accreditation Reduction in site accidents/incidents	Internal audit completed Jan 19 External pre-audit completed Feb 19	To achieve full accreditation for waste facility by 31 st March 2020	<ul style="list-style-type: none"> Review observations and corrective actions of internal audit and external pre-audit Facilitate site visit by external auditor Address non-conformances and implement corrective actions in external audit 	May – June 19 Oct 19 Nov 19- Feb 20	MMcA	

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.6 Sustaining our Environment - Reducing our dependency on landfill by increasing recycling, reusing and recovering energy from Council collected waste</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
To review the Council Waste Management Plan (WMP) and revise the Council Waste Collection policy (WCP)	Equality screening and public consultation	Existing Joint Waste Management Plan (with two other local authorities) covers the period 2016 to 2020.	Reviewed Waste Management Plan determined by DAERA and revised Waste Collection Policy approved by Council by 31 st December 2019.	<ul style="list-style-type: none"> Procurement of consultancy support to assist with production of WMP Equality screening of revised WCP Council approval for revised WCP Public consultation on draft WMP DAERA determination on final WMP Council approval for final WMP 	June 19 Aug 19 Sept 19 Oct 19 Nov 19 Dec 19	MMcA	

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2019/20, which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document, which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2019 to 2020:

- 1. To assist the growth of the local economy by increasing the number of visitors to our district.*
- 2. To improve the average processing time of Local Planning Applications (New).*
- 3. To improve the accessibility of our services by increasing the number available online.*
- 4. To support people to adopt healthier lifestyles by increasing usage of Council Recreational Facilities.*

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (Mid Ulster Council's Improvement Plan 2019- 2020) or by contacting the Democratic Services Team on 03000 132132.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 4.2 Health & Wellbeing - We have better availability to the right service, in the right place at the right time.		CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	To increase the number of online payments for Environmental Services (bulky household waste collections and commercial waste disposal at Recycling Centres) by 31 st March 2020	Quarterly monitoring of statistics	Currently 55% of payments for bulky collections made online. New online payments for commercial waste at Recycling Centres introduced March 2019	Increase proportion of online bulky collections payments made to 70% of total. Increase online number of prepayments for commercial waste disposal at Recycling Centres to 50% of transactions	<ul style="list-style-type: none"> Update Council webpage information Issue letter to all existing commercial customers of Recycling Centres Issue push notification/reminder to all users of Bin Ovation App 	Apr 19 May 19 June 19	MMcA	

3.3 Risk Management of Service

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

3.4 Equality

The council is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act 1998. This commitment is demonstrated by allocating the appropriate time, people and resources to fulfil our equality duties. The Equality Scheme commits us to implementing our duties effectively and in a timely way alongside implementing this Service Plan. Without impacting upon our obligations, when carrying out our equality duties we will also take into account the desirability of promoting good relations between people of different religious belief, political opinion or racial group. We are also required to take into account the need to promote positive attitudes towards people with a disability and encourage the participation of people with a disability in public life. Mid Ulster District Council are committed to fulfilling our disability duties and we set out how we intend to do this in our disability action plan.

This table illustrates the risks identified to deliver the Services business in 2019-20.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Failure to meet statutory landfill diversion and recycling targets e.g. NILAS penalties, EU infraction fines etc.	6	<p>Statutory quarterly reporting of recycling and landfill diversion performance to NIEA via the online Waste Data Flow system (confirms NILAS target and 2020 statutory 50% recycling target achieved during 2018/19)</p> <p>New contracts in place for the processing of various waste streams e.g. timber, road sweepings etc.</p> <p>Network of Recycling Centres (12 No.) and Waste Transfer Stations (3 No.) in operation across district</p> <p>Annual Recycling and Environmental Education Programme delivered across local schools, community groups etc including new “Recycling Hero” campaign.</p>
2.	Environmental pollution incident as a result of managing three landfill sites e.g. from leachate, landfill gas etc.	6	<p>New contract for environmental monitoring at all three sites awarded to consultants in September 2018</p> <p>Environmental pollution insurance cover in place</p> <p>Landfill gas collection systems in place at all three sites (for flaring and/or production of electricity)</p>

			<p>Progressive capping/closure of landfill sites (Magheraglass landfill site final closure in 2018/19)</p> <p>Technically competent staff on site – gained new Operator Competence Certification during 2018/19.</p>
3.	Fraud, bribery or theft	6	<p>Monitoring of online CCTV at waste management facilities and on vehicle cameras systems as required.</p> <p>Introduction of pre payment system at three main Recycling Centres for disposal of commercial waste to reduce/eliminate cash handling on site</p>
4.	Failure to deliver waste related capital projects on time and within budget	9	<p>Utilisation of suitably qualified and experienced consultants to assist with project delivery</p> <p>Regular risk reduction meetings held on site</p>
5.	Inadequate Health and Safety systems and processes in place leading to injury to employee or member of the public	9	<p>Health and Safety risk assessments in place for all activities including refuse route risk assessments</p> <p>Range of statutory and other health and safety training provided for all operatives and drivers</p>
6.	Legal/procurement challenge in relation to the award of a major contract	9	<p>Undertake regular procurement training/briefings</p> <p>Access legal advice and guidance in a timely manner</p>

Report on	Landfill Closure and Aftercare Financial Provision
Date of Meeting	11th June 2019
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 closure and aftercare arrangements for the Councils landfill sites and to seek approval for revised Local Authority Deed Agreements.
2.0	Background
2.1	Mid Ulster District Council currently manages one closed landfill site at Magheraglass (Cookstown) and two "mothballed" sites at Tullyvar (Aughnacloy) and Ballymacombs (Bellaghy). Due to the potential environmental impact of large waste facilities such as these, it is necessary to model their long term financial liabilities and to make provision for this liability in the Councils annual audited accounts.
2.2	The landfill aftercare models have recently been reviewed by consulting engineers, WDR & RT Taggart, with a view to more accurately predicting the number of years that the sites must be managed for. The sites must meet a number of closure criteria before the site permits may be surrendered and a detailed computer model of the site is developed to predict when these criteria are likely to be achieved. The modelling takes into consideration the surrounding geology of the site, its lining system and the types and volumes of waste accepted at the site over the years.
2.3	As part of the aftercare period reviews revised Hydrogeological Risk Assessments (HRAs) were completed to ascertain when the long term risk associated with leachate reached an acceptable level for permit surrender given the large volume of monitoring data that is now available for each site. The landfill Gas Risk Assessments (GRAs) were also assessed using the Gas Sim modelling tool to see when gas production reached a point when it could no longer need to be actively managed to see how this compared to the new hydrogeological completion date (leachate will reach completion criteria faster than the landfill gas in all cases).

3.0	Main Report			
3.1	It is a regulatory requirement for large waste facilities to have a financial bond in place to safeguard against operators going bankrupt or otherwise abandoning the site post closure. This would leave the Northern Ireland Environment Agency (NIEA) responsible for any clean-up or aftercare of the site. Local authorities are able to use a Local Authority Deed Agreement in lieu of a financial bond and at the previous major review in 2014 the three legacy councils established individual Local Authority Deed Agreements with the NIEA based on the existing financial models for each site.			
3.2	The reviews undertaken resulted in a significant reduction in the number of years the sites are predicted to require aftercare (post closure). The previous reviews in 2014 were based on the standard aftercare period of 60 years as recommended by NIEA. The revised length of the aftercare periods and the resulting financial provisions reflecting reduced monitoring requirements are shown in the table below:			
	Site	Aftercare Period (Years)	Year of Permit Surrender	Financial Provision (£)
	Magheraglass	27	2046	849,127
	Tullyvar	19	2038	1,396,596
	Ballymacombs	25	2045	1,254,445
3.3	The provisions for Ballymacombs and for Tullyvar are higher than for Magheraglass reflecting the fact that capping works that still have to be completed at these sites. The final closure cap was completed at Magheraglass in February 2019 and a permit variation has been submitted to NIEA to allow the aftercare period to officially start.			
3.4	Mid Ulster District Council will undertake assessments of each of the sites prior to the above proposed permit surrender years. These assessments will gather the required evidence and data as outlined in the Environment Agency Landfill Surrender Guidance to demonstrate that the site has met all the completion criteria.			
3.5	It should be noted that since Tullyvar Landfill Site is jointly owned by both Mid Ulster District Council and Fermanagh and Omagh District Council only 50% of the aftercare liability is provisioned within the Mid Ulster Council accounts. The Local Authority Deed Agreement will also be jointly signed and sealed by both Councils.			
4.0	Other Considerations			
4.1	Financial, Human Resources & Risk Implications			
	Financial:			
	The collective value of the three revised Local Authority Deed Agreements is £3,500,168 compared to £5,772,888 previously i.e. a reduction of £2,272,720, which will have a very positive impact on the Councils future annual accounts. The consultancy cost for undertaking the reviews was £6,750 + VAT per site.			

	Human: None
	Risk Management None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members are asked to note the content of this report and to approve the revised Local Authority Deed Agreements and financial provision for the three landfill sites.
6.0	Documents Attached & References
6.1	Proposed Local Authority Deed Agreement for Magheraglass Landfill Site
6.2	Proposed Local Authority Deed Agreement for Ballymacombs Landfill Site
6.3	Proposed Local Authority Deed Agreement for Tullyvar Landfill Site

DATED 27th June 2019

MID ULSTER DISTRICT COUNCIL

-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED

(LOCAL AUTHORITIES)

in relation to:-

MAGHERAGLASS LANDFILL SITE

THIS DEED is made the 27th of June 2019

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** whose principal office is at Burn Road, Cookstown, Co. Tyrone, BT80 8DT (“Permit Holder”)

-and-

2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS acting through the NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (The Department of Agriculture, Environment and Rural Affairs hereafter called the “Agency”).

RECITALS

- (A) The Permit Holder operates the installation at Magheraglass Landfill Site, Knockaleery Road, Cookstown, BT80 9EH which includes a specified waste management activity (“the Installation”) and any reference to Permit Holder shall include its successors in title.
- (B) The Agency is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) (“the PPC Regulations”) and references to the Agency shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference PO143/06A) (“the Permit”) was issued to the Permit Holder by the Agency on 1st April 2008 for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained in the Permit as amended from time to time.
- (D) In order to satisfy the Agency that the Permit Holder is a fit and proper person for the purposes of the PPC Regulations the Permit Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit.
- (E) The provision made by this Deed is without limitation to the Agency’s other rights and powers under the PPC Regulations and/or the Permit.

NOW IT IS AGREED as follows

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 “Agreed Interest” means interest at the rate of 2% above the base rate of Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 “Business Day” means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 “Expenses” includes all costs and other expenses of whatsoever nature (on a full indemnity basis) incurred by the Agency in connection with the exercise of the Agency’s powers under regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 “The CPI” means the Consumer Price Index published by the Office for National Statistics or such other Index as the Agency may from time to time notify the Permit Holder.
 - 1.5 “Permit Holder’s Obligations” means all the Permit Holder’s duties and/or obligations arising from the Permit and/or the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 “the Review Date” means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.
 - 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being

made issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made issued or given under a re-enactment with or without any modification or extension.

1.10 Headings are inserted for reference purposes only and do not form part of this Deed.

1.11 This Deed shall be subject to and construed in accordance with Northern Ireland Law.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the Agency upon the Agency for the purpose of securing the performance and observance of the provisions of the Permit and further as security for the Agency for the purpose of satisfying Expenses incurred by the Agency in respect of any work undertaken by the Agency (whether by itself or any other authorised person) pursuant to regulations 29(1) and/or (2) of the PPC Regulations.

Provided that the Agency has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3) and in either case the Agency has served a notice on the Permit Holder requesting reimbursement of the Expenses within 10 Business Days of the date of service of the notice and the Permit Holder has failed to pay and thereupon the Permit Holder shall be unconditionally bound to satisfy the Expenses incurred by the Agency on demand on service of a Certificate of Default by the Agency upon the Permit Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit Holder under this Deed shall not exceed the total of £849,127 and FURTHER PROVIDED THAT the amount secured pursuant to this Deed shall be revised.

(i) annually on the Review Date or on the date upon which the Agency serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later in line with

the annual movement in the CPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.

- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the Agency at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit Holder to the Agency.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit Holder to satisfy and discharge the Expenses sustained by the Agency shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit Holder by the Agency of a Certificate of Default in the form of the draft annexed hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.
- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit Holder undertakes forthwith to make payment without any deduction direct to the Agency for the sum demanded.
- 3.3 The Agency may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit Holder.

RELEASE FROM THIS DEED

4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed
- 4.1 The Permit being surrendered or partially surrendered in either case in respect of all of the specified waste management activity of the Permit pursuant to regulation 22(5) of the PPC Regulations.
- 4.2 The Permit being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom.

- 4.3 Permit either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations in respect of all of the specified waste management activity where the regulator either:
- 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
- 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where case the Agency subsequently issues a certificate of satisfaction under regulation 24(7).
- 4.4 The Permit Holder providing to the Agency an alternative mechanism for making financial provision which is acceptable to the Agency in accordance with Clause 5.
- 4.5 The decision of a Court or Tribunal of competent jurisdiction.

ALTERNATIVE MECHANISM

5. Nothing contained in this Deed shall prevent the Permit Holder making an application to the Agency to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations.

SERVICE OF NOTICES

6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class post or sent by telex or facsimile (confirmed in either of these cases by post) to the party to be given notice or served at the address specified herein or at such other address as the parties hereto may from time to time so serve upon each other and such notice shall be deemed to have been given and such document served
- 6.1 If delivered personally or sent by telex or facsimile as aforesaid on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class post on the second Business Day after the date of posting.

FORBEARANCE BY THE AGENCY

7. No alteration in the terms of the Permit made under the PPC Regulations or in the extent or nature of the works to be provided constructed and maintained thereunder and no allowance of time by the Agency nor any forbearance forgiveness or compromise in or in respect of any matter or thing concerning the Permit on the part of the Agency shall discharge the Permit Holder from its liability hereunder

COSTS

8. The Permit Holder shall pay the Agency's reasonable legal and administrative costs and expenses incurred in the preparation and execution of this Performance Deed in the sum of £100 plus Value Added Tax

ARBITRATION OF DISPUTES

- 9.1 If any dispute arises between the parties as to the interpretation implementation or operation of this Deed and the parties are unable to resolve the dispute amicably it shall be referred to arbitration by either party.
- 9.2 A reference to a dispute shall not prevent the Agency recovering monies under this Deed in accordance with Clause 2.1.
- 9.3 In the event of a reference to arbitration the parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act (Northern Ireland) 1996.
- 9.4 The parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
- 9.5 If the decision of the arbitrator is that the Agency has wrongly recovered monies under this deed in whole or in part then the Agency shall repay to the Permit Holder or such other person as directed by the Permit Holder within 20 Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date

of wrongful recovery to the date of repayment to the Permit Holder or such other person as directed by the Permit Holder.

- 9.6 The parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each party shall bear its own costs.

Exemplar

IN WITNESS of which the parties have executed this Deed the day and year first written above

Present when the Seal of
Mid Ulster District Council
was affixed hereto

Chief Executive

Chairperson

Signed and Delivered as a Deed by _____

on behalf of the Northern Ireland Environment Agency

dated [] in the presence of:-

Signature of Witness: _____

Address of Witness:

DATED 27th June 2019

MID ULSTER DISTRICT COUNCIL

-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED

(LOCAL AUTHORITIES)

in relation to:-

BALLYMACOMBS LANDFILL SITE

THIS DEED is made the 27TH June 2019

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** whose principal office is at Ballyronan Road, Magherafelt, BT45 6EN (“Permit/Licence Holder”)

-and-

2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS acting through the NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (The Department of Agriculture, Environment and Rural Affairs hereafter called the “Agency”).

RECITALS

- (A) The Permit/Licence Holder operates the installation at Ballymacombs Landfill Site, Ballymacombs Road, Bellaghy, BT45 8JP which includes a specified waste management activity (“the Installation”) and any reference to Permit/Licence Holder shall include its successors in title.
- (B) The Agency is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) (“the PPC Regulations”) and The Waste and Contaminated Land (Northern Ireland) Order 1997 (as amended) (“the Order”) and references to the Agency shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference P0336/09A) (“the Permit”) was issued to the Permit Holder by the Agency on 16th April 2010 for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained in the Permit as amended from time to time.

In accordance with Article 10 (2) (a) of the Order a Modified Waste Management Licence (Reference LN/10/48/C) (“the Licence”) was issued to the Licence Holder by the Agency on 29th April 2010 for the aftercare and restoration of the landfill subject to conditions contained in the Licence as amended from time to time.

- (D) In order to satisfy the Agency that the Permit/Licence Holder is a fit and proper person for the purposes of the PPC Regulations and the Order the Permit/Licence Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit/Licence.
- (E) The provision made by this Deed is without limitation to the Agency's other rights and powers under the PPC Regulations and the Order and/or the Permit/Licence.

EXEMPLAR

NOW IT IS AGREED as follows

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 “Agreed Interest” means interest at the rate of 2% above the base rate of Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 “Business Day” means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 “Expenses” includes all costs and other expenses of whatsoever nature (on a full indemnity basis) incurred by the Agency in connection with the exercise of the Agency’s powers under Regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit, and under Article 16 (2) and (3) of the Order under the Licence, or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 “The CPI” means the Consumer Price Index published by the Office for National Statistics or such other Index as the Agency may from time to time notify the Permit Holder.
 - 1.5 “Permit/Licence Holder’s Obligations” means all the Permit/Licence Holder’s duties and/or obligations arising from the Permit/Licence and/or the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) (“the PPC Regulations”) and the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 “the Review Date” means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.

- 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being made issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made issued or given under a re-enactment with or without any modification or extension.
- 1.10 Headings are inserted for reference purposes only and do not form part of this Deed.
- 1.11 This Deed shall be subject to and construed in accordance with Northern Ireland Law.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the Agency upon the Agency for the purpose of securing the performance and observance of the provisions of the Permit/Licence and further as security for the Agency for the purpose of satisfying Expenses incurred by the Agency in respect of any work undertaken by the Agency (whether by itself or any other authorised person) pursuant to Regulations 29(1) and/or (2) of the PPC Regulations and Article 16 (2) and (3) of the Order.
- Provided that the Agency has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3), in the case of the Permit, and in either case the Agency has served a notice on the Permit/Licence Holder requesting reimbursement of the Expenses within 10 Business Days of the date of service of the notice and the Permit/Licence Holder has failed to pay and thereupon the Permit/Licence Holder shall be unconditionally bound to satisfy the Expenses incurred by the Agency on demand on service of a Certificate of Default by the Agency upon the Permit/Licence Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit/Licence Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit/Licence Holder under this Deed shall not exceed the total of £1,254,445 and FURTHER PROVIDED THAT the amount secured

pursuant to this Deed shall be revised annually on the Review Date or on the date upon which the Agency serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later in line with the annual movement in the CPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.

- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the Agency at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit/Licence Holder to the Agency.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit/Licence Holder to satisfy and discharge the Expenses sustained by the Agency shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit/Licence Holder by the Agency of a Certificate of Default in the form of the draft annexed hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.
- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit/Licence Holder undertakes forthwith to make payment without any deduction direct to the Agency for the sum demanded.
- 3.3 The Agency may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit/Licence Holder.

RELEASE FROM THIS DEED

4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed
- 4.1 The Permit/Licence being surrendered or partially surrendered in either

case in respect of all of the specified waste management activity of the Permit/Licence pursuant to regulation 22(5) of the PPC Regulations and Article 13 (7) of the Order.

- 4.2 The Permit/Licence being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations and Article 14 of the Order except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom.
- 4.3 The Permit/Licence either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations and Article 12 of the Order in respect of all of the specified waste management activity where, in the case of the Permit, the regulator either:
 - 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
 - 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where case the Agency subsequently issues a certificate of satisfaction under regulation 24(7).
- 4.4 The Permit/Licence Holder providing to the Agency an alternative mechanism for making financial provision which is acceptable to the Agency in accordance with Clause 5.
- 4.5 The decision of a Court or Tribunal of competent jurisdiction.

ALTERNATIVE MECHANISM

- 5. Nothing contained in this Deed shall prevent the Permit/Licence Holder making an application to the Agency to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations or Article 3(3) (c) of the Order.

SERVICE OF NOTICES

- 6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class post or sent by telex or facsimile (confirmed in either of these cases by post) to the party to be given notice or served at the address specified herein or at such other address as the parties hereto may

from time to time so serve upon each other and such notice shall be deemed to have been given and such document served

- 6.1 If delivered personally or sent by telex or facsimile as aforesaid on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class post on the second Business Day after the date of posting.

FORBEARANCE BY THE AGENCY

- 7. No alteration in the terms of the Permit/Licence made under the PPC Regulations or in the extent or nature of the works to be provided constructed and maintained thereunder and no allowance of time by the Agency nor any forbearance forgiveness or compromise in or in respect of any matter or thing concerning the Permit/Licence on the part of the Agency shall discharge the Permit/Licence Holder from its liability hereunder.

COSTS

- 8. The Permit/Licence Holder shall pay the Agency's reasonable legal and administrative costs and expenses incurred in the preparation and execution of this Performance Deed in the sum of £100 plus Value Added Tax.

ARBITRATION OF DISPUTES

- 9.
 - 9.1 If any dispute arises between the parties as to the interpretation, implementation or operation of this Deed and the parties are unable to resolve the dispute amicably it shall be referred to arbitration by either party.
 - 9.2 A reference to a dispute shall not prevent the Agency recovering monies under this Deed in accordance with Clause 2.1.
 - 9.3 In the event of a reference to arbitration the parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act (Northern Ireland) 1996.

- 9.4 The parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
- 9.5 If the decision of the arbitrator is that the Agency has wrongly recovered monies under this deed in whole or in part then the Agency shall repay to the Permit/Licence Holder or such other person as directed by the Permit/Licence Holder within 20 Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date of wrongful recovery to the date of repayment to the Permit/Licence Holder or such other person as directed by the Permit/Licence Holder.
- 9.6 The parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each party shall bear its own costs.

APPENDIX (NOTICE)

THE FORM OF THE CERTIFICATE OF DEFAULT

To: MID ULSTER DISTRICT COUNCIL (Permit Holder)

CERTIFICATE OF DEFAULT relating to Performance Deed

Dated 27th June 2019 and

MADE BETWEEN:

MID ULSTER DISTRICT COUNCIL (“the Permit Holder”)

-and-

THE NORTHERN IRELAND ENVIRONMENT AGENCY (“the Agency”)

The Agency whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA hereby certifies that default has been made by the Permit/Licence Holder in the observance and performance of its obligations under PPC Permit dated the 16th April 2010 Reference P0336/09A (and subsequent Variation Notices)

&

Waste Management Licence dated the 29th April 2010 Reference LN/10/48/C (and subsequent modifications) issued by the Agency and/or the Deed made on 27th June 2019 between the Agency and the Permit/ Licence Holder in the following respects:-

As a result of the aforesaid default the Agency is entitled to recover under the above-mentioned Deed the amount £ _____ which sum the Agency hereby requires you to pay pursuant to your obligation under the said Deed.

Dated this day of 20.....

Signed

(Authorised Officer of the Agency)

Authorised signatories:

IN WITNESS of which the parties have executed this Deed the day and year first written above

Present when the Seal of
Mid Ulster District Council
was affixed hereto

Chief Executive

Chairperson

Signed and Delivered as a Deed by _____

on behalf of the Northern Ireland Environment Agency

dated [] in the presence of:-

Signature of Witness: _____

Address of Witness:

DATED 27th June 2019

MID ULSTER DISTRICT COUNCIL
-and-
FERMANAGH & OMAGH DISTRICT COUNCIL

-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED
(LOCAL AUTHORITIES)

in relation to:-

TULLYVAR LANDFILL SITE

THIS DEED is made the 27th of June 2019

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** and **FERMANAGH & OMAGH DISTRICT COUNCIL** whose principal office is at Circular Road, Dungannon, BT71 6DT (“Permit Holder”)

-and-

2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS** acting through the **NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (The Department of Agriculture, Environment and Rural Affairs hereafter called the “Agency”).

RECITALS

- (A) The Permit Holder operates the installation at Tullyvar Landfill Site, 130 Tullyvar Road, Aughnacloy, BT69 6BN which includes a specified waste management activity (“the Installation”) and any reference to Permit Holder shall include its successors in title.
- (B) The Agency is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) (“the PPC Regulations”) and references to the Agency shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference PO184/07A) (“the Permit”) was issued to the Permit Holder by the Agency on 30th October 2007 for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained in the Permit as amended from time to time.
- (D) In order to satisfy the Agency that the Permit Holder is a fit and proper person for the purposes of the PPC Regulations the Permit Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit.
- (E) The provision made by this Deed is without limitation to the Agency’s other rights and powers under the PPC Regulations and/or the Permit.

NOW IT IS AGREED as follows

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 “Agreed Interest” means interest at the rate of 2% above the base rate of Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 “Business Day” means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 “Expenses” includes all costs and other expenses of whatsoever nature (on a full indemnity basis) incurred by the Agency in connection with the exercise of the Agency’s powers under regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 “The CPI” means the Consumer Price Index published by the Office for National Statistics or such other Index as the Agency may from time to time notify the Permit Holder.
 - 1.5 “Permit Holder’s Obligations” means all the Permit Holder’s duties and/or obligations arising from the Permit and/or the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 “the Review Date” means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.
 - 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being

made issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made issued or given under a re-enactment with or without any modification or extension.

1.10 Headings are inserted for reference purposes only and do not form part of this Deed.

1.11 This Deed shall be subject to and construed in accordance with Northern Ireland Law.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the Agency upon the Agency for the purpose of securing the performance and observance of the provisions of the Permit and further as security for the Agency for the purpose of satisfying Expenses incurred by the Agency in respect of any work undertaken by the Agency (whether by itself or any other authorised person) pursuant to regulations 29(1) and/or (2) of the PPC Regulations.

Provided that the Agency has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3) and in either case the Agency has served a notice on the Permit Holder requesting reimbursement of the Expenses within 10 Business Days of the date of service of the notice and the Permit Holder has failed to pay and thereupon the Permit Holder shall be unconditionally bound to satisfy the Expenses incurred by the Agency on demand on service of a Certificate of Default by the Agency upon the Permit Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit Holder under this Deed shall not exceed the total of £1,396,596 and FURTHER PROVIDED THAT the amount secured pursuant to this Deed shall be revised.

(i) annually on the Review Date or on the date upon which the Agency serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later in line with

the annual movement in the CPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.

- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the Agency at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit Holder to the Agency.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit Holder to satisfy and discharge the Expenses sustained by the Agency shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit Holder by the Agency of a Certificate of Default in the form of the draft annexed hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.
- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit Holder undertakes forthwith to make payment without any deduction direct to the Agency for the sum demanded.
- 3.3 The Agency may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit Holder.

RELEASE FROM THIS DEED

4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed
- 4.1 The Permit being surrendered or partially surrendered in either case in respect of all of the specified waste management activity of the Permit pursuant to regulation 22(5) of the PPC Regulations.
- 4.2 The Permit being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom.

- 4.3 Permit either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations in respect of all of the specified waste management activity where the regulator either:
- 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
- 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where case the Agency subsequently issues a certificate of satisfaction under regulation 24(7).
- 4.4 The Permit Holder providing to the Agency an alternative mechanism for making financial provision which is acceptable to the Agency in accordance with Clause 5.
- 4.5 The decision of a Court or Tribunal of competent jurisdiction.

ALTERNATIVE MECHANISM

5. Nothing contained in this Deed shall prevent the Permit Holder making an application to the Agency to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations.

SERVICE OF NOTICES

6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class post or sent by telex or facsimile (confirmed in either of these cases by post) to the party to be given notice or served at the address specified herein or at such other address as the parties hereto may from time to time so serve upon each other and such notice shall be deemed to have been given and such document served
- 6.1 If delivered personally or sent by telex or facsimile as aforesaid on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class post on the second Business Day after the date of posting.

FORBEARANCE BY THE AGENCY

7. No alteration in the terms of the Permit made under the PPC Regulations or in the extent or nature of the works to be provided constructed and maintained thereunder and no allowance of time by the Agency nor any forbearance forgiveness or compromise in or in respect of any matter or thing concerning the Permit on the part of the Agency shall discharge the Permit Holder from its liability hereunder

COSTS

8. The Permit Holder shall pay the Agency's reasonable legal and administrative costs and expenses incurred in the preparation and execution of this Performance Deed in the sum of £100 plus Value Added Tax

ARBITRATION OF DISPUTES

9.
 - 9.1 If any dispute arises between the parties as to the interpretation implementation or operation of this Deed and the parties are unable to resolve the dispute amicably it shall be referred to arbitration by either party.
 - 9.2 A reference to a dispute shall not prevent the Agency recovering monies under this Deed in accordance with Clause 2.1.
 - 9.3 In the event of a reference to arbitration the parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act (Northern Ireland) 1996.
 - 9.4 The parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
 - 9.5 If the decision of the arbitrator is that the Agency has wrongly recovered monies under this deed in whole or in part then the Agency shall repay to the Permit Holder or such other person as directed by the Permit Holder within 20 Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date

of wrongful recovery to the date of repayment to the Permit Holder or such other person as directed by the Permit Holder.

- 9.6 The parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each party shall bear its own costs.

IN WITNESS of which the parties have executed this Deed the day and year first written above

Present when the Seal of
Mid Ulster District Council
was affixed hereto

Chief Executive

Chairperson

Present when the Seal of
Fermanagh & Omagh District Council
was affixed hereto

Chief Executive

Chairperson

Signed and Delivered as a Deed by _____

on behalf of the Northern Ireland Environment Agency

dated [] in the presence of:-

Signature of Witness: _____

Address of Witness:

THIS AGREEMENT is made the 27th day of June 2019 between MID ULSTER DISTRICT COUNCIL of Circular Road, Dungannon in the County of Tyrone (“Mid Ulster”) of the one part and FERMANAGH & OMAGH DISTRICT COUNCIL of The Grange, Mountjoy Road, Omagh in the County of Tyrone (“Fermanagh & Omagh”) of the other part.

WHEREAS:-

a) Mid Ulster and Fermanagh & Omagh are the joint owners of Tullyvar Landfill Site and are the joint holders of a Permit issued under the Pollution Prevention and Control (Northern Ireland) Regulations 2003 in respect of the waste management activity carried on therein.

b) Mid Ulster and Fermanagh & Omagh have today executed a Performance Deed with the Department of Agriculture, Environment and Rural Affairs acting through the Northern Ireland Environment Agency for the purpose of securing performance and observance of the provisions of the Permit a copy of which is set out in Schedule One attached hereto.

NOW IT IS HEREBY agreed that Mid Ulster and Fermanagh & Omagh shall each be liable for and shall discharge without deduction, set-off or counterclaim one half of any liability which may from time to time arise on foot of the Performance Deed.

IN WITNESS whereof the parties hereby have affixed their seals the day and year first herein written.

Present when the Seal of
Mid Ulster District Council
was affixed hereto

Chief Executive

Chairperson

Present when the Seal of
Fermanagh & Omagh District Council
was affixed hereto

Chief Executive

Chairperson

Report on	Dual Language Signage Survey
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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 surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.
2.0	Background
2.1	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.
2.2	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.
2.3	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.
3.0	Main Report
3.1	The Building Control Service within the Public Health and Infrastructure Directorate issued occupiers of the undernoted streets, correspondence seeking their views on the request to erect a dual-language street nameplate.
3.2	Completed surveys were received by the return date and the outcome is as follows in each case:

3.3

Name of Street	The Orchard, Draperstown
Language Requested	Irish
Date Request Validated	29/01/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	47
Survey Letters Returned	12
Replies in Favour	10
Replies not in Favour	0
Invalid	2
Valid Returns	10
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at The Orchard, Draperstown.

3.4

Name of Street	Back Lower Road, Dungannon
Language Requested	Irish
Date Request Validated	22/02/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	157
Survey Letters Returned	66
Replies in Favour	65
Replies not in Favour	0
Invalid	1
Valid Returns	65
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Back Lower Road, Stewartstown.

3.5

Name of Street	Regency Drive, Magherafelt
Language Requested	Irish
Date Request Validated	14/02/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	18
Survey Letters Returned	13
Replies in Favour	13
Replies not in Favour	0
Invalid	0
Valid Returns	13
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Regency Drive, Magherafelt.

3.6

Name of Street	Dalriada Park, Dungannon
Language Requested	Irish
Date Request Validated	14/02/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	145
Survey Letters Returned	83
Replies in Favour	82
Replies not in Favour	1
Invalid	0
Valid Returns	83
Percentage in Favour	99%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Dalriada Park, Dungannon.

3.7

Name of Street	Wellbrook Avenue, Dungannon
Language Requested	Irish
Date Request Validated	22/02/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	34
Survey Letters Returned	17
Replies in Favour	12
Replies not in Favour	3
Invalid	2
Valid Returns	15
Percentage in Favour	80%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Wellbrook Avenue, Dungannon.

3.8

Name of Street	Carrycastle Road, Aughnacloy
Language Requested	Irish
Date Request Validated	22/02/2019
Survey Request Approved by Environment Committee	12/03/2019
Surveys Issued	02/04/2019
Surveys returned by	30/04/2019
Survey Letters Issued	67
Survey Letters Returned	35
Replies in Favour	25
Replies not in Favour	10
Invalid	0
Valid Returns	35
Percentage in Favour	71%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Carrycastle Road, Aughnacloy.

3.9

Name of Street	Chapel Street, Cookstown
Language Requested	Irish
Date Request Validated	12/03/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	48
Survey Letters Returned	18
Replies in Favour	16
Replies not in Favour	2
Invalid	0
Valid Returns	18
Percentage in Favour	89%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Chapel Street, Cookstown.

3.10

Name of Street	Glen Gardens, Maghera
Language Requested	Irish
Date Request Validated	12/03/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	17
Survey Letters Returned	12
Replies in Favour	12
Replies not in Favour	0
Invalid	0
Valid Returns	12
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Glen Gardens, Maghera.

3.11

Name of Street	Killymoon Street, Cookstown
Language Requested	Irish
Date Request Validated	11/03/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	51
Survey Letters Returned	39
Replies in Favour	24
Replies not in Favour	12
Invalid	3
Valid Returns	36
Percentage in Favour	67%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Killymoon Street, Cookstown.

3.12

Name of Street	Tirnaskea Road, Pomeroy
Language Requested	Irish
Date Request Validated	11/03/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	31
Survey Letters Returned	20
Replies in Favour	20
Replies not in Favour	0
Invalid	0
Valid Returns	20
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Tirnaskea Road, Pomeroy.

3.13

Name of Street	Gortsraheen Road, Pomeroy
Language Requested	Irish
Date Request Validated	22/02/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	58
Survey Letters Returned	33
Replies in Favour	27
Replies not in Favour	6
Invalid	0
Valid Returns	33
Percentage in Favour	82%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Gortsraheen Road, Pomeroy.

3.14

Name of Street	Loughview Close, Stewartstown
Language Requested	Irish
Date Request Validated	22/03/2019
Survey Request Approved by Environment Committee	01/04/2019
Surveys Issued	25/04/2019
Surveys returned by	23/05/2019
Survey Letters Issued	16
Survey Letters Returned	7
Replies in Favour	7
Replies not in Favour	0
Invalid	0
Valid Returns	7
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, then the Members are requested to consider to permit or not permit the erection of the dual language nameplates at Loughview Close, Stewartstown.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	<p>That Members note the results of the surveys and agree the application of Dual Language Nameplates in Irish for the streets/roads as noted below:</p> <ol style="list-style-type: none"> 1. The Orchard, Draperstown 2. Back Lower Road, Dungannon 3. Regency Drive, Magherafelt 4. Dalriada Park, Dungannon 5. Wellbrook Avenue, Dungannon 6. Carrycastle Road, Aughnacloy 7. Chapel Street, Cookstown 8. Glen Gardens Maghera 9. Killymoon Street, Cookstown 10. Tirnaskea Road, Pomeroy 11. Gortsraheen Road, Pomeroy 12. Loughview Close, Stewartstown

6.0	Documents Attached & References
6.1	Appendix 1 – Street Naming and Dual Language Signage – Section 6.0 : Dual Language Signage Nameplates Policy
6.2	Appendix 2 – Dual Language Nameplate Translation for each street/road

Policy on Dual Language Nameplate Signage

Document Control			
Policy Owner	Director of Public Health & Infrastructure		
Policy Author	Director of Public Health & Infrastructure		
Version	Version 1		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Principal Building Control Officer	Date	20/02/2019
Equality Impact Assessment	N/A	Date	
Good Relations	N/A		
Approved By	Environment Committee	Date	12/03/2019
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Document Linkages			

CONTENTS PAGE

Paragraph	Description	Page Number
1.0	Introduction	
2.0	Policy Aim & Objectives	
3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Dual Language Signage Nameplates	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
A	Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995	
B	Dual Language Signage Nameplates: <i>Procedure</i>	
C	Name Plate Layout	
D	Accessiblity Statement	
E	Sample of correspondance	

1.0 Introduction

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Erection of dual language Street signage

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure that requests for the erection of dual language nameplate signage for existing streets are delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Signage requirements.
- To lay out and facilitate a process whereby residents may request that their street be named in any other language other than English.
- To facilitate a process that considers requests from residents to have their street sign displayed in their chosen language as well as in English.

3.0 Policy Scope and Legislative Framework

3.1 This policy relates specifically to the naming of the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

3.2 This legislation empowers Council to authorise the naming of streets within its respective District. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

3.3 For purposes of this Policy, the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

5.0 Dual Language Signage Nameplates

- 5.1 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.
- 5.2 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.
- 5.3 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, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for 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.

- 5.4 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.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 **Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 **Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 **Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

- 10.1 Implementation of this policy will be routinely monitored and a formal review undertaken 24 months from its effective commencement date.

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
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

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 letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of 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 applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A 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 letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
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 which has been signed and name printed as required, 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 occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. 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.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation 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 second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. 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 C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

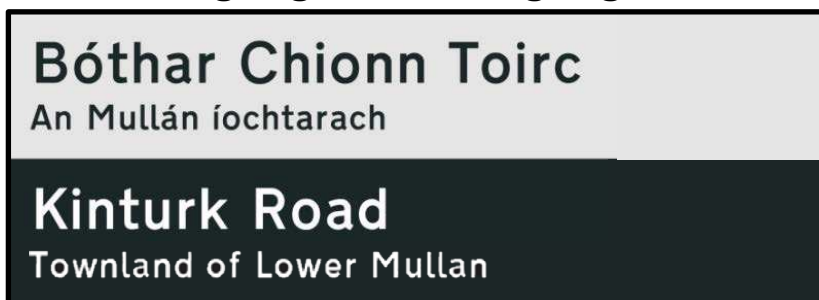


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun. Road
Cookstown
BT86 8DT

Dungannon Office
Lipton Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
willie.wilkinson@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

Appendix 2

Dual Language Nameplates

	Current Name	Irish Translation
Road	The Orchard	An tÚllord
Townland	Straw	Srath

	Current Name	Irish Translation
Road	Back Lower Road	Bóthar na Baice Íochtarai
Townlands	Killycolpy Back Upper	Coill an Cholpa An Bhac Uachtarach

	Current Name	Irish Translation
Road	Regency Drive	Céide na Leasríochta
Townland	Town Parks of Magherafelt	Páirceanna Baile Mhachaire Fíolta

	Current Name	Irish Translation
Road	Dalriada Park	Páirc Dhál Riada
Townland	Drumcoo	Droim Cuach

	Current Name	Irish Translation
Road	Wellbrook Avenue	Ascaill Shruthán an Tobair
Townland	Lisnahull	Lios an Choill

	Current Name	Irish Translation
Road	Carrycastle Road	Bóthar Charraig an Chaisleáin
Townlands	Knocknaroy Legane Knocknacloy	Cnoc na Rua Liagánach Cnoc na Cloiche

	Current Name	Irish Translation
Road	Chapel Street	Sráid an tSéipéil
Townlands	Loy Gortalowry	Baile na Loinge Gort an Leamhraigh

	Current Name	Irish Translation
Road	Glen Gardens	Garraithe an Ghleanna
Townland	Craigadick	Creag an Díogha

	Current Name	Irish Translation
Road	Killymoon Street	Sráid Choillidh Muáin
Townland	Gortalowry	Gort an Leamhraigh

	Current Name	Irish Translation
Road	Tirnaskea Road	Bóthar Thír na Sceiche
Townlands	Tirnaskea Derrygortanea	Tír na Sceiche Doire Ghort an Fhéich

	Current Name	Irish Translation
Road	Gortsraheen Road	Bóthar Ghort an Scaithín
Townland	Limehill	Gort an Scaithín

	Current Name	Irish Translation
Road	Loughview Close	Clós Radharc an Locha
Townland	Parker's Farm	An Fhaiche

Report on	Street Naming and Property Numbering
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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 new residential Housing Developments 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 Numbering, 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 have received requests for the naming of streets within proposed residential development as follows:</p> <p style="text-align: center;">I. Site off Aghareany Road, Donaghmore</p> <p>An application has been submitted by Alskea Contracts Ltd for the naming of a new street within a proposed residential development off Aghareany Road, Donaghmore. The developer has submitted the following options for consideration (See Appendix 2).</p> <p style="text-align: center;"> 1. Ferny Park Gardens 2. Aghareany Court </p> <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>

II. Site off Ballyronan Road, Magherafelt

An application has been submitted by Mr J Donnelly for the naming of a new street within a proposed business park development off Ballyronan Road, Magherafelt. The developer has submitted the following options for consideration (See Appendix 3).

- 1. Ronan Valley Business Park**
- 2. Magherafelt Business Park**
- 3. Ballyronan Road Business Park**

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.

III. Site off Main Street, Castlecaulfield

An application has been submitted by Mr C Quinn for the naming of a new street within a proposed residential development off Main Street, Castlecaulfield. The developer has submitted the following options for consideration (See Appendix 4).

- 1. Old Forge Lane**
- 2. New Forge Lane**
- 3. Forge Mews**

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.

IV. Site off Aghareany Road, Donaghmore

An application has been submitted by P K Murphy Construction Ltd for the naming of a new street within a proposed residential development off Aghareany Road, Donaghmore. The developer has submitted the following options for consideration (See Appendix 5).

- 1. Landerg**
- 2. Larden Meadow**
- 3. Larden Fields**

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.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: No
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 each street within a new residential development within Mid Ulster.</p> <p>I. Site off Aghareany Road, Donaghmore</p> <p>Either Ferny Park Gardens Or Aghareany Court</p> <p>II. Site off Ballyronan Road, Magherafelt</p> <p>Either Ronan Valley Business Park Or Magherafelt Business Park Or Ballyronan Road Business Park</p> <p>III. Site off Main Street, Castlecaulfield</p> <p>Either Old Forge Lane Or New Forge Lane Or Forge Mews</p> <p>IV. Site off Aghareany Road, Donaghmore</p> <p>Either Landerg Or Larden Meadow Or Larden Fields</p>

6.0	Documents Attached & References
6.1	Appendix 1 – Policy for Street Naming and Numbering
6.2	Appendix 2 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Aghareany Road, Donaghmore
6.3	Appendix 3 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Ballyronan Road, Magherafelt.
6.4	Appendix 4 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Main Street, Castlecaulfield
6.5	Appendix 5 – Pro-forma containing street naming proposals, location map and site layout plan for new street off Aghareany Road, Donaghmore

Policy on Street Naming and Numbering

Document Control			
Policy Owner	Director of Public Health & Infrastructure		
Policy Author	Director of Public Health & Infrastructure		
Version	Version 1		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Principal Building Control Officer	Date	20/02/2019
Equality Impact Assessment	N/A	Date	
Good Relations	N/A		
Approved By	Environment Committee	Date	12/03/2019
Adopted By	Council	Date	28/03/2019
Review Date		By Whom	
Circulation	Councillors, Staff		
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Contents Page

Paragraph	Description	Page Number
1.0	Introduction	
2.0	Policy Aim & Objectives	
3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Naming of new Streets	
6.0	Renaming Existing Streets	
7.0	Roles & Responsibilities	
8.0	Impact Assessments <ul style="list-style-type: none"> • Equality Screening & Rural Needs Impact • Staff & Financial Resources 	
9.0	Support & Advice	
10.0	Communication	
11.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
A	Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995	
B	Naming of New Streets and Housing Developments: <i>Procedure</i>	
C	Renaming Existing Streets: <i>Procedures</i>	

1.0 INTRODUCTION

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Naming of New Streets and Housing Developments;
- (ii) Renaming and Re-numbering existing streets

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure the naming of New Streets and Housing Developments is delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Naming requirements
- To confirm the mechanism and process by which Mid Ulster District Council will name new streets and housing developments
- To provide residents with a process whereby they may request the renaming of their street
- To ensure street names are reflective of localities within which they are being proposed and engagement of all affected residents of streets where requests have been received to rename

3.0 Policy Scope and Legislative Framework

3.1 This policy relates specifically to the naming of New Streets/ Housing Developments and processing requests for the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

- 3.2 This legislation empowers Council to authorise the naming of streets within its respective District. The 1995 Order provides for street naming, street numbering and the provision of street signs. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

Interpretation and Definitions

- 3.3 For purposes of this Policy the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

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. The procedure that will apply in relation to proposal under this [policy] is contained in Appendix [B]. Building names are not controlled by statute and do not form part of this Policy.
- 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

6.0 Renaming and Renumbering Existing Streets

- 6.1 Provision shall be made for the renaming and renumbering of existing Streets within the Mid Ulster District Council area, where instances as noted in 7.2 below require that that this be undertaken to maintain a consistent approach to street naming. The 1995 Order empowers Council to authorise Street names within the area they administer. The procedure that will apply in relation to a proposal under this policy is contained in Appendix C.

6.2 Criteria - General

The renaming or renumbering of an existing street shall normally only be considered;

- To remove similar or the same street name in the immediate locality
- Where a street name has been 'lost'
- To correct an incorrectly spelt name
- If emergency services have reported problems in identifying and locating the street
- If postal services or other statutory agencies has reported problems in identifying and locating the street
- Where a request has been received by the Council and signed by not less than 50% of the occupiers of a street to which a change is being sought. This would be based on 1 occupier per premises on the relevant street

7.0 Roles and Responsibilities

- 7.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 7.2 **Building Control Service:** shall be responsible for implementing arrangements to administer; (i) requests to name New Streets and Housing Developments and (ii) requests to rename existing Streets.
- 8.0 Impact Assessments**
- 8.1.1 **Equality Screening & Impact**
- 8.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 8.2 Rural Needs Impact**
- 8.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 8.3 Staff & Financial Resources**
- 8.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented. Valid requests for determination will be brought to attention of Committee.
- 9.0 Support and Advice**
- 9.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control
- 10.0 Communication**
- 10.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy
- 11.0 Monitoring and Review Arrangements**
- 11.1 Implementation of this policy will be routinely monitored and a formal review undertaken 24 months from its effective commencement date.

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
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings;

Appendix B

Naming of New Streets and Housing Developments: *Procedure*

1. 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.
2. 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
3. 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.
4. 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.
5. 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
6. Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision
7. 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
8. 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.
9. Names shall be shown on nameplates which will include the townland where relevant and erected in line with current Guidance.
10. New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.

Appendix C

Renaming Existing Street Name: Procedures

This procedure provides guidelines for the procedure for renaming of existing street/road names which the 1995 Order empowers councils to authorise. The following procedure for canvassing the views of occupiers and the criteria to be applied in deciding whether to rename a street with an alternative in English shall be:

1. Upon receipt of a petition, signed by not less than 50% of the householders (based on one resident per household over the age of 18) of the street/road ("a Petition") the Council will consider a survey of the street/road in relation to the desired name change and reason for same.
2. The proposed name must meet the criteria set down in this policy for the naming of New Streets, as detailed within 5.2 of this policy.
3. If the Department considers the new name meets the criteria, approval to undertake the survey will be sought from the Environment Committee.
4. The Council will survey, by post, to the occupier(s) of each of the properties listed on the Electoral Register and one survey per established business as appears on the Non-Domestic Valuation List of that street/road or the part of a street/road affected at that time; seeking their views on the request to change the name. The survey shall be carried out by the Council's Building Control service.
5. Replies will be by way of a supplied self-addressed envelope and must be returned by the date specified in the correspondence giving notification of the survey and reason for same . Only replies received from registered occupiers by that date will be considered
6. The outcome of the survey will be presented to the Environment Committee and only where all occupiers (100 %) in the affected street agree with the proposed name change, will a recommendation be presented to approve the change.
7. Where a request is not approved any further request will not be considered until the expiry of a 12 month period from the date of the Environment Committee meeting where the outcome of the survey was considered.
8. Where a Petition to have an existing street renamed is not approved then the occupiers will be notified of this.
9. Where a new nameplate is erected. The decision to remove an existing nameplate will be made by Property Services, where deemed necessary to do so.

10. Historical nameplates may remain in place where they are fitted to an existing wall (or dwelling), where they will not affect directional issues. This shall be at the discretion of Property Services.
11. Where the Department receives a request from the emergency services, mail delivery services or other statutory bodies who have difficulty locating the street to rename it. They shall inform residents as noted above and consider to survey and rename the street upon the agreement of all households on that street. Such requests shall be notified to and approval sought from Environment Committee and outcome of survey reported to same.

MID ULSTER DISTRICT COUNCIL**New Street Name Proposals**

Applicants Name & Address: 16a CROSSCAVANAGH ROAD, DUNGANNON, BT70 3BS

Description: 514 HOUSE DEVELOPMENT AT SITE IMMEDIATELY SOUTH OF 12 AGHAREANY CLOSE, AGHAREANY ROAD, DONAGHMORE, DUNGANNON.

Ref: F/2019/0559



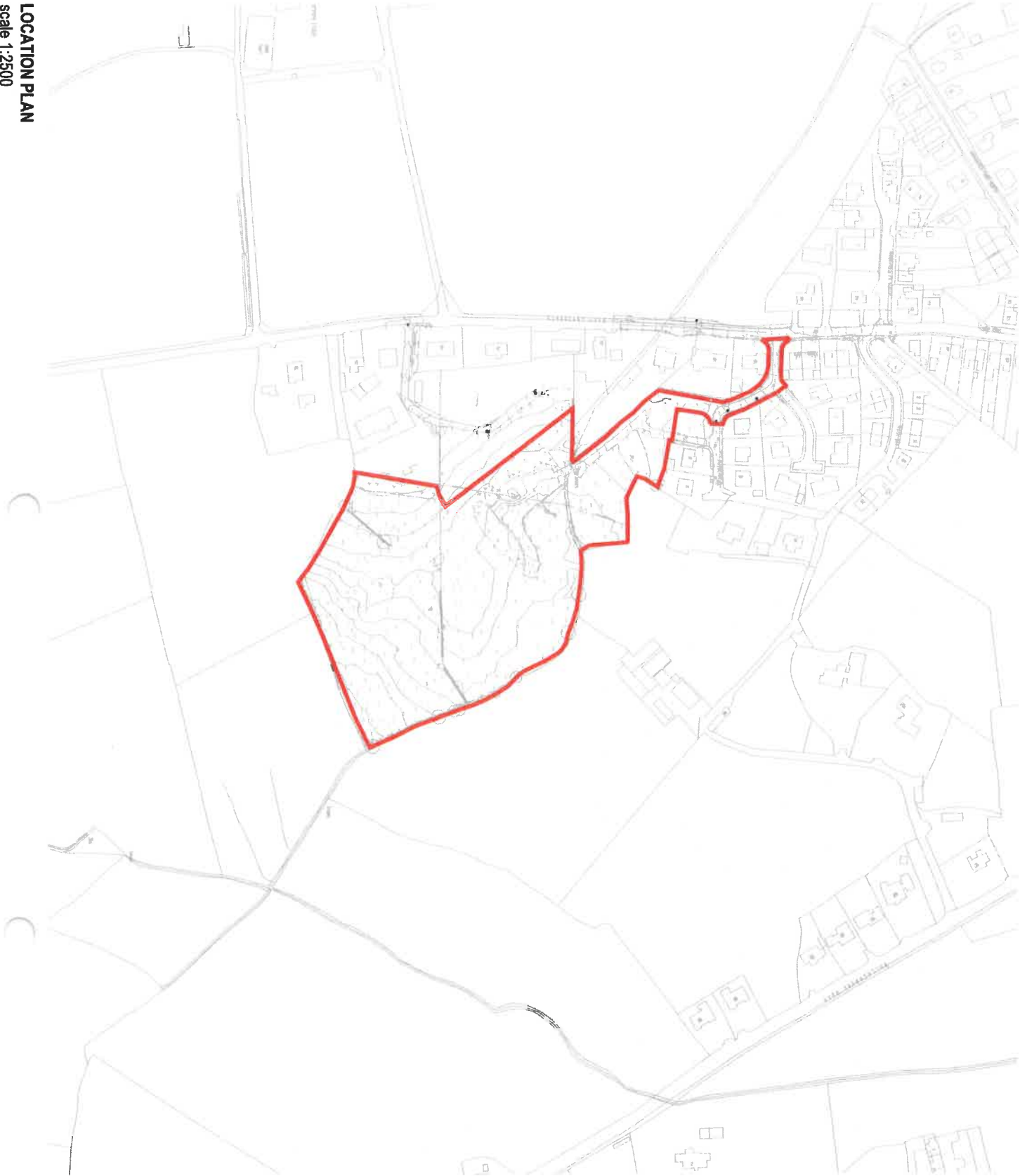
	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	FERNY PARK GARDENS	AGHAREANY IN IRISH IS 'ACHADH RATHNIGHE' WHICH TRANSLATES TO FERNY HILL.	LINKS NEW DEVELOPMENT TO TRADITIONAL NAME & HERITAGE. NAME SUITS THE DEVELOPMENT AS THERE IS A OPEN GREEN SPACE IN THE MIDDLE OF THE SITE.
Option 2	AGHAREANY COURT	ACCESSED OFF AGHAREANY CLOSE	LOCAL TO AGHAREANY CLOSE.
Option 3			

* 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 *[Signature]*

Dated 20/05/19



Revisions:			
Rev	Date	Comments	By
1	04.12.18	PA	PA
2	04.12.18	Client Appr.	Client Appr.

Client:

Project:
Proposed Residential Development
Aghareany Road, Dungannon

Drawing Title:
Location Plan

Project No:	Date:	Scale:
PD01	December 2018	1:1250@A3
Drawing No:	Rev:	
AC-PD01 - L01	P	



MID ULSTER DISTRICT COUNCIL**New Street Name Proposals**

Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

Applicants Name & Address: Mr John Donnelly

Description: Re-naming of former concrete production yard

Ref: 3241

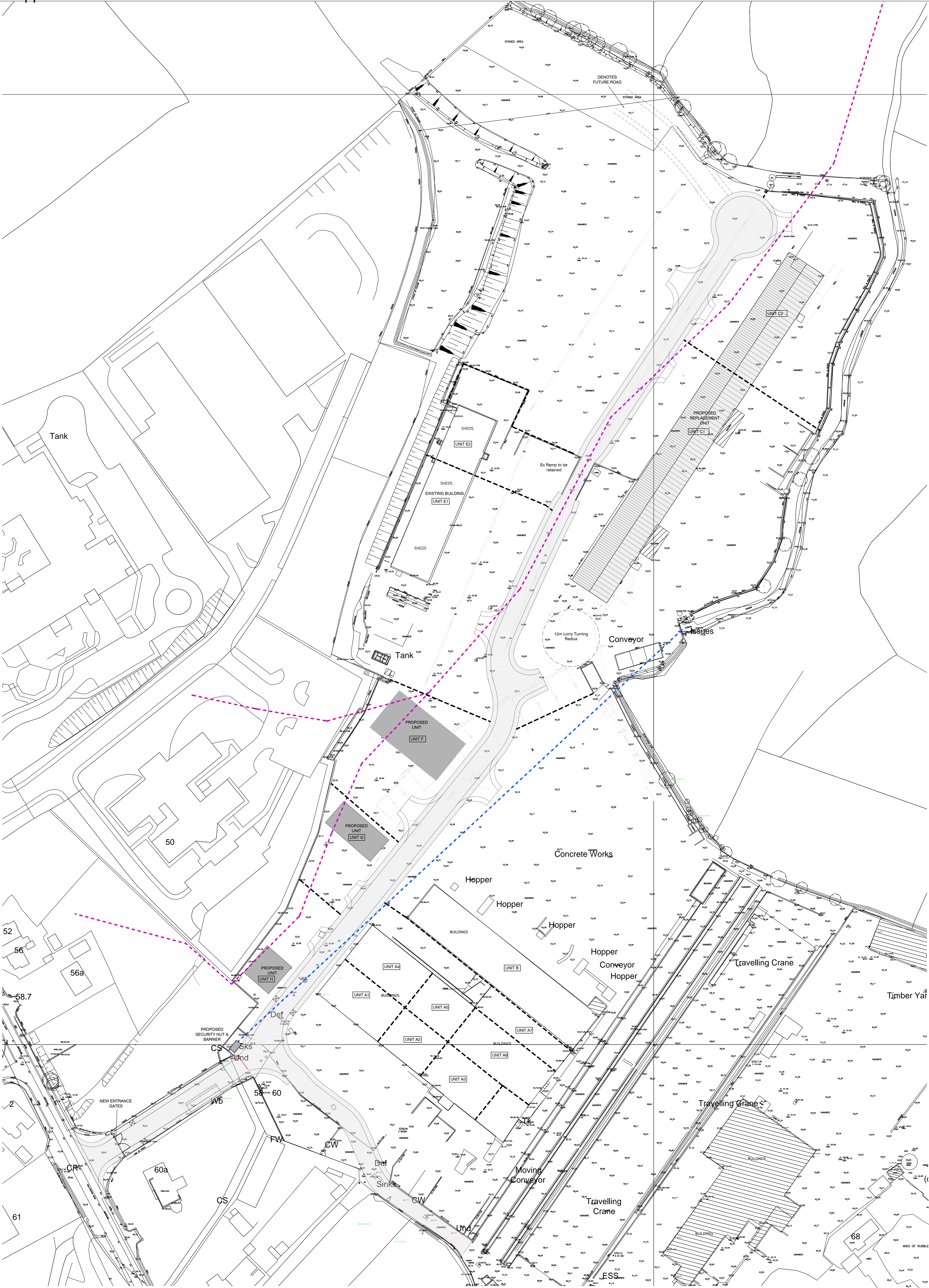
	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Ronan Valley Business Park	Name after local land feature	The name is unique to this part of the town. Local golf club is called Ronan Valley
Option 2	Magherafelt Business Park	Town name used in name	Business park located in Magherafelt town
Option 3	Ballyronan road Business Park	Name of road used in description	New park is accessed off the Ballyronan road

* 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 Brendan Somerville

Dated 29-03-19



NOTES

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A0
ORDER SIZE

LEGEND

Draft

John Donnelly		60 Ballyronan Road, Magherafelt		Master Site Plan	
VISION DESIGN ARCHITECTURE		Industrial Lands		3241 - SK03	
31 Rainey Street Magherafelt N. Ireland BT45 5DA visiondesign.org.uk tel: 028 7930 0866		Scale 1:500 @ A0		Date Jan 19	
Revision	Drawn By	Chkd By	Date	Comments	

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address: Carm Quinn
23 DRUMCAIRN RD
ARMUGH BT61 8DQ

Description: 4 new dwellings adjacent to
4 main st Drumcairn ID30

Ref: F/2018/1593/MST



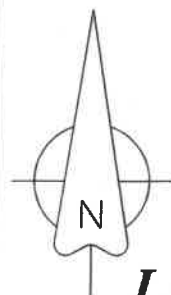
Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	OLD FORGE LANE Main St Drumcairn	This was the site of the former Forge in Drumcairn Village	Links to the previous use & activity on this site
Option 2	NEW FORGE LANE Main St Drumcairn	"	"
Option 3	Forge New Main St Drumcairn	"	"

* 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
 Dated 19/1/19



LO
MAP
SCALE

A2	For App
A1	Transp
A0	For App
rev.	descript

job title:
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OF No.4 MAI

drawing title:
LOCATION M
(MAP REF M

client:
MR COLM C

MCI
&

McKeown &
Architectural
1 Annagher
Co. Tyrone E
Tel: 028 877
Fax: 028 87
E-MAIL: info

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checked:	A
M.N.	B
drawn:	
A.McN	

drawing no:
J1633/10

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Applicants Name & Address:

PK Murphy Construction Ltd

Description:

91 SUGAN ROAD
ROMEROY BT70 2UD

Ref:

New Housing Development

	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	LANDERG	LANDERG is a description of the native soil from ASHABERRY ie, (Rich Red Soil)	This name "Landers" is an old historical name applicable to this ASHABERRY townland for its Rich Soil
Option 2	LARDEN MEADOWS	There was a old Public well in this field in Times past that served the whole community with fresh water. The name "LARDEN well" is directly associated with ASHABERRY	We chose this Pottery name to keep the link with the historical past ie, LARDEN well LARDEN FIELDS LARDEN MEADOWS
Option 3	LARDEN FIELDS	Again the word LARDEN has very long established links to this part of DOUGLITMORE Village	

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

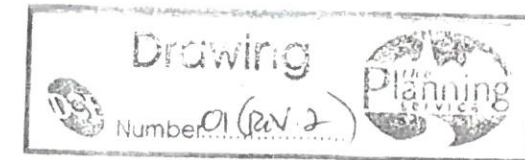
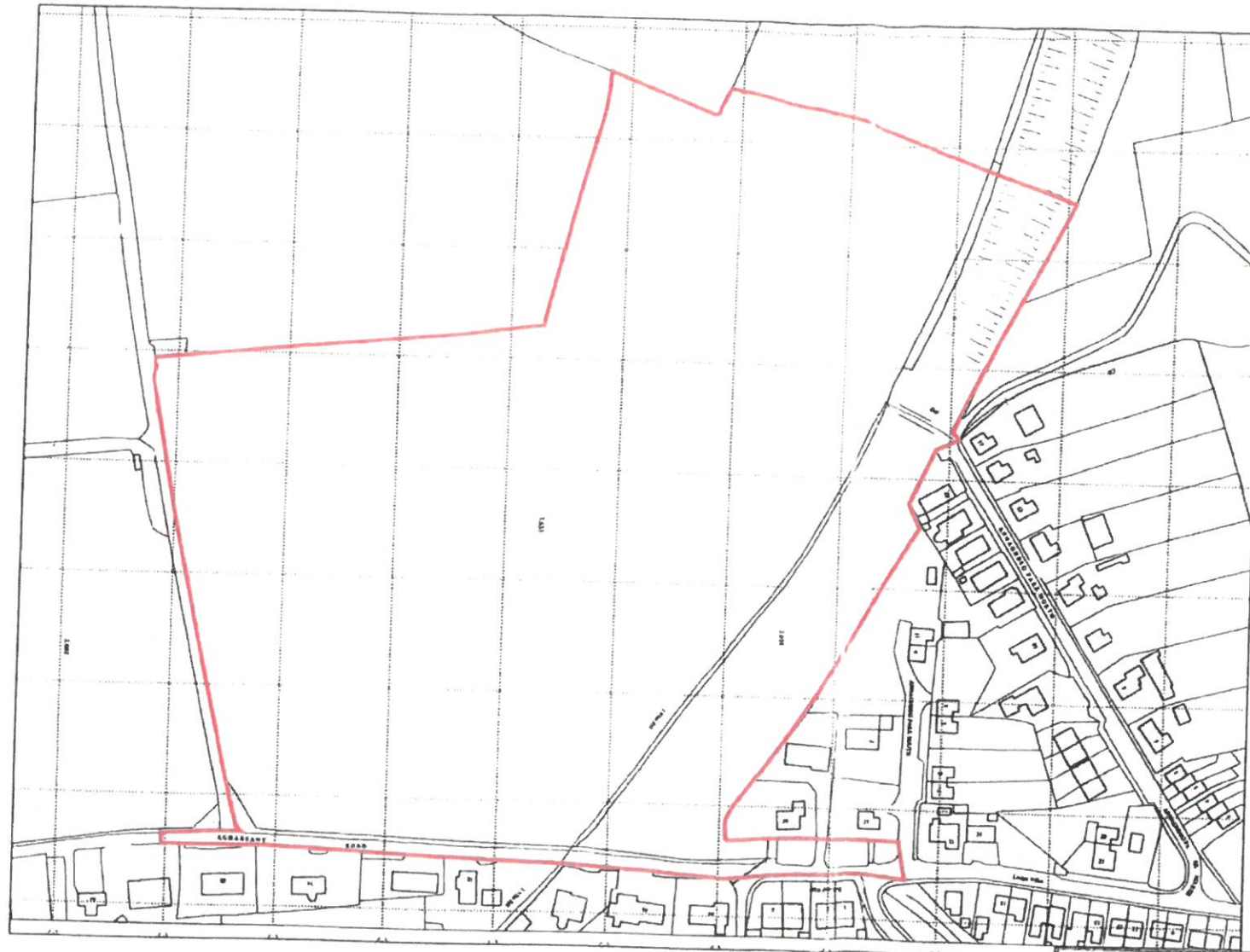
Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed

Mark Murphy

Dated 21.5.19

Site outlined red



Revisions:

Client
PK Murphy Ltd

Project Title
PROPOSED HOUSING
DEVELOPMENT, LAND TO
THE WEST OF ARGAREANY
ROAD, DONAGHMORE

Drawing Title
SCHEME DESIGN DRAWING
LOCATION MAP

Scale 1:2500	Date 10/02/11	Drawn By JC
-----------------	------------------	----------------

Drg. No.
06-14-01

Planning (N.I.)
Order 1991



GRANTED

Subject to Conditions (if any)
as set out on

Decision form No. **M12008/0771/F**
14 Date **02/11/2011**

Location Map O.S. GRND Ref 160-06
1:2500

Report on	Service Level Agreement for provision of Structural Engineering Services
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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 approval to sign a Service Level Agreement between Mid Ulster District Council and Fermanagh and Omagh District Council for the provision of specialist structural engineering services for the Mid Ulster Building Control Service.
2.0	Background
2.1	A Service Level Agreement has been in place from 1 st April 2015 with specialist structural services being provided by a Specialist Building Control Officer employed by Fermanagh and Omagh District Council on the understanding that a shared structural engineering assessment service would be provided equally across both District Council areas. The cost of this structural engineering service provided is shared equally between both councils.
3.0	Main Report
3.1	The services covered in this agreement are outlined in the attached Service Level Agreement and are subject to performance review of the service provided.
3.2	<p>The services provided to Mid-Ulster District Council by the Specialist Structural Engineer are as follows:</p> <ul style="list-style-type: none"> • Assessment of structural calculations/details for Building Regulation applications including structural related issues on site where required • Professional opinion/investigations to be provided for generic structural issues • Assessment of Dangerous Structures as requested on site • Advice on structural aspects of Capital Projects • Structural Surveys/Reports for Council Buildings

	<ul style="list-style-type: none"> • Structural Assessments for other Council Departments; e.g. Planning • Undertake other related duties within the necessary skills and competencies of Building Control
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: £45,000 per annum
	Human: The service will continue to be carried out by the Specialist Building Control Officer providing structural engineering assessments, advice, guidance and assistance
	Risk Management: The continuation of the Service Level Agreement with Fermanagh and Omagh District Council for Specialist Structural Services will mitigate the risk on Building Control Officers in relation to structural matters.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	It is recommended that Mid Ulster District Council approve the signing of the attached Service Level Agreement for provision of specialist structural engineering services.
6.0	Documents Attached & References
6.1	Appendix 1 - Service Level Agreement document between Fermanagh and Omagh District Council and Mid-Ulster District Council

Service Level Agreement

SPECIALIST STRUCTURAL SERVICES

2019/20

Between

FERMANAGH AND OMAGH DISTRICT COUNCIL

AND

MID ULSTER DISTRICT COUNCIL

April 2019

Service Level Agreement – Specialist Structural Services

Between

Fermanagh & Omagh District Council and Mid Ulster District Council

(Hereafter referred to as the Agreement and the Stakeholders)

1.0 Background

The Chief Executives of Fermanagh and Omagh District Council and Mid-Ulster District Council have agreed that the specialist structural engineering services provided by Mr Liam O'Neill who is employed by Fermanagh and Omagh District Council will be a shared service between Fermanagh and Omagh District Council and Mid-Ulster District Council for the delivery of specialist services. The nature and scope of the shared specialist services to be delivered and the corresponding financial arrangements across both councils are as outlined below:

- Assessment of structural calculations/details for Building Regulation applications including structural related issues on site where required
- Professional opinion/investigations to be provided for generic structural issues
- Assessment of Dangerous Structures as requested on site
- Advice on structural aspects of Capital Projects
- Structural Surveys/Reports for Council Buildings
- Structural Assessments for other Council Departments; e.g. Planning.
- Undertake other related duties within the necessary skills and competencies of Building Control

The Agreement shall take effect from 01 April 2019 and shall remain in force unless, further to review by the Chief Executives, the provision of a shared service is no longer deemed necessary.

2.0 Shared Objectives

2.1 The Objectives of the Agreement are:

- To define and give effect to the role, responsibilities and obligations of the stakeholders;
- To establish the scope and level of service delivery available for each stakeholder;
- To formalise monitoring and review arrangements; and
- To establish arrangements for financing the shared services model.

3.0 Review of the Service Level Agreement

3.1 The Stakeholders shall jointly review the Agreement on an annual basis.

3.2 The Review Process will be initiated and facilitated by the Head of Building Control and Licensing (FODC) and the Head of Building Control (Mid Ulster District council) 3 months prior to the end of the financial year.

3.3 The Stakeholders may propose at any time during the Period to revise the Agreement, and agree any reasonable alteration or addition to or omission from the Agreement. In the event of such a revision being proposed, each stakeholder shall assess what resources, if any, will be involved, prior to agreeing to the revision.

4.0 Performance Review and Reporting

4.1 The Employee shall forward a monthly report to the stakeholders detailing all specialist services carried out for the period as set out in Appendix 1. This will include detailed work sheets indicating workloads, type of work, time spent, performance measure etc for each Council area.

4.2 The Stakeholders shall jointly review performance under the Agreement on a quarterly basis, providing such reports as required to inform the process.

4.3 The Heads of Service shall ensure that necessary action as agreed is taken to maintain a high level of Service Delivery.

4.4 Following the annual review process the Heads of Service shall report on the Agreement to their respective Chief Executives.

5.0 Level of Service Delivered

5.1 Each Stakeholder is responsible for ensuring the Specialist Structural Service is delivered within the Agreement and that it is reported on as detailed in section 4.

5.2 The Specialist Structural Services covered by this Agreement would include:-

- Assessment of structural calculations/details for Domestic Building Regulation applications – (Comments returned within 10 Working Days from date of receipt)
- Assessment of structural calculations/details for Non-Domestic Building Regulation applications – (Comments returned within 15 Working Days from date of receipt)

- Assessment of structural related issues on site where required
 - (a) 1 Day – Urgent Requests
 - (b) 5 Days – Non-Urgent Requests
- Professional opinion/investigations to be provided for generic structural issues which arise in relation to construction details on site, changes to the Building Regulations and new products introduced to the market
- Assessment of Dangerous Structures as requested on site
 - (a) Response to Urgent Issues – Immediate or within 24 Hours)
 - (b) Non-Urgent Issues – 3 Working Days
- Provide structural design calculations for Capital Projects
- Carry out site inspections for structural designs on Capital Projects
- Provide structural engineering advice on preparation of cost estimate for Capital Projects
- Advice/Guidance on structural aspects of Buildings/ground conditions etc
- Structural Surveys/Reports for Council Buildings
- Structural Assessments for other Council Departments; e.g. Planning.
- Undertake other related duties within the necessary skills and competencies of Building Control

NB. Specialist Structural Services relating to the Building Regulations have priority over other areas of work as listed above.

5.3 Each stakeholder is responsible for monitoring the delivery of services on an ongoing basis.

5.4 Mid Ulster District Council shall either authorise the specialist officer to undertake lone working on their behalf or ensure that when there is a requirement for the specialist officer to make site visits, that he/she is appropriately authorised and accompanied by an authorised officer of the council.

6.0 Financial Arrangements

6.1 The Financial arrangements for the Specialist Structural Services have been agreed as follows:-

- Salary (including employer's costs) and Travel is equally divided between Councils (50/50)
- 5% Administration (includes accommodation, heat, light, power, telephone, postage, printing, stationery etc.)

6.2 Fermanagh and Omagh District Council will invoice Mid Ulster District Council on a Quarterly basis. Invoicing to include salary (including employer's costs) and mileage costs attributed for the Specialist Structural Services for the relevant period.

6.3 Payment will be subject to receipt of a progress monitoring report as detailed in Section 4.2 and satisfactory performance against targets.

7.0 Health and Safety

7.1 The employee must adhere to the Health and Safety requirements of each respective Council. This includes adherence to health and safety requirements specific to Council offices as well as in the delivery of services external to the Council offices such as lone working and site specific requirements. Personal Protective Equipment will be provided for the employee, as necessary, by each Council.

7.2 The Head of Building Control or other Head of Service in the respective Councils are responsible for informing employee of Health and Safety requirements relevant to their Department.

8.0 Resolution of Disputes

8.1 Any day to day matters which give cause for concern or dispute, which have the potential to impact on the fulfilment of requirements within the Agreement, and which cannot be resolved by the Officers directly involved, will be referred to Line Management.

8.2 If a situation arises which Line Managers are unable to resolve, it will be referred to the relevant Head of Service / Director.

9.0 Insurance Requirements

9.1 Mid Ulster District Council should ensure they have appropriate insurance in place to cover the delivery of the activities outlined in this agreement.

10.0 Data Protection

10.1 In accordance with Data Protection legislation, both parties have a duty to protect any personal data it holds. The information provided to Fermanagh and Omagh District Council in relation to the Service Level Agreement will be used for the purposes of the shared specialist services and will not be shared with any third party unless required by legislation. Information will be retained in accordance with the respective Council's Retention and Disposal Policy

SIGNED ON BEHALF OF

FERMANAGH & OMAGH DISTRICT COUNCIL

Chief Executive

MID ULSTER DISTRICT COUNCIL

Chief Executive

Appendix 1 Specialist Structural Services – Monthly Report

Month:

Measurable Objective	Target	NUMBER OF APPLICATIONS											
		Q1 (1/4/19-30/6/19)			Q2 (1/7/19-30/9/19)			Q3 (1/10/19-31/12/19)			Q4 (1/1/20-31/3/20)		
		Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
<ul style="list-style-type: none"> Assessment of structural calculations/details for Domestic applications 	Comments returned within 10 Working Days from date of receipt												
<ul style="list-style-type: none"> Assessment of structural calculations/details for Non-Domestic applications 	Comments Returned within 15 Working Days from date of receipt												
<ul style="list-style-type: none"> Assessment of structural related issues on site where required 	Urgent Requests – 1 Day Non-Urgent Requests – 5 Days												
<ul style="list-style-type: none"> Professional opinion/investigations to be provided for generic structural issues which arise in relation to construction details on site, changes to the Regulations and new products introduced to the market. 													

Measurable Objective	Target	NUMBER OF APPLICATIONS											
		Q1 (1/4/19-30/6/19)			Q2 (1/7/19-30/9/19)			Q3 (1/10/19-31/12/19)			Q4 (1/1/20-31/3/20)		
		Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
<ul style="list-style-type: none"> Assessment of Dangerous Structures as requested 	Response to Urgent Issues – Immediate Response to Non-Urgent Issues – 3 Working Days												
<ul style="list-style-type: none"> Provide structural design calculations for Capital Projects 													
<ul style="list-style-type: none"> Carry out site inspections for structural designs on Capital Projects 													
<ul style="list-style-type: none"> Provide structural engineering advice on preparation of cost estimate for Capital Projects 													
<ul style="list-style-type: none"> Advice/Guidance on structural aspects of Buildings/ground conditions etc 													

Measurable Objective	Target	NUMBER OF APPLICATIONS											
		Q1 (1/4/19-30/6/19)			Q2 (1/7/19-30/9/19)			Q3 (1/10/19-31/12/19)			Q4 (1/1/20-31/3/20)		
		Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
<ul style="list-style-type: none"> Structural Surveys/Reports for Council Buildings 													
<ul style="list-style-type: none"> Structural Assessments for other Council Departments; e.g. Planning. 													
<ul style="list-style-type: none"> Undertake other related duties within the necessary skills and competencies of Building Control 													

Report on	Regulatory Information and Management System (RIAMS)
Date of Meeting	11 th June 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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 Council approval to continue with the Regulatory and Information Management System (RIAMS) for the Environmental Health Service for Mid Ulster District Council for a further three year period through RH Environmental Ltd.
2.0	Background
2.1	The Environmental Health staff regulate and advise on a significant number of core business areas for MUDC. In order to aid consistency of enforcement and the delivery of the service, significant work has taken place within each core area to put in place best practice processes across the Mid Ulster District Council area. Previously Council agreed that the Environmental Health Service could access the RIAMS system, which is a productivity tool providing software as a service for Regulatory Services. It comes with a comprehensive Public Protection library of regularly updated document resources, provides cloud document management support for Environmental Health staff and local documents with unlimited users and document storage.
3.0	Main Report
3.1	The system helps ensure consistency of approach by Environmental Health staff and provides support both within the office and on site for officers. The local and wider content contained in RIAMS creates consistency Northern Ireland wide and ensures staff are operating under the most up to date legislation.
3.2	RIAMS is fully customizable and documents can be shared with back office applications and public facing websites. These links automatically update without the need of unnecessary administrative or IT time to manage these documents.
3.3	RIAMS allows the sharing of documents, such as agendas, minutes etc. within nominated staff across all eleven councils across a number of regulatory and health and wellbeing core function areas. With all content stored in the cloud it means staff can work in a more supported and flexible way across sites .It is requested that a further 3 year contract is agreed to continue to access the RIAMS system which is valued within the various EH teams. The Food Standards Agency contribute to the financing of this contract on behalf of the eleven Councils. RIAMS usage also contributes towards the continuing professional development (CPD) requirements for EHOs.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: The annual licence fee for Mid Ulster District Council is £5610 / year based on a 3 year licence excluding VAT. The Food Standards Agency also contribute to each Council's RIAMS licence for food related work. Budget has been included for these costs within the Environmental Health Service Budget.
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	That members approve the signing of the licence agreements for 3 years at £5,610 for the first year .
6.0	Documents Attached & References
6.1	Appendix 1 – Licence renewal



Intelligent Regulation and Compliance

www.rheglobal.com

Fiona McClements
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

12 April 2019

Sent by email to: fiona.mcclements@midulstercouncil.org

Dear Fiona

**Proposal: Access to Regulatory Information and Management Systems (RIAMS)
for Mid Ulster District Council – Licence Renewal**

Your RIAMS Premium licence is due for renewal on 6 May 2019 and we hope that you will wish to renew your licence for another term. Our pricing schedule is set out below and an order form and a new licence to sign accompany this letter.

You currently subscribe to RIAMS Premium, for which the renewal fee will be £5610/year (plus VAT).

Please confirm acceptance of these proposal terms by:

1. Completing and signing the order form attached
2. Signing and returning two copies of the licence
3. Providing a Purchase Order number

All prices quoted in this proposal are valid for 60 days and are exclusive of VAT, which will be charged at the current rate.

We welcome the opportunity to supply RIAMS to Mid Ulster Council. If you require any further information at this stage, please do not hesitate to contact me at this office.

Yours sincerely

Jonathan Williams
Sales and Support Manager

RH Environmental Limited t/a RHE Global, PO Box 59, Llandysul, Ceredigion SA44 5WX
T: 01239 711793 E: info@rheglobal.com www.rheglobal.com
Registered in England and Wales No: 5530460, VAT number: 779242884

To: Fiona McClements
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Proposal: Access to Regulatory
Information and Management Systems
(RIAMS) for Mid Ulster District
Council

RIAMS Premium Membership

RIAMS Premium Membership	<input type="checkbox"/>
--------------------------	--------------------------

I confirm that I/we accept this proposal from RH Environmental Limited for supplying access to the website www.riams.org ("RIAMS") and the terms as set out below in this document.

Signed (as a duly authorised signatory)

Name (please print)

Position in organisation

On behalf of (organisation)

Date

Purchase Order number

RIAMS Proposal Terms

1.0 General

- 1.1 This proposal is based on acceptance of RH Environmental Limited (the Licensor) ("RHE") licence terms for accessing the website "Regulatory Information and Management Systems" at www.riams.org ("RIAMS"). RIAMS and the CPD facility within RIAMS are supplied on a three-year licence term to access www.riams.org. British standards supplied within RIAMS are supplied on an annual basis within the three-year term.
- 1.2 Any reference to RIAMS or www.riams.org also applies to any replacement or successor websites that RHE may at its sole discretion provide the licensee with access to.

2.0 Additional Works

- 2.1 The following terms 2.0 to 6.0 inclusive, will apply to **Mid Ulster District Council** being the "Licensee" in respect of producing additional works to view on RIAMS.
- 2.2 The Licensor will undertake to produce additional procedures ("Additional Works") on request by the Licensee subject to the licence terms in principal, and the terms detailed below.
- 2.3 The Additional Works referred to in this proposal, the licence and hereafter are procedures and documents and specifically do not include works relating to software development and/or website design.
- 2.4 In respect of each separate request for Additional Works by the Licensee, the Licensor reserves the right to consider each request and confirm a time frame for delivery. Should any request for Additional Works be regarded by the Licensor as unreasonable or beyond the scope of RIAMS or is technically not feasible to undertake, the Licensor reserves the right to decline the request, or to charge the Licensee additional fees.
- 2.5 Any Additional Works will be produced and presented according to the categorisation system and logics that are applied to RIAMS. Similarly, where the Licensee requests combined procedures, the Licensor reserves the right to present these procedures separately; for example food hygiene and/or food standards procedure(s) in accordance with the RIAMS system presentation.
- 2.6 After the commencement of the Licence, and at any time during the licence term the Licensor will respond to any Additional Works requests by the Licensee, and at the licensors' discretion, confirm a 'Completion Date', which means the date(s) to produce each piece of work and subsequently display on the RIAMS website.

- 2.7 On agreeing the Additional Works and Completion Date(s) the Licensee will sign a Proposal document, provided by the Licensor, detailing the Additional Works and return that copy to the Licensor to signify the Licensee's agreement as to the scope and Completion Date(s) of the Additional Works. The Licensee acknowledges and agrees that no Additional Works will be provided until the Licensor has received the signed copy of the Proposal for Additional Works.
- 2.8 The Proposal for Additional Works may be varied, or added to, from time to time. The changes shall be clearly identified, together with the additional or different Completion Date(s).
- 2.9 Additional Works requested by the Licensee which are outside the scope of works discussed at the commencement of the Licence shall be agreed with the Licensor under an additional scope of works and thereafter delivered by the agreed Completion Date.
- 3.0 The Licensee's obligations**
- 3.1 The Licensee acknowledges and agrees that for the Licensor to be able to provide the Additional Works the Licensee shall:
- co-operate with the Licensor as the Licensor reasonably requires;
 - provide to the Licensor such information and documentation as the Licensor reasonably requires;
 - instruct the Licensee's staff and agents to co-operate with and assist the Licensor.
- 3.2 The Licensor may charge the Licensee for any additional reasonable costs and expenses incurred by the Licensor caused by the Licensee's failure to provide instructions, or failure to comply with paragraph 3.1 above.
- 4.0 Protection of confidential information**
- 4.1 Each Party ('Receiving Party') shall keep the Confidential Information of the other Party ('Supplying Party') confidential and secret, whether disclosed to or received by the Receiving Party. The Receiving Party shall only use the Confidential Information of the Supplying Party for performing the Receiving Party's obligations under these conditions. The Receiving Party shall inform its officers, employees and agents of the Receiving Party's obligations under the provisions of this Clause 4, and ensure that the Receiving Party's officers, employees and agents meet the obligations.
- 4.2 The obligations of Clause 4.1 shall not apply to any information which:
- 4.2.1 was known or in the possession of the Receiving Party before it was provided to the Receiving Party by the Supplying Party;
 - 4.2.2 is, or becomes, publicly available through no fault of the Receiving Party;
 - 4.2.3 is provided to the Receiving Party without restriction or disclosure by a third party, who did not breach any confidentiality obligations by making such a disclosure;
 - 4.2.4 was developed by the Receiving Party (or on its behalf) who had no direct access to, or use or knowledge of the Confidential Information supplied by the Supplying Party; or
 - 4.2.5 is required to be disclosed by order of a court of competent jurisdiction or any statutory or legal obligation.
- 4.3 This Clause 4 shall survive termination of the Licence agreement.
- 5.0 Warranties, liability and indemnities**
- 5.1 The Licensor warrants that it will use reasonable care and skill in performing the Additional Works and to a standard which conforms to generally accepted industry standards and practices.
- 5.2 The Licensor expressly does not warrant that any result or objective whether stated in these conditions or not shall be achieved, be achievable or be attained at all or by a given Completion Date or any other date.
- 5.3 The Licensee shall indemnify and hold harmless the Licensor from and against all Claims and Losses arising from loss, damage, liability, injury to the Licensor's employees and third parties, infringement of third party intellectual property, or third party losses by reason of or arising out of any information supplied to the Licensee by the Licensor, its employees or consultants, or supplied to the Licensor by the Licensee within or without the scope of these conditions. 'Claims' shall mean all demands, claims, proceedings, penalties, fines and liability (whether criminal or civil, in contract, tort or otherwise); and 'Losses' shall mean all losses including without limitation financial losses, damages, legal costs and other expenses of any nature whatsoever.
- 5.4 Each of the parties acknowledges that, in entering into these conditions, it does not do so in reliance on any representation, warranty or other provision except as expressly provided in these conditions, and any conditions, warranties or other terms implied by statute or common law are excluded from these conditions to the fullest extent permitted by law. Nothing in these conditions excludes liability for fraud.
- 6.0 General**
- Force majeure**
- 6.1 Neither party shall have any liability under or be deemed to be in breach of these conditions for any delays or failures in performance of these conditions, which result from circumstances beyond the reasonable control of that party. The party affected by such circumstances shall promptly notify the other party in writing when such circumstances cause a delay or failure in performance and when they cease to do so. If such circumstances continue for a continuous period of more than six months, either party may terminate the Services by written notice to the other party.
- Amendments**
- 6.2 These conditions may only be amended in writing signed by duly authorised representatives of the parties.
- Notices**
- 6.3 Any notice to be given under these conditions shall be in writing and shall be sent by first class mail or air mail, to the address of the relevant party set out at the head of these conditions, or such other address as that party may from time to time notify to the other party in accordance with this clause.
- 6.4 Notices sent as above shall be deemed to have been received three working days after the day of posting (in the case of inland first class mail), or seven working days after the date of posting (in the case of air mail).
- 6.5 In proving the giving of a notice it shall be sufficient to prove that the notice was left, or that the envelope containing the notice was properly addressed and posted.

THIS LICENCE is made on the day of 2019

BETWEEN:

- 1 'The Licensor': **RH ENVIRONMENTAL LIMITED** a company incorporated in England and Wales under company number 05530460 and whose registered office is c/o Bevan & Buckland, Langdon House, Langdon Road, SA1 Swansea Waterfront, Swansea SA1 8QY.

AND

- 2 'The Licensee': **MID ULSTER DISTRICT COUNCIL** of Burn Road, Cookstown BT80 8DT.

Recitals:

- (A) The Licensor is proprietor of and beneficially entitled to the copyright and all other rights of a like nature conferred in the United Kingdom and throughout the world in the Website and the Works;
- (B) The Licensor is willing to grant a licence to the Licensee to reproduce the Works, the Additional Works and the Adaptations.

1.0 Operative provisions:

1.1 Definitions

In this Licence the following expressions shall have the following meanings unless the context otherwise requires:

'ADAPTATIONS' means any software development work and related support activities requested by the Licensee and undertaken by the Licensor to adapt the Website for the Licensee to access the Website and the Additional Works and if requested, the Works

'ADDITIONAL WORKS' means the data, documents and other information prepared and maintained by the Licensee and placed by the Licensee on the Website

'COMMENCEMENT DATE' means the day on which the Works or the Additional Works on the Website are made accessible to the Licensee by entering the Password

'CONFIDENTIAL INFORMATION' means any information, however it is conveyed, that relates to the business, affairs, developments, trade secrets, know-how, personnel and suppliers of the Licensor, including intellectual property rights, together with all information derived from the above, and any other information clearly designated as being confidential (whether or not it is marked as "confidential") or which ought reasonably to be considered to be confidential

'DEVELOPMENTS' means any modification, improvement or amendment to the Works devised or developed by the Licensor or as required due to any change of legislation either before or during the term of the Licence

‘ENVIRONMENTAL INFORMATION REGULATIONS’ means the Environmental Information Regulations 2004 together with any guidance or codes of practice issued by the Information Commissioner or relevant government department in relation to such regulations

‘FOIA’ means the Freedom of Information Act 2000, and any subordinate legislation made under the Act from time to time, together with any guidance or codes of practice issued by the Information Commissioner or relevant government department in relation to such legislation

‘INFORMATION’ has the meaning given under section 84 of FOIA

‘INTELLECTUAL PROPERTY’ means all industrial and intellectual property rights of the Licensor, whether registered or unregistered, including without limitation patents, trademarks and service marks whether registered or unregistered, registered designs, unregistered designs, database rights and copyrights and any applications for any of the foregoing in any part of the world, and the copyright in all drawings, plans, specifications, designs and computer software including the Modules, Developments, Password, Works and Website, and all know-how and confidential information

‘LICENCE FEE’ means the fees as set out in the Proposal sent to the Licensee by the Licensor **dated 12 April 2019** and any subsequent proposals and order forms sent by the Licensor to the Licensee during the term. The Licensor reserves the right to vary the resources, additional module or other service(s), annual licence fee(s) upon any request by the Licensee to extend this Licence to access the additional resources or Modules during the Term

‘MODULES’ means each of the Subjects, Resources or Knowledge Areas to be accessed through the Website, or such information services as may be requested by the Licensee or developed by the Licensor or by third parties and offered through the Website

‘PASSWORD’ means the password to be issued by the Licensor to the Licensee to enable the Licensee to access the Website

‘PROPOSAL’ means written confirmation of the Licence Fee and any other fees or costs, sent by letter, email or email attachment, by the Licensor

‘PURPOSE’ means to provide the Licensee with a document management system on the Website for the management of information and documents for the activity or service areas outlined in the Proposal and for any other purpose as set out in the Proposal

‘REQUEST FOR INFORMATION’ means a request for information or an apparent request under the Code of Practice on Access to Government Information, FOIA or the Environmental Information Regulations

‘TERM’ the period of three years

‘WEBSITE’ means the website at www.riams.org, all software and any other successor website or software, created by the Licensor through which the Licensee can access the Works and/or the Additional Works

‘WORKS’ means the documents and information prepared and maintained by the Licensor and placed within the Knowledge Areas or Resources areas of the Website together with any other information or documents made available on the Website and prepared by other government bodies, professional institutions, other RIAMS Licensees, individuals, partnerships, groups, bodies and agencies etc.

2.0 Licence

- 2.1 In consideration of the Licence Fee payable as described in Clause 9 the Licensor hereby grants to the Licensee a non-exclusive licence to access and to reproduce the Works and/or the Additional Works and any Adaptations for the Purpose and the Licensor undertakes to issue the Password to the Licensee.
- 2.2 The Licence for the Works shall include all Developments and excludes any responsibility for the Licensor to maintain or manage the Additional Works which will remain the responsibility of the Licensee for the whole of the Term.
- 2.3 The use by the Licensee of the Works shall be restricted to the Purpose and the Licensee shall ensure that the Works are not used or otherwise reproduced in any form for any other purpose whatsoever.

3.0 Technical Support

- 3.1 With effect from the Commencement Date and for the duration of the Licence the Licensor shall provide the Licensee free of charge with such technical support as may reasonably be required by the Licensee to access the Website. The technical support will be limited to giving advice on how to access the Website which will be given by telephone or email only. In the event that technical support is required contact the Licensor on 01239 711793 or email riams@rheglobal.com
- 3.2 The Licensor shall not be liable for any loss whatsoever suffered by the Licensee as a result of the Licensee being unable to access the Website, the Works and the Additional Works at any time for whatever reason.

4.0 Duration

- 4.1 This Licence shall commence on the Commencement Date and shall unless terminated in any of the circumstances set out in Clause 10 continue in force for the Term.

5. Restrictions on Licensee

- 5.1 The Licensee shall not:
 - 5.1.1 make any modifications to the Works; or
 - 5.1.2 reproduce the Works in any way which might prejudice its distinctiveness or the goodwill or reputation of the Licensor therein; or
 - 5.1.3 use in relation to the Works any trademarks or other marks or descriptions other than as may be contained within the Works without obtaining the prior written consent of the Licensor; or
 - 5.1.4 sell or share the Works with any other third party.
- 5.2 The Licensee shall keep confidential the Password and shall not disclose or supply other persons or organisations with the Password.
- 5.3 Except as provided in this Licence the Licensee shall have no rights in respect of any trade names or trademarks used by the Licensor in relation to the Works or of the goodwill associated therewith and the Licensee hereby acknowledges that except as expressly provided in this Licence it shall not acquire any rights in respect thereof and that all such rights and goodwill are and shall remain vested in the Licensor.
- 5.4 The Licensee shall at the expense of the Licensor take all such steps as the Licensor may reasonably require to assist the Licensor in maintaining the validity and enforceability of the Intellectual Property of the Licensor in the Works during the term of this Licence.

- 5.5 Without prejudice to the right of the Licensee or any third party to challenge the validity of any Intellectual Property of the Licensor the Licensee shall not do or authorise any third party to do any act which would or might invalidate or be inconsistent with any Intellectual Property of the Licensor and shall not omit or authorise any third party to omit to do any act which by its omission would have that effect or character.
- 5.6 The Licensee shall promptly and fully notify the Licensor of any actual, threatened or suspected infringement of any Intellectual Property of the Licensor which comes to the Licensee's notice and of any claim by any third party so coming to its notice that the reproduction of the Works infringes any rights of any other person and the Licensee shall at the request and expense of the Licensor do all such things as may be reasonably required to assist the Licensor in taking or resisting any proceedings in relation to any such infringement or claim.
- 5.7 The Licensee shall notify the Licensor of any amendments or corrections required to be made to the Works which may be identified by the Licensee.
- 5.8 The Licensee accepts that the terms of use of the Website and the Works and the Additional Works are subject to the disclaimers posted on the Website.

6 Warranties

- 6.1 The Licensor warrants that it is the owner of the copyright in the Works, that it has granted no other licences in respect of the Works which would conflict with the rights granted hereunder, and that to the best of its knowledge the use of the Works as permitted hereunder will not infringe the rights of any third parties.

7 Moral Rights

- 7.1 The Licensor warrants that the right to be identified as defined in s 77 of the Copyright, Designs and Patents Act 1988 has not been asserted by the author of the Works in any prior assignment of the Works and that the Licensor is not aware of any other assertion of that right made by an instrument in writing by the author.

8 Infringements

- 8.1 The Licensor shall take all reasonable steps available to it to restrain infringements by third parties of the copyright in the Works which might, if not restrained, damage the ability of the Licensee to exploit its rights hereunder.

9 Licence Fee

- 9.1 The Licence Fee shall include the cost of any Developments but will not include the cost of any Adaptations requested by the Licensee nor will it include the cost of the Additional Works. Adaptations and the development and maintenance of Additional Works, as requested by the Licensee will incur additional fees which will be detailed in a Proposal to the Licensee.

- 9.2 The Licensee shall pay the Licence Fee to the Licensor on the Commencement Date and every subsequent annual anniversary of the Commencement Date for the duration of the Term.
- 9.3 In the event of an additional Module or Other Resources being added to the Website the fee for that additional Module or Other Resource shall be payable on the date on which it is accessible by the Licensee and on every subsequent annual anniversary of the Commencement Date for the duration of the Term.
- 9.4 The Licence Fee shall be payable (together with value added tax thereon) by the Licensee to the Licensor within 30 days of the date set out in clauses 9.2 and 9.3 above.
- 9.5 The Licensor reserves the right to charge the Licensee interest in respect of the late payment of any sum due under this Licence (as well after as before judgment) at the rate of four per cent (4%) per annum above the base rate from time to time of the Bank of England from the due date therefor until payment.
- 9.6 The Licensor shall be entitled to vary the Licence Fee not more than once in every successive period of 12 months during the currency of this Licence upon giving not less than 10 days notice thereof to the Licensee. No increase shall exceed the latest annual increase in CPI as published by the UK Office of National Statistics, unless it is with the agreement of the Licensee.
- 9.7 Notwithstanding the information set out in clause 1.1 relating to the fee payable for each additional Module the Licensor shall be entitled to vary the cost of each additional Module to be added to the Website.
- 9.8 The Licensor shall be entitled to continue to charge the Licence Fee in the event that the Licensee merges with another organisation and shall be entitled to review the Licence Fee payable by the Licensee on the occurrence of such an event.

10. Termination

- 10.1 This Licence may be terminated:

- 10.1.1 forthwith by the Licensor if the Licensee fails to pay any sum within 7 days after the due date therefor;

- 10.1.2 forthwith by either party if the other commits any material breach of any term of this Licence and which (in the case of a breach capable of being remedied) shall not have been remedied within 30 days of a written request to remedy the same;

- 10.1.3 forthwith by either party if the other shall convene a meeting of its creditors or if a proposal shall be made for a voluntary arrangement within Part I of the Insolvency Act 1986 or a proposal for any other composition scheme or arrangement with (or assignment for the benefit of) its creditors or if the other shall be unable to pay its debts within the meaning of section 123 of the Insolvency Act 1986 or if a trustee, receiver, administrative receiver or similar officer is appointed in respect of all or any part of the business or assets of the other or if a petition is presented or a meeting is convened for the purpose of considering a resolution or other steps are taken for the winding up of the other or for the making of an administration order (otherwise than for the purpose of an amalgamation or reconstruction);

- 10.1.4 by either party giving the other not less than one month's written notice.

- 10.2 Any termination of this Licence pursuant to this clause shall be without prejudice to any other rights or remedies a party may be entitled to hereunder or at law and shall not affect any accrued rights or liabilities of either party nor the coming into or continuance in force of any provision hereof which is expressly or by implication intended to come into or continue in force on or after such termination.

- 10.3 Within 30 days of the termination of this Licence (howsoever and by whomsoever occasioned) the Licensee shall at the Licensor's sole option either return all copies of the Works in its possession or control (including copies which are in machine readable form) or shall destroy all copies of the Works in its possession or control and remove the same from all servers and other relevant equipment upon which it is stored and shall cease to use the Works. A duly authorised officer of the Licensee shall certify in writing to the Licensor that the Licensee has complied with its obligation as aforesaid.
- 10.4 In the event of termination by the Licensee pursuant to clause 10.1.4 the Licensee shall pay to the Licensor within 30 days of the termination a sum equal to the balance of Licence Fees and Additional Fees that would have been paid by the Licensee up to the end of the Term. In the event of termination by the Licensor pursuant to clause 10.1.4 the Licensor shall return to the Licensee within 30 days of the termination a sum equal to the balance of any fees paid by the Licensee relating to the period between the termination date and the end of the Term.
- 11. Waiver**
- 11.1 The waiver by either party of a breach or default of any of the provisions of this Licence by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions nor shall any delay or omission on the part of either party to exercise or avail itself of any right power or privilege that it has or may have hereunder operate as a waiver of any breach or default by the other party.
- 12. Bribery and Corruption**
- 12.1 The Licensee shall be entitled to cancel this Agreement and to recover from the Licensor the amount of any loss or damage resulting from such cancellation to the extent of the license fee paid in advance if:
- 12.1.1 The Licensor shall have offered or given or agreed to give to any person any gift or reward for doing or not doing any action in relation to this Agreement or any other contract with the Licensee; or
- 12.1.2 The like acts shall have been done by any person employed by the Licensor representing or acting on its behalf; or
- 12.1.3 In relation to any contract with the Licensee the Licensor or person employed by it or acting on its behalf shall commit any offence under the Bribery Act 2010 or give any reward receipt of which is an offence under Section 117 (2) of the Local Government Act 1972.
- 13. Notices**
- 13.1 Any notice, request, instruction or other document to be given hereunder shall be delivered or sent by first class post to the address of the other party set out in this Licence (or such other address as may have been notified) and any such notice or other document shall be deemed to have been served at the time of delivery (if delivered) or upon the expiration of 48 hours after posting (if sent by post).
- 14. Invalidity and severability**
- 14.1 If any provision of this Licence shall be found by any court or administrative body of competent jurisdiction to be invalid or unenforceable the invalidity or unenforceability of such provision shall not affect the other provisions of this Licence and all provisions not affected by such invalidity or unenforceability shall remain in full force and effect. The parties hereby agree to attempt to substitute for any invalid or unenforceable provision a valid or enforceable provision which achieves to the greatest extent possible the economic legal and commercial objectives of the invalid or unenforceable provision.

15. Freedom of Information Act

15.1 The FOIA gives a general right of public access to all types of 'recorded' information held by public authorities, sets out exemptions from that general right, and places a number of obligations on public authorities with regard to the disclosures of information. The Licensee will, as a general rule, allow public access to recorded information where possible and the Licensors shall agree to the Licensee making any disclosures in accordance with the Act subject to Section 5 of this Agreement.

15.2 The Licensors acknowledge that the Licensee is subject to the requirements of the FOIA and the EIRs. The Licensors shall:

15.2.1 provide all necessary assistance and cooperation as reasonably requested by the Licensee in writing to enable the Licensee to comply with its obligations under the FOIA and EIRs;

15.2.2 transfer to the Licensee all Requests for Information relating to this Agreement that it receives as soon as practicable and in any event within 2 Working Days of receipt;

15.2.3 to the extent that the Licensee is unable to access such information itself, provide the Licensee with a copy of all Information belonging to the Licensee requested in the Request For Information which is in the Licensors' possession or control in the form that the Licensee requires within 5 Working Days (or such other period as the Licensee may reasonably specify) of the Licensee's request for such Information; and

15.2.4 not respond directly to a Request For Information unless authorised in writing to do so by the Licensee.

15.3 The Licensors acknowledge that the Licensee may be required under the FOIA and EIRs to disclose Information without consulting or obtaining consent from the Licensors. The Licensee shall take reasonable steps to notify the Licensors of a Request For Information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but (notwithstanding any other provision in this Agreement) the Licensee shall be responsible for determining in its absolute discretion whether any other information is exempt from disclosure in accordance with the FOIA or the EIRs.

15.4 The Licensee shall indemnify and keep indemnified and defend at its own expense the Licensors against all costs, claims, damages or expenses incurred by the Licensors or for which the Licensors may become liable due to any failure by the Licensee or its employees or agents to comply with any of its obligations in respect of any Request For Information or otherwise under this clause.

16. Entire Licence

16.1 The Licensors shall not be liable to the Licensee for loss arising from or in connection with any representations, agreements, statements or undertakings made prior to the date of execution of this Licence other than those representations, agreements, statements or undertakings confirmed by a duly authorised representative of the Licensors in writing or expressly incorporated or referred to in this Licence.

17. Data Protection

- 17.1 The parties will each comply with their respective duties under all relevant legislation concerning the protection of personal data, including without limitation the UK Data Protection Act 2018 and EU Regulation 2016/679 (the General Data Protection Regulation).
- 17.2 If and to the extent that RHE is required to process personal data on behalf of the Licensee under this Agreement, RHE will:
- (a) Process such personal data only to the extent strictly necessary for the purposes of performing its obligations under this Agreement and (where applicable) in accordance with the written instructions of the Licensee;
 - (b) Put and at all times maintain in place appropriate technical and organisational measures against unauthorised or unlawful processing of such personal data and against accidental loss, destruction of or damage to the data. Such measures shall (inter alia) have regard to the specific requirements of this Agreement and the level of harm that may be suffered by a data subject whose personal data is affected by any such unauthorised or unlawful processing or by its loss, destruction or damage;
 - (c) Not keep the personal data for longer than is necessary for the purposes of processing the personal data to perform its obligations under this Agreement;
 - (d) Take reasonable steps to ensure the reliability of any of its staff who will have access to the personal data, ensuring that any such staff are:
 - (i) Adequately trained in their duties;
 - (ii) Contractually obliged to maintain the confidentiality of the Licensee's personal data, and
 - (iii) Contractually obliged to process the Licensee's personal data only on the instructions of the Licensee;
 - (e) Inform the Licensee without undue delay if it becomes aware of any accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure of or access to the Licensee's personal data and provide the Licensee with all reasonable assistance in investigating and mitigating the impact of any such data breach. RHE will also provide all reasonable assistance to the Licensee in relation to its obligations to provide adequate notifications to the relevant data protection authorities and affected data subjects;
 - (f) Provide the Licensee with reasonable and timely assistance for the purposes of fulfilling the Licensee's obligations in the event that the Licensee receives from a data subject a request to exercise any of his/her rights under applicable data protection law. If RHE receives from a data subject a request to exercise his/her rights in respect of the Licensee's personal data, RHE will provide notice of this to the Licensee without undue delay;
 - (g) Not without the written consent of the Licensee process any of the Licensee's personal data outside the EEA, nor transfer any of the Licensee's personal data outside the EEA;
 - (h) Allow a representative of the Licensee access to any relevant premises owned or controlled by RHE upon reasonable notice, to inspect the measures, programmes and procedures adopted in performance of and in compliance with this clause 17. RHE will also make available to the

Licensee, at the Licensee's request, all information necessary to demonstrate compliance with this clause 17;

- (i) Upon the termination of this Agreement for whatever reason, return all personal data and all copies of the personal data to the Licensee forthwith or, at the Licensee's choice, destroy all copies of the same and certify to the Licensee that it has done so, unless RHE is prevented by any legal or regulatory requirement from destroying or returning all or part of such data, in which event the data will be kept confidential and will not be actively processed for any purpose;
- (j) Not subcontract any processing of the Licensee's personal data or otherwise disclose the Licensee's personal data to any third party except as expressly permitted by this Agreement or otherwise permitted by the Licensee in writing. Where such a sub-contractor is engaged, RHE will:
 - (i) Ensure that it has a written contract (the "Processing Subcontract") in place with the relevant subcontractor which imposes on the subcontractor the same obligations in respect of processing of the Licensee's personal data as are imposed on RHE under this Agreement, and in particular this clause 17;
 - (ii) Ensure that there are sufficient guarantees in place to ensure the subcontract will meet the requirements of Article 28 of EU Regulation 2016/679;
 - (iii) Remain fully liable to the Licensee for its obligations under this clause 17; and
 - (iv) Provide a copy of the Processing Subcontract to the Licensee upon request, subject to reasonable confidentiality restrictions that may be applicable. RHE shall ensure that any confidentiality restrictions in the Processing Subcontract do not prevent it showing to the Licensee those provisions which demonstrate RHE's compliance with its obligations under this clause 17.

17.3 For the purposes of this Agreement, the terms '**Data Controller**', '**Data Protection Officer**' and '**Data Subject**' shall have the definitions set out in EU Regulation 2016/679 (the General Data Protection Regulation ('GDPR')).

18. Successors

18.1 This Licence shall be binding upon and endure for the benefit of the successors in title of the parties hereto.

19. Assignment and sub-licensing

19.1 The Licensee shall not be entitled to assign or otherwise transfer this Licence nor any of its rights or obligations hereunder nor sub-license the use (in whole or in part) of the Works without the prior written consent of the Licensor which may be withheld at the Licensor's entire discretion.

20. Headings

20.1 Headings to clauses in this Licence are for the purpose of information and identification only and shall not be construed as forming part of this Licence.

21. Law

21.1 This Licence shall be governed by and construed in accordance with the law of England and Wales and the parties hereto agree to submit to the non-exclusive jurisdiction of the courts of England and Wales.

IN WITNESS whereof the parties have entered into this Licence on the date set out above by hands of their duly authorised representatives

SIGNED by

ROBERT HALFORD

duly authorised to sign

Signature:

on behalf of the Licensor

SIGNED by

.....

(print name)

duly authorised to sign

Signature:

on behalf of the Licensee

Report on	The Roads Miscellaneous Provisions Act (NI) 2010
Date of Meeting	11 th June 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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 that Members make determinations on four applications for road closure orders in connection with special events that are being held in July 2019.
2.0	Background
2.1	Further to previous reports, Members will be aware that The Roads Miscellaneous Provisions Act (NI) 2010 introduced by The Department for Infrastructure (DfI) permits the closure of roads for the holding of special events.
2.2	<p>The above legislation enables Council to deal with requests to close public roads for special events in its area. Special Events are defined as:</p> <ul style="list-style-type: none"> Any sporting event, social event or entertainment which is held on a public road; or The making of a film on a public road (including making TV programmes, films or advertisements).
2.3	<p>Special Events do not include the following:</p> <ul style="list-style-type: none"> Public processions; Motor road races; Cycle races or trials; or Road works
2.4	<p>The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. The restriction or prohibition of traffic using the public road will only be permitted for:</p> <ul style="list-style-type: none"> Facilitating the holding of a special event, or Enabling members of the public to watch a special event, or Reducing traffic disruption in adjacent streets
2.5	Although the legislation provides the Council with the power to prohibit or restrict the use of a public road, an Order cannot be made that would at any time prevent pedestrian access to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians from and only from the road.

3.0	Main Report
3.1	The Environmental Health Service has received a number of applications for road closure orders to facilitate the holding of the following special events:
3.2	<ul style="list-style-type: none"> • The Great Rossa Run 2019 – Sunday 7th July 2019 <p>The application seeks to temporarily restrict all vehicular traffic using the following roads between the hours of 09:30 and 13:30 for the purposes of a road running event which will include 5k, 10k and half marathon run:</p> <ul style="list-style-type: none"> - Drumenny Road, Cookstown at its junction with Mullinahoe Road, Dungannon; and - Ballymaguire Road, Dungannon at its junction with Mullinahoe Road, Dungannon.
3.3	<ul style="list-style-type: none"> • Tri Limits Triathlon Club – Triathlon - Saturday 27th July 2019 <p>The applicant is seeking to temporarily restrict all vehicular traffic using the following roads between the hours of 09:00 and 16:30 for the purposes of holding a triathlon event:</p> <ul style="list-style-type: none"> - Road Closure, Old Ballygawley Road, Dungannon from junction with Woodlough Road to its junction with Parkanaur. - Lane Closure, Old Ballygawley Road, East bound from its junction with Woodlough Road to its junction with Parkanaur.
3.4	<ul style="list-style-type: none"> • Derrytresk GAC – 5K & 10K Run – Saturday 27th July 2019 <p>The applicant is seeking to temporarily restrict all vehicular traffic using Moor Road, Coalisland from its junction with the Coalisland towpath to the junction with Gortgonis Road between the hours of 10:30 and 12:00.</p>
3.5	<ul style="list-style-type: none"> • Ballymaguigan GFC – ‘Run for Fionntain’ – Sunday 4th August 2019 <p>The applicant is seeking to temporarily restrict all vehicular traffic using the following roads in Ballyronan between the hours of 11:00 and 15:00 for the purposes of a 10K, 5K Run / walk fundraising event:</p> <ul style="list-style-type: none"> - Part of B18 Shore Road, Ballyronan at its junction with the Ballyronan Road/Waterfoot Road, Ballyronan to its junction with Barrack Road, Ballyronan - Waterfoot Road, Ballyronan to its junction with Gracefield Road, Ballyronan - Part of Gracefield Road, Ballyronan from its junction with Waterfoot Road, Ballyronan to its junction with Barrack Road, Ballyronan

	<ul style="list-style-type: none"> - Ballymaguigan Road, Ballyronan - Barrack Road, Ballyronan
3.6	<p>All applications have been processed or are in the latter stages of being processed by the Environmental Health Service after receipt of a completed application form, payment of the appropriate fee, and submission of a range of supporting information which must include:</p> <ul style="list-style-type: none"> • Traffic Management Plan / Traffic Signing Schedule prepared by one of the DfI authorised Traffic Management Companies. • Evidence of Public Liability Insurance • Details of consultees and feedback received • Evidence of consultation with emergency services
3.7	All the special events listed above are deemed 'large events' and as sporting events are likely to attract a large number of entrants from a wide catchment area.
3.8	A fee of £415 has been receipted in respect of each application.
3.9	The necessary consultation has been undertaken with the various statutory bodies (PSNI, NIFRS, NIAS) and DfI in relation to each application and public notices of consultation have been placed in the local press.
3.10	Although feedback has been received in connection with a few of the applications, some statutory consultee responses remain outstanding for the other applications at the time of report. The Environmental Health Service will, however, be in a position to update Members of any particular concerns or representations raised by the consultation process at the time of Committee.
3.11	It is therefore recommended that Members make a determination "that each road closure order outlined above be made in line with DfI guidance, subject to applicants providing any outstanding documentation; no objections being received during the consultation process; and DfI giving final consent".
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A

	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	It is recommended that Members make a determination that each road closure order outlined in the main body at section 3.2 – 3.5 of the report be made in line with the DfI guidance, subject to applicants providing any outstanding documentation; no objections being received during the consultation process and DfI consent being granted.
6.0	Documents Attached & References
6.1	N/A

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Monday 1 April 2019 in Council Offices, Burn Road, Cookstown**

Members Present Councillor Wilson, Chair

Councillors Buchanan, Burton, Colvin, Cuthbertson,
Gillespie, Glasgow, Kearney, McGinley, B McGuigan,
McNamee, O'Neill (7.05pm), M Quinn 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 Wilkinson, Head of Building Control

The meeting commenced at 7.00 pm

E087/19 Apologies

Councillors McFlynn and S McGuigan
Mr Scullion, Head of Property Services

E059/19 Declarations of Interest

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

E088/19 Chair's Business

In response to query relating to the maintenance of graveyards the Director of Environment and Property stated that they were progressing as previous until the agreements were all signed.

Matters for Decision

**E089/19 DfI Roads Proposals to Mid Ulster District Council – Disabled
Parking Bay at Main Street, Bellaghy**

Members considered previously circulated report which sought agreement to endorse the proposal submitted by Department for Infrastructure Roads for a disabled parking bay at Main Street, Bellaghy.

Resolved That it be recommended to Council to endorse the proposal submitted by DfI Roads for a disabled parking bay at Main Street, Bellaghy.

E090/19 DfI Roads Proposals to Mid Ulster District Council – Proposed 40MPH Speed Limit – Sandholes Road and Strifehill Road, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 40 MPH speed limit at Sandholes Road and Strifehill Road, Cookstown.

The Chair, Councillor Wilson stated that although Council and DfI Roads put the speed limits in place the PSNI need to enforce it and suggested that the PCSP perhaps monitor the speed limits.

Councillor Burton advised that currently the PCSP are using speed monitors to flag up speeds to motorists and one was in situ in Aughnacloy at present. She stated that if there is excessive speeding the PSNI follow-up with the mobile speed camera to catch motorists speeding, thus the softly, softly approach but fines will follow.

The Chair, Councillor Wilson acknowledged that the speed was being reduced from 60mph to 40mph.

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40 MPH speed limit at Sandholes Road and Strifehill Road, Cookstown.

E091/19 ECO Schools Programme Support 2019/20

Members considered previously circulated report which recommended that approval be granted to continue providing financial support to the Eco Schools Programme in NI to the amount of £1650 requested in 2019/20.

Proposed by Councillor McNamee
Seconded by Councillor Colvin and

Resolved That it be recommended to Council to approve the continuation of provision of financial support to the Eco Schools Programme in NI to the amount of £1650 requested in 2019/20.

E092/19 Dual Language Signage Request

Members considered previously circulated report which advised of requests for Dual Language Signage from residents on streets/roads in the District.

Proposed by Councillor McNamee
Seconded by Councillor M Quinn and

Resolved That it be recommended to Council to proceed to survey the streets/roads on which a request for Dual Language Signage has been received as undernoted:

- Chapel Street, Cookstown
- Glen Gardens, Maghera

2 Environment Committee (1.4.19)

- Killymoon Street, Cookstown
- Tirnaskea Road, Pomeroy
- Gortsraheen Road, Pomeroy
- Loughview Close, Stewartstown

E093/19 Dual Language Signage Survey

The Head of Building Control presented previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests.

Proposed by Councillor McNamee
Seconded by Councillor McGinley

That it be recommended to Council to agree the application of Dual Language Nameplates in Irish for the streets/roads as noted below:

- **The Paddock, Magherafelt**
- **Lester Gardens, Magherafelt**
- **Union Road, Magherafelt**
- **Bellebrook Mews, Magherafelt**

Proposed by Councillor Cuthbertson
Seconded by Councillor Buchanan

That it be recommended to Council not to agree the application of Dual Language Nameplates in Irish for the stress/roads aforementioned.

The Chair Councillor Wilson called for a vote on Councillor Cuthbertson's proposal

For	5
Against	8

The Chair, Councillor Wilson stated he was taking this as a direct negative thus Councillor McGinley's vote was carried

For	8
Against	5

Resolved That it be recommended to Council to agree the application of Dual Language Nameplates in Irish for the streets/roads as noted below:

- **The Paddock, Magherafelt**
- **Lester Gardens, Magherafelt**
- **Union Road, Magherafelt**
- **Bellebrook Mews, Magherafelt**

E091/19 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding the naming of new residential housing developments within Mid Ulster.

Proposed by Councillor Kearney
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name development
Site off Chichester Avenue, Castledawson – *Dawsons Hill*

Councillor J O'Neill entered the meeting at 7.05pm

In response to Councillor Gillespie's query it was confirmed that the name was derived from Castledawson.

Proposed by Councillor Burton
Seconded by Councillor Colvin and

Resolved That it be recommended to Council to name development
Site off Church Road, Ballygawley – Church View.

E092/19 Licensing of Houses of Multiple Occupation – Implementation Procedures

The Director of Public Health and Infrastructure presented previously circulated report regarding The Houses in Multiple Occupation (HMO) Act NI 2016 commencing on 1st April 2019. This will transfer the responsibility for the Houses in Multiple Occupation ('HMO') Registration Scheme from Northern Ireland Housing Executive to local Councils. It also creates a new licensing system which requires landlords to demonstrate that they are a fit and proper person to be a HMO landlord. The report sought consideration of the role of the Environment Committee in the decision making process relating to the licensing of HMOs and to consider proposed amendments to the Scheme of Delegation. The Director sought approval for recommendation to Council to:

To assist with the timely administration of the functions of the Houses of Multiple Occupation (HMO) Act NI 2016 the Director of Public Health and Infrastructure and or his nominee to exercise the relevant powers in a delegated manner for and on behalf of Council in relation to the issue, but not refusal, of House of Multiple Occupation Licences and excluding provisions relating to:

- applications for the grant, renewal, transfer or variation of licences where objections are received;
- applications where officers believe there may be an issue in relation to the fitness of the applicant to hold a licence;
- approving any guidance documents;
- setting of licence fees;

- revocation of licences, except where in the public interest the Director, in consultation with the Council Solicitor, considers that there are particular circumstances which make it necessary to suspend a licence immediately.

The matters relating to the excluded provisions as identified above to be both considered and determined at meetings of the Environment Committee.

Proposed by Councillor McNamee
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council to approve the aforementioned recommendation.

E093/19 Standard Conditions for HMOs and the approach to managing Anti-Social Behaviour

The Head of Public Health and Infrastructure drew attention to the previously circulated report regarding the Standard Conditions and the approach to managing Anti-Social Behaviour with regards to houses of multiple occupation.

Proposed by Councillor M Quinn
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council to approve

- (i) The proposed Standard Conditions as detailed at appendix one of the report; and
- (ii) The proposed approach to tackling Anti-Social Behaviour as detailed at appendix two of the report.

E094/19 Houses in Multiple Occupation (HMO) – Fees and Fixed Penalty Notices

The Head of Public Health and Infrastructure drew attention to the previously circulated report seeking agreement to the fee structure for

- HMO licence applications
- Variation of HMO licence
- Fee for copy of HMO register
- Fixed Penalty notice amount for fixed penalties notices issued in respect of Section 64-66 of the Houses in Multiple Occupation (HMO) Act NI 2016

It was noted that although the regulator set out a maximum fee of £45 in the regulations a regional fee of £37 had been agreed allowing scope for increase should there be a future deficit in income.

Proposed by Councillor Colvin
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to approve to

- (i) Set the Regional Fee of £37 per person per annum in respect of an application for a HMO licence;
- (ii) Set the additional fees for an application to vary a licence, and those for supplying a certified copies from or of the register as per table 3 & 4 detailed in the report;
- (iii) Note the information regarding the use of Fixed Penalty Notices as enforcement functions that are available to the Council under the Houses in Multiple Occupation (HMO) Act NI 2016;
- (iv) Set the regional value of any Fixed Penalty notices that may be issued as outlined in appendix 1 of the report.
- (v) Authorise the Director of Public Health and Infrastructure to exercise these functions for and on behalf of Council in accordance with designated delegated authority.

Matters for Information

E095/19 Minutes of Environment Committee held on 12 March 2019

Members noted minutes of Environment Committee held on 12 March 2019.

Councillor Cuthbertson drew attention to E069/19 The Roads Miscellaneous Provisions Act (NI) 2010 – Road Closures and stated that a constituent had approached him in relation to a previous road closure at Ballynakelly Road in Coalisland and had advised him that a steward working at the cycle race had not permitted the constituent to drive to the Bush Village and had claimed that no alternative route was offered and no diversion had been in place. Councillor Cuthbertson stated if Council was granting the permissions it must ensure that rules were adhered to.

In response the Director of Public Health and Infrastructure confirmed that the road closure process included that diversions must be appropriately sign posted.

The Head of Environmental Health advised that Council were the administrators and that it was the remit of the PSNI to enforce regulations and stated that she would contact them to establish what arrangements had been in place.

Councillor Burton drew attention to E060/19 Chair's Business and the discussion on roads policy. The Councillor advised that she had attended a meeting in Eglisli when the issue had been raised on the lack of a footpath at a business park and shop and that the situation was an accident waiting to happen highlighting one incident when two teenage girls had to jump onto the bank to avoid a lorry. Councillor Burton asked what power Council now had to address such issues and 'start the ball rolling' to get a footpath

In response the Director of Environment and Property stated that it would be an issue for Department of Infrastructure – Roads. He stated Council had the general power of competence that had been previously used in relation to roads not adopted and maintenance of same but when there was a statutory agency in charge of the function it should be their responsibility.

The Director of Environment and Property drew attention to E079/19 Administration of Street Naming and Dual Language Nameplate Policy and provided updated costings in that since the most recent quotation which was in November 2018, 102 single language signs had been erected and 123 bilingual signs of which 103 had been installed by a third party contractor at a cost of £88 per sign thus £9,0674 funded through the Culture and Arts Bilingual budget.

The Director of Environment and Property reminded Members that in January 2019 it had been agreed to submit applications to Ulster in Bloom Competition he stated that Moy and Castledawson had been included and they were now not in a position to go forward and asked members to note that applications would not be submitted for the two areas but sought permission for an application to be submitted for Swatragh. In response to Councillor Burton's question the Director advised that Caledon was included on the list of applicants.

Proposed by Councillor B McGuigan
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council that Swatragh be included on the application list for Ulster in Bloom Competition entrants.

E096/19 WISH NI Ambassador Programme 2019

Members noted previously circulated report which provided an update on a successful application to become a WISHNI Ambassador.

E097/19 Operation of Prepayment System at Recycling Centres

Members noted previously circulated report which advised on the operation of the prepayment system for the acceptance of commercial waste at Cookstown, Drumcoo and Magherafelt Recycling Centres.

E098/19 Update on Recycling Centre Improvements

Members noted previously circulated report which advised on improvement works to a number of recycling centres facilities.

E099/19 Building Control Workload

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

E100/19 Entertainment Licensing Applications

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

The Director of Public Health and Infrastructure recalling the tragic events at the Greenvale Hotel, Cookstown asked Members if they would be of a mind to write to the Department of Communities to express a desire to have the model terms and conditions in relation to Entertainment Licensing amended to permit Council to

subsequently amend theirs. He advised there had been an in-house review process commenced by the Department of Communities in 2015 by the then Minister Mark Durkan. The Director stated that at that time the legislation had been in place for 30 years and that Council had reflected on the document welcoming the proposals and suggesting further amendments but due to the NI Assembly collapsing nothing more had happened. He stated he had followed up with the Department who had advised that the matter was pending awaiting a Minister but stated that if Council wrote referencing the serious need it could possibly be treated as emergency legislation.

Proposed by Councillor M Quinn
Seconded by Councillor Colvin and

Resolved That it be recommended to the Council that a letter be sent to the Permanent Secretary of the Department of Communities highlighting the serious need for a review of Entertainment Licence Model Terms and Conditions

In response to Councillor McNamee's query the Director of Public Health and Infrastructure advised that a letter would be sent to the Permanent Secretary referencing the tragedy and requesting that the Department instigate the review process for amendments to the model terms and conditions. He advised it would be a trigger point to kick start the process which has been stalled for two years.

In response to Councillor Burton's query the Director of Public Health and Infrastructure advised that he did not have the Council's response to the aforementioned consultation in front of him but it could be forwarded if necessary.

E101/19 Consumption of Intoxicating Liquor in Designated Places

Members noted previously circulated report on the current byelaws relating to the consumption of intoxicating liquor in designated places.

Councillor Cuthbertson drew attention to 3.8 of the report which detailed that since April 2015 MUDC had received three reports/complaints of drinking in a public place, all of which related to the Dungannon area (Railway Park/The Lines/Irish Street) and acknowledged there was many more incidents than what was being reported. He stated that he appreciated the level of work staff had carried out to bring the report to the meeting and as part of the way forward stated he would like to see the designated places list amended to include all of the Council's properties.

The Chair Councillor Wilson stated that the PSNI had to deliver the scheme.

Councillor Cuthbertson stated that Council was responsible for the byelaw.

The Chair, Councillor Wilson acknowledged this but stressed that the PSNI had to produce the evidence.

In response to Councillor Cuthbertson asking if Council employed park wardens ever referred any complaints the Head of Environmental Health reiterated that only three complaints had been received since 2015 in relation to drinking in parks.

Councillor Cuthbertson stated that there would appear to be a neglect on some staff as there were lots of issues and stated he had asked designated officers were they aware of reports coming to them. He reiterated that staff were neglecting duties if they see a child or vulnerable person in the park or drink being consumed not reporting it.

In response the Head of Environmental Health stated that the PSNI have to bring forward the information and the Council administer the byelaws. She further advised that Council staff do not have the powers to ask people their names and addresses.

The Chair, Councillor Wilson acknowledged the work to date and stated there were a lot areas not included but that was just one of the issues and suggested that the matter could be referred to PCSP as Council were limited in what they could do.

Councillor Cuthbertson asked if for example the Hill of The O'Neill and the Earls Pathway could be included in the designated places.

In response the Head of Environmental Health stated that the byelaws were detailed in the report and stressed they provided a broad guideline and drew Members attention to the fact that the Department of Environment guidance only provided an overview of drafting considerations to enable a broad consistency of approach across councils. The guidance states that byelaws should only be used where a more specific power does not apply and where an existing, genuine and specific local problem exists.

Members also noted detail at 4.1 of the report *that consideration should be given to the PSNI powers that exist to deal with anti-social behaviours in this type of situation and also specific problem areas may wish to be considered rather than a blanket approach. Consideration needs to be given to the effectiveness of the current Byelaws in place and the number of PSNI referrals/complaints received.*

The Head of Environmental Health stated that there had to be complaints for the byelaws to be applied and that reports were not being received.

The Director of Public Health and Infrastructure stated that the area surrounding the reservoir at Castlehill was included in the list of designated places.

In response Councillor Cuthbertson stated that at the time the area was incorporated in the list it had not been owned by Council. He stated that he had an email from a Chief Inspector in the PSNI stating that the area at Hill of The O'Neill was not included. He also stated that Council staff were bound to see what was going on and the matter could be like dog fowling it will end up back at Council doorstep.

Councillor McGinley stated he was not 100% sure that amending byelaws would bring the changes required. He stated that it could be approached in two ways (i) the PSNI to do what is within their remit; and (ii) PCSP fund youth workers to engage with young people.

Councillor Kearney reflected on the list of designated places for the Magherafelt area and stated that some of the schools listed had now closed, there was new housing developments and really the area had changed.

The Head of Environmental Health stated that the lists were from the legacy Councils and agreed that there are many aspects of change but reiterated to bring about changes there has to be specific complaints.

The Director of Public Health and Infrastructure stated that if there is a desire to move forward the regulatory teams could have a workshop with Members to build up a picture of the issues, new areas and to determine a process of refinement.

The Head of Environmental Health stated that as with any review a significant consultation process has to take place and there were a significant steps to follow to bring about changes and an extensive framework to go through.

The Director of Public Health and Infrastructure advised the legislative process required any changes after consultation to be brought back to committee and then publicised before being referred to the Department of Communities for ratification .

Councillor Colvin stated that the aforementioned suggestion may refresh the process but concurred with Councillor McGinley that there were other ways to engage.

Proposed by Councillor Cuthbertson
Seconded by Councillor Buchanan

To initiate the process to incorporate all of Council estate in the list of Designated Places with regard to Byelaws on Consumption of Intoxicating Liquor.

In response to Councillor McGinley's question as to what officers thought, the Head of Environmental Health stated officers could review the process but it was a matter for the committee to decide a way forward, she advised there would be a cost and timeframe to the process and provision should be given for example if there was a wedding at the Hill of The O'Neill and there was alcohol served outside, or if people were caravanning at Dungannon Park and having a barbeque with a glass of wine. Ultimately however she reiterated it was for the committee to decide.

Councillor McGinley stated that officers could foresee challenges and sought a middle ground to progress as he was getting a sense there was opposition.

The Director of Public Health and Infrastructure stated that it was a reasonably straightforward process, however an officer resource would be required to move it forward. He indicated from discussions there appeared to be a desire to take on board new council public areas and look at other public spaces as well. He cautioned however if you added all new housing developments , the designation could impact on people perhaps carrying a tin of lager from their garden onto the public path and thus public consultation was needed.

Councillor Glasgow stated that he would have concerns that by tightening up byelaws you could actually make things worse and asked if it would be more beneficial to drive forward through PCSP and anti-social behaviours laws. He suggested bringing problematic areas to their attention and in turn getting the PSNI to address the issues as opposed to a blanket ban.

Councillor McGinley concurred and stated an options paper brought back to committee may be a way forward.

Councillor Cuthbertson stated that this was like a scare story and indicated within the byelaws there was exceptions reading that at 3 (i) (b) of Dungannon & South Tyrone Byelaw it was stated that *“in any park controlled by the Council in circumstances where the consumption of intoxicating liquor is otherwise permitted by the Council under its bye-laws for the regulation of parks.”*

Proposed by Councillor McGinley
Seconded by Councillor Colvin

That it be recommended to Council that officers bring forward an options paper to committee on the matters aforementioned.

The Chair, Councillor Wilson called for a vote on Councillor Cuthbertson’s proposal

For	3
Against	10

The Chair, Councillor Wilson called for a vote on Councillor McGinley’s proposal

For	10
Against	3

Resolved That it be recommended to Council that officers bring forward an options paper to committee on the matters aforementioned.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Colvin
Seconded by Councillor B McGuigan 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 E080/19 to E085/19.

Matters for Decision

E102/19	Tender report for collection and recycling/reprocessing of waste wood
E103/19	Waste Related Professional Services Contract Assignment

Matters for Information

E104/19	Confidential Minutes of Environment Committee held on 12 March 2019
E105/19	Capital Projects Update

E106/19 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.42pm

11 Environment Committee (1.4.19)

The Chair, Councillor Wilson thanked Members for their assistance in progressing the business through his short time as Chair of the Committee and extended best wishes to Members in the forthcoming elections.

CHAIR _____

DATE _____

Report on	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2018
Date of Meeting	11 th June 2019
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

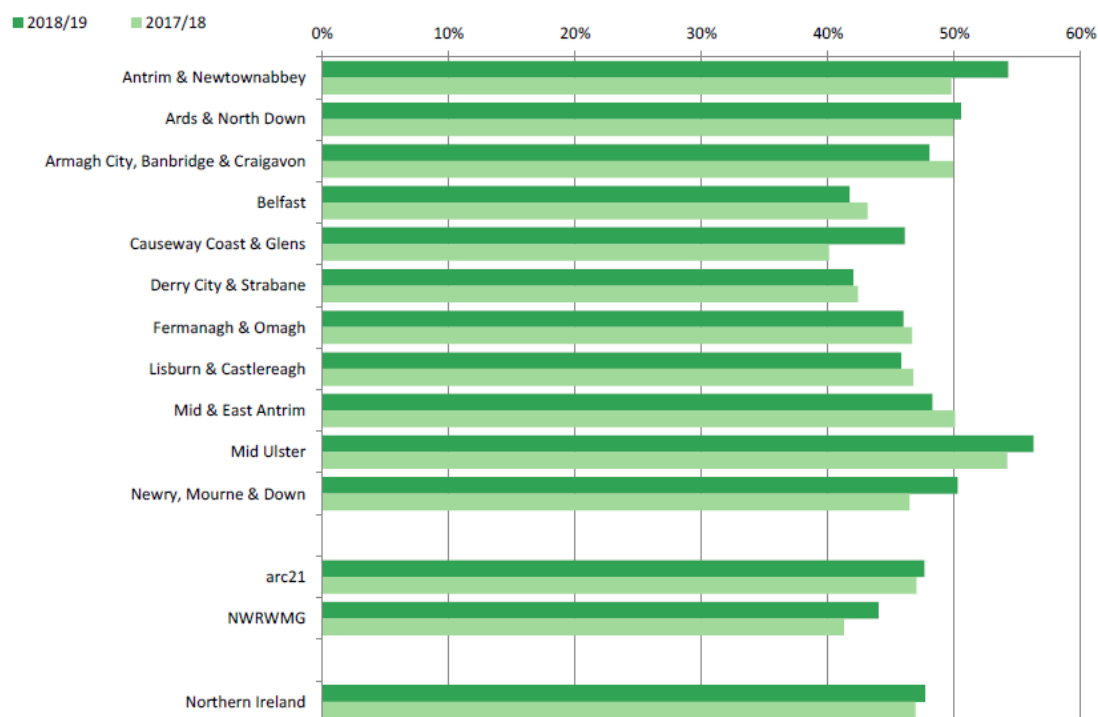
1.0	Purpose of Report
1.1	To update members on the Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 3 of 2018/19, October to December 2018.
2.0	Background
2.1	<p>The above (provisional) report was published on 25th April 2019 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> <p>https://www.daera-ni.gov.uk/publications/northern-ireland-local-authority-collected-municipal-waste-management-statistics-october-december-2018</p>
3.0	Main Report
3.1	<p><u>Waste Arisings:</u></p> <p>Northern Ireland's Councils collected 230,942 tonnes of Local Authority Collected Municipal Waste (LACMW) between October and December 2018, similar to the 232,012 tonnes collected during the same three months of 2017.</p> <p><u>Recycling and Composting:</u></p> <p>The Northern Ireland household waste preparing for reuse, dry recycling and composting rate was 47.7% between October and December 2018, an increase on the 46.9% recorded during the same three months of 2017.</p>

At Council level, the lowest household waste recycling rate recorded was in Belfast at 41.7%, **whilst it is pleasing to report that the Council with the highest household waste recycling rate of 56.3% was Mid Ulster,** (Please see Fig. 1 below).

Whilst Mid Ulster's composting rate fell by 3% when compared to the same quarter in 2017, the dry recycling rate increased by 5.1% leading to this overall increase in our household recycling rate. This increase to 56.3% is an improvement of 2.1% on the household recycling rate recorded for October to December 2017.)

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

Northern Ireland, Comparing October to December 2017 and October to December 2018



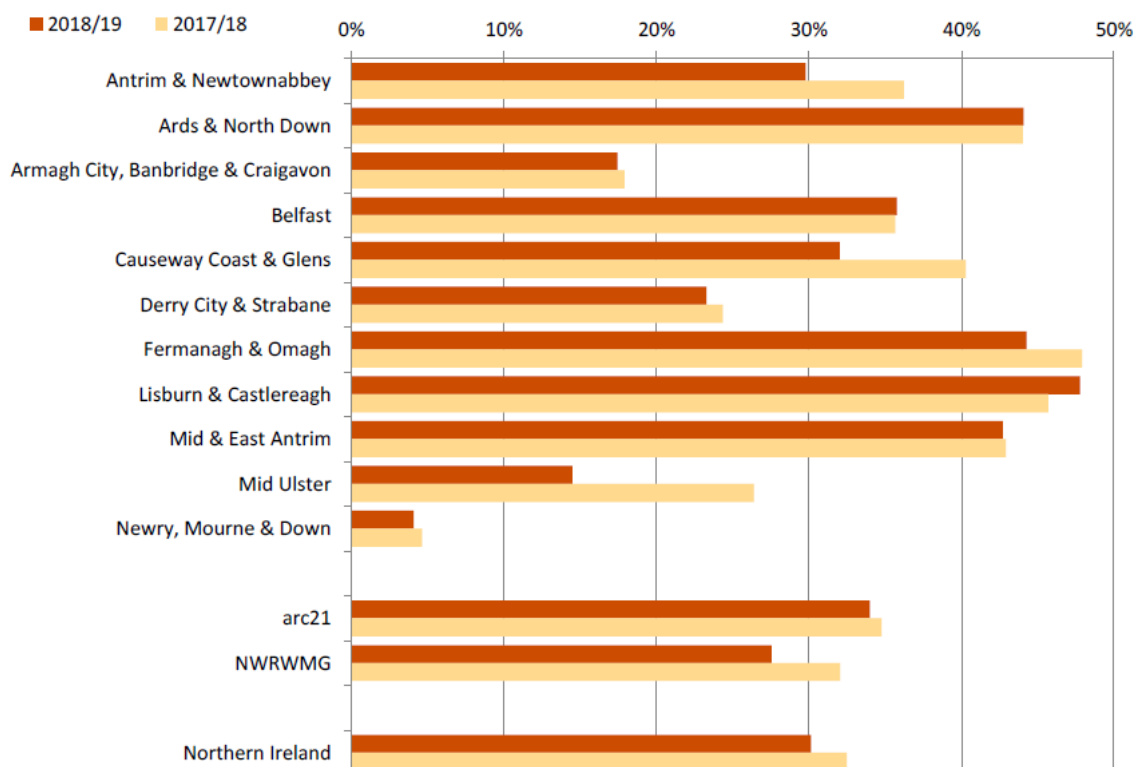
The top performance of Mid Ulster District Council in relation to household waste recycling has been highlighted recently both regionally and nationally (please see the attached article which appeared in the Belfast Telegraph and CIWM Journal on 10th May).

Waste to Landfill:

The quantity of Local Authority Municipal waste sent to landfill decreased by 8.2% from 77,243 tonnes during October to December 2017 to 70,872 tonnes between October and December 2018. This gave a quarterly landfill rate for Northern Ireland of 30.7%, a further reduction on the 33.3% recorded during the same quarter of 2017 and the lowest landfill rate ever for October to December.

Mid Ulster recorded a household waste landfill rate of 14.6%. This is a decrease of 11.9% compared to the same quarter in 2017 and is now the second lowest landfill rate of all 11 councils, (only Newry, Mourne & Down Council has a lower landfill rate at 4.3%). The drop in the landfill rate in Mid Ulster is due to an increase in waste sent for energy recovery and the cessation of waste being sent direct to landfill. (See Fig. 2 below):

Fig. 2. Household waste landfilled by council and waste management group, Northern Ireland, October to December 2017 and October to December 2018

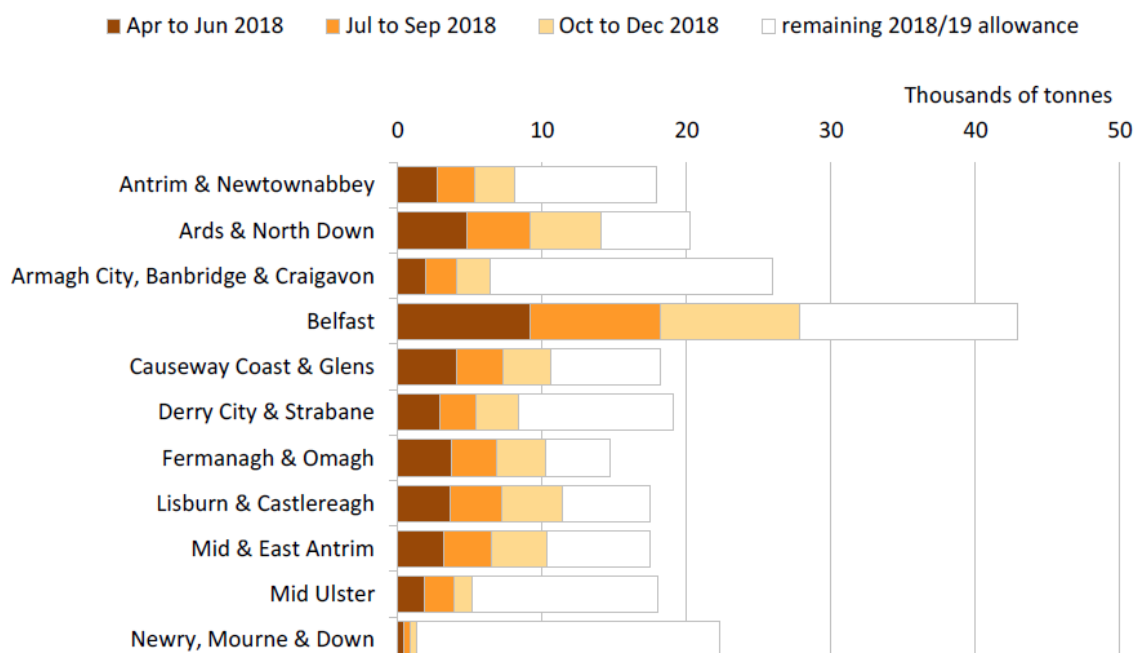


Biodegradable Waste to Landfill:

The Landfill Allowance Scheme (NI) Regulations 2004 (as amended) place a statutory responsibility on councils, in each scheme year, to landfill no more than the quantity of biodegradable LAC municipal waste (BLACMW) for which they have allowances.

With regard to the Northern Ireland Landfill Allowance Scheme (NILAS) allocation Mid Ulster District Council utilised only 7.1% of the available annual allowance (18,032 tonnes) during the third quarter i.e. landfilled only 1,288 tonnes of Biodegradable Local Authority Collected Biodegradable Municipal Waste (BLACMW). For April to December 2018, Mid Ulster has used 28.7% of the available annual allowance. This was the third lowest utilisation of all eleven Councils (as illustrated in Fig. 3 below)

Fig. 3. Biodegradable LAC municipal waste allowance sent to landfill by council, Northern Ireland, April to June 2018, July to September 2018 and October to December 2018.



4.0 Other Considerations

4.1 Financial, Human Resources & Risk Implications

Financial:

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

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

Risk Management:

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

4.2 Screening & Impact Assessments

Equality & Good Relations Implications: None

Rural Needs Implications: None

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
6.1	Copy press release – as featured in CIWM Journal and Belfast Telegraph on 10 th May 2019

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Northern Ireland Recycling Collections Need "Simplicity & Convenience"

Posted on 2 May 2019 by Darrel Moore



One in four householders in Northern Ireland say they were not happy with the way their council has asked them to recycle their household waste, according to the results of a new survey.

However, in council areas where household recyclables (plastic, paper, card, tins and cardboard etc.) can be 'commingled' with glass in the same bin, 81% of householders reported that they were happy with how their council has asked them to recycle, with Fermanagh and Omagh Council's householders being most content, at 87%.

The survey, carried out by Lucid Talk across all 11 council areas, revealed that Armagh, Banbridge and Craigavon Council's householders were least happy (48%) with their council's recycling collection method, followed closely by 58% of Belfast City Council's householders.

Of the respondents who said they weren't happy with how their council has asked them to recycle, 62% rated 'bins are too small' in the top three most negative factors (out of 10).

A third of respondents who aren't happy with how their council wants them to recycle rated that they 'want to recycle glass with their mixed dry recycling' in the top three factors (out of 10).

Encouragingly, 74% of the householders surveyed across Northern Ireland said that they try to recycle everything they can, however a quarter of the respondents admitted to recycling only when it was convenient for them, but not always.

When asked what would encourage them to recycle more, of the councils that don't offer a fully commingled recycling service with glass, nearly 50% of all householders said they would recycle more if there was one bin that took all recycling, including glass. This figure rose to 76% of householders in the Lisburn and Castlereagh City Council area.

A fifth of NI householders also said that they would recycle more, if there was better information

provided by the council on what they could recycle. [Read about them here.](#) To use the website as intended please... [Accept Cookies](#)

Joseph Doherty, Managing Director of Re-Gen Waste Ltd –
"Local authorities need to encourage the maximum number of people to recycle the maximum volume of materials, weighed against the cost of processing the material, and the potential financial benefits from reducing landfill costs, and selling on recyclable material."

Joseph Doherty, Managing Director of Re-Gen Waste Ltd said: "These survey results indicate that simplicity and convenience are the most significant factors in determining participation by householders.

"Local authorities need to encourage the maximum number of people to recycle the maximum volume of materials, weighed against the cost of processing the material, and the potential financial benefits from reducing landfill costs, and selling on recyclable material.

"The councils we work with in Northern Ireland, England and Scotland tell us that household friendly schemes such as commingling recyclables, are much preferable to residents than pre-sort schemes, using small containers and that working with advanced Material Recycling Facilities (MRF's) like ours, is actively improving their recycling rates."

Switching To Commingled

One in ten people in NI who can't recycle their glass along with the rest of their recycling waste, will put their glass in the municipal waste (black or grey) bin, compared to three in one hundred people who live in council areas that offer a commingled glass recycling service.

In Belfast, 20% of respondents said they put their glass in their municipal waste bin rather than recycle it, corresponding to a similarly high figure of 17% in Lisburn & Castlereagh and 15% in Armagh, Banbridge and Craigavon. None of these council areas offer a commingled glass recycling service.

When respondents who live in council areas where glass is commingled were asked if they would recycle less if they had to place their glass waste into a separate caddy, 35% said they would.

Mr Doherty continued: "More and more local authorities are seeing the benefits and cost savings achieved by switching to commingling collection services, alongside an ultra-modern MRF.

"What we should be doing is taking learnings from Mid Ulster Council, the top performing recycling council in Northern Ireland. Their waste recycling collection is commingled with glass and where other councils are operating several waste collections within their area, Mid Ulster Council has exceeded the EU's Directive of a 50% household recycling rate by 6.3%, two years before the 2020 deadline.

"Mid Ulster has continued to grow their recycling rate year on year, which would suggest to me that they are doing something right."

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This entry was posted in [Reduce, Reuse, Recycle, Waste Collection](#) and tagged [Commingled](#), [Northern Ireland](#) by [Darrel Moore](#). Bookmark the [permalink](https://ciwm-journal.co.uk/northern-ireland-recycling-collections-need-simplicity-convenience/) (<https://ciwm-journal.co.uk/northern-ireland-recycling-collections-need-simplicity-convenience/>).



Report on	Recycling Centre Improvement Works
Date of Meeting	11 th June 2019
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 improvement works to a number of Recycling Centre facilities.
2.0	Background
2.1	In September 2018 Council approved the release of £150k revenue from reserves to fund various (mainly health and safety related) improvements to several Recycling Centres.
2.2	A successful funding application was subsequently submitted to/approved by DAERA for £65,730 which was used to carry out further improvements i.e. in addition to the £150k.
3.0	Main Report
3.1	<p>The following improvement works have now been completed at the below sites:</p> <p><i>Cookstown – installation of new horizontal cardboard baler</i></p> <p><i>Clogher – installation of new boundary palisade fencing and concrete resurfacing</i></p> <p><i>Fivemiletown – bitmac/SMA resurfacing of upper level of site</i></p> <p><i>Maghera – installation of 2 No. compactors, hooklift containers and CCTV</i></p> <p><i>Magherafelt – installation of new traffic control barriers, push walls and CCTV</i></p> <p><i>Tullyvar – installation of 2 No. compactors, hooklift containers and concrete resurfacing</i></p> <p>The cost of the site works ranged from £10,884 at Fivemiletown to £57,091 at Tullyvar.</p> <p>Photographs showing some of the completed improvements are included as appendix.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: A total of £215,435 was spent on the Recycling Centre improvements; £65,435 of which came from external DAERA funding i.e. in addition to £150k revenue reserves.

	Human: Environmental Services staff time in procuring/supervising the necessary works.
	Risk Management: The improvement works has addressed hazard/risks identified in previous Health and Safety Corrective Action Reports (CARs) for the sites concerned.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members are asked to note the Recycling Centre improvements as outlined in this report.
6.0	Documents Attached & References
6.1	Photographs of improvements to Tullyvar and Maghera Household Recycling Centres





Using your Recycling Centre
www.midulster.org/recyclingcentre
or call: 03000 132 132
Mid Ulster recycles

Sort your recyclables before you visit.
Disposal of recyclable items in the waste skips is no longer acceptable.

Mid Ulster District Council
Maghera Recycling Centre
Rathfriland Industrial Estate, Rathfriland Road, Maghera, BT46 5ET
Opening Times
Monday - Friday 9:00am - 5:00pm
Saturday 9:00am - 1:00pm
Closed
WELA Licence No: WML 2005 - LN/09/63/M
For Emergencies Call
Mid Ulster District Council: 03000 132 132
WELA: 028 9056 1023
No Scavenging Permitted
Mid Ulster District Council

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CAUTION
SITE SPEED LIMIT 10

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Exit Only
Do not enter



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Report on	Revised Policy Guidance on Exhumations
Date of Meeting	11 th June 2019
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Eunan Murray, Grounds & Cemeteries 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 members on the revised Department for Communities (DfC) Policy guidance for Exhumations in Council owned burial grounds.
2.0	Background
2.1	The Burial Grounds Regulations (Northern Ireland) 1992 provide that, except where the Department for Communities has given written consent to an exhumation application, it is an offence to remove buried human remains from a council owned graveyard.
2.2.	No Exhumations have been carried out in the life of this Council (i.e. since 1 April 2015) at any Council owned graveyard in the district.
3.0	Main Report
3.1	Revised guidance was issued on Exhumations earlier this year and is attached in Appendix 1.
3.2	Due to the reorganisation of central government departments responsibility for exhumations now lies with the Department for Communities, hence the revised guidance.
3.3	<p>The Department for Communities will consider all exhumation applications and will make a decision to consent or refuse based on the information provided in each case. In considering an application for exhumation, it is the Department's general policy to give consent provided that:</p> <ul style="list-style-type: none"> the owner of the Rights of Burial and the nearest surviving relative of the deceased give consent; there are no known legitimate objections e.g. in relation to public decency or public health; and

	<ul style="list-style-type: none"> the relevant district council has signed the Declaration at Part B of the application form.
3.4	The guidance has been updated with enhanced detail around the nearest surviving relative. The hierarchy of the nearest surviving relatives has been amended with priority given in accordance with that set out in the Administration of Estates Act (Northern Ireland) 1955 (chapter 24) as amended by the Civil Partnerships Act 2004 (which provides civil partners with equal rights to spouses).
3.5	The guidance update sets out that the Department for Communities has no involvement in exhumations relating to non-council property or otherwise owned burial grounds. In the event that an application for exhumation is being made from a burial ground not owned by the council then the applicant must apply to the Environmental Health Section within their own council area. The council will liaise with the relevant authorities before deciding on the outcome of the application.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial:
	None at this juncture.
	Human:
	None at this juncture.
	Risk Management:
	None at this juncture.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	None; The Policy applies to all groups irrespective of creed or ethnic origin.
	Rural Needs Implications:
	None
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 – Revised Policy Guidance on Exhumations
6.2	Appendix 2 – Application for consent for the removal of human remains

REVISED POLICY GUIDANCE ON EXHUMATIONS (JANUARY 2019)

The Burial Grounds Regulations (Northern Ireland) 1992 provide that, except where the Department for Communities has given written consent to an exhumation application, it is an offence to remove buried human remains from a council owned graveyard. (*Departmental consent is not required where a coroner gives a direction under section 11 of the Coroners Act (NI) 1959*).

The Department believes that it is right and proper to continue to protect buried human remains from unauthorised disturbance and, that where consent has been given for exhumation, the remains are treated at all times with dignity and respect.

The Department will consider all exhumation applications and will make a decision to consent or refuse based on the information provided in each case. In considering an application for exhumation, it is the Department's general policy to give consent provided that:

- the owner of the Rights of Burial and the nearest surviving relative of the deceased give consent;
- there are no known legitimate objections e.g. in relation to public decency or public health; and
- the relevant district council has signed the Declaration at Part B of the application form.

In circumstances where the council does not sign the Declaration, the Department will consider the council's reasons for refusal.

As indicated above, an application for exhumation/removal of human remains must be made with the consent of the owner of the exclusive Rights of Burial relating to the grave. The Department's consent under the 1992 Regulations is permissive only; the grave owner must therefore be prepared to grant access for the exhumation/removal.

If the remains are buried in a public or common grave, it could be that unrelated remains may also be buried there and, if so, they may have to be disturbed. In such circumstances, it is the responsibility of the applicant to obtain the permission of the nearest surviving relative(s) of those deceased.

The consent of the nearest surviving relative is required. Priority is given in accordance with that set out in the Administration of Estates Act (Northern Ireland) 1955 (chapter 24) as amended by the Civil Partnerships Act 2004 (which provides civil partners with equal rights to spouses). This means that if the spouse or civil partner of the deceased is alive, then that person is the immediate nearest surviving relative. Thereafter, the nearest surviving relative hierarchy is the deceased's:

- children (or grandchildren if there are no surviving children); followed by
- parents;
- brothers and sisters;
- grandparents; and
- uncles and aunts or the children thereof.

Common law or cohabiting partners are not regarded as the nearest surviving relative of the deceased for the purpose of exhumation consents.

Following divorce in the case of former married couples or if a civil partnership has been dissolved, each individual has no jurisdiction on the remains of their former partners. However, they would still be regarded as nearest surviving

relative for the purposes of exhumation consents for any children that they may have had.

If contact has been lost with the nearest surviving relative, the nearest surviving relative with the same degree of closeness, or with the owner of the exclusive Rights of Burial, the Department will expect the applicant to undertake the appropriate enquiries. Documentary evidence will be required to show that attempts have been made to locate the missing person.

Where there is an objection from one relative with the same degree of closeness as another who has given consent, the Department must exercise its power to consent with due care so as not to intervene in what is a family dispute. If agreement between family members cannot be obtained the normal course for the Department would be to refuse the application.

APPLICATION FOR EXHUMATION

Application Forms are available from council offices or from Local Government & Housing Regulation Division. The application form contains Notes on completing the form and is divided into two parts, Part A (to be completed by the applicant) and Part B (to be completed by the Council).

PART A

Part A is to be completed and signed by the applicant. It requires details of the applicant, the deceased, the place of burial, the exclusive rights of burial and the reason for the exhumation/removal.

PART B

Part B is to be completed by the district council in whose area the exhumation is proposed. In order to comply with the Burial Grounds (NI) Regulations 1992 Schedule 1 Part 3 the exhumation must be carried out *“with due care and attention to decency under the supervision of an environmental health officer appointed by the council and in accordance with such conditions as he*

may, after consultation with the Director of Public Health, impose with respect to matters affecting or likely to affect the public health.”

It will be the responsibility of the council to ensure that an Environmental Health Officer has contacted the Director of Public Health and that any conditions required in relation to public health are notified to the Department in writing. The Department will consider these conditions before refusing or consenting to the application.

Should the council have any objections to the exhumation, other than in relation to public health, the application form will be returned unsigned together with a letter setting out the reasons for the opposition to consent. The Department will consider the council's reasons for opposition and will not make a decision on the application without first consulting with the council.

The Police Service of Northern Ireland sub-divisional commander of the subdivision in which the burial ground is situated shall be notified of the date and time of the exhumation by the person who applied for the written consent of the Department.

In the event that an application for exhumation is being made from a burial ground not owned by the council then the applicant must apply to the Environmental Health Section within their own council area. The council will liaise with the relevant authorities before deciding on the outcome of the application. The Department has no role to play in granting approval of exhumations from non-council or otherwise owned burial grounds.

**APPLICATION FOR CONSENT FOR THE REMOVAL OF HUMAN
REMAINS (OTHER THAN CREMATED REMAINS) FROM COUNCIL
OWNED BURIAL GROUNDS IN NORTHERN IRELAND**

The current law relating to this matter is contained in Regulation 12 of the Burial Grounds Regulations (Northern Ireland) 1992 which states that:

“A person shall not cause or permit a body to be removed from one place of burial to another or to be exhumed unless that person first obtains the written consent of the Department”

In this case the ‘Department’ means the Department for Communities. The Department will require some information and documentation from the applicant (and other parties) and details of the deceased. Applicants should therefore read the notes overleaf and provide the details requested in Part A before sending the form to the relevant council for completion of Part B.

Fully completed forms should be sent to:

Local Government & Housing Regulation Division
Department for Communities
Level 4
Causeway Exchange
1-7 Bedford Street
Town Parks
BELFAST
BT2 7EG
Enquiries: 028 9082 3377

Notes *(please read carefully)*

Nearest surviving relative - This means spouse/civil partner and thereafter the deceased's children (or grandchildren if there are no surviving children); followed by their parents; brothers and sisters; grandparents; then aunts and uncles or the children thereof. Common law/cohabiting partners are not regarded as the nearest surviving relative for purposes of exhumation consent.

Note 1 - Where the applicant is not the nearest surviving relative of the deceased, the written consent of that relative should be attached to the application form along with their name, address and a contact telephone number.

Note 2 - An application not made by, or made without the written consent of, the nearest surviving relative can only be considered in exceptional circumstances, e.g. where the deceased left no known closer relatives or they cannot be traced.

Note 3 - This form should normally be completed by the spouse/civil partner, child/grandchild or sibling of the deceased (in that order). If there are any other relatives with the same, or closer, degree of kinship as the applicant, their consent to the application must be confirmed by adding their signature and contact details (including telephone) at the end of the form.

Note 4 - If it is not possible to give the name(s) of the deceased or if it is suspected that unrecorded or unmarked remains lie in the area, the place from which the remains are to be taken should be clearly marked on a plan not exceeding 210mm x 297mm (paper size A4) which should be attached to the application.

Note 5 - If the applicant or the nearest surviving relative of the deceased do not own the exclusive right of burial in the grave, the written consent of the owner to the opening of the grave must be obtained for the purpose of removal or exhumation. This consent should be attached to the application form.

Note 6 - Prior notice must be given to the Commonwealth War Graves Commission and their written consent obtained if they maintain the grave or vault to be opened or if maintenance is carried out on their behalf.

Note 7 - On occasion an exhumation may require the disturbance of the remains of another deceased person(s). If so the full name, date and cause of death of the other deceased person(s) must be stated in the application. A copy of the relevant death certificate(s) should also be provided.

Note 8 - In addition, the nearest surviving relative of the other deceased person(s) should be asked to sign a statement on the following lines:

"I, **[print name here]**, being the nearest surviving relative of the late **[print name of deceased]**, consent to the disturbance of his/her remains for the purposes of removing the remains of **[print name of deceased who is to be exhumed]**. This consent is given on the clear understanding that the remains to be disturbed are properly re-interred and the grave is restored to good order."

To be completed by applicant

Part A

1. Full name of applicant:

2. Full address of applicant:

_____ Post code _____

Contact telephone number(s) _____

3. What is your relationship to the deceased? _____

SEE NOTE 1.

4. Are you the nearest surviving relative? _____

SEE NOTE 2.

5. If you are not the nearest surviving relative, or are not providing the written consent of the nearest surviving relative of the deceased, please explain why you are making the application:

SEE NOTE 3.

6. If you are the child, grandchild or sibling of the deceased, please state how many brothers or sisters you have:

I have _____ brothers and _____ sisters.

SEE NOTE 4.

7. Full name of the deceased (or attach a plan if the deceased is unknown):

8. Date and cause of death as stated on death certificate:

9. Name, address and plot number of the burial ground where the remains are currently interred:

10. Are the remains buried in a private grave? _____

SEE NOTE 5.

11. Are you the owner of the grave? _____

12. If you are not the owner of the grave (i.e. do not have the exclusive rights to burial) please attach written consent and full contact details of the owner:

13. Please state the reason for the removal/exhumation:

SEE NOTE 6.

14. Is the grave or vault maintained by or on behalf of the Commonwealth War Graves Commission? _____

15. Does the grave or vault contain a Commonwealth War burial? _____

16. Please attach the written consent of the Commonwealth War Graves Commission if the answer to either of the 2 questions above is yes.

SEE NOTE 7.

17. Can the remains be removed without disturbing any other remains?

18. If other remains will be disturbed, please attach the written consent of the nearest surviving relative of the deceased concerned (**SEE NOTE 8**).

19. Please state the name and address of the burial ground and plot number in which it is proposed to re-inter the remains or the crematorium at which the remains are to be cremated:

20. Please read, sign and date where indicated below:

I/we apply to the Department for Communities for consent to remove/exhume the remains of the deceased person(s) named above from the place in which they are currently interred. I/we attach any documents(s) of consent required:

Signed _____

Dated _____

21. If more than one signature is required, please print the additional names and contact details below:

Name and address

Name and address

Name and address

Thank you

NOW SEND FORM TO DISTRICT COUNCIL

To be completed by District Council.

Part B

This part of the application should be read with the completed Part A and the accompanying documentation.

In line with the Burial Grounds Regulations (Northern Ireland) 1992, Schedule III Part III, please ensure the application is copied to the Council Environmental Health Officer prior to consultation with the Director of Public Health (Public Health Agency). If any known conditions are required in relation to public health, please state them in a covering letter to the Department for Communities.

The Regulations.

The Regulations provide that: "The removal or exhumation of a body or the remains of a body, shall be conducted with due care and attention to decency under the supervision of an environmental health officer appointed by the council and in accordance with such conditions as he or she may, after consultation with the Public Health Agency, impose with respect to matters affecting or likely to affect public health".

Declaration on behalf of the Council.

I declare that, to the best of my knowledge, the replies made by the applicant(s) are correct and that I have no reason to doubt the authenticity of any accompanying documents(s) of consent. I further declare that I am not aware of any objection to consent being given by the Department.

Name and position (please print)

Signature _____ Date _____

Name and address of District Council:

NOW SEND APPLICATION AND ACCOMPANYING DOCUMENTATION TO:

Local Government & Housing Regulation Division
Department for Communities
Level 4
Causeway Exchange
1-7 Bedford Street
Townparks
BELFAST
BT2 7EG

Report on	Access at Polepatrick Cemetery and Park
Date of Meeting	11 th June 2019
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Eunan Murray, Grounds & Cemeteries 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 members on the updated access arrangements at Polepatrick Cemetery and Park.
2.0	Background
2.1	Council manages five operational cemeteries across Mid Ulster. Work is concluding on alignment of operational processes and practices. A remaining issue is alignment of Cemetery access for visitors.
3.0	Main Report
3.1	With the exception of Polepatrick Cemetery in Magherafelt, all other operational cemeteries have been accessible at all times. Historically Polepatrick Cemetery and Park was accessible from 8am to Dusk daily (See Appendix 1 for Polepatrick public entrance).
3.2	As a trial pedestrian access was relaxed in January 2019 to provide increased access for people to visit the graves of loved ones. The trial has since been reviewed, and has extended further to permit vehicle access to the car park.
3.3	Following some minor physical access adjustments to prevent unauthorised vehicle access beyond the car park, gates for pedestrian and vehicle access to the cemetery and park now remain open daily.
3.4	The new access arrangements at Polepatrick align access arrangements across the operational cemeteries. The new arrangements at Polepatrick will be monitored closely by council staff.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: Approximately £1,500 to for installation of removable bollards and amenity furniture to restrict unauthorised vehicle access beyond the car park.</p>
	<p>Human: Resources to open and secure gates daily at the main entrance to Polepatrick is no longer required.</p>
	<p>Risk Management: Vehicle access to the car park is controlled through a vehicle height restrictor; however arrangements will be closely monitored as there is an increased risk of vandalism or damage to Council property as a result of unrestricted daily access.</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications:</p> <p>N/A</p>
	<p>Rural Needs Implications:</p> <p>N/A</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 – Map of Polepatrick Entrance and Car Park

Polepatrick



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Author: Nicky Doris
Date: 03/04/2019
Dept: ICT
Authority License No: CS & LA 156

Report on	Property Services Service Improvement Plan 2019/20
Date of Meeting	11 th June 2019
Reporting Officer	Terry Scullion, Head of Property Services
Contact Officer	Terry Scullion, Head of Property 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 of the content of and to seek approval for the annual Service Improvement Plan (SIP) for Property Services for 2019/20.
2.0	Background
2.1	The Property Services Improvement Plan for 2018/19 was approved at the Environment Committee meeting in May 2018. A SIP for the new financial year (2019/20) is now required.
3.0	Main Report
3.1	Property Services is part of the Environment and Property Directorate and is responsible for the following function areas across Mid Ulster District Council: <ul style="list-style-type: none"> • Property/Asset Management and Maintenance • Compliance and Energy Management • Fleet Management and Maintenance • Cemeteries (Operational and Historical) • Grounds Maintenance • Off Street Car Parking • Public Toilets
3.2	The Service Improvement Plan includes the following areas: <ul style="list-style-type: none"> • Purpose, scope and responsibilities of the service • Customers and stakeholders • Overview of performance in 2018/19 • Budget (Indicative) and staffing complement for 2019/20 • Work plan for 2019/20 (linked to Corporate Improvement Objectives) • Key service Risks

3.3	A full copy of the Service Improvement Plan is attached in Appendix 1.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: The planned actions within the Service Improvement Plan will be delivered within the Service budget when confirmed for 2019/20, and other Council funds as approved to delivered services.</p>
	<p>Human: As per Property Services staffing structure to successfully deliver all the service improvements as outlined.</p>
	<p>Risk Management: As detailed in the attached Service Improvement Plan.</p>
4.2	Screening & Impact Assessments
	<p>Equality & Good Relations Implications: None</p>
	<p>Rural Needs Implications: None</p>
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report and to approve the Property Services Service Improvement Plan for 2019/20.
6.0	Documents Attached & References
6.1	Appendix 1 – Property Services Improvement Plan for 2019/20



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Property Services (Environment & Property Services)

SERVICE PLAN - 2019 / 20

Date

Consulted within staff team

20/03/2019

Discussed & signed off by Director

17/04/2019

CONTENT

SECTION	TITLE	PAGE NUMBER
1.0	OVERALL PURPOSE & SCOPE OF THE SERVICE	
1.1	Purpose and scope of the service	2
1.2	Responsibilities	2
1.3	Customers & Stakeholders	3
1.4	Performance Overview in 2018/19	3
2.0	SERVICE WORK PLAN - 2019/20	
2.1	Budget - 2019/20	5
2.2	Staffing Complement – 2019/20	5
2.3	Service Work Plan – 2019/ 20	7
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2019/20	
3.1	Council’s Improvement Objectives and Associated Programs - 2019/20	17
3.2	Service Contribution to the Corporate Improvement Objectives	18
3.3	Risk Management of Service	20
4.0	EQUALITY	22

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

Property Services is part of the Environment and Property Directorate. Staff are located across Council depots and other Council locations. The service is responsible for the following functions across Mid Ulster District Council area:

- *Property/Asset Management and Maintenance*
- *Compliance and Energy Management*
- *Fleet Management and Maintenance*
- *Cemeteries (Operational and Historical)*
- *Grounds Maintenance*
- *Off Street Car Parking*
- *Public Toilets*

1.2 Responsibilities

The section is specifically responsible for the following functions:

- All processes and procedures in relation to asset management, building maintenance and repair services of Council properties, including structural, preventative, reactive maintenance, and emergency works that may arise.
- Compliance activities to ensure works and services enable Council to meet statutory and regulatory requirements in relation to its Building and Assets, including Safety, Energy Management, Asset management and inspections, Asbestos, and Legionella management.
- Management, maintenance, replacement and disposal of the Council's fleet, including compliance with Council's Fleet Operator's Licence (Goods Vehicles Licensing of Operators Act (NI) 2010) requirements.
- Management and administration of an efficient Customer focused Cemeteries service, ensuring that all legal statutes are complied with in the Council's active and historical cemeteries.
- The development, delivery and maintenance of a quality grounds maintenance and horticultural services across Council sites, public amenities, towns and villages.
- Management, development and performance monitoring of Council's Off Street Car Parks

- Front end service delivery of key amenities including Public Toilets and Maghera Walled Garden
- The provision and management of third party contracts, services and supplies to deliver an efficient and responsive service to internal and external services and facilities.

1.3 Customers & Stakeholders

Customers & Stakeholders
• Elected members
• Council staff/Internal Client Services
• Trade Union representatives
• Ratepayers/Public
• Central Government (e.g. Transport NI, DfI, NIEA,)
• Third party Contractors/service providers
• Clergy/Undertakers/Funeral Directors
• Awards/Accreditation bodies (e.g. NI Amenity Council, Tidy Towns, OHSAS 45001)
• Community groups (e.g. Horticultural & Regeneration groups)
• Other Councils/groups (e.g. Energy Manager's Forum)

1.4 Performance Overview in 2018/19

The following table provides a progress summary and the impact made by last years' Service Plan (2018-2019). It also details key successes, a summary of the end of year progress, remaining challenges for the Service and how it made a difference.

2018/19 Performance Overview	End of Year Progress Status: Completed/Commenced/Other
<ul style="list-style-type: none"> • Development and introduction of a Fleet Management Framework to achieve 95% Fleet Operator licensing by March 2019. 	<i>Commenced – Fleet Policy approved by Council in March 2019. Management Framework to be developed by agreed Policy as part of 2019/20 SIP.</i>
<ul style="list-style-type: none"> • To develop a register of compliance for all council assets within the asset management information system to ensure statutory compliance is traceable and auditable by March 2019. 	Registered completed via Alcumus maintenance management system
<ul style="list-style-type: none"> • Carry out a feasibility study/business case for the introduction of piped gas into Council's estate as an alternative to Oil 	Business Case completed

and Biomass at the five largest consuming properties by March 2019	
<ul style="list-style-type: none"> Develop a longer term Council Estates Strategy and Asset Management Plan by March 2019. 	Commenced – Draft Strategy presented to Members workshop in March 2019. SMT to be update late May/early June. Followed by Committee thereafter.
<ul style="list-style-type: none"> To identify and record 75% of invasive weeds within council properties by March 2019 	Completed with register in place and staff trained.
<ul style="list-style-type: none"> Inspect 100% of cemeteries memorials for safety in operational cemeteries and 50% in old burial grounds 	Commenced – Inspections in operational cemeteries substantially complete for standard headstones. Further specialist staff training planned for July 2019 to carry out inspections on large headstones and old burial grounds as part of 2019/20 SIP.
<ul style="list-style-type: none"> Develop a Winter Maintenance Policy for Council's Estate, including Off Street Car Parks by October 2018 	Completed and implemented following Council approval.
<ul style="list-style-type: none"> Implement a Pay on Foot pilot in one Council owned Off Street Car Park by March 2019 	Commenced – funding for the pilot secured from Council. Original procurement rout no longer feasible. Public procurement route planned for June/July 2019.
Challenges Include:	
<ul style="list-style-type: none"> Consistent Implementation of grounds maintenance delivery standards and outcomes 	
<ul style="list-style-type: none"> Management of historic cemeteries, including memorial safety programme roll out in all cemeteries 	
<ul style="list-style-type: none"> Management of available maintenance budgets to ensure all aspects of essential maintenance is actioned across the Council estate and its assets. A number of bids to Committee for additional funds during 18/19. In addition to managing under budgeted provision creating pressures. 	

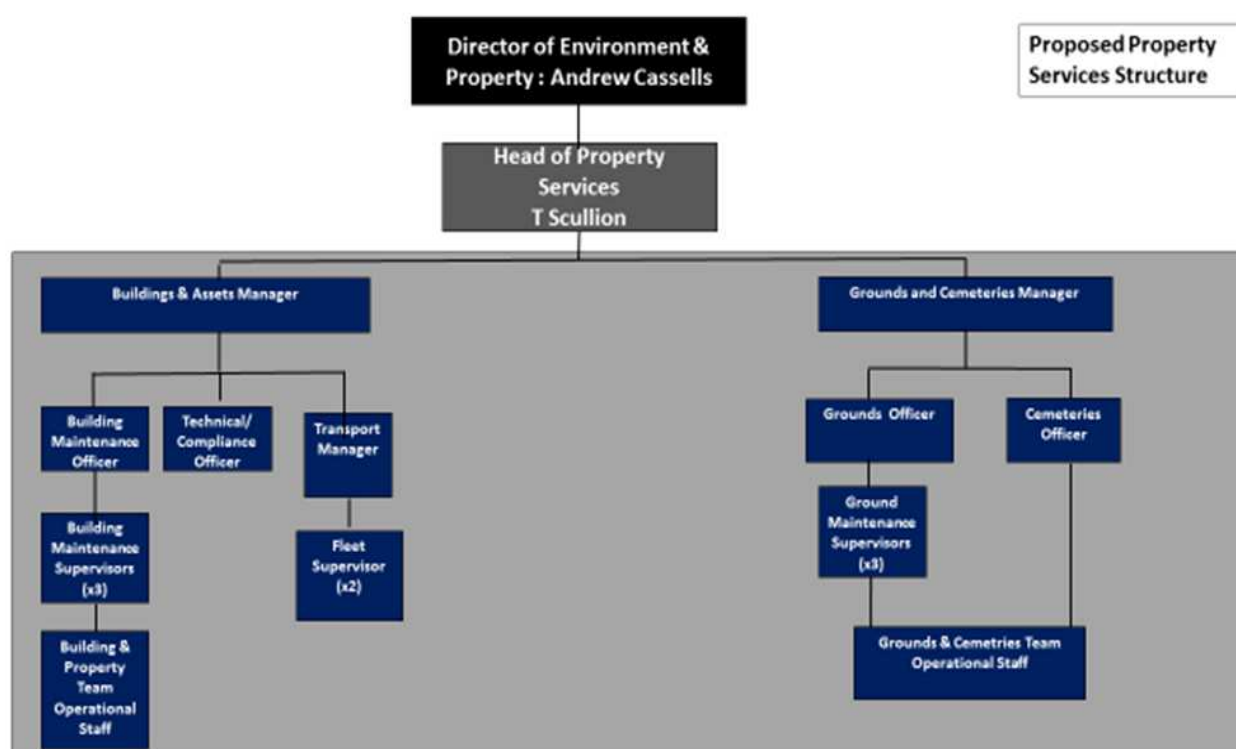
2.0 SERVICE WORKPLAN 2019/20

The following tables confirm the resources, financial and people, which the Service has access to throughout 2019-20 to deliver its actions, activities and core business.

2.1 Budget 2019/20

Service Budget Headings	£
Building Maintenance	1,565,148
Properties (Offices/Depots Utility & Energy)	334,456
Public conveniences	198,787
Vehicle Maintenance	1,308,762
Festive Lighting	19,816
Grounds Maintenance	1,332,333
Cemeteries	83,537
Off Street Car Parks	(275,485)
Property Services corporate cost	643,561
Net Budget for 2019-20 (TBC)	5,265,945

2.2 Staffing Complement - 2019/20



Staffing	No. of Staff
Head of Service	1
Managers	3
Officers	4
Remaining Team	88+ FTE
Total	96

2.3 Service Work Plan - 2019/20

This plan confirms the core activities and actions, which will form your Service Work Plan for 2019-20. This should be a high-level capture of the Service activities and work which it will focus on throughout 2019-20. The Plan links to the Council's 2015-2020 Corporate Plan priorities (the Corporate Plan 2015/19 priorities were extended for another year to include 2019 to 2020), Annual Corporate Improvement Plan Objectives, Corporate Indicators and Mid Ulster Sustainable Community Plan themes & outcomes:

SERVICE WORK PLAN

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Implement a Fleet Management System to achieve Fleet Operator License compliance to 100% by March 2020.	Fleet Transport Association (FTA) undertake and complete audit of MUDC Fleet by .	Fleet Policy approved, but no comprehensive baseline in place	June 2019	<ul style="list-style-type: none"> FTA to undertake a baseline audit of fleet services. Communication of the Fleet Policy for the council fleet to ensure all legislation and regulations are adhered to. A fleet working group shall be established within council to ensure interdepartmental working is achieved as well as improvement objectives. This will also help develop and establish a platform for improving other department's fleet compliance. A legal register shall be developed to ensure relevant legislation is recorded and evidenced. A driver's handbook shall be developed to ensure all drivers of council vehicles adhere to the legislation and council policy. A full suite of procedures and standard operation procedures shall be developed as a guide on how achieve to compliance. Risk assessments and COSHH assessments will be reviewed and circulated to all staff. A fleet management system manual developed to provide a road map to all relevant fleet functions. 	June 2019	T Scullion Head of Property Services P Conlon Building and Asset Manager S O'Neill Fleet Manager	Optimizing productivity through efficient time management , compliance with Operators Licence standard, improving customer service quality and increasing employees' satisfaction
	MUDC Fleet working group in place by.	Skeleton working group in place meeting on ad hoc basis	June 2019		June 2019		
	Number of fleet group meetings P.a		2 Number		June 2019		
	MUDC Fleet Legal Register in place by.	Baseline year	July 2019		July 2019		
	MUDC Drivers Handbook developed by.	Legacy handbooks	August 2019		August 2019		
	Standard Operation Procedure Model for Fleet in place by.	Small number of SOP in place for depots	December 2019		December 2019		
	% of total (n) Number of identified Risk	Up to 20 assessments in place.	100%		January 2020 March 2020		

	Assessments & COSSHH assessments reviewed and revised.						
--	--	--	--	--	--	--	--

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a three year phased plan to increase Community led toilet provision by 20% from its current baseline of 29 toilets.	Update condition survey completed by. Feasibility report completed by.	A 2017 survey of MUDC public conveniences is available and this outlines: -toilet locations (29nr) -toilet conditions Building Maintenance will aim to reduce the number of MUDC operated public conveniences and provide a phased plan to increase community led provision via local business and community stakeholders. 1 Community led public toilet provision, but no comprehensive baseline in place of potential community provision. Baseline report	August 2019 October 2019 November 2019	<ul style="list-style-type: none"> Updated condition survey of all MUDC public conveniences, including investment required Feasibility assessment of all potential community led options for toilet provision across the district were public toilets exist Prepare a report for senior management consideration on time bound plan of options, including any HR and APC contractual implications. Seek Committee approval on the phased plan, and approval to proceed any Year 1 of 3 actions. Develop Service Level Agreements for new Community led provision and any termination arrangements through legal services 	August 2019 October 2019	T Scullion Head of Property Services P Conlon Building and Asset Manager C McGinley Building Maintenance Officer	Sustaining community assets through increased community participation

	Phased Implementation Plan completed by.	1 Service Level Agreement in place	January 2020		November 2019		
	Committee Report completed by		March 2010		January 2020		
	Service Level Agreement completed by.				March 2020		

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Development a building profile maintenance strategy and for the council estate with all buildings being surveyed and rated to 95% by March 2020.	<p>Building maintenance Survey template completed by.</p> <p>Building maintenance Survey plan to rate properties completed by.</p> <p>% of Council estate rated and uploaded on Alcumus Management System by Jan 2020</p>	<p>Up to 5 comprehensive building condition surveys completed.</p> <p>No maintenance strategy or condition survey ratings are present for any council assets. Building Maintenance will profile the council estate on a pro-forma with a suitable scoring mechanism to score and prioritise maintenance.</p>	<p>July 2019</p> <p>November 2019</p> <p>95%</p>	<ul style="list-style-type: none"> Produce a condition survey template for building/asset condition ratings. Agreed and follow a survey plan to rate properties. Compile a high-level estate survey to ascertain condition ratings based on condition as per property condition survey template. Upload of ratings onto the Alcumus asset management to ensure the property services team are aware of maintenance priorities. Communicate service boundaries and roles/responsibilities per property, including budget and resource provision linked to condition scoring obtained through condition surveying to C 	<p>July 2019</p> <p>August 2019</p> <p>November 2019</p> <p>January 2019</p> <p>January 2020</p>	<p>T Scullion Head of Property Services</p> <p>P Conlon Building and Asset Manager</p> <p>C McGinley Building Maintenance Officer</p> <p>E McDonnell Compliance Officer</p>	95% of Council estate (properties) rated and uploaded on Alcumus Maintenance Management system

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &</i>	<i>CRP 3.3 Sustaining our Environment - Create and build a sense of civic pride in towns and villages across mid ulster</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop, Implement and Review a "Pay on Foot Model" pilot scheme in one Council owned Off Street Car Park by March 2020	Stakeholder engagement of pilot "Pay of foot" model completed by	Baseline Year	May 2019	<ul style="list-style-type: none"> Engage with Department of Infrastructure (DfI) to consider the operating model is feasible Develop a specification and carry out public procurement. Carry out civil works and implement physical infrastructure Monitor and report back to Council on pilot impact 	May 2019	T Scullion Head of Property Services Eunan Murray Grounds and Cemetery Manager	Provision of a smarter technology platform that protects existing parking revenue streams by providing customer with a reliable, accessible, easy to use and flexible parking solution.
	Procurement specification completed by		July 2019		July 2019		
	Civil infrastructure works completed by		October 2019		October 2019		
	Pilot 'Pay on Foot' Off Street Car Park Operating Model launched by.		March 2020		March 2020		
	Pilot impact analysis report brought to committee by		March 2020				

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Inspect 100% of cemeteries memorials for safety in 5nr operational cemeteries and 50% in 28 old burial grounds	(1) % of cemetery memorials safety inspections completed in operational cemeteries (2) % of cemetery memorials safety inspections completed in old burial grounds	70% in the 5nr operational cemeteries and none in the 28 nr old burial grounds Baseline year	100% 50%	<ul style="list-style-type: none"> Complete personnel training on testing for memorial safety Formulated a procedure, and management plan including risk assessment for memorial inspection, including oversized headstones Co-ordinate inspection regime and create checklists, and PR notification Carry out inspections Issue letters of remedial requirements to grave owners 	July 2019 September 2019 October 2019 October 2019 – March 2020 On Going	Eunan Murray Grounds and Cemetery Manager Keith Ferguson Cemeteries Officer	Safe memorial space for Cemetery users.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a Cyclical Maintenance Plan that informs stakeholder of the roles and responsibilities of Grounds and Cemeteries by March 2020.	<p>The number of maintenance plans for council properties types or locations completed.</p> <p>Gap analysis completed by.</p> <p>Business case completed by.</p> <p>Assessments reviewed by.</p>	<p>Maintenance delivery standards outcome</p> <p>Baseline year</p> <p>Legacy handbooks</p>	A cyclical maintenance plan of grounds and cemeteries actions per location	<ul style="list-style-type: none"> Review existing maintenance approach and carry out and audit of maintenance gaps Research other industry/sector models Engage with internal client services Consider legislative and environmental compliance with current or future arrangements Carry out a gap analysis of staff competences, and plant/equipment Complete a business case and seek Council approval if investment approval required for resources Complete cyclical maintenance schedules Risk assessments and COSHH assessments will be reviewed and circulated to all staff. 	<p>June 2019</p> <p>July 2019</p> <p>August 2019</p> <p>September 2019</p> <p>November 2019</p> <p>December 2019</p> <p>March 2020</p>	<p>Eunan Murray Grounds and Cemetery Manager</p> <p>David Bell Grounds Officer</p>	Informed and deliverable Cyclical Maintenance Plan for MUDC Grounds and Cemetery maintenance.

Link to Community Plan Theme:		Corporate Plan Theme					
CMP 4.2 Health & Wellbeing - We have better availability to the		CRP 1.6 Delivering for Our People - Integration of a culture of service improvement as the key to service delivery.					
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop an electronic management system for planning, reporting and inspection of works by Operatives and Supervisors -	Conduct an audit of current hard copy/manual system across depots by.	Range of manual inspections in place.	Management system implemented utilising Alcumus Maintenance Management system by January 2020	<ul style="list-style-type: none"> Gather and review all existing planning, reporting and inspection material Research other industry/sector innovative solutions Consider legislative requirements Carry out a review of electronic devices to aid implementation and seek investment for additional devices if required. Agree an implementation plan in conjunction with staff Upload planning, reporting and inspection templates Provide staff training ahead of new maintenance season 	May 2019 July 2019 July 2019 August 2019 September 2019 November 2019 January 2020	Eunan Murray Grounds and Cemetery Manager David Bell Grounds Officer Keith Ferguson Cemeteries Officer	MUDC has a systematic way of managing internal and external work loads
	New reporting and inspection templates agreed and populated into Alcumus System by.						

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2019/20, which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document, which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2019 to 2020:

- 1. To assist the growth of the local economy by increasing the number of visitors to our district.*
- 2. To improve the average processing time of Local Planning Applications (New).*
- 3. To improve the accessibility of our services by increasing the number available online.*
- 4. To support people to adopt healthier lifestyles by increasing usage of Council Recreational Facilities.*

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (Mid Ulster Council's Improvement Plan 2019- 2020) or by contacting the Democratic Services Team on 03000 132132.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 1.3 Economic Growth - Our Towns & Villages are vibrant & competitive		CRP 3.3 Sustaining our Environment - Create and build a sense of civic pride in towns and villages across mid ulster						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
1.0 To assist in the growth of the local economy by increasing the number of visitors to our district	To review grounds maintenance delivery outcomes standards that enhance public realm and open spaces that contribute to the quality of the visitor experience. by 31 st March 2020	Monthly reporting of maintenance outcomes	Grounds maintenance outcomes standards introduced in 2016. Success in awards for two villages	Compliance score against outcomes	<ul style="list-style-type: none"> Submission of Best Kept, Ulster in Bloom and national award applications for settlements Aggregation of monthly maintenance outcomes per depot Review of current standards outcome against delivery Link with Cyclical Maintenance Plan that informs stakeholder of the roles and responsibilities of Grounds and Cemeteries by March 2020 in section 2.3 above Updated delivery standards outcome document compiled and approved by Council 	April 2019 June 2019 November 2019 February 2020	T Scullion	Informed and deliverable standards outcome document for Maintenance.

Link to Community Plan Theme:		Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the right service, in the right place at the right time.</i>		<i>CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district</i>						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	To increase the number of cashless transactions through online payments in Off Street Car Parks by 31 st March 2020	Monthly monitoring of financial statistics	Baseline year but Paymobile system in place	Increase proportion of online transactions by March 2020	<ul style="list-style-type: none"> Engage with DfI to obtain monthly baseline reporting Update Council website and social media channels Review and update signage in car parks on cashless payment options, in particular paymobile. 	April 2019 June 2019 July 2019	T Scullion	Provision of a smarter technology platform that protects existing parking revenue streams by providing customer with a reliable, accessible, easy to use and flexible parking solution.

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

This table illustrates the risks identified to deliver the Services business in 2019-20.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Compliance and Risk in terms of statutory asset compliance and energy management	8	Statutory compliance planned through Alcumus Maintenance management system and development of maintenance plan
2.	Potential failure to manage and exploit assets by failure to utilise asset or poorly maintain	8	Computerised asset management and maintenance information system continuing to be populated
3.	Management of Active and Historic Cemeteries	8	Cemetery rules and regulations to be developed through a new Council Policy
4.	Procurement of Services, Contracts, consumables, and stock items to aid alignment of third party providers in compliance with procurement policy and governance	9	Service work plan developed and being actioned in conjunction with Procurement and Finance teams
5.	Fleet Management, compliance with MUDC's Operator's licence and Transport Management Undertaking	9	Transport Manager appointed and trainee Supervisors undergoing on the job training, mentoring and support

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

4.0 Equality

The council is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act 1998. This commitment is demonstrated by allocating the appropriate time, people and resources to fulfil our equality duties. The Equality Scheme commits us to implementing our duties effectively and in a timely way alongside implementing this Service Plan. Without impacting upon our obligations, when carrying out our equality duties we will also take into account the desirability of promoting good relations between people of different religious belief, political opinion or racial group. We are also required to take into account the need to promote positive attitudes towards people with a disability and encourage the participation of people with a disability in public life. Mid Ulster District Council are committed to fulfilling our disability duties and we set out how we intend to do this in our disability action plan.

Report on	Building Control Workload
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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	April/May 2019	Accumulative 2019/20
	Total number of Applications	218	218
	Full plans applications received	101	101
	Building Notices applications received	77	77
	Regularisation applications received	40	40
	Estimated value of works submitted	£27,793,705	£27,793,705
	Number of inspections carried out by Building Control Officers	1338	1338

	Commencements	288	288
	Domestic Dwellings	96	96
	Domestic alterations and Extensions	165	165
	Non-Domestic work	27	27
	Completions	258	258
	Domestic Dwellings	113	113
	Domestic alterations and Extensions	123	123
	Non-Domestic work	22	22
	Property Certificates Received	290	290
4.0	Other Considerations		
4.1	Financial, Human Resources & Risk Implications		
	Financial: Within Current Resources		
	Human: Within Current Resources		
	Risk Management: None		
4.2	Screening & Impact Assessments		
	Equality & Good Relations Implications: None		
	Rural Needs Implications: 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 April - May 2019

Applicant	Location of Development	Details of Development	Estimated value of development
Gilmore Developments	Off Mullaghmore Road, Dungannon.	Erection of 83no. Dwellings (Ave Floor Area 133m2) B.C. fee - £11,719	£6,430,645
Alskea Contracts Ltd	Off Aghareany Close, Donaghmore	Erection of 54no. Dwellings (Ave Floor Area 112m2) B.C. fee - £8,337	£4,211,840
Valor Homes Ltd	Foxfield Park, Magherafelt	Erection of 24 Dwellings (Ave Floor Area 150m2) B.C. fee - £4,521	£2,304,000
J J Donnelly	Proposed Industrial Estate, Ballyronan Road, Magherafelt	Erection of a Storage & Distribution Unit & Industrial Unit (Floor Area 2924m2) B.C. fee - £6,847	£1,402,000
Castlehill Community Regeneration Group	Perry Street, Dungannon	Erection of 10no. Dwellings & 3no. Retail Units B.C. fee - £5,548	£1,392,042

Appendix 1

Murdock Builder Merchants Ltd	3 Granville Road, Dungannon	Erection of 2no. Shop Units (Floor Area 1549m2) B.C. fee - £4,225	£756,215
Pomeroy Plunketts GAC	38 Cavanakeeran Road, Pomeroy	Erection of Community Building with Start Up Business Units (Floor Area 1210m2) B.C. fee - £4,085	£728,358
George Patterson Oils	102 Woodlough Road, Dungannon	Erection of Shop B.C. fee - £2,690	£450,000
Springisland Supermarket	2 Washingbay Road, Coalisland	Extension to Shop (Floor Area 542m2) B.C. fee - £2,070	£325,064

Report on	Entertainment Licensing Applications
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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.
2.0	Background
2.1	The Council has responsibility for licensing places of entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985.
2.2	Entertainment Licensing applications are received on a continued basis across the District.
2.3	Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted.
3.0	Main Report
3.1	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.
3.2	<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

	<p>3 Details of current public liability insurance for premises</p> <p>4 Copy of public advertisement in local press</p>
3.3	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.
3.4	<p>Areas which would be inspected are as follows:</p> <ol style="list-style-type: none"> 1. Means of escape from the venue i.e. 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 are 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	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: 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 – Schedule of applications received for the Grant/Renewal of Entertainment Licences.
6.2	Appendix 2 – Schedule of Entertainment Licence applications that have been granted/renewed.

Appendix 1

Schedule of applications received for the Grant/Renewal of Entertainment Licences in May 2019

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
Mid Ulster District Council	Hill of O'Neill and Ranfurly House - Towers and Good Weather Space	26 Market Square Dungannon	Annual	Monday to Sunday From: 08.00 To: 23.00	3850
S Patterson	Ace Coaches Yard	2 Windmill Hill Road Dungannon	14 Specified Days	10th and 11th May 2019 From: 20.00 To: 01.00	400
E O'Neill	St Mary's Hall	30 West Street Stewartstown	14 Unspecified Days	Monday To Sunday From: 10.00 To: 01.00	200
T Cassidy	Old Clubhouse	20 Maghera Road Tobermore	14 Unspecified Days	Monday To Saturday From: 12.00 To: 01.00 Sunday From: 12.00 To: 22.00	500

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
N Barnes	Drumnacross Orange Hall	15 Glenarny Road Cookstown	14 Unspecified Days	Monday To Saturday From: 18.30 To: 01.00	160
Mid Ulster District Council	Hill of O'Neill and Ranfurly House	26 Market Square Dungannon	Annual	Monday To Sunday From: 08.00 To: 23.00	1534
B McAnenly	The Auction Rooms	24 The Square Moy	Annual	Monday To Sunday From: 11.30 To: 01.00	262
K McNally	Dan's Bar	35 North Street Stewartstown	Annual	Monday to Thursday From: 20.00 To: 23.00 Friday and Saturday From: 20.20 To: 23.30 Sunday From: 18.00 To: 22.00	98

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
J & L Forbes	LJ's Tavern	62 Rainey Street Magherafelt	Annual	Monday To Saturday From: 11.30 To: 01.00 Sunday From: 12.30 To: 24.00	180
L Wilson	Royal British Legion	54b Scotch Street Dungannon	Annual	Monday To Wednesday From: 18.00 To: 22.30 Thursday From: 15.00 To: 22.30 Friday From: 17.00 To: 23.00 Saturday From: 12.00 To: 23.00	150

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
M Wray	Clogher Valley Community Centre	9a Irish Street Augher	14 Unspecified Days	Monday To Sunday From: 10.00 To: 01.00	260
A Robson	Corick House Hotel	20 Corick Road Clogher	Annual	Monday To Sunday From: 09.00 To: 02.00	1362
Mid Ulster District Council	Meadowbank Sports Arena	45 Ballyronan Road Magherafelt	14 Unspecified Days	Monday To Sunday From: 09.00 To: 23.00	700
D McFarlane	Bush Orange Hall	98 Bush Road Dungannon	14 Unspecified Days	Monday To Sunday From: 09.00 To: 24.00	60
V Stewart	Lissan Parish Hall	69 Turnaface Road Moneymore	14 Unspecified Days	Monday to Sunday From: 09.00 To: 01.00	255
H & T McGlone	Mary's Bar	10 Market Street Magherafelt	Annual	Monday – Saturday From: 11.30 To: 02.00 Sunday From: 12.30 To: 24.00	560

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max No of Patrons
I Turkington	Sandholes Presbyterian Church Hall	10 Kiltyclogher Road Cookstown	14 Unspecified Days	TBC	TBC
M Roulston	Ardara Country House	8 Gorteade Road Maghera	Annual	Monday To Sunday From: 18.00 To: 01.00	100
E McGovern	Tirgan Community Recreation & Social Club	36 Tirgan Road Moneymore	Annual	Monday – Sunday From: 10.00 To: 01.00	200

Appendix 2

Schedule of applications issued for the Grant/Renewal of Entertainment Licences in May 2019

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
S Patterson	Ace Coaches Yard	2 Windmill Hill Road Dungannon	14 Specified Days	10th and 11th May 2019 From: 20.00 To: 01.00
SJ Houston	The Loft Bar and Restaurant	99a Tullyvar Road Aughnacloy	Annual	Monday To Thursday From: 10.00 To: 23.00 Friday And Saturday From: 10.00 To: 01.00 Sunday From: 10.00 To: 22.00

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours Granted
D & L Salley	Salley's Bar and Lounge	86 Moore Street Aughnacloy	Annual	Monday To Sunday From: 11.30 To: 01.00
A Martin	Tullylagan Country House Hotel	40bTullylagan Road Cookstown	Annual	Monday To Sunday From: 11.30 To: 01.00
S Coulter	The Rathmore Bar	125-127 Main Street Clogher	Annual	Monday To Saturday From: 11.30 To: 01.30 Sunday From: 12.00 To: 22.00
T Birt	St John Bosco Community Hall	3 Culbane Road Portglenone	Annual	Monday To Sunday From: 08.00 To: 01.00

Report on	Dual Language Signage Requests
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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 from residents on the streets/roads in question.
2.0	Background
2.1	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.
2.2	The Policy for Dual Language Namplate Signage – 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.
3.0	Main Report
3.1	<p>The Building Control Service within the Public Health and Infrastructure Directorate have received valid letters signed by occupiers of the street in each case requesting signage to be erected in a second language being “Irish” in each case adjacent to the nameplate in English as follows:-</p> <ol style="list-style-type: none"> 1. Meadowvale, Dungannon (see Appendix 2) 2. Altmore View, Dungannon (see Appendix 3) 3. Dernanaught Road, Dungannon (see Appendix 4) 4. Sessiadonaghy Road, Dungannon (see Appendix 5) 5. Killucan Road, Cookstown (see Appendix 6) 6. Kinrush Road, Dungannon (see Appendix 7) 7. Lisnahull Gardens, Dungannon (see Appendix 8) 8. Pomeroy Road, Cookstown (see Appendix 9) 9. Lisnahull Park, Dungannon (see Appendix 10) 10. Dunavon Park, Dungannon (see Appendix 11) 11. The Brambles, Coalisland (see Appendix 12) 12. Ardbeg, Dungannon (see Appendix 13) 13. Drummullan Road, Money more (see Appendix 14) 14. Lurgylea Road, Dungannon (see Appendix 15) 15. Spring Road, Coagh (see Appendix 16)

	16. Ronan Manor, Ballyronan (see Appendix 17) 17. Shore Road, Ballyronan (see Appendix 18) 18. Ashleigh Park, Ballyronan (see Appendix 19) 19. Ballymoyle Road, Coagh (see Appendix 20) 20. Belagherty Road, Magherafelt (see Appendix 21) 21. Lindsay Ville, Ballyronan (see Appendix 22) 22. Brookmount Road, Moneymore (see Appendix 23) 23. Gausson Villas, Ballyronan (see Appendix 24) 24. Lakeview Park, Coalisland (see Appendix 25) 25. Ard Stewart, Stewartstown (see Appendix 26) 26. Benburb Road, Moy (see Appendix 27)
3.2	The occupiers signing the requests in each case have been confirmed as residents of their particular street which has been evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted (see Appendix 1).
3.3	The requests which have been validated are proceeding to survey and are currently being processed on a date received basis.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That Members note the content of this report .
6.0	Documents Attached & References
6.1	Appendix 1 – The Policy for Dual Language Namplate Signage
6.2	Appendix 2 – Letter received from a resident of Meadowvale, Dungannon
6.3	Appendix 3 – Letter received from a resident of Altmore View, Dungannon
6.4	Appendix 4 – Letter received from a resident of Dernanaught Road, Dungannon

6.5	Appendix 5 – Letter received from a resident of Sessiadonaghy Road, Dungannon
6.6	Appendix 6 – Letter received from a resident of Killucan Road, Cookstown
6.7	Appendix 7 – Letter received from a resident of Kinrush Road, Dungannon
6.8	Appendix 8 – Letter received from a resident of Lisnahull Gardens, Dungannon
6.9	Appendix 9 – Letter received from a resident of Pomeroy Road, Cookstown
6.10	Appendix 10 – Letter received from a resident of Lisnahull Park, Dungannon
6.11	Appendix 11 – Letter received from a resident of Dunavon Park, Dungannon
6.12	Appendix 12 – Letter received from a resident of The Brambles, Coalisland
6.13	Appendix 13 – Letter received from a resident of Ardbeg, Dungannon
6.14	Appendix 14 – Letter received from a resident of Drummullan Road, Moneymore
6.15	Appendix 15 – Letter received from a resident of Lurgylea Road, Dungannon
6.16	Appendix 16 – Letter received from a resident of Spring Road, Coagh
6.17	Appendix 17 – Letter received from a resident of Ronan Manor, Ballyronan
6.18	Appendix 18 – Letter received from a resident of Shore Road, Ballyronan
6.19	Appendix 19 – Letter received from a resident of Ashleigh Park, Ballyronan
6.20	Appendix 20 – Letter received from a resident of Ballymoyle Road, Coagh
6.21	Appendix 21 – Letter received from a resident of Belagherty Road, Magherafelt
6.22	Appendix 22 – Letter received from a resident of Lindsay Ville, Ballyronan
6.23	Appendix 23 – Letter received from a resident of Brookmount Road, Moneymore
6.24	Appendix 24 – Letter received from a resident of Gausson Villas, Ballyronan
6.25	Appendix 25 – Letter received from a resident of Lakeview Park, Coalisland
6.26	Appendix 26 – Letter received from a resident of Ardstewart, Stewartstown
6.27	Appendix 27 – Letter received from a resident of Benburb Road, Moy

Policy on Dual Language Nameplate Signage

Document Control			
Policy Owner	Director of Public Health & Infrastructure		
Policy Author	Director of Public Health & Infrastructure		
Version	Version 1		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Principal Building Control Officer	Date	20/02/2019
Equality Impact Assessment	N/A	Date	
Good Relations	N/A		
Approved By	Environment Committee	Date	12/03/2019
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Review Date		By Whom	
Circulation	Councillors, Staff		
Document Linkages			

CONTENTS PAGE

Paragraph	Description	Page Number
1.0	Introduction	
2.0	Policy Aim & Objectives	
3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Dual Language Signage Nameplates	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	

Appendices	Description	Page Number
A	Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995	
B	Dual Language Signage Nameplates: <i>Procedure</i>	
C	Name Plate Layout	
D	Accessiblity Statement	
E	Sample of correspondance	

1.0 Introduction

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Erection of dual language Street signage

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure that requests for the erection of dual language nameplate signage for existing streets are delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Signage requirements.
- To lay out and facilitate a process whereby residents may request that their street be named in any other language other than English.
- To facilitate a process that considers requests from residents to have their street sign displayed in their chosen language as well as in English.

3.0 Policy Scope and Legislative Framework

3.1 This policy relates specifically to the naming of the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

3.2 This legislation empowers Council to authorise the naming of streets within its respective District. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

3.3 For purposes of this Policy, the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

5.0 Dual Language Signage Nameplates

- 5.1 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.
- 5.2 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.
- 5.3 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, surveys will be issued to all occupiers (the age of 18 or over) of each dwelling where any person resides in a dwelling, including a house, flat, maisonette or house in multiple occupancy and which is numbered directly off the adjoining street, hereafter referred to as 'property'. Only the views of the occupiers aged 18 or over for 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.

- 5.4 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.
- 5.5 Where an applicant does not have English as their first language, information in relation to this policy can be provided in an alternative language. Applications can be accepted in alternative languages if required by the applicant. Please see Appendix D for details.
- 5.6 Applications for Dual Language Signage will be processed in accordance with the Procedure as outlined in Appendix B
- 6.0 Roles and Responsibilities**
- 6.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 6.2 **Building Control Service:** shall be responsible for implementing arrangements to administer requests to have an existing name of a Street erected in a language other than English;
- 7.0 IMPACT ASSESSMENTS**
- 7.1 **Equality Screening & Impact**
- 7.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 7.2 **Rural Needs Impact**
- 7.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 7.3 **Staff & Financial Resources**
- 7.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented.
- 8.0 Support and Advice**
- 8.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control

9.0 Communication

- 9.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy

10.0 Monitoring and Review Arrangements

- 10.1 Implementation of this policy will be routinely monitored and a formal review undertaken 24 months from its effective commencement date.

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
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings

Appendix B

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 letter, signed by an occupier of the street must be made to Council to enable this matter to be considered. Requests should be made to the Building Control Service within the Public Health and Infrastructure Department. A letter of 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 applicant's address is referenced on the letter and; the individual's name is clearly stated and the letter has been signed by the petitioner (who must be an occupier of premises on the street). A 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 letters as referenced at 1, above. A letter will be deemed to be valid where it is submitted by a minimum of one householder on that street. The Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3. Following validation, the Council will canvass, by post, each occupier within a household as listed on the Electoral Register; seeking their views on the request to erect a dual-language street nameplate. Each household will receive a letter accompanied by survey forms based on the number of occupiers listed on the Electoral Register. The requisite number of survey forms for individuals registered at that address will be forwarded to each household (See Appendix E)
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 which has been signed and name printed as required, 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 occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

6. For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are not in favour of the erection of a dual-language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will not be approved or erected
7. In specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration
8. 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.
9. Where a request for Irish Language signage, the Irish Language Section within Department of Culture and Arts and/or an approved translator will provide the translation 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 second language will not be used to express the name of the street for statutory purposes.
10. The layout, font and size of lettering of the second language shall be in accordance with that as shown in Appendix C.
11. Following the Council's decision with regards to the request on Dual Language Signage for a particular street/road, the outcome will be published on the Council Website. Where requested, written confirmation of the decision will be forwarded to relevant households.
12. 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 C Name Plate Layout

AGREED: 11th September 2018 Environment Committee
23rd September 2018 Full Council

Mono-Lingual New Road / Street Signage

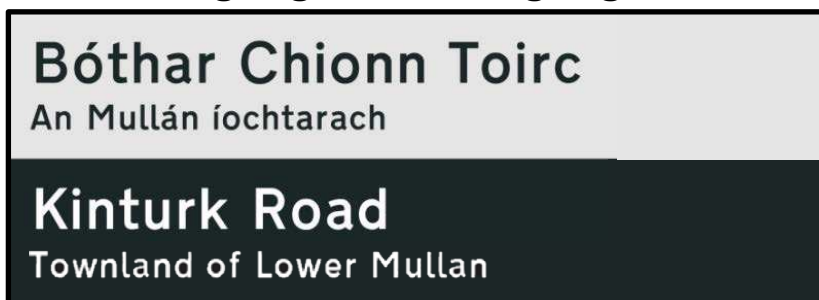


Example signage

Specification

- Name Plate Dimensions: 200mm x length to suit road name
- Background Colour: White
- Font & Colour: Transport Medium; Black
- Road Name font size: Upper case; 70mm Lower case; 50mm
- Townland font size: Upper case; 30mm Lower case; 22mm
- Text Justification: Left hand

Dual Language Street Signage



Example signage

Specification

- Name Plate Dimensions: 460mm x length to suit road name
- Background Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Light Grey Value; C:0 M:0 Y:0 K:10
- Font Type: Transport Medium
- Font Colour: Dark Grey Value; C:77 M:63 Y:64 K:69
Standard White
- Road Name font size: Upper case; 63mm Lower case; 50mm
- Townland font size: Upper case; 40mm Lower case; 30mm
- Text Justification: Left hand

Appendix D- Accessibility Statement

The information included in this policy can be made available in alternative formats, such as audio, braille, easy read or large print and may be provided in alternative languages, upon request. Please contact Mid Ulster District Council's Corporate Policy & Equality Officer on 03000 132 132 Ex 24612 or via ann.mcaleer@midulstercouncil.org



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Appendix E

18 February 2019

Our Ref:- «Ref»

The Occupier
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Mid Ulster District Council have received an application to erect street nameplates in ??? in addition to the current name for the street as indicated above.

The Council's Policy on Street Naming & Dual Language Signage outlines that individuals who meet the following criteria are eligible to register their preference on this matter:

A person who resides on the street in question and appears on the Electoral Register as maintained by the Electoral Office for Northern Ireland.

Our records would indicate that you meet the above criteria.

In accordance with these arrangements I would be grateful if you would complete the attached survey form and indicate your preference in this matter. The completed survey form should be returned to these offices in the addressed envelope provided by **Tuesday 19 March 2019**. *Survey forms received after this date will not be considered.*

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% of respondents must be in favour of the proposal (i.e. street nameplates being erected in ???, in addition to English for Name of Street/Development).

If you have any queries on the above please contact Willie Wilkinson in the Magherafelt Office by either:

Tel: 03000 132 132 (Ext 22208)

Email: willie.wilkinson@midulstercouncil.org

Yours faithfully

W Wilkinson
Head of Building Control

Enc

Cookstown Office
Bun. Road
Cookstown
BT85 8DT

Dungannon Office
Lipton Road
Dungannon
BT17 6LJ

Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132
willie.wilkinson@midulstercouncil.org
www.midulstercouncil.org



Comhairle Ceannair
Lár Uladh
Mid Ulster
District Council

19 February 2019

Our Ref:- MUDL0078

The Occupier (1)
50 Ballyronan Road
Townparks of Magherafelt
Magherafelt
BT45 6EN

Ref: Application for Dual Language signs at Name of Street/Development

Dear Sir/Madam

Please read the following statements below carefully. Tick your preferred option in the appropriate box, print your name and address and sign the document. Then return this letter which has your reply in the addressed envelope provided by 19 March 2019.

Thank you for your time completing this survey.

Yours faithfully

W Wilkinson

Head of Building Control

Options

1. I WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

2. I DO NOT WISH to have a Dual Language nameplate erected at Name of Street/Development, the additional language being ???

☐

Print Name: _____

Address: _____

Signature: _____

The results of this survey will be available to view on www.midulstercouncil.org but should you wish to receive written correspondence detailing the outcome of the survey please tick this box.

☐

MEADOWVALE
DUN CANNON
BT 70 1QJ

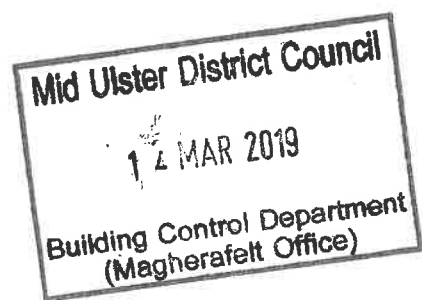
Dear Mr Wilkinson

My name is [redacted] I am a permanent resident at the above address. I wish to request that the road/street signage for this address be provided in Irish/English as per the Council's Dual Language Policy.

Thank you for your help and attention in this matter.

Go raibh maith agat as do chuidiú.

Signature/Siniú



Appendix 3

Willie Wilkinson
C/O Mid-Ulster District Council
Cookstown

Altmore View
Cappagh
Dungannon
BT70 2PZ

05th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language (Irish & English) signage on Altmore View Cappagh.

In accordance with the Policy, by way of my signature below, I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,

y



Willie Wilkinson
C/O Mid-Ulster District Council
Cookstown

Dernanaught Road
Galbally
Dungannon
BT70 2NR

05th March 2019

Dear Mr Wilkinson,

RE: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language (Irish & English) signage on Dernanaught Road Galbally.

In accordance with the Policy, by way of my signature below, I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,



Appendix 5

Willie Wilkinson
C/O Mid-Ulster District Council
Cookstown

Sessiadonaghy Road
Cappagh
Dungannon
BT70 2PF

05th March 2019

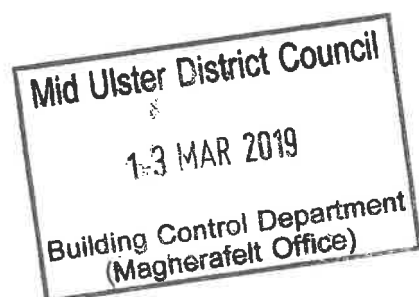
Dear Mr Wilkinson,

RF: Dual Language Signage

I am writing to ask you to initiate the Council Procedure for dual language (Irish & English) signage on Sessiadonaghy Road, Cappagh, Dungannon.

In accordance with the Policy, by way of my signature below, I am giving consent, as a resident of the road, to now carry out the relevant Procedure recently agreed by Council.

Yours sincerely,



Building Control Service

Ballyronan Road

Magherafelt

BT45 6EN

FAO: Willie Wilkinson

I am requesting a dual language road sign for the road stated below:

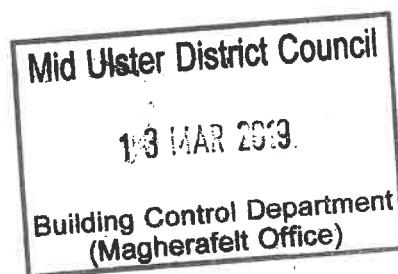
The language we are requesting is Irish Language.

Killucan Road

Cookstown

County Tyrone

BT80 9JW



Regards

Killucan Road

Cookstown

County Tyrone

BT80 9JW

Appendix 7

Kinrush Road
Ardboe
Dungannon
BT71 5BQ

Mid Ulster District Council
50 Ballyronan Road
Magherafelt
BT45 6EN

FAO William Wilkinson - Ref Dual Language Signage

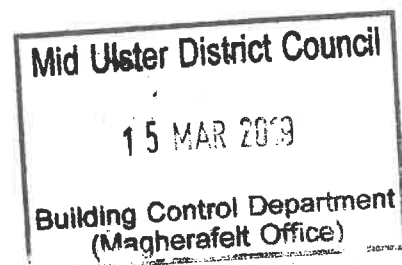
Dear William,

As a resident of Kinrush Road, Ardboe, Dungannon, I would like to request that our road is considered by the Mid Ulster District Council for a dual language street sign.

I would like to request a road sign in Irish and English.

If I need to do anything further please just let me know

Warm regards





Address: X hisnahull
Garden,
Dungannon.
BT7014Q

Dear Mr Wilkinson

My name is *[Signature]*. I am a permanent resident at the above address. I wish to request that the road/street signage for this address be provided in Irish/English as per the Council's Dual Language Policy.

Thank you for your help and attention in this matter.

Go raibh maith agat as do chuidiú.

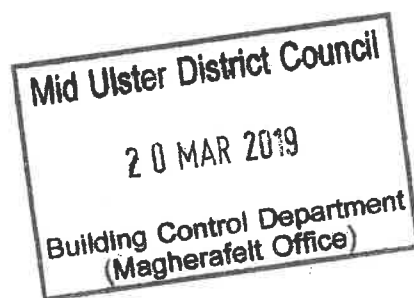
Signature/Siniú: X *[Signature]*

Pomeroy Rd.
Cookstown.
Co. Tyrone.
N.I.
BT80 9HQ.

To whom it may concern,

There has been a strong interest, from the residents of Pomeroy Rd, for a dual language road sign. This road begins just off the Drum Rd heading to Ough and finishes in Pomeroy. We hope that you will recognise this request and respond in due course.

Many Thanks,



LISNAHULL PK

Dungannon
BT70 1UH

Dear Mr. Wilkinson,

please could I request
that my address signage be provided in
dual language Irish/English as per
council approved policy.

Thank you for attending to this matter.
le meas,

Mid Ulster District Council

- 1 APR 2019

Building Control Department
(Magherafelt Office)

Dunavon PK.
Dungannon.
BTM 6SG

Dear Mr. Wilkinson,

could I please request
that my address signage for the above
development be provided in dual
language Irish/English as per Council
approved policy.

Thank you for your attention to this
matter, I mean,

Mid Ulster District Council

- 1 APR 2019

Building Control Department
(Magherafelt Office)

**Head of Building Control
Mid Ulster District Council
(Magherafelt Office)
Ballyronan Road
Magherafelt BT45 6EN**

31st March 2019

Dear Sir,

Re: Dual Language Signage Nameplates.

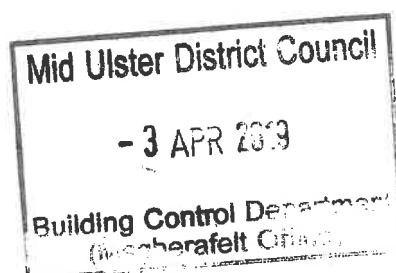
I, the undersigned, petition Mid-Ulster Council to consider undertaking the erection of dual language signage nameplates (*Irish & English*) at 'The Brambles', Coalisland.

I understand that, as per Mid-Ulster Council's policy, the council will canvass residents of the Brambles in this regard.

I look forward to hearing from you on this matter in due course.

Yours sincerely,

**The Brambles
Coalisland
County Tyrone
BT71 4SN**



Irish version overpage (leagan Gaeilge ar thaobh eile) v

. Ardbeg
Dungannon
BT701HF

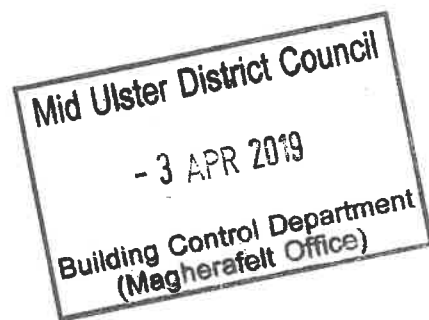
Dear Mr Wilkinson

My name is X. I am a permanent resident at the above address. I wish to request that the road/street signage for this address be provided in Irish/English as per the Council's Dual Language Policy.

Thank you for your help and attention in this matter.

Go raibh maith agat as do chuidiú.

Signature/Siniú: X



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Drummullan Road
Moneymore
BT45 7XS

21st February 2019

Dear Mr Wilkinson,

Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Drummullan Road, Moneymore, BT45 7XS

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,

Mid Ulster District Council
11 APR 2019
Building Control Department
(Magherafelt Office)

Building Control Service,
Mid Ulster Council
Ballyronan Road,
Magherafelt
BT45 6EN

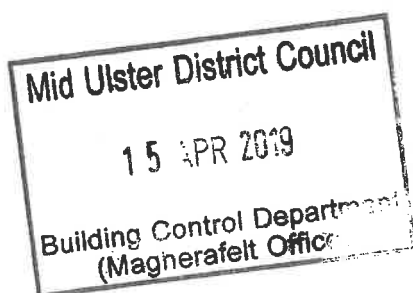
Dual Language signage

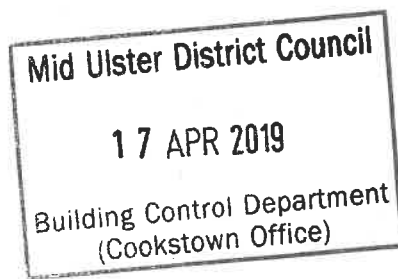
Dear sir/madam

The request is in relation to Lurgylea Road, Galbally, Dungannon BT702NY.

I would like to apply for Irish language signage on this road.

Lurgylea Road
Galbally
Dungannon
BT70 2NY





Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Spring Road
Ballinderry
BT80 0BD

15th March 2019

Dear Mr Wilkinson,

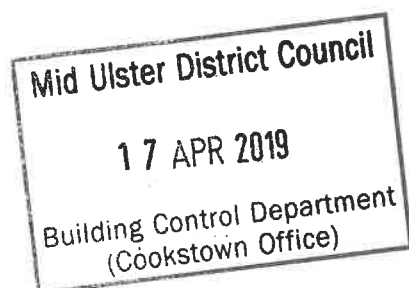
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Spring Road, Ballinderry, BT80 0BD

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Ronan Manor
Ballyronan
BT45 6GB

15th March 2019

Dear Mr Wilkinson,

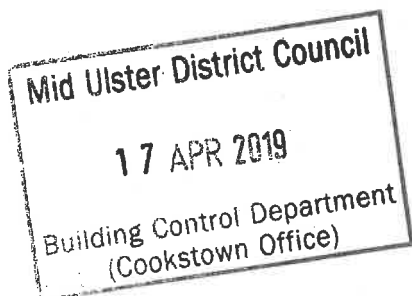
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Ronan Manor, Ballyronan, BT45 6GB

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Shore Road
Ballyronan
BT45 6JQ

15th March 2019

Dear Mr Wilkinson,

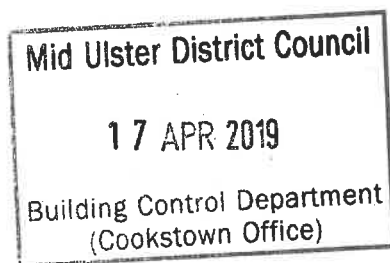
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

• **Shore Road, Ballyronan, BT45 6JQ**

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Ashleigh Park
Ballyronan
BT45 6PS

15th March 2019

Dear Mr Wilkinson,

Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Ashleigh Park, Ballyronan, BT45 6PS

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Ballymoyle Road
Ballinderry
BT80 0AP

15th March 2019

Dear Mr Wilkinson,

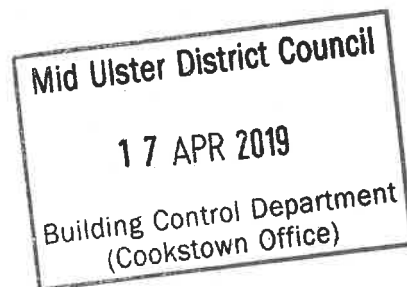
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Ballymoyle Road, Ballinderry, BT80 0AP

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Belagherty Road
Ballinderry
BT45 6JJ

15th March 2019

Dear Mr Wilkinson,

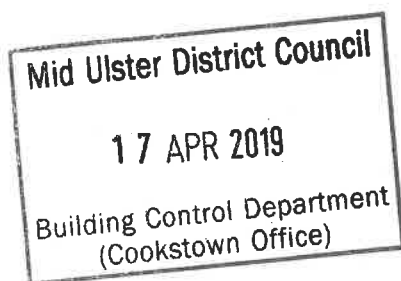
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Belagherty Road, Ballinderry, BT45 6JJ

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Lindsay Ville
Ballyronan
BT45 6JB

15th March 2019

Dear Mr Wilkinson,

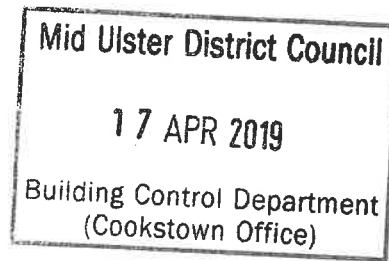
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Lindsay Ville, Ballyronan, BT45 6JB

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Road Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Brookmount
Ballinderry
BT80 0BB

21st February 2019

Dear Mr Wilkinson,

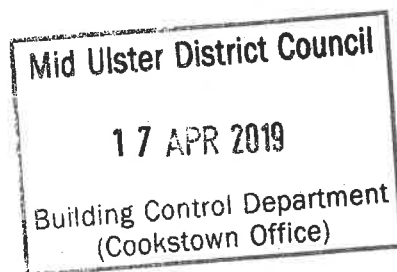
Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Brookmount Road, Ballinderry, BT80 0BB

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown
BT80 8DT

Gausson Villas
Ballyronan
BT45 6JD

15th March 2019

Dear Mr Wilkinson,

Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to request that you initiate the Mid-Ulster District Council procedure for Irish language signage at:

Gausson Villas, Ballyronan, BT45 6JD

In line with the Dual Language Policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure, as agreed by Mid Ulster District Council.

Yours sincerely,

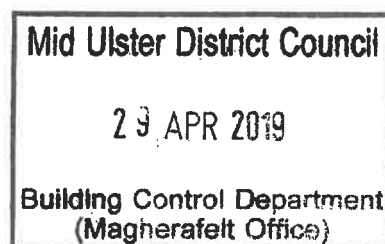
Lakeview Park
Killen
Coalisland
Dungannon
County Tyrone
BT715DL
25.04.2019

Dear Dungannon Council,

Re: Street signage and incorrect spelling,

As per my email communications please accept this letter as my formal request to have the street signage in Lakeview Park Killen to be displayed in Irish and for the spelling to be corrected from Killeen to Killen. Please note that this has been an ongoing issue, if you wish to inspect the spelling on headstones in the area you will note the correct spelling as Killen, I also have this on my birth record and my child's birth record which was completed by Dungannon council on 10.12.2018 and 16.02.1987. The spelling is also on the NI register as Killen and reported as such to experian, Equifax, TransUnion, my broadband and mobile / bank / credit card issuer as Killen, my driving licence and my partners licence as Killen. This is a matter of correcting the signage or replacing the headstones of every household in killen to represent the spelling the council claim is accurate. The spelling issue came about around a year ago when the original signage was removed, Lakeview Park Killen is not the same address as Killeen orilits and I believe this is when the error was made reporting the incorrect spelling for Lakeview Park, Royal Mail has agreed to amend the spelling which was recently updated on the postcode database by the council. My home insurance and car insurance has the spelling killen, the electric board has the spelling as Killen, telecom providers, information commissioner's office, and so on, I intend to keep raising this matter until our voices is heard. Other people in the area have my backing an online campaign

25.04.2019



Willie Wilkinson
C/O Building Control Service
Directorate of Public Health & Infrastructure
Mid-Ulster District Council
Burn Road
Cookstown

Dear Mr Wilkinson,

Request to Implement Mid-Ulster District Council Policy & Procedure for Dual Language Signage

I am writing to ask if you would initiate the Council Procedure for Irish language signage at

ARDSTEWART STEWARTSTOWN BT71 SHS

In line with the dual language policy, by way of my signature below I am giving consent, as a resident of the area, for you to now carry out the relevant procedure as agreed by Mid Ulster Council.

Yours sincerely,

26-4-18



Appendix 27

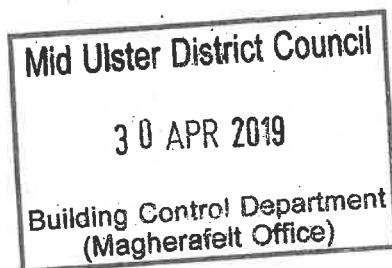
For attention of;

Mr Willie Wilkinson

Mid Ulster District Council

Circular Road

Dungannon



Willie, a chara,

I welcome the recently introduced Irish Language policy of Comhairle Ceantair Lár Uladh. I am interested in surveying my street to ascertain demand for bilingual street signage.

Is Ainm dom / My name is; t

Seoladh / Address;

*Benbulbin Road
Magherafelt*

Is mise, le meas

Report on	Building Control Service Improvement Plan 2019/2020
Date of Meeting	11 th June 2019
Reporting Officer	William Wilkinson, Head of Building Control

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 content of the annual Service Improvement Plan (SIP) for the Building Control Service for the period 2019/20.
2.0	Background
2.1	A Service Improvement Plan has been prepared for the Building Control Service for 2019/20 which will contribute towards the Council's Corporate Objectives.
2.2	<p>The Building Control Service is within the Public Health and Infrastructure Directorate and is responsible for the following function areas across Mid-Ulster District Council.</p> <ul style="list-style-type: none"> • Enforcement of Building Regulations • Entertainment Licensing • Petroleum Licensing • Cinema Licensing • Approval of places for Civil Marriages and/or Civil Partnerships. • Property Certificates • Street Naming and Dual Language Signage • Energy Performance of Building Regulations • Dangerous Structures • Enforcement of "Energy Performance of Buildings" legislation
3.0	Main Report
3.1	Within the Building Control Service Improvement Plan there are a number of actions and associated outcomes which have been identified.
3.2	When the outcomes are achieved for the actions as identified, the service to our customers will be enhanced and improved.
3.3	<p>The Service Improvement Plan for 2019-2020 includes the following areas:-</p> <ul style="list-style-type: none"> • Purpose, scope and responsibilities of the service • Customers and stakeholders

3.4	<ul style="list-style-type: none"> • Overview of performance in 2018/19 • Budget and staffing compliments for 2019/20 • Service Work Plan for 2019/20 • Service Contribution to the Corporate Improvement Objectives/Projects • Risks for Building Control Service <p>It should be noted that the performance of the Building Control Service within Mid Ulster has resulted in response times for full plan applications – domestic and non-domestic, as well as amended plans being over 90% in each case. This performance would compare favourably with any other Council across N Ireland.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within current resources
	Human: Within current resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That Members note the content of the attached Building Control Service Improvement Plan for 2019-2020.
6.0	Documents Attached & References
6.1	Appendix 1 - Building Control Service Improvement Plan 2019-2020



*Building Control Service
Department of Public Health
and Infrastructure*

SERVICE PLAN - 2019 / 20

Date

Consulted within staff team

14 / 03 / 2019

Discussed & signed off by Director

23/ 05 / 2019

CONTENT

SECTION	TITLE	PAGE NUMBER
1.0	OVERALL PURPOSE & SCOPE OF THE SERVICE	
1.1	Purpose and scope of the service	
1.2	Responsibilities	
1.3	Customers & Stakeholders	
1.4	Performance Overview in 2019/20	
2.0	SERVICE WORK PLAN - 2019/20	
2.1	Budget - 2019/20	
2.2	Staffing Complement – 2019/20	
2.3	Service Work Plan – 2019/ 20	
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2019/20	
3.1	Council's Improvement Objectives and Associated Programs - 2019/20	
3.2	Service Contribution to the Corporate Improvement Objectives	
3.3	Risk Management of Service	
4.0	EQUALITY	

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

The Building Control Service has primary responsibility for the enforcement of the Building Regulations in accordance with Building Regulations (Northern Ireland) Order 1979 (as amended) within Mid-Ulster District.

The BC Service is responsible for the administration of Property Certificates on behalf of the Council as well as the Policy on Street Naming and Dual Language Signage.

The BC Service has also responsibility for the enforcement of the Energy Performance of Buildings Regulations throughout the District.

In addition, the BC Service carries out the licensing function for Entertainment Licensing, Petroleum Licensing, Cinema Licensing and Approved Places for Marriages and Civil Partnerships.

Currently there are 15 Building Control Officers and 1 Licensing Officer assisted by 5.5 Business Support Officers and 1 Licensing Support Officer located in 3 offices at Cookstown, Dungannon and Magherafelt to ensure that a high level of service is available across the District.

1.2 Responsibilities

The section is specifically responsible for the following functions:

The main responsibilities of the Building Control Service are as noted below:

- All plans submitted in accordance with the relevant legislation will be assessed and decisions issued.
- Building works in progress will be inspected as necessary to ensure as is reasonably practicable, Building Regulations are not contravened.
- The administration of Property Certificates which primarily details relevant information in relation to a property with regards to Building Control and Environmental Health issues where applicable.
- The administration of Street Naming and Property Numbering for all new developments which also includes the delivery of the Dual Language Signage Policy.
- The enforcement of The Energy Performance of Buildings Regulations to ensure the production of Energy Performance Certificates, Display Energy Certificates and Air Conditioning Certificates.

- The Licensing of Places of Entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985
- The Licensing of Premises for the storage of Petroleum in accordance with the Petroleum (Consolidation) Act (NI) 1929.
- The Licensing of Cinemas in accordance with The Cinemas (NI) Order 1991
- Approval of venues for Civil Marriages and Civil Partnerships in accordance with The Marriage Regulations (NI) 2003, The Civil Partnership Act 2004 and The Civil Partnership Regulations (NI) 2005.

1.3 Customers & Stakeholders

Customers & Stakeholders
• Residents of the District
• Building Control Applicants
• Architects, Agents and Engineers
• Licensing Applicants
• Elected Representatives
• PSNI and NIFRS
• NIHE
• Land and Property Services

1.4 Performance Overview in 2019/20

The following table provides a progress summary and the impact made by last years' Service Plan (2019-2020). It also details key successes, a summary of the end of year progress, remaining challenges for the Service and how it made a difference.

2018/19 Performance Overview	End of Year Progress Status: Completed/Commenced/Other
• 90% of all domestic applications were responded to by BC within 21 days	652 domestic full plan applications were accessed with 90% of applications either being approval or a snag list being issued within 21 days from the date of validation
• 90% of all non-domestic applications were responded to by BC within 35 days	138 non-domestic full plan applications were assessed with 91% of applications either being approval or a snag list being issued within 35 days from the date of validation

<ul style="list-style-type: none"> • 90% of all amended plans submitted were responded to by BC within 14 days 	1086 set of amended plans were submitted with 92% of applications either being approval or a further snag list being issued within 14 days from the date of submission
<ul style="list-style-type: none"> • 35% of Building Notice and Regularisation Applications to be submitted online 	41% of all applications for Building Notices and Regularisation Applications were submitted online
<ul style="list-style-type: none"> • 50% of Property Certificate Applications to be submitted online 	34% of Property Certificate Applications were submitted online which is a 9% improvement on the previous year
<ul style="list-style-type: none"> • Embed a digitisation programme for 90% of full plan applications 	95% of all applications approved have their approved plans scanned onto Tascomi – all inspection notes and correspondence are recorded and retained on Tascomi
<ul style="list-style-type: none"> • Respond to 90% of Street Naming and Dual Language Nameplate Signage requests within 21 days 	94% of all requests were responded to within 21 days
<ul style="list-style-type: none"> • Respond to 90% of Licensing Applications within 21 days 	87% of applications were responded to within 21 days
<ul style="list-style-type: none"> • Online survey of customers completed 	553 questionnaires issued with a 10% rate of return. High percentage of feedback was positive

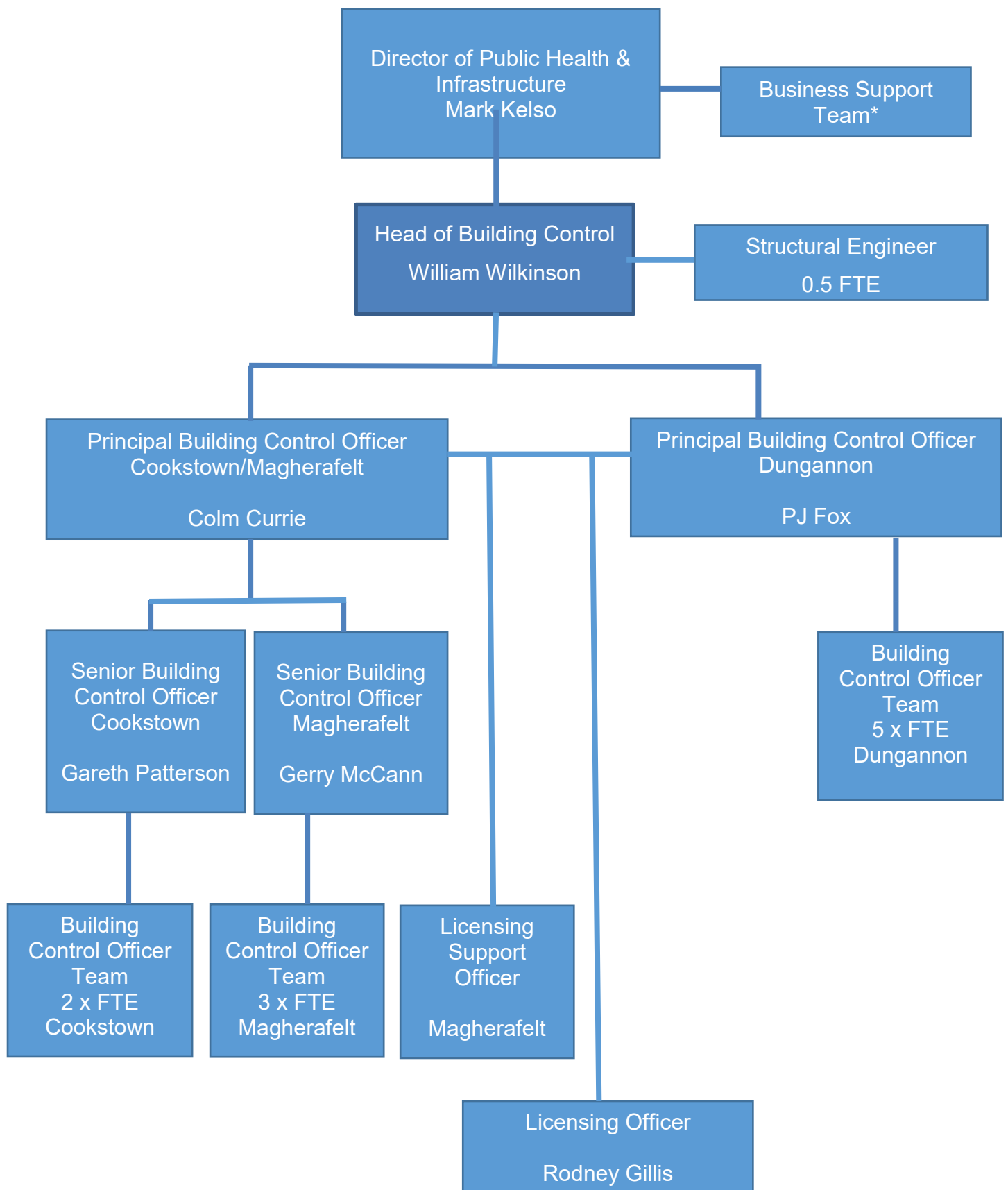
2.0 SERVICE WORKPLAN 2019/20

The following tables confirm the resources, financial and people, which the Service has access to throughout 2019-20 to deliver its actions, activities and core business.

2.1 Budget 2019/20 (TO BE CONFIRMED)

Service Budget Headings	£
Building Control Staff Costs (including mileage)	833,869
Building Control SLA Costs	45,000
Building Control Office Costs	5,900
Building Control Fees	(799,000)
Property Certificates	(80,000)
Consultancy Services	(2,650)
Licensing Staff Costs (including mileage)	74,847
Licensing Office Costs	650
Licensing Income	(56,925)
Gross Budget	960,266
Income	(938,575)
Net Budget for 2019-20	21,691

2.2 Staffing Complement - 2019/20



Staffing	No. of Staff
Head of Service	1
Managers	4
Officers	11
Remaining Team	1
Total	17

2.3 Service Work Plan - 2019/20

This plan confirms the core activities and actions, which will form your Service Work Plan for 2019-20. This should be a high-level capture of the Service activities and work which it will focus on throughout 2019-20. The Plan links to the Council's 2015-2020 Corporate Plan priorities (the Corporate Plan 2015/19 priorities were extended for another year to include 2019 to 2020), Annual Corporate Improvement Plan Objectives, Corporate Indicators and Mid Ulster Sustainable Community Plan themes & outcome

SERVICE WORK PLAN

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.1 Economic Growth - We prosper in a stronger & more</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Respond domestic applications within 21 days	% Response times are continuously measured on Tascomi Te-Build	90% of applications were responded within 21 days in 2018/19	90% of all domestic applications responded to within 21 days	<ul style="list-style-type: none"> Ensure procedures in place are followed to respond to Building Control Applications Ensure all applications are validated and allocated to officers for assessments All BC staff maintain their Te-Build Interactive calendar and Diary up to date Continuously monitor the response times for assesment 	March 2020	HoS. PBCO's SBCO's and BCO's	Customers have domestic applications responded to in a timely manner.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.1 Economic Growth - We prosper in a stronger & more</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Respond non - domestic applications within 35 days	% Response times are continuously measured on Tascomi Te-Build	91% of applications were responded within 35 days in 2018/19	90% of all non - domestic applications responded within 35 days	<ul style="list-style-type: none"> Ensure procedures in place are followed to respond to Building Control Applications Ensure all applications are validated and allocated to officers for assessments All BC staff maintain their Te-Build Interactive calendar and Diary up to date Continuously monitor the response times for assesment 	March 2020	HoS. PBCO's SBCO's and BCO's	Customers have domestic applications responded to in a timely manner

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.1 Economic Growth - We prosper in a stronger & more</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Respond to Amended Plan Assessments within 14 Days	% Response times are continuously measured on Tascomi Te-Build	92% of amended plan assessments were responded within 14 days in 2018/19	90% of all non - domestic applications responded within 14 days	<ul style="list-style-type: none"> Ensure procedures in place are followed to respond to Building Control Applications Ensure all applications are validated and allocated to officers for assessments All BC staff maintain their Te-Build Interactive calendar and Diary up to date Continuously monitor the response times for assessment 	March 2020	HoS. PBCO's SBCO's and BCO's	Customers have domestic applications responded to in a timely manner

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Increase Building Notice and Regularisation online Applications	% Increase in the number of Building Notices and Regularisation Applications submitted online	41% of Building Notice and Regularisation Applications were submitted online in 2018/19	Receive minimum of 45% of Building Notice and Regularisation applications online	<ul style="list-style-type: none"> Raise awareness of online facility with companies which make multiple applications Encourage applicants to make applications online Ensure all online applications are validated daily 	March 2020	HoS. PBCO's SBCO's and BCO's	Customers can avail of online facilities thereby have access to services 24/7

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Increase Property Certificate applications online to 50% by Q4 of 2019/20	% Increase in the number of Property Certificate Applications submitted online	34% of Property Certificate Applications were submitted online in 2018/19	Receive minimum of 50% of Property Certificate applications online	<ul style="list-style-type: none"> Continually raise awareness of online facility with Solicitors Actively encourage non participating Solicitors to utilise the online portal Staff to prioritise online applications to highlight the benefits of the online portal 	March 2020	HoS. PBCO's SBCO's and BCO's	Customers can avail of online facilities thereby have access to services 24/7

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Pilot and develop online facility for the submission of Full Plan Applications	Successful implementation and provision of online portal for submission of full plan applications	Initiation of pilot project to develop online portal	Availability of online portal for submission of full plan applications by Architects/Agents	<ul style="list-style-type: none"> • Liaise with Tascomi regarding provision of pilot scheme • Select agents to assist in the development of the online portal • Develop and finalise procedural document on successful implementation of pilot scheme 	March 2020	HoS, PBCO's and SBCO's	Customers can avail of online facilities thereby have access to services 24/7

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.1 Economic Growth - We prosper in a stronger & more</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Maintain a pre - application consultation service for applicants/ consultants by responding to all pre-application consultations	Number of requests being responded to within 10 days	100% response rate has been achieved to date for requests	Maintain a 100% response rate to requests for pre – application consultation requests	<ul style="list-style-type: none"> • Ensure prompt response to all initial enquiries • Promote pre-consultation service on website 	March 2020	HoS, PBCO's and SBCO's	All requests are responded to within 10 days

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.1 Economic Growth - We prosper in a stronger & more</i>	<i>CRP 2.3 Creating Growth - Maximise opportunities to create and grow district wide business and investment</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Maintain joint working programme with LPS identifying premises not producing an income to MUDC at present	Number of properties which are occupied and are not currently producing an income to MUDC	Ongoing working partnership	Maximise d potential income of occupied properties	<ul style="list-style-type: none"> Carry out inspections of vacant property lists provided by LPS Return all relevant reports to LPS 	March 2020	HoS and all BC Staff	Optimisation of potential rateable income to MUDC

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Promote online facility for inspection requests	Number of inspections requested online	1.75% of inspections were requested online in 2018/19	2.5% of inspections requested online	<ul style="list-style-type: none"> Raise awareness of online inspection request facility to applicants and contractors 	March 2020	BC Staff	Increased utilisation of online inspection requests by customers thereby access to service requests available 24/7

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 5.1 Vibrant & safe Communities - We are a safer Community</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Undertake a review of the General Conditions of Entertainment Licensing	The Licensing Conditions will be amended and determined by the Environment Committee	General Conditions have primarily remained unchanged from the introduction of Licensing Legislation in 1985	Venues to develop an Event Management Plan to ensure compliance with General Conditions of Entertainment Licensing as revised	<ul style="list-style-type: none"> All applicants for the Grant/Renewal of an Entertainment Licence to submit an Event Management Plan Inspections of venues to assess compliance of revised Entertainment Licensing Conditions 	March 2020	Hos, PBCO's SBCO's and Licensing Officer	Entertainment licensed venues will prepare an Event Management Plan which will demonstrate compliance with the General Conditions of the Entertainment Licence as approved

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2019/20, which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document, which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2019 to 2020:

(i) Post SMT initial consideration

(ii)

(iii)

(iv)

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (*Mid Ulster Council's Improvement Plan 2019- 2020*) or by contacting the Democratic Services Team on 03000 132132.

4.0 Equality

The council is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act 1998. This commitment is demonstrated by allocating the appropriate time, people and resources to fulfil our equality duties. The Equality Scheme commits us to implementing our duties effectively and in a timely way alongside implementing this Service Plan. Without impacting upon our obligations, when carrying out our equality duties we will also take into account the desirability of promoting good relations between people of different religious belief, political opinion or racial group. We are also required to take into account the need to promote positive attitudes towards people with a disability and encourage the participation of people with a disability in public life. Mid Ulster District Council are committed to fulfilling our disability duties and we set out how we intend to do this in our disability action plan.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 3.3 Education & Skills - We are more entrepreneurial, innovative & creative		CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	Provision of online portal for submission of full plans applications - pilot project	Initial development of online portal for submission of full plans	Online portal not currently available for submission of Full Plan Applications	An online facility available to architects /agents for the submission of full plan applications	<ul style="list-style-type: none"> Agree a project plan and timelines with Tascomi Discussions with targeted architects/agents selected to be involved in the pilot scheme Deploy and develop online portal Develop procedural document and train staff Promote online portal for the submission of full plan applications 	Pilot project completed by March 2020	HoS, PBCO's & SBCO's	An online facility available for the submission of full plan applications

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 3.3 Education & Skills - We are more entrepreneurial, innovative & creative		CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	Increase Building Notice and Regularisation online Applications from current levels	Number of applications submitted online	In 2018/19, 41% of all Building Notice and Regularisation applications were submitted online	By Q4 of 2019/20, 45% of all Building Notice and Regularisation applications to be submitted online	<ul style="list-style-type: none"> Applicants to be encouraged to submit applications online by BC staff Promote online Building Notice and Regularisation applications on BC section on Council website Promote online facility to applicants regularly submitting Building Notice and Regularisation applications 	March 2020	HoS, PBCO's & SBCO's	Increased use of online facility for submission of Building Notice and Regularisation applications. Increased efficiencies within department

Link to Community Plan Theme:	Corporate Plan Theme
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CMP 3.3 Education & Skills - We are more entrepreneurial, innovative & creative		CRP 1.2 Delivering for Our People - Increase Access to services and customer experiences across the district						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	Increase Property Certificate online Applications from current levels	Number of applications submitted online	In 2018/19, 34% of all Property Certificate applications were submitted online	By Q4 of 2019/20, 50% of all Property Certificate applications to be submitted online	<ul style="list-style-type: none"> Solicitors to be encouraged to submit applications online by BC staff Promote online Property Certificate applications on BC section on Council website 	March 2020	HoS, PBCO's & SBCO's	Increased use of online facility for submission of Property Certificate applications. Increased efficiencies within department

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

This table illustrates the risks identified to deliver the Services business in 2019-20.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Non-Compliance of Building Regulations	6	1) Timetabled Staff meetings to discuss any discrepancies that may have occurred on site 2) Continue to monitor and develop system for ensuring consistency of inspections
2.	Delivery and consistent implementation of Policies & Procedures across Mid Ulster Council	6	Monitoring of Policies being carried out on a regular basis by Principal Officers
3.	Health & Safety: Scope of risk extends to: (1) Lone working (2) Daily visits to sites where safety risks are evident to officers	6	Risk assessments reviewed in conjunction with Health and Safety Advice team
4.	Fraud Scope of risk extends to: (1) Fraud generally (2) Cash and Cheque Handling	6	(1) Review financial procedures with Finance Service to ensure compliance with Council procedures for cash handling (2) Monitoring of finance procedures by Principal Officers on a regular basis
5.	Downturn in construction sector as a result of the implementation of Brexit	6	Continually monitor applications to identify any marked reduction in activity within Construction Sector

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

Report on	Making Links to Promote Health and Wellbeing
Date of Meeting	11 th June 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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 advise the Committee of the Mid Ulster Community Pharmacy Partnership event 'Making Links to Promote Health and Wellbeing' that took place on Tuesday 26 th March 2019 in the Terrace Hotel Magherafelt.
2.0	Background
2.1	The Mid Ulster Community Pharmacy Partnership is a multi-agency group with representation from Mid Ulster District Council, the Health and Social Care Trusts, Integrated Care Partnerships, the Public Health Agency and the Northern Healthy Lifestyles Partnership.
2.2	The event was the third annual 'Making Links' information evening and was informed by feedback from previous local 'Making Links' events. This year's event focused on assisting community pharmacists and other healthcare professionals to motivate smokers to quit. It also provided an opportunity to highlight the growing epidemic of obesity in Northern Ireland and the impact this has on health and wellbeing.
3.0	Main Report
3.1	The event took place from 6.30pm to 9.00pm in the Terrace Hotel, Magherafelt on Tuesday 26 th March.
3.2	The keynote speaker at the event was Dr Alan Curley, Director of Therapeutic Interventions and Lecturer in Adult Health at the University of West Scotland. As Dr Curley was the key note speaker, it was therefore decided to also send invites to: <ul style="list-style-type: none"> - Local Practice Nurses - Local Workplace Health Champions - Health and Wellbeing staff from Council and Trust
3.3	Also speaking at the event was Paula Marshall, Health Promotion Dietitian, Northern Health and Social Care Trust. Paula discussed the growing epidemic of obesity in Northern Ireland and provided key nutritional messages and advice.

3.4	Mid Ulster District Council Leisure Coach also delivered a short physical activity session which demonstrated how physical activity can be built into daily routines.
3.5	29 health professionals attended the evening event, including 18 pharmacists representing 7 different community pharmacies.
3.6	Mid Ulster's Community Plan has health and wellbeing as one of its five key themes. The plan highlights the need to support people to live longer, healthier and more active lives.
3.7	The event was very successful; the feedback has been extremely positive and this has proven to be a great opportunity to share information, provide support and develop connections between sectors.
3.8	Roberta Tasker, Pharmacy Lead – Mid Ulster Integrated Care Partnership said 'It is clear that responsibility for growing healthy communities ranges far beyond the traditional health care services and structures, and that better balances can and must be achieved between prevention and treatment. We need to continue to work together across agencies to focus on early intervention and prevention and to reduce health inequalities.'
3.9	It is hoped that there will be further 'Making links' pharmacy events in the future to build on the learning from this event and shape the next steps. Before closing the event, there was an opportunity for those in attendance to review the signposting directory that was piloted in Cookstown this year, following discussions at the Making Links pharmacy event in 2017/2018 year. Attendees were asked to complete a questionnaire to help shape the way forward in relation to this resource.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Room hire and catering - £418.00 Costings for additional signposting directories - £165.00 Photographer - £50.00
	Human: Staff coordination time for event planning.
	Risk Management:
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	Members to note report and support the work of the Mid Ulster Community Pharmacy Partnership
6.0	Documents Attached & References
6.1	Appendix 1 – Making Links event photograph



HSC Health and Social Care

Integrated Care Partnership

Working together to care, in the right place



NORTHERN HEALTHY LIFESTYLE PARTNERSHIP



Comhairle Lár Uladh Mid Ulster District Council

SPORT LOTTERY FUNDED Active Communities

Report on	Environmental Health Service Improvement Plan 2019/20
Date of Meeting	11 th June 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

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 content of the annual Service Plan for Environmental Health for 2019/20.
2.0	Background
2.1	As part of the corporate planning process, Service Improvement Plans are put in place within each service area. The Service Improvement Plan for 2019/20 for Environmental Health is attached at Appendix 1.
3.0	Main Report
3.1	<p>The Environmental Health Service is part of the Public Health and Infrastructure Directorate and is responsible for the following main core function areas across Mid Ulster District Council;</p> <ul style="list-style-type: none"> • Food Control • Consumer Protection • Public Health • Environmental Protection • Housing • Dog Control and Animal Welfare • Health & Safety • Health & Wellbeing Programmes • Licensing functions
3.2	<p>The Service Improvement Plan for 2019/20 includes the following areas:</p> <ul style="list-style-type: none"> • Purpose, scope and responsibilities of the services; • Customers and stakeholders; • Overview of performance 2018/19; • Staffing compliment for 2019/20; • Action plan for 2019/20; • Risk Management/Register. <p>A full copy of the Service Improvement Plan is attached at Appendix 1.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: The planned actions within the Service Improvement Plan will be delivered within the annual services budget for 2019/20.
	Human: Environmental Health staffing allocation will be required to deliver statutory services and service improvements and targets.
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report and the Environmental Health Service Improvement Plan for 2019/20.
6.0	Documents Attached & References
6.1	Appendix 1: Service Improvement Plan for Environmental Health.



Public Health and Infrastructure Environmental Health

SERVICE PLAN - 2019 / 2020

Date

Consulted within staff team

31/ 01 / 2019

Discussed & signed off by Director

23/ 05 / 2019

CONTENT

SECTION	TITLE	PAGE NUMBER
1.0	OVERALL PURPOSE & SCOPE OF THE SERVICE	
1.1	Purpose and scope of the service	
1.2	Responsibilities	
1.3	Customers & Stakeholders	
1.4	Performance Overview in 2019/20	
2.0	SERVICE WORK PLAN - 2019/20	
2.1	Budget - 2019/12	
2.2	Staffing Complement – 2019/20	
2.3	Service Work Plan – 2019/ 20	
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2019/20	
3.1	Council's Improvement Objectives and Associated Programs - 2019/20	
3.2	Service Contribution to the Corporate Improvement Objectives	
3.3	Risk Management of Service	
4.0	EQUALITY	

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1. Purpose and Scope of the Service

The Environmental Health Department is fundamentally about improving the health & wellbeing of local communities. Our work as outlined in this document makes important contributions towards all of the Council's key themes and objectives, but in particular, through aiming to keep our environment safe and where possible, promoting healthier choices.

The purpose of the Environmental Health Department continues to be the control of factors in the environment which can affect public health and safety within the realms of the Council's statutory obligations. This is mainly achieved by enforcing environmental health legislation in a reactive and proactive manner. The Department also plays a supportive, informative and advisory role in all aspects of Environmental Health including health and well-being.

1.2 Responsibilities

Regulatory and advisory work in relation to the following core function areas

- Food Control
- Consumer Protection
- Public Health and Housing
- Environmental Protection
- Licensing
- Dog Control and animal welfare
- Health and Safety
- Health and Wellbeing programmes

1.3 Customers & Stakeholders

Customers & Stakeholders
• Public Health Agency
• Food Standards Agency
• Health and Safety Executive Northern Ireland
• Northern Ireland Housing Executive
• Police Service of Northern Ireland
• Communities
• Residents
• Visitors to the District
• Businesses
• Department for communities
• Department of Agriculture, Environment and Rural Affairs

1.4 Performance Overview in 2019/20

The following table provides a progress summary and the impact made by last years' Service Plan (2019-2020). It also details key successes, a summary of the end of year progress, remaining challenges for the Service and how it made a difference.

2018/19 Performance Overview	End of Year Progress Status: Completed/Commenced/Other
<ul style="list-style-type: none"> • Increase utilisation of existing online services for Dog Licensing. 	31% of dogs licensed online
<ul style="list-style-type: none"> • Implement an online facility to submit service requests for Environmental Health and register food premises online. 	Business case currently being considered. Online Food registration implemented.
<ul style="list-style-type: none"> • Carrying out Food visits to 85% of all new businesses within 28 working days after starting 	81% within 28days (156 new premises)
<ul style="list-style-type: none"> • 200 participants within the Environmental Health Make a change programme 	658 participants

2.0 SERVICE WORKPLAN 2019/20

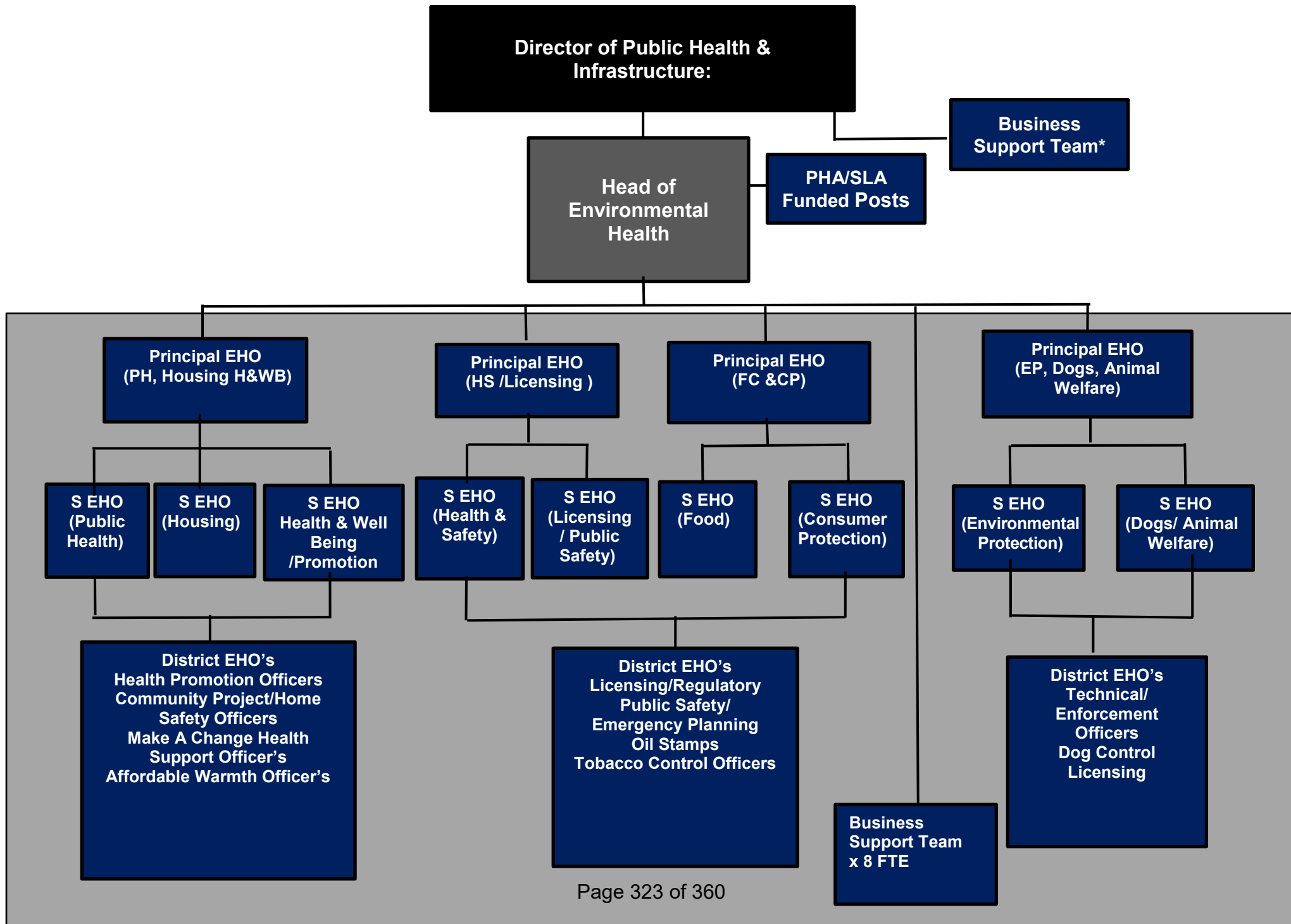
The following tables confirm the resources, financial and people, which the Service has access to throughout 2019-20 to deliver its actions, activities and core business.

2.1 Budget 2019/20 (TO BE CONFIRMED)

Service Budget Headings	£
Affordable Warmth Programme Total	0
Consumer Protection Total	475
Dog Control including Enforcement Total	175,685
Environmental Health : General /Support Total	1,345,050
Food Safety Total	(76,095)
Health and Safety at Work Total	100
Health and Wellbeing	35,650
Health Inequalities Total	54,018
Home Accident Prevention Total	44,587
Home Energy Total	(4,433)
Other Licencing Total	(10,460)
Neighbourhood Total	6,000
Oil Stamps Total	0
Pollution Control/Clean Air Total	(50,092)
Public Health Total	(3,230)
Gross Budget	2,109,606
Income	(592,351)
Net Budget for 2019-20	1,517,255

2.2 Staffing Complement - 2019/20

See Staff Structure below



Staffing	No. of Staff
Head of Service	1
Managers	4 Principals 9 Seniors
Officers	25
Health & Wellbeing Team	6
Total	45

2.3 Service Work Plan - 2019/20

This plan confirms the core activities and actions, which will form your Service Work Plan for 2019-20. This should be a high-level capture of the Service activities and work which it will focus on throughout 2019-20. The Plan links to the Council's 2015-2020 Corporate Plan priorities (the Corporate Plan 2015/19 priorities were extended for another year to include 2019 to 2020), Annual Corporate Improvement Plan Objectives, Corporate Indicators and Mid Ulster Sustainable Community Plan themes & outcomes:

SERVICE WORK PLAN

Link to Community Plan Theme:	Corporate Plan Theme						
CMP 1.1 Economic Growth - We prosper in a stronger & more competitive economy Economic growth	CRP 1.5 Delivering for Our People - Delivery of quality and timely planning decisions implement and organisational strategy for a modern workplace						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
<i>Delivering for Our People - High performing services focused on customer and value for money</i>	Consultee responses from EH to be forwarded to Planning dept.	Currently 50% responded to within 21 working days	75% of all planning applications responded to within 21 working days	<ul style="list-style-type: none"> Consultation responses from EH to be priority based and forwarded to the Planning Department. Additional Specialist Officer in post. 	March 2020	Principal EHO (EP, Dogs AW)	75% of prioritised commercial and industrial planning applications responded to within 21 working days
<i>Delivering for Our People - High performing services focused on customer and value for money</i>	Assist businesses with queries surrounding the pending EU Exit.	Uncertainty remains over Brexit timelines and requirements	Information for businesses under MUDC responsibility in relation to food regulation	<ul style="list-style-type: none"> Keep up to date on Brexit related developments through NIFMG meetings and contacts On regional basis, progress the process of providing export certificates where needed to MUDC businesses 	March 2020	HoS/ Principal (FC/CP)	Availability of import/export advice surrounding EU Exit for food businesses under MUDC responsibility

Link to Community Plan Theme:	Corporate Plan Theme						
Link to Community Plan Theme: We increasingly value our environment and enhance it for our children. We are better enabled to live longer healthier and more active lives.	Corporate Plan Theme CRP 3.7 Sustaining our Environment - Forming & encouraging collaborative partnerships to deliver positive outcomes for the people of the district						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? 85(Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Health and wellbeing <i>(we are better enabled to live longer, healthier and more active lives)</i>	Identification and engagement of key stakeholders in Local Air Quality	No baseline information	Identify and meet with stakeholders on 2 occasions	Identify key Stakeholders for Air Quality Make contact and arrange minimum of two meetings to progress the Air Quality action plan targets meetings separate occasions	March 2020	HoS/Principal EHO (EP, Dogs AW)	Implementation of Air Quality Action Plan objectives
Theme 4 – health and wellbeing <i>(work together across agencies to focus on early intervention and prevention and to reduce health inequalities)</i>	Operational targets met in line with funding for Health & Wellbeing	Energy Efficiency, Home Accident Prevention, Make a Change, and Affordable warmth programmes in place.	100% of targets achieved as per funding arrangements	Development of local action plan for each programme to be in place.	March 2020	HoS/Principal PH/H/ H&WB	Contribute to community plan. 100% targets met

Link to Community Plan Theme:	Corporate Plan Theme						
CMP 1.1 Economic Growth - We prosper in a stronger & more competitive economy	CRP1.1 Delivering highly performing services focussed on customer and value for money						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
CMP 1.1 Economic Growth - We prosper in a stronger & more competitive economy	Compliant licenced caravan parks within MUDC	3 caravan parks licensed. Further application in progress.	Assess and process 100% of all applications.	Assess, inspect and process all applications for caravan licences.	31/03/20	HoS/ Principal (H&S/Licensing/ Public Safety)	Assess and process 100% of all applications.
CMP 1.1 Economic Growth - We prosper in a stronger & more competitive economy	Compliant premises in relation to food standards	71% of Food Standards(FS) Cat A undertaken	85% of FS Category A inspections to be carried out	Inspection Programme to be in place and implemented	31/03/20	HoS/ Principal EHO (FC/CP)	Improved FS and Consumer information
CMP 1.1 Economic Growth - We prosper in a stronger & more competitive economy	Record Response times. 95 % within agreed timescale	No baseline data	95% within agreed timescale	<ul style="list-style-type: none"> MUDC will nominate a point of contact to receive consultations on HMO licence applications Timeframe for responses to be agreed with lead delivery Council Response will be provided on environmental Health matters within agreed time frame 	March 2020	HoS/Principal EHO (PH/H)	95 % Responses relating to Environmental Health matters within agreed timeframes

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2019/20, which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document, which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2019 to 2020:

- (i) To assist in the growth of the local economy by increasing the number of visitors to our district.
- (ii) To help manage our waste and environment by reducing the amount of waste going to landfill.
- (iii) To improve the accessibility of our services by increasing the number available online.
- (iv) To support people to adopt healthier lifestyles by increasing usage of Council Recreational facilities

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (*Mid Ulster Council's Improvement Plan 2019- 2020*) or by contacting the Democratic Services Team on 03000 132132.

4.0 Equality

The council is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act 1998. This commitment is demonstrated by allocating the appropriate time, people and resources to fulfil our equality duties. The Equality Scheme commits us to implementing our duties effectively and in a timely way alongside implementing this Service Plan. Without impacting upon our obligations, when carrying out our equality duties we will also take into account the desirability of promoting good relations between people of different religious belief, political opinion or racial group. We are also required to take into account the need to promote positive attitudes towards people with a disability and encourage the participation of people with a disability in public life. Mid Ulster District Council are committed to fulfilling our disability duties and we set out how we intend to do this in our disability action plan.

3.2 Service Contribution to the Corporate Improvement Objectives/Projects

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 4.2 Health & Wellbeing - We have better availability to the right service, in the right place at the right time.		CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	Increase number of dog licences through online	% of dog licences via online	31.5%	35% on line licensing	<ul style="list-style-type: none"> • Webpage information • Promotion on site by Enforcement officers • Information given at reception 	March 20	Principal EHO(EP/Dogs)	Increase in efficiency and online availability for customers.

Link to Community Plan Theme:		Corporate Plan Theme						
CMP 4.2 Health & Wellbeing - We have better availability to the right service, in the right place at the right time.		CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money						
Improvement Plan Objective	Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
					Key Actions	Dates	Owners	Outcome
3.0 To improve the accessibility of our services by increasing the number available online	Complaints to be uploaded to eliminate duplication of entering	Number of complaints received directly online	Not measured		<ul style="list-style-type: none"> Business case already prepared for consideration 	March 20	HoS	Increase in efficiency and online availability for customers.

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

- Help the Council achieve its overall aims and objectives
- Manage the significant risks the Council faces to an acceptable level
- Assist with the decision making process
- Implement the most effective measures to avoid, reduce and control those risks
- Balance risk with opportunity
- Manage risk and internal controls in the most effective way.

This table illustrates the risks identified to deliver the Services business in 2019-20.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Food control and Brexit	9	Keeping up to date with attendance at regional meetings
2.	GDPR	6	Reminders at staff meetings
3.	Road closures	4	Information widely available
4.	No co-ordinated on call food arrangement	6	Relying on food officers answering phones out of hours
5.	Fraud, bribery and theft	6	MUDC policies in place
6.	Health and safety	6	PPE in place and use of white board
7.	Transfer of HMO function to Councils	6	Service Level agreement with Belfast City Council

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

Report on	Entertainment Licencing Correspondence
Date of Meeting	11 th June 2019
Reporting Officer	Mark Kelso, Director of Public Health and Infrastructure

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 response received from the Department for Communities Permanent Secretary in relation to correspondence regarding legislative change for Entertainment Licencing.
2.0	Background
2.1	Council resolved at their meeting on Monday 15 th April 2019 that correspondence be forwarded to the Permanent Secretary at the Department for Communities in relation to Members concerns at the delay in legislative change for Entertainment Licencing.
3.0	Main Report
3.1	Following the recent tragic incident at the Greenvale Hotel, 57 Drum Road, Cookstown on Sunday 17 th March 2019, Council resolved at their meeting on Monday 15 th April 2019 that correspondence be forwarded to the Permanent Secretary at the Department for Communities in relation to Members concerns at the delay in legislative change following the consultation process undertaken by Minister Durkan in May 2015. This correspondence was forwarded on 17 th April 2019 (see Appendix 1). Members had requested an urgent review of the Entertainment Licensing regime and Model Terms and Conditions that presently apply.
3.2	In response to the correspondence (see Appendix 2) the Permanent Secretary indicated that as the incident is currently the subject of investigations by both the PSNI and Mid Ulster Council she did not believe it would be appropriate to commence any work on changes to either the licensing regime or model terms and conditions prior to the conclusion of the investigations. DfC officials will however undertake preparatory work that can be done in advance of the outcome of the investigations. The Department also wish to discuss any issues identified by the investigations with local councils and other key stakeholders to identify the appropriate way forward.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members to note the response provided by the DfC Permanent Secretary.
6.0	Documents Attached & References
6.1	Appendix 1 – Letter to DfC Permanent Secretary
6.2	Appendix 2 – Response from DfC Permanent Secretary



Our Ref: PHI/1920/MK/4

18th April 2019

Ms Tracy Meharg
Permanent Secretary
Department for Communities
Causeway Exchange
1-7 Bedford Street
Belfast
County Antrim
BT2 7EG

Dear Tracy,

Following the recent tragic incident at the Greenvale Hotel, 57 Drum Road, Cookstown on Sunday 17th March 2019, Mid Ulster District Council resolved at their Council meeting on Monday 15th April 2019 that correspondence be forwarded to your Department regarding same. Members expressed their concern at the delay in legislative change following the consultation process undertaken by Minister Durkan in May 2015 and have requested an urgent review of the Entertainment Licensing regime and Model Terms and Conditions that presently apply.

I would be grateful if this matter could be given early consideration by your Department and an update provided in order that Council can be advised accordingly. I have enclosed a copy of the initial consultation correspondence received for the purposes of completeness.

Thank you for your assistance in this matter.

Yours sincerely

M G KELSO
Director of Public Health and Infrastructure

Enc.



Department for
Communities

www.communities-ni.gov.uk

From: Tracy Meharg
Permanent Secretary

Level 9
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

Telephone: 028 90 823301
E-mail: tracy.meharg@communities-ni.gov.uk
Our Ref: PSC 0510.19
Date: 8 May 2019

Mr Mark Kelso
Director of Public Health and Infrastructure
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Via email: Patricia.Bradley@midulstercouncil.org

Dear *Mark*

ENTERTAINMENT LICENSING REGIME AND MODEL TERMS AND CONDITIONS

Thank you for your letter of 18 April on behalf of Mid Ulster District Council. I note the concerns raised by council members in respect of the Entertainment Licensing regime and Model Terms and Conditions and your request for an update in respect of this issue.

Following the consultation process, which you have referred to in your letter, a decision was made that, due to other Ministerial priorities, no further work be done at that time. In the absence of an Assembly and the appointment of a new Minister for Communities this has remained the Departmental policy. In light of the recent tragic events at the Greenvale Hotel this policy will be reconsidered.

As you are aware the incident is currently the subject of investigations by both the PSNI and yourselves; I do not believe it would be appropriate to commence any work on changes to either the licensing regime or model terms and conditions prior to the conclusion of these. I have, however, asked my officials to look at what preparatory work can be done in advance of this. The Department will also wish to discuss any issues identified by the investigations with local councils and other key stakeholders to identify the appropriate way forward.

Yours sincerely,

Tracy Meharg

TRACY MEHARG
PERMANENT SECRETARY



Report on	Technical Services Service Improvement Plan 2018/19
Date of Meeting	11 th June 2019
Reporting Officer	Raymond Lowry, Head of Technical 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 of the content of the annual Service Improvement Plan (SIP) for Technical Services for the period 2019/20.
2.0	Background
2.1	A Service Improvement Plan has been prepared for Technical Services for 2019/20, which will contribute towards the Council's Corporate Objectives.
3.0	Main Report
3.1	<p>Technical Services is within the Public Health and Infrastructure Directorate and is responsible for the following function areas across Mid-Ulster District Council.</p> <ul style="list-style-type: none"> • Capital Project Delivery • Bus Shelter approval • Signage • Sustainability • Biodiversity
3.2	Within the Technical Services Service Improvement Plan (see Appendix 1) there are a number of actions and associated outcomes which have been identified.
3.3	When the outcomes are achieved for the actions as identified, the service to our customers will be enhanced and improved.
3.4	<p>The Service Improvement Plan for 2019/20 includes the following areas:</p> <ul style="list-style-type: none"> • Purpose, scope and responsibilities of the service • Customers and stakeholders • Overview of performance in 2018/19 • Budget and staffing compliments for 2019/20 • Work Plan for 2019/20 • Action Plan for 2019/20 • Key Risks for Service

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: The planned actions within the Service Improvement Plan will be delivered within the service budget for 2019/20, and other Council funds as approved to deliver services ..
	Human: As current .
	Risk Management: As detailed in the Service Improvement Plan.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members to note the content of the Technical Services Service Improvement Plan for 2019/20.
6.0	Documents Attached & References
6.1	Appendix 1 – Technical Services Improvement Plan for 2019/20.



Public Health & Infrastructure - Technical Services

SERVICE PLAN - 2019 / 20

Date

Consulted within staff team

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Discussed & signed off by Director

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CONTENT

SECTION	TITLE	PAGE NUMBER
1.0	OVERALL PURPOSE & SCOPE OF THE SERVICE	
1.1	Purpose and scope of the service	
1.2	Responsibilities	
1.3	Customers & Stakeholders	
1.4	Performance Overview in 2018/19	
2.0	SERVICE WORK PLAN - 2019/20	
2.1	Budget - 2019/20	
2.2	Staffing Complement – 2019/20	
2.3	Service Work Plan – 2019/ 20	
3.0	IMPROVING OUR SERVICE AND MANAGING PERFORMANCE - 2019/20	
3.1	Council's Improvement Objectives and Associated Programs - 2019/20	
3.2	Service Contribution to the Corporate Improvement Objectives	
3.3	Risk Management of Service	
4.0	EQUALITY	

1.0 OVERALL PURPOSE AND SCOPE OF THE SERVICE

1.1 Purpose and Scope of the Service

The Technical Services Section is led by the Head of Technical Services and is fundamentally focused on delivery of Capital Programme for the Council. Work outlined in this document assists the various Services within the Council to enhance their areas of responsibilities such as improvements to facilities in the following services: Leisure, Parks, Tourism, and Community.

Technical Services plays a supportive role to all Departments in the preparation of scoping of Capital project information for submission to the Capital Programme and thereafter overseeing the project commencement to completion.

1.2 Responsibilities

In order to deliver actions/programmes of work and tasks on behalf of the Council, Technical Services is divided into 3 separate functions:

- 1. Technical Services – Capital Delivery Team, Bus Shelters, Signage.*
- 2. Sustainability*
- 3. Biodiversity*

These functions are further detailed in the separate headings listed below;

The section is specifically responsible for the following functions:

Technical Services

This function is covered by Project Officers based in Cookstown Council offices, and the function delivers and is accountable for the following service provision:

- **Capital Delivery Team**
 - *Assist in the preparation of procurement documentation in relation to E - procurement of all necessary functions within the delivery of Capital Projects e.g. appointment of ICT professionals and Contractors.*
 - *Assist in the preparation of scoping information / design concepts for Capital Project delivery*
 - *Project manages the delivery of MUDC Capital Programme (Infrastructure) for Council.*
 - *Assist various departments in the stakeholder engagement process for Capital Projects.*
 - *Develop, deliver and manage internal Design Service, including Project management of small scale Capital Projects.*
 - *Liaise with funders in the delivery of Capital Projects.*
 - *Liaise with relevant stakeholders for delivery of Capital Projects*

- *Report to the Councils Environment Committee on the progress of Councils Capital Projects on a monthly basis.*
- *Report to Capital Working Group (performance management) on a quarterly basis with updates on Programme / budget delivery.*
- **Bus Shelters**
 - *Responsible for administration of the application process / approval(s) on Bus Shelters throughout the District.*
 - *Obtaining all statutory consents for new / altered locations for Shelters*
 - *Notifying Property Services Department for erection of approved shelter. (Note Property Services to have ongoing control over the maintenance of all shelters in the district.*
 - *Report to Council Environment Committee on installation of new / removed Shelters in the district.*
- **Signage**
 - *Responsible for Council Signage throughout the District.*
 - *Notifying Property Services Department for erection of approved Signage (Road development / road names). (Note Property Services to have ongoing control over the maintenance of all signage in the district, Building Control to provide Council with approved naming of all new developments)*
 - *Report to Council Environment Committee on installation of new signage in the district.*

Sustainability

This function is covered by Sustainability Officer working part time based in Dungannon Council offices – Function delivers:

- **Sustainability**
 - *Develop and co-ordinate the Council's Sustainability Programme for the district in consultation with a wide range of community and statutory interests.*
 - *Provide advice and expertise to Heads of Services and other key officers on the integration of sustainable development in all service areas including planning and corporate sustainability projects*
 - *Develop and implement innovative sustainability projects through the creation of partnerships with local communities, statutory bodies, NGO's, funding organisations and the private sector.*
 - *Raise awareness of sustainable development both within the organisation and the wider community*
 - *Provide practical nature conservation and other sustainability activities to facilitate community participation in the Sustainability Programme.*
 - *Maintain contact with relevant agencies and support organisations on development within the regional and wider Sustainability context.*

Biodiversity

*This function is covered by Biodiversity Officer working part time based in Moy offices
– Function delivers:*

- **Biodiversity**
 - *Contribute to delivery on the Northern Ireland Biodiversity Strategy via the implementation of the Mid Ulster Biodiversity Action Plan increasing biodiversity awareness among local community and wider public.*
 - *Provide guidance to MUDC in complying with obligations under the Wildlife and Natural Environment Act (NI) 2011, ensuring council fulfil their Biodiversity Duty wherever possible.*
 - *Provide advice and contribute to the development of Habitat Regulations Assessments (HRAs) for council projects.*

1.3 Customers & Stakeholders

Customers & Stakeholders
• Council (Officers, Elected Members)
• Funding bodies (DEARA, DfC, DE, LCF, Sport NI, SIF)
• Community / educational programme (Sustainability / Biodiversity)
• Members of the General Public
• External Agencies – DfI-Roads, NIW, NIE, BT, NIEA, LPS, PSNI, NIHE, HSE, PHA, Disability Action, Sport NI
• District Council Working Groups – sustainability / biodiversity
• ICT Consultants / Contractors
• Environmental NGOs (e.g. The Conservation Volunteers, Sustainable NI, NIEL, Woodlands Trust, Groundwork NI, Ulster Wildlife, RSPB, BTO, BRT)
• Fairtrade Foundations
• Local Businesses

1.4 Performance Overview in 2018/19

The following table provides a progress summary and the impact made by last years' Service Plan (2018-2019). It also details key successes, a summary of the end of year progress, remaining challenges for the Service and how it made a difference.

2018/19 Performance Overview	End of Year Progress Status: Completed/Commenced/Other
1. Preparation of harmonised standard procedural guides for delivery of Capital Projects, reviewed in line with Service Improvement Workshop.	All Capital Projects have now achieved harmonised files. A review of all File process is currently underway and envisaged this will be complete by quarter 2 of this financial year.
2. Delivery of Capital Projects as noted: Good progress has been made across the Capital Project Delivery as outlined in the Capital Programme 2017-2020 and further detailed in the various Activity sections as noted in table below.	<p>Projects completed during 2018-19 are detailed below indicating month completed and project costs.</p> <ul style="list-style-type: none"> • 8 Projects completed. (6 Business and Communities, 2 Leisure projects which included 6 play parks) • Value of £981,753 Construction Costs • Currently Technical Services are responsible for management of 19 ICT teams with a total ICT fees value of £1,200,916. • 29 Projects are currently at construction phase having total value of £9,029,507
3. Activity has been made in the following work streams as detailed in link to CMP 2.2: regarding the Capital delivery programme for CRP 3.4 Sustaining our Environment- Develop & enhance parks, Play areas & open spaces to encourage Physical activity open the countryside in a sustainable manner to our community. Capital delivery programme for the MURDP Village Programme and enhance offering to countryside facilities	<p>Leisure:</p> <ul style="list-style-type: none"> • 6 Play park village schemes completed to the value of £402,317 • 5 projects contracts awarded in '19 with completion due in summer '19 • ICT team appointed for Dungannon Park. Project value £1m. <p style="text-align: right;">Cont.</p>

	<p>Business and Communities:</p> <ul style="list-style-type: none"> • 1 Project awarded for the Davagh Forest Hub to the value of £1,009,777 in Oct 18 with works commenced in Jan 19. • ICT team appointed for Connecting Pomeroy. Scheme value £5m.
<p>4. Activity has been made in the following work streams as detailed in link to CMP 1.3: regarding the Capital delivery programme for CRP 3.3 Sustaining our Environment- Create and build a sense of civic pride in towns and villages across mid Ulster. Programme Delivery for the Public Realm Schemes and the MURDP Village Programme</p>	<p>Business and Communities:</p> <ul style="list-style-type: none"> • Coalisland Public Realm - IST contractor appointed for the delivery of the project by Summer 2020 with an IST cost £2.56m • Maghera Public Realm – ICT team appointed to the value of £151,800. • Magherafelt and Cookstown have now been re-adopted by DfI Roads after completion of the public realm works. • Dungannon public realm – Still to be finalised and adopted back by DFI roads. • 5 Village schemes completed to the value of £393,317 in 18/19. • Additional Magherafelt alleyways project to be completed in summer '19 following funding allocation to MUDC.
<p>5. Activity has been made in the following work streams as detailed in link to CMP 4.2: regarding the Capital delivery programme for CRP 1.3 Delivering for our People- High quality, responsive indoor and outdoor recreational services</p>	<p>Leisure:</p> <ul style="list-style-type: none"> • ICT team appointed for Gortgonis Leisure Centre with a project value of £4m • IST contractor appointed for the Dungannon LC repairs to the value of £1.87m and commenced in May '19.

	<ul style="list-style-type: none"> • Refurbishment works to both Maghera LC and Moneymore LC completed in 18/19.
6. Activity has been made in the following work streams as detailed in link to CMP 1.1: regarding the Capital delivery programme for CRP 1.2 Delivering for our People- Increase access to services and customers experience across the district in progression of Capital projects associated with Culture & Arts Programme	<p>Business and Communities:</p> <ul style="list-style-type: none"> • IST procured for the Seamus Heaney home ground trails. – Ongoing. • ICT appointed for Hill of the O'Neill project – Ongoing.
7. Activity has been made in the following work streams as detailed in link to CMP 2.2: regarding CRP 3.4 Sustaining our Environment- Develop & enhance parks, Play areas & open spaces to encourage Physical activity open the countryside in a sustainable manner to our community regarding develop and renew Biodiversity Action Plan and increase awareness of Biodiversity throughout the district. Biodiversity's officer's focus of activities concentrated on the community involvement in innovative sustainability projects through the creation of partnerships and provision of practical nature conservation/sustainability activities. Underlying ALL activities is a focus on raising people's awareness of fundamental sustainability parameters.	<p>Biodiversity</p> <ul style="list-style-type: none"> • Advice provided for development of HRAs. • Partnerships maintained and developed to deliver biodiversity gain. • Species database regularly updated, with records sent to national recording centre. • 32 public and training events held to raise awareness of local biodiversity
<p>8. Activity has been made in the following work stream as detailed in link to CMP 3.2: regarding CRP 4.3 Building unity – Implement an organisational strategy for a modern workplace.</p> <ul style="list-style-type: none"> - Sustainability officer's focus of activities were to develop, monitor and review a sustainability framework for MUDC and seek council approval and promote sustainability with holding minimum of 10 public events during the year - Sustainability officer's focus of activities concentrated on the community involvement in innovative sustainability projects through the creation of partnerships and provision of practical nature 	<ul style="list-style-type: none"> • 38 public events held throughout the district to promote sustainability projects. • This year 82 pupils and their teachers from 7 primary schools participated in a practical event focussing between Fairtrade and wider sustainability issues.

conservation/sustainability activities. Underlying ALL activities is a focus on raising people's awareness of fundamental sustainability parameters.	
9. Activity has been made in the following work stream as detailed in link to CMP 4.2: regarding CRP 1.1 Delivering for our People- High performing services focussed on customer and value for money in regards to Bus Shelter and signage delivery.	<ul style="list-style-type: none"> • Amendments to the existing bus shelter policy planned for quarter 2. • Signage templates have been developed during course of the year with new agreed template in operation for standard/dual language signage. • Technical services no longer involved in installation of the signage (Roads) to the district as this process is Managed by Building Control and Property Services.
10. Activity has been made in the following work stream as detailed in link to CMP 5.2: regarding CRP 4.6 Building Unity – Promotion of minority languages in the district.	<ul style="list-style-type: none"> • Progress has been made in the roll out of the dual language facility signage programme. • External signage has been installed to 6 of the 7 leisure facilities along with 2 Parks, 5 cemeteries. • All remaining signage is to be rolled out by quarter 3.
11. Obtained Satisfactory Assurance rating for External Auditor (ASM) in February 2018 for delivery of Capital Projects – recommendations were noted and are being implemented during 2018/19.	<ul style="list-style-type: none"> • All items on audit have been addressed and being implemented in Capital Delivery.

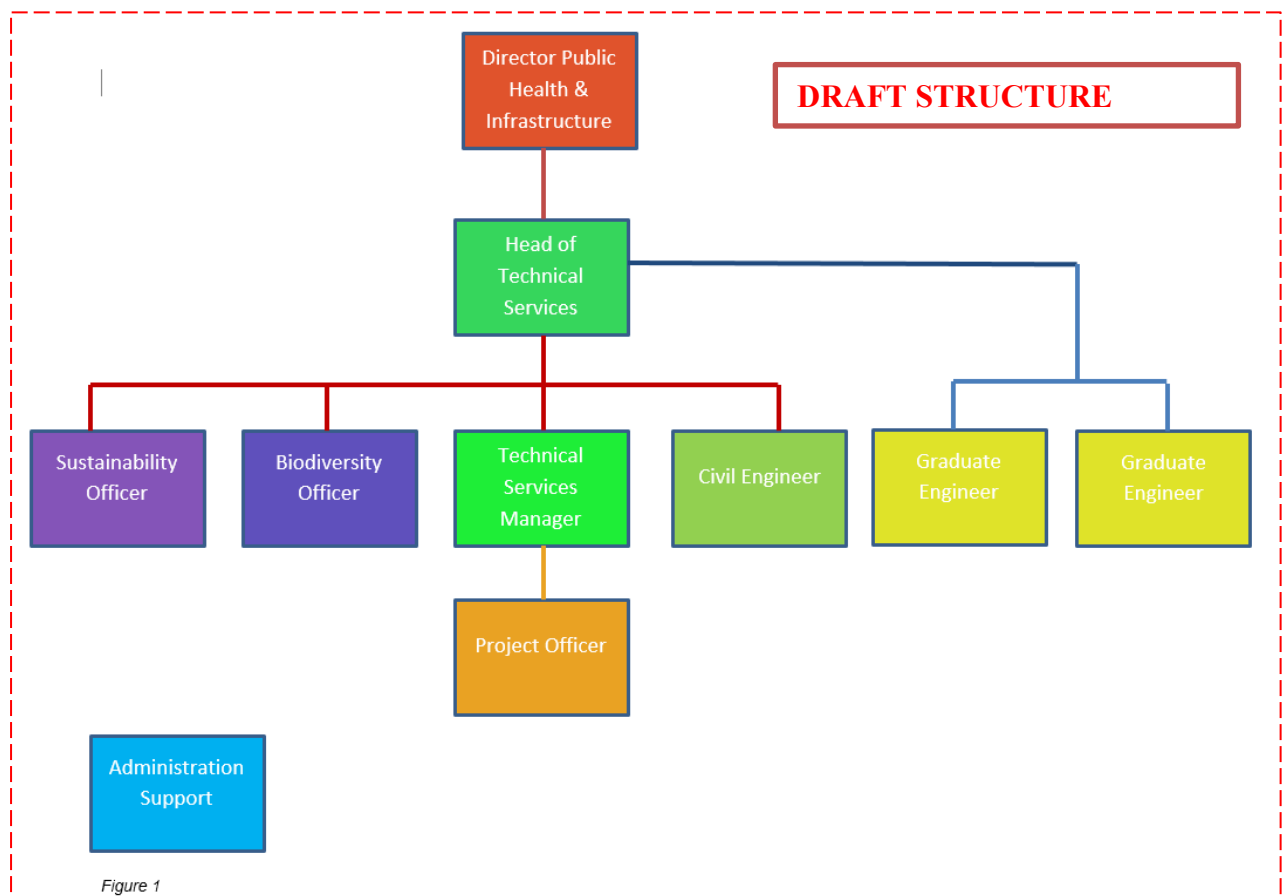
2.0 SERVICE WORKPLAN 2019/20

The following tables confirm the resources, financial and people, which the Service has access to throughout 2019-20 to deliver its actions, activities and core business.

2.1 Budget 2019/20 (TO BE CONFIRMED)

Service Budget Headings	£
Technical Services	207,498
Sustainability	29,019
Biodiversity	28,659
Gross Budget	270,793
Income	(5,617)
Net Budget for 2019-20	265,176

2.2 Staffing Complement - 2019/20



Staffing	No. of Staff
Head of Service	1
Managers	1
<i>Civil Engineer</i>	1
<i>Graduate Engineers</i>	2
<i>Project Officer</i>	1
<i>Sustainability</i>	0.5
<i>Biodiversity</i>	0.6
<i>Administration Support</i>	0.3
Remaining Team	0.0
Total	7.4

2.3 Service Work Plan - 2019/20

This plan confirms the core activities and actions, which will form your Service Work Plan for 2019-20. This should be a high-level capture of the Service activities and work which it will focus on throughout 2019-20. The Plan links to the Council's 2015-2020 Corporate Plan priorities (the Corporate Plan 2015/19 priorities were extended for another year to include 2019 to 2020), Annual Corporate Improvement Plan Objectives, Corporate Indicators and Mid Ulster Sustainable Community Plan themes & outcomes:

SERVICE WORK PLAN

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment &</i>	<i>CRP 3.4 Sustaining our Environment - Develop & enhance parks, play areas & open spaces to encourage physical activity and open the countryside in a sustainable manner to our community.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Complete MURDP Village programme Enhance offering to Countryside Facilities	Deliver the Capital Project programme commenced in 2017/20 in terms progression and completion of various Capital Projects noted.	ICT team appointed and currently undertaking RIBA 0-7 stage application of the various MURDP projects. Construction stage commenced for 5 projects. Procurement of ICT required to develop Railway Park, Dgn Connecting Pomeroy	Complete all projects noted in the MURDP Village project and release all necessary retention monies as per contract information. Complete the schemes noted Award ICT to design Railway Park refurbishment works.	Business and communities • Approvals completion for Villages projects. Leisure and Recreation • Complete construction stage on 4 capital projects • Complete Davagh forest hub main build. • Complete design stage on 7 capital projects.	Qtr 3 Qtr 2 Qtr 3 Qtr 4	MUDC TS plus ED, Parks Departments	Projects noted will contribute to making our communities more liveable. Completion of projects will enhance facilities when successfully completed- subject to funding.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &</i>	<i>CRP 3.3 Sustaining our Environment - Create and build a sense of civic pride in towns and villages across mid ulster</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
<p>To deliver Public Realm Improvements across Coalisland, Maghera, Magherafelt and Pomeroy</p> <p>Close out final snagging and defects in remaining Public Realms to Dungannon</p> <p>Complete revitalisation works to Magherafelt Alleyways</p> <p>To deliver the MURDP Village programme for enhancements to various projects highlighted with programme delivery schedule</p>	<p>Deliver on the Capital Programme to progress these Realm projects through the various stages of RIBA 0-7</p>	<p>Procurement ICT: Connecting Pomeroy</p> <p>Design Stage; Maghera</p> <p>Construction stage; Coalisland Magherafelt Alleyways</p> <p>Defects/handover; Dungannon Phase 1,2,3</p> <p>Village Programme being developed and rolled out as programme</p>	<p>ICT appointed; Connecting Pomeroy</p> <p>Design / Procurement Stage; Maghera Public Realm</p> <p>Construction Stage; Coalisland Completion summer 2020</p> <p>Completion; Magherafelt Alleyways</p> <p>Handover/adoption Dungannon Phase 1,2,3</p> <p>Village Programme – Complete 6 schemes</p>	<ul style="list-style-type: none"> Complete procurement of connecting Pomeroy ICT. 	Qtr 2	<p>MUDC and appointed ICT teams plus ED and Parks Departments</p>	Coalisland PR will when complete enhance the visual appearance, create civic pride in town centre environment.
				<ul style="list-style-type: none"> Procure IST Contract for Maghera PR 	Qtr 4		
				<ul style="list-style-type: none"> Complete construction of Coalisland public realm. 	Summer 2020		IST commencement of Maghera PR will create sense of pride in the town and ensure improved town centre visitor experience is achieved
				<ul style="list-style-type: none"> Complete construction of Magherafelt Alleyways. 	Qtr 2		
				<ul style="list-style-type: none"> Handover/adoption Dungannon Phase 1,2,3 	Qtr 4		Ex PR to, Dungannon will no longer be contractually managed by MUDC
				<ul style="list-style-type: none"> Complete 6 village schemes. 	Qtr 2		Village programme completion of schemes noted will enhance local areas

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.2 Health & Wellbeing - We have better availability to the</i>	<i>CRP 1.3 Delivering for Our People - High quality, responsive indoor and outdoor recreational services with increased customer numbers and satisfaction</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Progress implementation of proposals for Key capital projects at <ul style="list-style-type: none"> Gortgonis Dgn LC – repairs Dgn LC new centre Connecting Pomeroy Aughnacloy Changing Rooms 	Deliver on the Capital Programme to progress these projects through the various stages of RIBA 0-7	Feasibility stage: Dungannon LC – New Build Procurement Stage: Connecting Pomeroy Design Stage; Gortgonis Aughnacloy Changing rooms Construction stage: Dungannon LC - Refurb	Option to proceed with Dgn LC new build Appoint ICT team Connecting Pomeroy Complete design move to construction stage Complete Construction stage Dungannon LC. & Aughnacloy Changing rooms	<ul style="list-style-type: none"> Complete feasibility stage on Dungannon LC New Build Complete ICT procurement process of Connecting Pomeroy Complete design stage and appoint IST for Gortgonis LC Complete Dungannon LC Construction and Aughnacloy changing rooms. 	Qtr 4 Qtr 2 Qtr 3 Qtr 3	MUDC and appointed ICT teams plus Leisure Departments	Commencement of these Capital Projects will enhance the Leisure Service offering and provide more modern facilities for residents and visitors to the district.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 4.2 Building Unity - A cultural strategy & programme that celebrates & maximises the benefits of the diverse cultures in the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop and progress Capital Projects associated with Culture & Arts Programme	Deliver the Capital Project programme commenced in 2017/20 To develop and deliver works to enhance Hill of The O'Neill and Seamus Heaney Home Ground.	Design Stage; Hill of The O'Neill and Seamus Heaney Home Ground	Appoint IST for for Seamus Heaney Home Ground Art Installation completed at Castledawson Roundabout	Heaney HomeGround <ul style="list-style-type: none"> Construction stage – Interpretive works Construction stage – Capital Works Art Installation completed at Castledawson roundabout 	Qtr 4 Qtr 3 Qtr 3	MUDC and appointed ICT teams plus Culture & Arts and ED Departments	Enhanced offering for Seamus Heaney HomePlace and wider surrounding areas. Ensure Hill of the O'Neill facility is suitable for wide range of events that can be used during the course of the year.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 2.2 Infrastructure - We increasingly value our environment & enhance it</i>	<i>CRP 3.4 Sustaining our Environment - Develop & enhance parks, play areas & open spaces to encourage physical activity and open the countryside in a sustainable manner to our community.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop and renew Biodiversity Action Plan. Increase awareness of Biodiversity throughout the district.	Delivery of MUDC Biodiversity Action Plan. Continue to roll out public events.	Biodiversity Action Plan from 2014-17 needs renewed. Awaiting key announcements of legislation to ensure we have up-to-date plan- produced.	Increase in value of natural environment Increase partners working towards common goal.	<ul style="list-style-type: none"> Review existing legislation and update MUDC Biodiversity Action Plan Continue the number of public awareness events promoting biodiversity. 	Qtr 1 - 4	HoS M Edgar	Greater awareness and understanding of biodiversity needs within MUDC.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 3.2 Education & Skills - We give our children and young</i>	<i>CRP 3.4 Sustaining our Environment - Develop & enhance parks, play areas & open spaces to encourage physical activity and open the countryside in a sustainable manner to our community.</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop a sustainable strategy for the organisation that all departments will feed into the service delivery	Develop, monitor and review a sustainability framework for MUDC Promote Sustainability with public events throughout the District	Draft sustainability policy developed and considered by SMT. Development of sustainable projects throughout the district with advice to establish and new start up allotment groups etc.	Seek council approval to roll out the sustainability framework throughout the organisation. Plan 15 public events to promote sustainable projects	<ul style="list-style-type: none"> Present paper to council Develop and engage MUDC working group to assist delivery and management of the policy. Seek available funding to promote sustainability throughout the District 	Qtr 2 Sep 2 Qtr 1 - 4	Y Zellmann R Lowry J McNeill	Consistent Sustainable approach Taken to delivery of council services. Increase public awareness of sustainable issues Continued promotion of Fairtrade Status within the organisation

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 4.3 Health & Wellbeing - We care more for those most vulnerable</i>	<i>CRP 1.1 Delivering for Our People - High performing services focused on customer and value for money</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Process of applications for Bus Shelters and Signage requests	Bus shelter Provide time bound response to all service requests for Bus Shelters in accordance with departmental guides.	90% response within 5 Days 90% response within 14 Days. DFI Roads issues and agreement has delayed decisions on new shelters.	To maintain targets as outlined in Baseline Data. Proposed to take amended Bus shelter policy and update paper to July committee	Manage process through internal monthly team meetings and report on monthly basis.	Qtr 1 – 4	R Lowry J McNeill Project Officers	MUDC will have an organised structured, discipline way of controlling applications request for Shelter provision and signage request.
	Signage Provide time bound response to all signage requests in accordance with departmental guides.	90% response within 5 Days 90% response within 14 Days		Allocate officer to deal with all requests for Bus Shelters. Allocate officer to deal with all requests for Signage. Provide quarterly reports to Environment committee on Bus Shelter provision. Provide quarterly reports to Environment committee on signage provision	Qtr 1 – 4 Qtr 1 – 4 Qtr 1 – 4 Qtr 1 – 4		

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 5.2 Vibrant & Safe Communities - We have a greater value and respect</i>	<i>CRp 4.6 Buidling Unity - Promotion of minority languages in the district</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Delivery of Dual Language signage programme to all facilities throughout the District	<p>All council facilities to have dual language signage provided both internally and externally.</p> <p>Signage Programme developed for delivery and this programme to be approved by SMT</p>	District Signs have been procured and installed at 26 locations, 106 play parks and Leisure Centre Facilities (external) throughout the District.	<p>All facilities to have dual language signage provided to both external and internal areas.</p> <p>Outstanding signage to MUDC facilities to be completed.</p>	<ul style="list-style-type: none"> Manage the delivery programme and ensure all signs are provided Report the update of programme delivery through environment committee. 	<p>Qtr 1-4</p> <p>Qtr 1-4</p>	<p>R Lowry</p> <p>T McCance</p> <p>U Mezza</p> <p>J McNeill</p>	All facilities within council control in the district to have dual language signage provided.

Link to Community Plan Theme:	Corporate Plan Theme						
<i>CMP 1.3 Economic Growth - Our Towns & Villages are vibrant &</i>	<i>CRP 2.6 Creating Growth - Promotion of employemtn through business start up activity</i>						
Service Objective	How Will we measure the impact of our work (PI's)	Where are we now? (Baseline data)	What do we want to achieve? (Targets)	How Will we get there?			
				Key Actions	Dates	Owners	Outcome
Develop enterprise infrastructure works to facilitate access for industry growth to the district	Increase opportunity of available sites for light industry in the District.	Proposals advanced to develop opportunity site in Maghera for future industry/business development.	Obtain statutory consents Procure IST to develop infrastructure works	<ul style="list-style-type: none"> Obtain statutory Consents Complete procurement of IST for Infrastructure works Commence construction works 	<p>Qtr 3</p> <p>Qtr 3</p> <p>Qtr 4</p>	<p>HoS plus M</p> <p>Leavey and appointed</p> <p>ICT teams plus ED</p> <p>Department</p>	Additional opportunity sites for industry in the north of the district

3.0 IMPROVING OUR SERVICE AND MANAGING PERFORMANCE

3.1 Annual Improvement Objectives and Associated Programs

The Council has set a number of annual improvement objectives and associated programs (projects and activities) for 2019/20, which aim to bring about improvement. The improvement objectives and key improvement programs, set out Council's contribution to the sustainable Community Plan for the District; against which we can monitor and report progress.

Each Council department provides resources to assist with the improvement activities contained within each improvement project (individual service improvement contribution activity linked to corporate improvement programs can be found in 3.2 of the service plan). The annual improvement objectives also align to the Council's main corporate planning document, which contains the council's strategic direction and main priorities.

The Council will focus on the following improvement objectives for 2019 to 2020:

- 1. To assist the growth of the local economy by increasing the number of visitors to our district.*
- 2. To improve the average processing time of Local Planning Applications (New).*
- 3. To improve the accessibility of our services by increasing the number available online.*
- 4. To support people to adopt healthier lifestyles by increasing usage of Council Recreational Facilities.*

We utilise outcome based accountability methodology to manage our performance. This tells us the impact our services are having on communities. Further detailed information relating to Council's improvement objectives, associated activities, outcome indicators, projects and targets is available at www.midulstercouncil.org/Council/Performance (Mid Ulster Council's Improvement Plan 2019- 2020) or by contacting the Democratic Services Team on 03000 132132.

4.0 Equality

The council is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act 1998. This commitment is demonstrated by allocating the appropriate time, people and resources to fulfil our equality duties. The Equality Scheme commits us to implementing our duties effectively and in a timely way alongside implementing this Service Plan. Without impacting upon our obligations, when carrying out our equality duties we will also take into account the desirability of promoting good relations between people of different religious belief, political opinion or racial group. We are also required to take into account the need to promote positive attitudes towards people with a disability and encourage the participation of people with a disability in public life. Mid Ulster District Council are committed to fulfilling our disability duties and we set out how we intend to do this in our disability action plan.

3.3 RISK MANAGEMENT OF SERVICE

The purpose of risk management is to manage the barriers which prevents the Council from achieving its objectives. This section of the service plan includes space for the Service to input their key risks (in summary form), which have been identified during the business planning process. The Council uses risk management to maximize opportunities and minimize risks. This improves its ability to deliver priorities and improve outcomes. This is why the Council deems it important to link business planning and risk management. Risk Management aims to:

This table illustrates the risks identified to deliver the Services business in 2019-20.

Risk Ref Number	Description of Risk	Risk Rating	Mitigation Activity
1.	Delivery Of Capital Projects	8	Review of procedural guides and having external Audit carried out by Capita and ASM has assisted this programme.
2.	Management of contract scope of risk	9	Regular review of procurement process and updates at Team Meetings.
3.	Environment protection	9	Develop and manage framework policies
4.	Legal Frameworks	9	Develop and manage legal contract performances
5.	Delivery of Bus Shelters and Signage	6	Register developed and will be regularly managed and monitored when staffing structure is complete
6.	Limited Staffing Structure	6	All posts now completed within departmental structure to assist with Capital Project Delivery.

Rating	Descriptor
16 - 25	Extreme Risk (immediate action required)
10 - 15	High Risk (urgent action required)
7 - 9	Moderate Risk (action required)
1 – 6	Low Risk (keep under review)

