

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 11 September 2018 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor S McGuigan, Chair

Councillors Buchanan, Burton, Cuthbertson, Gillespie,
Glasgow, McFlynn, McGinley, B McGuigan, McNamee,
Mulligan, O'Neill, M Quinn, Totten

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr McNeill, Technical Services Manager
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Miss Thompson, Democratic Services Officer

The meeting commenced at 7.01 pm

E236/18 Apologies

Councillors Kearney and Reid.

E237/18 Declarations of Interest

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

E238/18 Chair's Business

Councillor Cuthbertson stated he had received numerous phonecalls since the weekend regarding sheep which had gained access to Cottagequinn Cemetery. The Councillor advised that the sheep had caused damage which was in turn causing distress to those who had loved ones buried there. Councillor Cuthbertson stated that this was not an isolated incident and there had been other occurrences during the summer and that the matter required urgent attention. Councillor Cuthbertson stated that concerns had also been raised with him in relation to grass cutting at Cottagequinn and that this was not of same standard as of previous years.

The Head of Property Services advised that sheep had broken through the boundary fencing of the Cemetery but that this had now been secured and would continue to be monitored. In relation to grass cutting the officer advised that grass at Cottagequinn Cemetery had been cut one week ago and that there had been no change to grass cutting practice but that the Councillors concerns had been noted and that this issue would also be monitored.

The Chair, Councillor S McGuigan advised that agenda item 26 – Application for the grant of a new Amusement Permit for 21 Irish Street, Dungannon was deferred for one month.

Matters for Decision

E239/18 DfI Roads Proposals to Mid Ulster District Council – Proposed Dungannon Waiting Restrictions

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed Dungannon Waiting Restrictions.

Councillor McNamee referred to situation in Cookstown in which shoppers cannot park on the street as most spaces are taken up with all day parkers and that this cannot be enforced. The Councillor stated he believed Council had written to the Permanent Secretary in relation to this matter before but should write again as it was vital that the relevant legislation was signed off.

The Director of Environment and Property stated that Council could write to the Permanent Secretary in relation to the matter again and asked Councillor McNamee to provide detail of examples of parking difficulties in Cookstown. The Director also advised that officers would be meeting with DfI officials in relation to parking later in the week and that the Councillor's concerns could be raised at this meeting.

Councillor Cuthbertson referred to previous discussion when Public Realm Phase 1 was being finished in Dungannon in relation to the extension of waiting restrictions from one hour to two hours.

The Director of Public Health and Infrastructure advised that town centre teams have been in contact with local traders in relation to these issues but that the matter can be re-emphasised.

Councillor Cuthbertson stated that there had been no discussion at DRP in relation to the matter.

Proposed by Councillor O'Neill
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Dungannon Waiting Restrictions.

E240/18 DfI Proposals to Mid Ulster District Council – Proposed Provision of a One Way System – Coalisland

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a One Way System in Coalisland.

Councillor O'Neill referred to recent gas works in Coalisland in which Main Street had been reduced to one way, the Councillor stated this had caused great difficulties in getting around the town and that he had received numerous complaints. Councillor O'Neill queried if a survey was to be undertaken in relation to the one way system in Coalisland.

The Director of Public Health and Infrastructure advised that DfI Roads would be re-consulting on the matter.

Councillor M Quinn concurred that it had not been easy to get around Coalisland during recent works and asked if Council was going to conduct its own assessment of the one way system.

The Director of Public Health and Infrastructure advised that monitoring was ongoing, it was felt that the one way system on Main Street had worked reasonably well however he understood the frustrations in relation to some works around the junctions due to delays as he had experienced some of these himself.

Proposed by Councillor O'Neill
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of a One Way System in Coalisland.

E241/18 Town Centre Footpath Snow/Ice Clearance Agreement

The Head of Property Services presented previously circulated report which sought approval to enter into an agreement with DfI/Transport NI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.

The Head of Property Services highlighted that the report did not include Council estate and off street car parks and that there would be a further report brought before Members in relation to treatment of same.

Councillor McNamee stated he was happy to propose the report recommendation however he referred to lack of salt bins to allow people to help themselves and suggested a meeting be held with DfI to discuss provision of additional salt bins.

The Director of Environment and Property stated there was no difficulty in organising a meeting in this regard.

Councillor Cuthbertson stated that the agreement did not work last year and referred to lorry which could not move for two hours and numerous slips in Dungannon.

Councillor Burton stated she agreed with the sentiments in relation to provision of more salt bins and that drop off of grit in rural locations was also essential.

Councillor Burton referred to Aughnacloy Streetscape in which trees had been planted and that some of the roots of these trees are raising tarmac along the footpath. The Councillor stated that there was a fear that someone will fall and that

she had brought the matter to the attention of Roads Service. Councillor Burton also advised that the trees had grown to such an extent that they were brushing against windows etc of nearby properties and that whilst some trees had been cut recently it was important to ensure that the trees were maintained.

Councillor Buchanan felt that the main problem last year was that the agreement was triggered too late.

The Director of Environment and Property stated that it is the Department who instigates the agreement being triggered.

Councillor McFlynn stated that a meeting in relation to further provision of salt bins would be welcome.

Councillor Buchanan seconded Councillor McNamee's proposal and that meeting should be arranged with DfI Roads regarding provision of salt bins should be included within recommendation.

- Resolved** That it be recommended to Council to –
- Enter into discussion with DfI/Transport NI to reach agreement on the 2018/19 winter season with regards to the treatment of footways when extreme conditions following heavy snowfalls or prolonged freezing persists, with the option to extend the agreement for two additional winter periods (2019/20 and 2020/21), subject to satisfactory working arrangements.
 - Arrange meeting with DfI Roads to discuss provision of additional salt bins.

E242/18 Recycling Centre Opening Hours

The Head of Environmental Services presented previously circulated report which sought approval to make some variations to the opening hours at Recycling Centres.

Councillor McFlynn stated she agreed with the recommendations put forward, the Councillor further asked that a report be brought back to committee in relation to possible Sunday opening of recycling centres during the summer months.

The Head of Environmental Services stated that a report could be brought back but highlighted that recycling centres were not licensed to open on a Sunday.

Councillor McFlynn put forward if it would even be possible to open the larger recycling centres on a Sunday during the summer months and a report be brought back in this regard.

Councillor Mulligan referred to capital allocation for Tullyvar recycling centre refurbishment which was dependant on P&R agreement. The Councillor stated that Tullyvar had considerable reserves and asked if this could be utilised for refurbishment.

The Director of Environment and Property advised that P&R Committee had met last week and approved release of funds for refurbishment of Tullyvar recycling centre.

The Director advised that the landfill site at Tullyvar was covered by Joint Committee and that reserves were for the restoration of the landfill site.

Councillor B McGuigan suggested that when considering Sunday opening of centres that it be trialled on a test basis.

In response to question from Chair the Head of Environmental Services advised that consideration would be given to those with childcare arrangements etc when making changes to opening hours at recycling centres.

In response to Councillor Burton's question the Head of Environmental Services stated that the site manager at Tullyvar advised that Monday was the best day for closure and that this suited shift patterns.

Proposed by Councillor B McGuigan
Seconded by Councillor McFlynn and

- Resolved** That it be recommended to Council to approve the implementation of the following changes to opening hours from 1 October 2018 following appropriate consultation with affected site staff -
- To move Tullyvar Recycling Centre from Tier C to Tier D and that the site be closed one day per week (Monday).
 - That the opening hours of Tier A sites be from 9.00 am to 6.00 pm during winter months.

E243/18 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.

Site off Kilrea Road, Upperlands

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

- Resolved** That it be recommended to Council to name development off Kilrea Road, Upperlands as Ampertaine Manor.

Site off Bush Road, Dungannon

Councillor Cuthbertson stated he would reluctantly propose Elm Place but referred to the numerous other sites with the name 'Elm' contained in the vicinity and that this was confusing.

Councillor Burton seconded Councillor Cuthbertson's proposal.

- Resolved** That it be recommended to Council to name development off Bush Road, Dungannon as Elm Place.

E244/18 Dual Language Signage Requests

The Head of Building Control presented previously circulated report which advised of request for Dual Language Signage from residents on streets/roads in the District.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

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

- Springfield Crescent, Dungannon
- Kirk Avenue, Magherafelt
- Lower Meadow, Magherafelt
- Chapel View, Bellaghy
- Orritor Crescent, Cookstown
- Broagh Road, Knockloughrim
- Ballynasollus Road, Cookstown

E245/18 Dual Language Survey Signage

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.

Councillor McNamee proposed the report recommendations.

Councillor Cuthbertson proposed that Council do not proceed with the erection of signage.

Councillor O'Neill seconded Councillor McNamee's proposal.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –
For – 4
Against – 9

Members voted on Councillor McNamee's proposal –
For – 9
Against – 4

Resolved That it be recommended to Council -

- To agree the application of Dual Language Nameplates in Irish for –
 - Gortgonis Park, Dungannon
 - Ballyneill Road, Moneymore
 - Scotts Road, Moneymore
 - Birchwood Park, Moneymore
 - Ballyriff Road, Moneymore
 - Eglish Close, Moneymore
 - Kilreish, Moneymore
 - Ballymulligan Road, Magherafelt

- Loup Road, Moneymore
- To note the results of the survey and not approve the application of a Dual Language Nameplate for Dunronan Road, Moneymore.

E246/18 Spelling of Derrycrin/Derrychrin Park, Cookstown

The Head of Building Control presented previously circulated report which considered the spelling of Derrycrin/Derrychrin Park, Cookstown.

Councillor McNamee proposed that Council consult with residents in the area and ask for their opinion on the spelling of Derrycrin/Derrychrin and move forward on that basis.

Councillor McFlynn stated that the local School and Park were always spelt with an 'h' and proposed that signage be erected as 'Derrychrin Park'.

Councillor M Quinn seconded Councillor McFlynn's proposal.

Councillor McGinley asked for officer advice on the matter, he stated if it was up to him then it should be spelt with an 'h' however he was aware that there were other roads in the District with spelling mistakes.

The Director of Public Health and Infrastructure stated Members should be aware of people within the development with mortgages, driving licences and other formal documentation having addresses spelt a certain way.

Councillor McFlynn stated she would withdraw her proposal.

Resolved That it be recommended to Council to consult with the residents of Derrycrin/Derrychrin Park as to how they wished to proceed with the spelling of same.

E247/18 Traveller Sites

The Head of Environmental Health presented previously circulated report which considered correspondence received from the NI Local Government Partnership on Traveller Issues.

Councillor McFlynn enquired whether holiday caravan parks have to be licensed in a similar manner.

The Head of Environmental Health advised that there was a similar licensing process for holiday caravan parks.

Proposed by Councillor McGinley
Seconded by Councillor O'Neill and

Resolved That it be recommended to Council to note the content of the report and the mechanism by which the licensing and regulatory mechanisms will be applied in accordance with the legislative process.

E248/18 Request for Contribution to the Partnership Liaison Officer Post shared between Councils and HSENI

The Head of Environmental Health presented previously circulated report which considered a request for a change in the funding contribution from Mid Ulster District Council to a previously established Partnership Liaison Officer post with the Health and Safety Executive NI and the other ten NI Councils.

Proposed by Councillor McGinley
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to support the Partnership Liaison Officer post with HSENI and Lisburn and Castlereagh Council under the amended funding arrangements (£4500) for a period of two years to 31 March 2021 subject to an agreed Partnership Agreement on services delivered.

E249/18 Consultation on Amendments to the Food Law Code of Practice (Northern Ireland) 2018

The Head of Environmental Health presented previously circulated report which advised of consultation relating to amendments to the Food Law Code of Practice for Northern Ireland.

In response to Councillor Burton's question the Head of Environmental Health stated that concerns had been raised within the response with regard to digital registration and that these points could be highlighted prior to submitting response.

Proposed by Councillor McFlynn
Seconded by Councillor Burton and

Resolved That it be recommended to Council to agree the content of Council's response to the consultation on the Food Law Code of Practice (Northern Ireland) as circulated at appendix 1 to report. Response to be issued after Environment Committee meeting as deadline for comments is prior to September Council meeting.

E250/18 Street Naming and Dual Language Signage

The Technical Services Manager presented previously circulated report which provided update on the current status of Dual Language Signage.

Dual Language Signage

Councillor McNamee proposed Option 2, Image 2 as depicted in report.

Councillor McFlynn seconded Councillor McNamee's proposal.

Councillor Glasgow referred to the preferred signage template and felt that the white text on dark background would become difficult to read once it became dirty. The Councillor also asked why the townland name on signage was being reduced to lower case as a lot of people depended on being able to see the townland name.

The Technical Services Manager advised that an equality report and report from RNIB recommended lower case as it is easier to read than capitalised text.

In response to Councillor Glasgow's question the Technical Services Manager stated that the cost of proposed signage was approximately £160 each, less than the cost of current signage.

Councillor Glasgow referred to the signage already erected and asked if this will have to be replaced.

The Director of Public Health and Infrastructure advised that it was a reasonably small number of signs and the proposal was to change the Mid Ulster dual language signs already erected, at a cost of approximately £2200.

Councillor Cuthbertson stated he would disagree with changing the Mid Ulster signs already erected as it was not cost effective. Councillor Cuthbertson proposed that Mid Ulster Dual Language Signage already erected is not changed.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Councillor Glasgow stated that the legs on signage was short and that when grass was in full growth signage could be difficult to see.

The Technical Services Manager stated that this issue had been raised before and that signage would be taller going forward.

Members voted on Councillor Cuthbertson's proposal –

For – 4

Against – 8

Members voted on Councillor McNamee's proposal –

For – 8

Against – 4

Councillor Cuthbertson stated that if future signage is to be taller consideration will need to be given to sightlines being maintained.

Single Language Signage

Councillor McFlynn proposed that format of single line signage be changed to that depicted in image 2 of report going forward. Previous signage erected should not be changed until needing replaced.

Councillor Burton seconded Councillor McFlynn's proposal.

Resolved That it be recommended to Council –

- **Dual Language Signage**

- To change format of signage to that noted in Option 2 Image 2 of report. Mid Ulster signage already erected to be replaced.

- **Single Language Signage**

To change format of signage to that noted in Image 2 of report.
Previous signage erected should not be changed until replacement is needed.

E251/18 Establishment of Mid Ulster – Travellers Working Group

The Director of Public Health and Infrastructure presented previously circulated report which considered the establishment of a Mid Ulster District Council Travellers Working Group.

Councillor McGinley proposed the establishment of a Mid Ulster District Council Travellers Working Group with ten members. In relation to draft terms of reference outlined in report, Councillor McGinley asked why reference term two was needed.

The Director of Public Health and Infrastructure stated that when NIHE have identified Traveller need then the working group can move through other aspects of reference. The Director stated that the terms of reference outlined in report were draft and could be reworded at the working group.

Councillor McNamee seconded Councillor McGinley's proposal.

Councillor McFlynn stated there was a need for Members to be sure where they stood legally as no formal advice had been given. The Councillor also had some concern in relation to the terms of reference and proposed that formation of the working group be deferred until NIHE Needs Assessment is brought forward.

The Director of Public Health and Infrastructure stated that it had been a decision of Council to form the working group, he stated that the terms of reference were draft and were something that could be amended. The Director also advised that legal advice could be sought by the working group on any matter of concern.

Councillor Glasgow referred to other group which had previously met to discuss Traveller need and asked if this group would come to an end once the working group was formed or whether the working group needed to start from scratch.

The Director of Public Health and Infrastructure stated that there was no need to have two groups and that any information already considered can be reflected on as a background going forward.

Councillor McFlynn asked if members of the Planning Committee could sit on the working group.

The Director of Public Health and Infrastructure stated it was up to each Party to nominate its Members to the working group and that those who sat on the Planning Committee could be nominated to the working group if desired.

Councillor Glasgow stated that, as a member of the Planning Committee, he would not feel comfortable sitting on the working group.

Councillor Cuthbertson seconded Councillor McFlynn's proposal.

Members voted on Councillor McFlynn's proposal –

For – 7

Against – 7

The Chair used his casting vote to vote against Councillor McFlynn's proposal.

Members voted on Councillor McGinley's proposal –

For – 7

Against – 7

The Chair used his casting vote to vote in favour of Councillor McGinley's proposal and declared the proposal to establish a Traveller Working Group with 10 members carried, with further discussion to take place at the first meeting of the working group in relation to Terms of Reference.

The Director of Public Health and Infrastructure asked that nominees to the working group be put forward as soon as possible.

Resolved That it be recommended to Council to establish a Traveller Working Group of ten members. Further discussion in relation to Terms of Reference of group to take place at first meeting of the working group.

Matters for Information

E252/18 Minutes of Environment Committee held on Monday 2 July 2018

Members noted minutes of Environment Committee held on Monday 2 July 2018.

In response to Councillor Glasgow's question the Director of Environment and Property stated that there had been no response received as yet in relation to requested meeting regarding roundabout maintenance.

E253/18 Energy Management Update – Display Energy Certificates

Members noted previously circulated report which provided update on the current position in relation to Energy Management Certification for eligible properties owned by Mid Ulster District Council.

E254/18 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for January to March 2018

Members noted previously circulated report which provided update on Councils performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics report for the (quarter four) period of January to March 2018.

The Chair referred to Council again achieving the highest annual household recycling rate and that this was a good news story which should be highlighted.

E255/18 Building Control Workload

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

E256/18 Entertainment Licensing Applications

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

E257/18 Live Here Love Here Small Grants Scheme 2018

Members noted previously circulated report which advised of successful applications within the Mid Ulster District Council area under the Live Here Love Here Small Grants Scheme 2018.

E258/18 Drinking Water Quality Report for Northern Ireland 2017

Members noted previously circulated report which advised of the Drinking Water Quality Report for Northern Ireland 2017.

E259/18 The Draft Environmental Protection (Microbeads) Regulations (Northern Ireland) 2018 and Proposed Enforcement Arrangements

Members noted previously circulated report which advised of the Draft Environmental Protection (Microbeads) Regulations (Northern Ireland) 2018 and the proposed enforcement arrangements for Environmental Health Officers to act as authorised persons for the purpose of enforcing the ban on microbeads.

E260/18 Waste Tyre Initiative in the Mid Ulster District Council Area

Members noted previously circulated report which provided update in relation to the recent tyre initiative run in conjunction with the Northern Ireland Environment Agency (NIEA).

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
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 E261/18 to E270/18.

Matters for Decision

- E261/18 Application for the Grant of a New Amusement Permit for 21 Irish Street, Dungannon
- E262/18 Update Report on Old Burial Grounds
- E263/18 Extension of Third Party Contractors

- E264/18 Tenders for the Provision of Environmental Monitoring and Testing Services at Landfill Sites
- E265/18 Arrangements for collection and disposal of abandoned vehicles

Matters for Information

- E266/18 Confidential Minutes of Environment Committee held on Monday 2 July 2018
- E267/18 Off Street Car Parking: Quarter 1 2018/2019
- E268/18 Outline Business Case: Crematorium: Joint Council Working
- E269/18 Construction of Waste Transfer Station – Capital Works Update
- E270/18 Contracts Update

E271/18 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.52 pm.

CHAIR _____

DATE _____