

**MINUTES OF MEETING OF THE STRATEGIC SERVICE DELIVERY COMMITTEE
OF DUNGANNON AND SOUTH TYRONE BOROUGH COUNCIL HELD ON
TUESDAY 29 JANUARY 2013 IN THE COUNCIL OFFICES, CIRCULAR ROAD,
DUNGANNON**

- MEMBERS PRESENT:** In the Chair, Councillor Cavanagh (Chair)
- Councillors Ashton, Brush, F Burton (7.35 pm), R Burton (7.35 pm), Daly, Donnelly, Gildernew, Gillespie, McGonnell, McGuigan, Molloy, Monteith, O'Neill, Quinn, Reid (7.37 pm), Robinson
- OFFICERS PRESENT:** A Burke, Director of Environmental Services (DES)
R Gillis, Senior Licensing Officer (SLO)
T Law, Waste Operations Manager (WOM)
J McClelland, Director of Building Services (DBS)
F McClements, Deputy Director of Environmental Health (DDEH)
J McNeill, Contracts Manager (CM)
L Marshall (Secretariat)

The meeting started at 7.33 pm

1 BUILDING SERVICES

The report (appendix 1) of the Director of Building Services was presented reference being made to the undernoted:

OPERATIONAL

1.1 Refusals

Director of Building Services advised that as further information required had not been received he recommended refusal of the applications as listed on appendix 2.

Councillor Daly declared an interest in this item.

1.2 Unapproved Development

DBS advised that plans have now been received from the undernoted and can be deleted from report:

Mr Joe Campbell Garage at 168 Annagher Road, Coalisland

1.3 Street Naming

Members felt that it is important for Council to ensure the protection and usage of townland names and that developers should be encouraged to use townland names when naming their developments.

DBS agreed to bring Council's Street Naming Policy to next meeting.

1.4 Biomass Project

DBS advised that visit to view the biomass heating plant at Magherafelt Leisure Centre will take place on Thursday 14 February (pm). Any Councillor interested in making this visit to advise Director of Building Services.

1.5 Adoption of Report

Proposed by Councillor McGuigan
Seconded by Councillor Quinn and

Resolved That the report of the Director of Building Services be adopted, and that all recommendations, subject to the foregoing, be approved.

2 ENVIRONMENTAL SERVICES

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

STRATEGIC

2.1 Blue Bin Collection

Members felt that as new materials have been added to the range of items that can be recycled in the blue bin it may be worthwhile looking at making a second blue bin available free of charge to those who want to avail of one.

Proposed by Councillor Gildernew
Seconded by Councillor Gillespie and

Resolved That it be recommended to the Council to explore the possibility, with regard to costs and budgets, of making a second blue bin available free of charge to those who want to avail of one.

2.2 Street Trading Act (NI) 2001 – Grant of a New Licence

As per report SLO provided information relating to application to sell hot food in Ann Street, Dungannon between the hours of 12 noon and 1.30 am Monday to Wednesday and 12 noon and 2.30 am Thursday to Sunday inclusive.

Members felt that the previous record of the applicant is not relevant to the licence application but taking into consideration the representations made and the nearby restrictions on similar nearby businesses and that as the area is designated with no restrictions on the type of trading the following proposal was made -

Proposed by Councillor Monteith
Seconded by Councillor Molloy

That Council grant the street trading licence for the sale of hot food in Ann Street, Dungannon for a three month period with a restricted closing time of 1.30 am. The further grant of this licence will then be reviewed at the end of the three month period.

12 voted in favour of the proposal and none against. The Chair declared the proposal carried.

2.3 The Cinema (NI) Order 1991 – Operating Without a Licence

As per report SLO advised Members that despite several reminders, the operators of the cinema have failed to renew their licence for the premises and have continued to exhibit films on numerous occasions without a licence. SLO advised that it is an offence to exhibit films on premises unless they are licensed, and more importantly, unlicensed premises may not meet current standards and regulations relating to the safety of persons, especially children, who may be on the premises.

Members felt that in light of recent event in Brazil that this Council should move to close the premises immediately until all remedial action required has been completed.

DES advised that Council is limited in what it can do and that Council has no powers to close the premises under cinematography licensing or fire safety.

Proposed by Councillor McGuigan
Seconded by Councillor McGonnell and

Resolved That it be recommended to the Council that immediate action be taken as follows –
1 Contact NI Fire and Rescue Service with regard to fire safety concerns

- 2 Director of Environmental Services and Senior Licensing Officer to meet with owner/manager of premises to discuss issues
- 3 Examine Health and Safety Legislation to determine if any action can be taken under this legislation

Councillors Gildernew and Reid asked that it be recorded that they are disappointed that Council has no powers to close the premises temporarily until remedial action is taken.

(Councillor Gillespie left the meeting at 8.55 pm)

2.4 Agenda 21 – Mid Ulster Biodiversity Project

As per report DDEH advised that NIEA has reduced their grant aid to the Mid Ulster Biodiversity Project, this means that the total contribution for this Council is estimated to now be an average of approximately £10,507 per year for three years. (Total £31,520 over three years)

Proposed by Councillor McGuigan
Seconded by Councillor Daly and

Resolved That it be recommended to the Council to accept the NIEA funding offer and continue with the Mid Ulster Biodiversity Project (cost to this Council estimated to be an average of approximately £10,507 per year for the three year programme) subject to agreement by Cookstown and Magherafelt Councils to finance their share of the project.

OPERATIONAL

2.5 Agenda 21 – Climate Week Event

DDEH advised that during this year's climate week it is proposed to run a "Cook Bubble and Squeak" event. The estimated cost for the event is £1,700 which includes the hire of a mobile kitchen and chef, public advertisement and materials.

Proposed by Councillor Gildernew
Seconded by Councillor Reid and

Resolved That Council organise this event within the £1,700 spend outlined.

2.6 Dog Kennelling

DDEH advised that the contract awarded to the current providers of the Council's dog kennelling facility is due to expire on 31 March 2013.

The contract was granted subject to the possibility of an extension for an additional year upon satisfactory performance during the contracted period. DDEH advised that the current providers have an excellent facility and to date have been able to cope with demands placed on them. To renew the contract would allow for this level of service to be maintained for a further 12 month period.

Proposed by Councillor Quinn
Seconded by Councillor Daly and

Resolved That subject to agreement from the providers of the service, that the kennelling contract is extended to run until 31 March 2014.

2.7 Gambling Laws

Member referred to the numerous online gambling websites and the apparent lack of restrictions placed upon these websites. Members raised concern at the ease of access to these websites and the damage gambling can have on families.

DES advised that this matter can be raised with the relevant Minister.

2.8 Animal Welfare Act

DDEH requested permission for Council to move ahead to prosecute owner of animals (File ref (S/2012/2227) under the Animal Welfare Act.

Resolved That Council move to prosecute owner of animals (File ref (S/2012/2227) under the Animal Welfare Act.

(Councillor Gildernew left at 9.12 pm)

2.9 A4 and A5 Road Noise

Members referred to ongoing problems with noise at A4 and A5 and felt that Council need to send correspondence to relevant Minister with regard to noise complaints and to seek a resolution to difficulties.

Resolved That Council seek meeting with DRD Minister to discuss road noise problems at A4 and A5.

2.10 NILGA Conference

DES referred to NILGA Local Government Annual Conference and Exhibition 2013 and Local Government Awards Northern Ireland Ceremony. This event takes place at Everglades Hotel, Derry/Londonderry on 28 February 2013, fee £149+vat, subsistence and mileage.

Resolved That Councillor McGuigan attend the above.

2.11 Adoption of Report

Proposed by Councillor Quinn
Seconded by Councillor R Burton and

Resolved That the report of the Director of Environmental Services be adopted, and that all recommendations, subject to the foregoing, be approved.

3 DURATION OF MEETING

The meeting was called for 7.30 pm and ended at 9.25 pm.

MAYOR _____

CHIEF EXECUTIVE _____
(Acting)