

Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Tuesday 10 March 2020 in Council Offices, Burn Road, Cookstown

Members Present

Councillor Buchanan, Chair

Councillors Brown, Burton, Cuthbertson, Glasgow,
Graham, N McAleer, S McAleer, B McGuigan,
S McGuigan, McNamee, Milne, O'Neill, Totten, Wilson

Officers in Attendance

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

The meeting commenced at 7.00 pm

E063/20 Apologies

Councillor McFlynn.

E064/20 Declarations of Interest

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

Councillor Cuthbertson declared an interest in Agenda Item 27 – Tender report for Grass Cutting Services.

E065/20 Chair's Business

Councillor Burton asked that Council write to the Department in relation to ongoing anti social behaviour at White Lough outside Aughnacloy, the Councillor stated that bins had been burned and there was evidence of human excrement at the site. The Councillor referred to fish being taken from the Lough and questioned whether it was worthwhile restocking the Lough as this is notified beforehand giving those who want to come adequate notice of when there will be fish, the Councillor added that the fish were being taken with a net meaning that stocks got depleted quickly. The Councillor stated she did not want the site and the fishing attraction to be ruined for everyone but felt that the matter needed to be raised with the Department. The Councillor added that local people have spoken with the Department in relation to their concerns but were advised that the Department did not have the resources. Councillor Burton stated that it wasn't right that Council staff have to clean up the site and that the Department should be taking ownership of the Lough. The Councillor stated that the Police have been notified of the anti social behaviour in the past which has been ongoing for a couple of years.

The Director of Public Health and Infrastructure stated that this appeared to be an ongoing issue and that Council involvement would be through the Parks Department. The Director advised that he would notify Officers of the concerns raised but that there were also linkages to PCSP and that the matter may require a multi agency approach.

Councillor B McGuigan stated that a multi agency would be required and that the concerns should also be brought to the PCSP in order to keep a focus on the area.

The Director of Public Health and Infrastructure stated that he would have the issues referred, though members may wish to raise them again at the Development Committee on Thursday night.

Councillor Burton stated that bins at the Lough had been burned in the past which she felt fell within the remit of the Environment Committee.

With the agreement of the Chair, the Director of Public Health and Infrastructure referred to Coronavirus and stated that the Government had published its action plan last Tuesday 3rd March . The Director stated that the response was still in the 'Contain' phase with 16 cases being confirmed in Northern Ireland as of tonight. The Director stated there was some recent referencing of incidents in Mid Ulster which involved a football team in Coagh and school in Dungannon.

Councillor Wilson referred to incident involving Coagh Utd and stated that the football team followed the guidelines and did what they were asked to do. The Councillor stated that there were a lot of rumours but that the people of Coagh were not to blame for the incident.

Councillor B McGuigan stated that he had received a complaint from a person who been to the gym at Maghera Leisure Centre who stated that whilst there is sanitising gel at the reception of the Centre there was nothing to cleanse hands for those using the equipment in the gym.

The Director of Public Health and Infrastructure advised that Council are in process of sourcing additional cleaning products including sanitising hand gels which are difficult to get at the moment. The Director stated that Council were following Public Health Agency advice and were taking practical steps to encourage everyone to follow the advice and guidance provided.

Councillor Cuthbertson referred to report which indicated that the first person in Northern Ireland to be diagnosed with Coronavirus was from Bellaghy. The Councillor also referred to some Good Relations events which had been cancelled this week and asked if any other Council events would be cancelled.

The Director of Public Health and Infrastructure stated that Council were following Government advice which was still in the 'Contain' phase and that Council are holding to this position until further expert advice and guidance is received. The Director stated that the events cancelled this week were organised by voluntary/community groups who can take and act on their own advice.

Councillor Milne stated that because of the rumours circulating regarding a person from Bellaghy being diagnosed with Coronavirus he had checked with the PHA who could not identify anyone from that area being infected. The Councillor stated that the report seemed to have originated from a website and there was no evidence to suggest it was correct. Councillor Milne further stated that the report had since been amended indicating that there was no confirmed case in Bellaghy.

The Director of Public Health and Infrastructure stated it was important not to get into a situation of blame and counter blame.

Councillor McNamee stated that a number of St Patrick's Day parades had been cancelled and asked if the parade in Dungannon was still taking place.

The Director of Public Health and Infrastructure stated that although the St Patrick's Day parade in Dungannon comes onto council property the event itself is organised by the community and that, so far, Council has not been informed that the parade has been cancelled.

Councillor Milne asked if plans were being put in place for staff to work from home.

The Director of Public Health and Infrastructure stated that all services were reviewing their operational delivery plans in order to maintain business continuity. The Director stated that it was hoped these plans would not be required to be actioned but would be in place should they be needed.

The Director of Public Health and Infrastructure referred to correspondence received from Sperrin Harriers which stated that they have held an annual event for 19 years but due to costs associated with road closure legislation they are unable to go ahead with this year's event. The Director stated that the group were requesting that Council write to the Department asking for a review of the legislation.

Councillor S McGuigan stated he was also aware of a group who were unable to hold an event this year due to the costs associated with road closure legislation.

Proposed by Councillor McNamee
Seconded by Councillor Milne and

Resolved That it be recommended to Council to write to the Department for Infrastructure requesting a review of the road closure legislation.

Councillor McNamee stated that it was his understanding that the administration costs requested by Council were not restrictive on groups.

The Director of Public Health and Infrastructure stated that it was not so much the administration costs but rather the significant costs associated with traffic management for events.

Matters for Decision

E066/20 DfI Roads Proposals to Mid Ulster District Council - Description Amendments – No Waiting on Market Square and Limited Waiting and Disabled Parking Bays on Castle Hill, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to Description Amendments – No Waiting on Market Square and Limited Waiting and Disabled Parking Bays on Castle Hill, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation Description Amendments – No Waiting on Market Square and Limited Waiting and Disabled Parking Bays on Castle Hill, Dungannon.

Councillor Cuthbertson stated he was aware of three accidents which have taken place at the end of Thomas Street/Market Square and that there seemed to be an issue of cars not stopping at the end of Thomas Street when entering Market Square. The Councillor stated that additional signage was required at this junction.

The Director of Public Health and Infrastructure stated officers would reflect with PSNI on whether they were aware of the accidents being referred to and go back to the design team in relation to the junction.

E067/20 DfI Roads Proposals to Mid Ulster District Council - Proposed No Waiting at Any Time – Market Square, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting At Any Time at Market Square, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting At Any Time at Market Square, Dungannon.

E068/20 DfI Roads Proposals to Mid Ulster District Council - Proposed Limited Waiting – Thomas Street, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed Limited Waiting at Thomas Street, Dungannon.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Limited Waiting at Thomas Street, Dungannon.

E069/20 DfI Roads Proposal to Mid Ulster District Council - Proposed Provision of a Disabled Persons' Parking Bay at Coronation Park, Aughnacloy

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a Disabled Persons' Parking Bay at Coronation Park, Aughnacloy.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton 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 Disabled Persons' Parking Bay at Coronation Park, Aughnacloy.

E070/20 Eco Schools Programme Support 2020/21

Members considered previously circulated report which sought approval to continue to provide financial support to the Eco Schools Programme.

Proposed by Councillor Wilson
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to continue to provide financial support to the Eco Schools Programme in Northern Ireland to the amount of £1,700 in 2020/21 as requested by Keep Northern Ireland Beautiful.

E071/20 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 Ballymacombs Road, Portglenone

Proposed by Councillor Milne
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name development off Ballymacombs Road, Portglenone as Glencombe Wood.

E072/20 Energy Performance of Buildings Regulations

The Head of Building Control presented previously circulated report which outlined the Enforcement Procedural Documents developed to achieve compliance of the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended).

Councillor Milne referred to the swimming pool in Greenvale Leisure Centre and that people were not using this pool because of the temperature of the water. The Councillor stated that he had been advised that to raise the temperature of the pool to 32c would cost thousands of pounds however people were currently being driven away and were going to a private facility because the water is too cold.

The Director of Public Health and Infrastructure stated that this was a clear operational issue and that he would refer the matter to the Director of Leisure and Outdoor Recreation tonight but that Members could raise the matter again at the Development Committee on Thursday night.

Proposed by Councillor Brown
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to agree to the adoption of the Procedural Document for the enforcement of Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended).

E073/20 Memorandum of Understanding between HSENI and District Councils on the Notification of Licensed Asbestos Removal

Members considered previously circulated report which outlined the Memorandum of Understanding between the Health and Safety Executive for Northern Ireland (HSENI) and District Councils in Northern Ireland regarding the allocation of enforcement responsibility for all licensable asbestos removal work.

Proposed by Councillor Wilson
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to endorse the Memorandum of Understanding and the consistent enforcement approach adopted by the Memorandum of Understanding between District Councils and HSENI in respect of the notification of licensed asbestos removal.

E074/20 Response to the Department of Education Consultation on Update to Nutritional Standards for School Food

The Head of Environmental Health presented previously circulated report which outlined the response to the Department of Education's Consultation on the Update to Nutritional Standards for School Food. The Head of Environmental Health highlighted that the closing date of the consultation was 27 March, the day after the March Council meeting, and requested permission to submit the response in advance of the deadline.

Proposed by Councillor B McGuigan
Seconded by Councillor Milne and

Resolved That it be recommended to Council to agree the content of the draft consultation response as set out at appendix 2 of report and forward response, in advance of the deadline, to the Department of Education in accordance with the completed consultation template.

Matters for Information

E075/20 Minutes of Environment Committee held on 11 February 2020

Members noted minutes of Environment Committee held on 11 February 2020.

E076/20 Tullyvar Joint Committee Update

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

E077/20 Coalisland Recycling Centre – Waste Compactors

Members noted previously circulated report which provided update on recent operational changes at Coalisland Recycling Centre.

Councillor O'Neill thanked the officer for the report but stated that he had asked that the report include what the long term plans are for the site.

The Director of Environment and Property stated that the request for the long term plans for the site was made at the Council meeting after the paper before Members tonight had been submitted. The Director confirmed that there were no plans to close the site as it is well used however it was advised that Council leases the land on which the recycling centre sits. The Director stated that the site has moved from one owner to another recently and that the current owner has not responded to Council's correspondence. The Director stated that Council would ideally look for a 25 year lease of the site and that there is work Council would like to do at the recycling centre but would not want to move forward with this until lease terms have been finalised and agreed.

E078/20 Building Control Workload

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

E079/20 Entertainment Licences

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

E080/20 Dual Language Signage Requests

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

E081/20 Dual Language Signage Surveys

Members noted 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. Where more than 51% of occupiers that

respond indicate that they are in favour of the erection of Dual Language Signage, nameplates will be erected as below –

- Coalisland Road, Dungannon
- Church View, Cookstown
- Millbank Cottages, Cookstown
- Scotchtown Lane, Coagh
- Lough Drive, Ballyronan
- Ardagh Road, Coagh
- Lough Way, Ballyronan
- Hawthorn Manor, Cookstown
- Killetra, Coagh
- Beechline, Dungannon

Where less than 51% of occupiers that responded indicate that they were not in favour of the erection of a Dual Language street nameplate, then the Dual Language nameplate will not be erected as below –

- Derrylattinee Road, Dungannon

E082/20 Dual Language Signage Survey – Drumullan Manor, Cookstown

Members noted previously circulated report which provided the result of a survey undertaken on all applicable residents in Drumullan Manor, Cookstown in response to a Dual Language Signage Nameplate request. As there were no respondents to the survey request Dual Language signage will not be erected at Drumullan Manor, Cookstown.

E083/20 Community Resuscitation Action Plan and Community of Lifesavers Programme

Members noted previously circulated report which advised of the Community of Lifesavers Programme and provided an update on ongoing Community Resuscitation work.

Councillor Cuthbertson referred to community group who has a defibrillator registered with NI Ambulance Service. The Councillor stated that the community group had recently received a phonecall requesting them to re register the defibrillator and asked if this was something officers were aware of or if it was a scam.

The Head of Environmental Health stated this was not something she was aware of but would check with NI Ambulance Service.

E084/20 Bus Shelter Updates

Members noted previously circulated report which provided an update on the current bus shelter status following a recent bus shelter collaborative workshop.

Councillor McAleer referred to previous request for bus shelter in Ballygawley which is not included in status update at appendix 2 of report.

The Head of Technical Services stated that officers may be waiting on confirmation of numbers from Translink for this shelter. The officer advised that there was a meeting in relation to bus shelters this week and the status of this bus shelter could

be checked with a further update report being brought to the April Environment Committee.

Councillor O'Neill stated that he had met with the Technical Services Manager in relation to bus shelter at Annaghmore Road. The Councillor stated that this shelter was not included on the status update and asked that this be followed up.

Councillor Burton referred to request put forward to the Technical Services Manager in relation to bus shelter which is located at a dangerous position outside an engineering works and the need to move it to somewhere safer, possibly at a Council facility. The Councillor stated that this shelter is also not referenced in the status update.

Councillor B McGuigan thanked the officer team for putting in place a process and that Members are now able to keep track of requests more easily.

In response to question from Councillor Glasgow the Head of Technical Services advised that the Education Authority are consulted with in relation to bus shelters.

Councillor Glasgow referred to case in which the Education Authority have recently changed a bus route and that the existing bus shelter is no longer in the right place and requires to be moved. The Councillor stated that there was a need for the Education Authority to notify Council when bus routes are going to be changed.

Councillor Burton stated that the working group was a good opportunity to bring statutory agencies together to discuss and move forward bus shelter requests.

E085/20 Mid Ulster Fairtrade

Members noted previously circulated report which provided update on the Mid Ulster Fairtrade Campaign.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor Burton 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 E086/20 to E098/20

Matters for Decision

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| E086/20 | Request for Temporary Alternative Use of Off Street Car Parks |
| E087/20 | Tender for collection and recycling of plasterboard |
| E088/20 | Joint Tender for Appointment of Electricity Supplier |
| E089/20 | Tender report for Grass Cutting Services |
| E090/20 | Tender report for Grass Sports Pitch Maintenance Services |
| E091/20 | Public Toilet Provision |

- E092/20 Application for the Grant of a New Amusement Permit at 12 Union Road, Magherafelt
- E093/20 Application for Temporary Street Trading Licence

Matters for Information

- E094/20 Confidential Minutes of Environment Committee held on 11 February 2020
- E095/20 Fleet Operator Licence Renewal
- E096/20 Memorial Safety Inspection Programme
- E097/20 Capital Projects Update
- E098/20 Community Events on Council Land – Community Support Programme

E099/20 Best Wishes

The Chair, Councillor Buchanan stated that this was the Director of Environment and Property's last meeting at the Environment Committee as he was retiring on 6 April. The Chair stated that the Director was a professional officer with a wealth of knowledge and wished him a long and happy retirement.

Councillor B McGuigan thanked the Director of Environment and Property for all his work not only in Mid Ulster Council but also the legacy Magherafelt District Council. The Councillor stated that the Director had always been extremely helpful and wished him all the best in his retirement.

Councillor Wilson thanked the Director of Environment and Property for all his courtesy and that Members always got a straight answer from the officer.

Councillor McAleer thanked the Director of Environment and Property for all his help including with Tullyvar and wished him all the best in his retirement.

The Director of Environment and Property thanked Members for their sentiments and said he was looking forward to his retirement. The Director stated that he had come to the legacy Magherafelt District Council in 2008 and wished Councillors all the best for the future both individually and in their parties. The Director also highlighted that this was the last meeting of the Environment Committee that the Head of Environmental Health would be attending as the Environmental Health function would be moving under the directorate of the Development Committee going forward.

Councillor Milne stated that the Director of Environment and Property was a gentleman who was always available to support Councillors.

The Chair, Councillor Buchanan thanked the Head of Environmental Health for all her hard work over the years.

E100/20 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.34 pm.

CHAIR _____

DATE _____