

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 13 November 2018 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present	Councillor Reid, Chair Councillors Buchanan, Burton (7.08 pm), Cuthbertson, Gillespie, Glasgow, Kearney, McFlynn, McGinley, B McGuigan, S McGuigan, McNamee, Mulligan, O'Neill, M Quinn (7.03 pm), Totten
Officers in Attendance	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services Mr McAdoo, Head of Environmental Services Mrs McClements, Head of Environmental Health Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Democratic Services Officer
Others in Attendance	Deputation – Department for Infrastructure - Roads Ms Bratton, Network Development Engineer Mr Bratton, Network Maintenance Section Engineer – Cookstown/Magherafelt Mr Hackett, Network Maintenance Section Engineer – Dungannon Mr McMurray, Network Maintenance Manager

The meeting commenced at 7.00 pm

E305/18 Deputation – Department for Infrastructure – Roads

The Chair, Councillor Reid welcomed representatives from Department for Infrastructure Roads – Western Division and invited them to present the Local Transport and Safety Measures, Bridges and Street Lighting Draft Programme 2019-2021 including the Works Programme Update for Autumn 2018.

Members were advised that the Draft Programme contained proposed schemes which have been assessed in accordance with current procedures and are considered to be high priority and represent good value for money. The capacity to deliver schemes within the programme is dictated by availability of funding and that based on current funding levels it will only be possible to deliver a small number of the schemes over the 2019-2021 period. Members were assured that the Division will continue to bid for additional funding and plan ahead by developing schemes in terms of design and land acquisition to ensure that it is well placed to utilise additional funding should it become available.

Members were advised of planned works programme update for autumn 2018 as well as strategic roads projects that affect the area.

Councillor M Quinn entered the meeting at 7.03 pm and Councillor Burton entered the meeting at 7.08 pm during the above presentation.

Councillor McNamee referred to A29 Cookstown Bypass and stated it was good news that consultants had been commissioned. Councillor McNamee spoke in relation to the £600k committed to this project and asked if all of these monies needed to be spent this year.

Mr McMurray stated that the monies committed would be used for conducting traffic surveys for the project.

In response to Councillor Cuthbertson's question Mr McMurray advised that Mr Loughrey had taken up a temporary post as Director of Network Services.

Councillor Cuthbertson stated this was the fifth year in a row that the Stangmore Park and Ride facility had been listed on the report. The Councillor stated that there were objections to this scheme from both the landowner and nearby residents and highlighted that 80% of the cars parked on the hard shoulder belonged to those working in a local business. Councillor Cuthbertson stated that the Park and Ride facility should not be sited at the location proposed.

Councillor B McGuigan stated that some of the schemes listed had been on reports for a number of years, the Councillor asked whether these schemes were ready to go if monies became available.

Ms Bratton advised that some, but not all, of the schemes were ready to go. Ms Bratton advised that there was a priority list of schemes with some in reserve.

Councillor Burton referred to A5 Western Transport Corridor and asked whether there would be any further consultation in relation to Phase 3 of the scheme (Ballygawley to border at Aughnacloy).

Mr McMurray advised there was no imminent plan to take Phase 3 of the scheme forward. Mr McMurray stated that the other phases of the scheme would be completed first and that there may be opportunity for further consultation in relation to Phase 3 at a later date.

Councillor Glasgow referred to scheme at Tamlaght O'Crilly which is listed as 'pending' on the report and asked if the works would be carried out this financial year. Councillor Glasgow also asked if the bidding for funding included bridges and referred to works needed at Ardtrea Bridge. Councillor Glasgow then referred to policy in relation to potholes and asked if, in the absence of a Minister, the Permanent Secretary was able to make amendments to this policy.

Mr Bratton advised that the four schemes listed as pending on the report would be completed this financial year.

Mr McMurray stated that the delivery of works at Ardtrea Bridge relied on a certain amount of capital funding being available in advance rather than relying on monitoring rounds. Mr McMurray stated that even without a Minister being in place the Permanent Secretary had amended policy in the past couple of years.

Councillor McFlynn referred to provision of new footway on Westland Road, Magherafelt and stated that there had been flooding at this location previously. The Councillor suggested that work also be done to upgrade drains at this location in conjunction with the proposed works.

In response to Councillor McFlynn's question Ms Bratton advised that plans are in place to create additional disabled parking bays at Castledawson Park and Ride.

Councillor McFlynn referred to Doctors Bridge in Moneymore and asked if the works proposed would be carried out this year.

Ms Bratton advised that Doctors Bridge is ok for normal traffic but that does not meet current abnormal load standards. It was advised that this scheme was not one of the highest priorities.

Councillor McNamee referred to parking restrictions in town centres which are waiting to be signed off by the Permanent Secretary and asked if there would be any progress on this matter before Christmas.

Ms Bratton advised she was hopeful that parking restrictions in town centres would become operational before Christmas.

In response to the Chair's comments in relation to Ardtrea Bridge Ms Bratton stated that the scheme was high priority and was currently being designed with delivery possibly in 2020-21.

Representatives from Department for Infrastructure were thanked for their presentation following which they withdrew from the meeting at 7.26 pm.

E306/18 Condolences

The Chair, Councillor Reid spoke in relation to the untimely death of Councillor Ashton's brother and conveyed his condolences and that of the Environment Committee to Councillor Ashton and the family circle.

E307/18 Apologies

None.

E308/18 Declarations of Interest

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

E309/18 Chair's Business

Councillor Glasgow referred to previous report brought to Committee in which it was agreed to replace dual language signage and asked if the signs had been replaced yet.

Councillor Glasgow also conveyed his thanks to the Head of Environmental Health and the Environmental Health department for the guidance he received in relation to

two stray horses, the Councillor advised that the horses were now back with their rightful owner and stated that the Environmental Health department does not shy away from challenge and in fact rises to it.

The Director of Environment and Property advised that since the new dual language signage had been agreed at Committee officers had proceeded with procurement of same. As there is a six week lead in time for the signage it is proposed that installation will be in the New Year.

Councillor McGinley conveyed his condolences to Councillor Ashton and her family on the death of her brother. Councillor McGinley stated that mental health falls under the remit of the Environment Committee and spoke in relation to Ardboe teenager Sean O'Hare who has written a blog on mental health, the Councillor advised the blog had been sent to mental health practitioners who stated that the techniques advised are second to none and that the blog would undoubtedly save lives. Councillor McGinley stated that this achievement did not meet the criteria of receiving a civic award and asked if the Chair of the Committee would consider sending a letter of commendation.

Councillor McGinley referred to change of hours at recycling centres and asked if this was working. The Councillor also referred to project at Ballyronan and asked what stage this was at.

Councillor M Quinn stated he would support a letter being sent to Sean in relation to his blog and the courage he has shown.

The Chair, Councillor Reid stated that mental health was an important subject and he had no difficulty in sending a letter. Councillor Reid also suggested that a reception be held.

Councillor McGinley advised that he had requested to speak on the matter at the next Council meeting as to how the young person could best be acknowledged on their achievements.

The Chair, Councillor Reid stated he would send a letter in the interim.

The Director of Public Health and Infrastructure stated that a Member meeting had been held in September in regard to Ballyronan and it was agreed that this project be incorporated into the Villages Programme. The Director stated that a contractor should be in place for these projects after Christmas.

Councillor McGinley asked that this information be communicated to the community group in Ballyronan with an expected timeline for works.

The Chair, Councillor Reid stated it was good to be back as he had missed a number of meetings recently and thanked those who had sent get well messages during his absence.

Matters for Decision

E310/18 Recycling Behavioural Change Project – Grant Funding

The Head of Environmental Services presented previously circulated report which provided update on a Recycling Behavioural Change Project Grant Application and sought approval for expenditure of funding on the provision of internal recycling storage bags.

Proposed by Councillor S McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to endorse the expenditure of Recycling Behavioural Change Grant Funding (£56,000) on the purchase of recycling bags as outlined in report.

Councillor Burton asked if all the grant funding would be used in providing one bag to each household.

The Head of Environmental Services stated that most of the monies would be utilised in purchasing one bag for each household with some leftover for advertising.

Councillor McKinney left the meeting at 7.42 pm.

E311/18 The Parking Places on Roads and Waiting Restrictions (Dungannon) Order (Northern Ireland) 2018

The Director of Environment and Property presented previously circulated report which sought Members views in relation to the proposed The Parking Places on Roads and Waiting Restrictions (Dungannon) Order (Northern Ireland) 2018.

Councillor Cuthbertson asked when it was requested that on street car parking be increased from one hour to two hours.

The Director of Environment and Property stated he believed this was in September.

Councillor Cuthbertson stated that report on proposed waiting restrictions in Dungannon had been brought forward in September and at that time he had requested that officers investigate whether it was still the desire of traders that on street car parking be increased to two hours but that he had not requested that a proposal to increase the permitted time be put forward. Councillor Cuthbertson advised that after the September meeting an officer had telephoned to advise him that there was no desire amongst traders to increase the permitted on street car parking time.

The Director of Environment and Property stated it was his understanding from the minutes of the September meeting that the request to increase on street car parking time be put forward but that if it was not the case Council can respond to the consultation stating it is happy with the content.

The Director of Public Health and Infrastructure advised that if changes were proposed to the Order at this stage the legislative process would take much longer.

Proposed by Councillor McNamee
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to respond to DfI Roads consultation on The Parking Places on Roads and Waiting Restrictions (Dungannon) Order (Northern Ireland) 2018 with the view that it is happy with its content.

E312/18 Extended Opening Hours at Maghera Walled Garden

The Head of Property Services presented previously circulated report which provided update on the extended opening hours at Maghera Walled Garden from June to August during the 2018 growing season.

Councillor Kearney referred to the positive report and proposed that the extended opening hours continue at Maghera Walled Garden as he felt this would be appreciated by local people and visitors alike.

Councillor B McGuigan felt that the planned walkway will help to increase the numbers visiting the garden and seconded Councillor Kearney's proposal. Councillor B McGuigan referred to signage at the entrance of garden but felt that this could be improved to attract further visitors.

Councillor Kearney referred to some walkways which are in a precarious condition.

Resolved That it be recommended to Council to continue with the extended hours of 1.00 – 5.00 pm each Sunday from June to August during the 2019 season at Maghera Walled Garden.

E313/18 Dual Language Signage Requests

The Head of Building Control presented 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 McGinley 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 –

- Glebe Court, Dungannon
- Killymuck Road, Coagh
- Ballygillen Road, Coagh
- Cloverhill Road, Moneymore
- The Glassan, Coagh

E314/18 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.

Councillor McNamee proposed the report recommendations.

Councillor McGinley seconded Councillor McNamee's proposal.

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

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

The Chair, Councillor Reid asked on what grounds Councillor Cuthbertson was making his proposal.

Councillor Cuthbertson stated he was proposing that Council do not proceed with the erection of signage on the basis of cost.

Members voted on Councillor Cuthbertson's proposal –

For – 6

Against – 10

Members voted on Councillor McNamee's proposal –

For – 10

Against – 6

Resolved That it be recommended to Council -

- To agree the application of Dual Language Nameplates in Irish for –
 - Greenvale Drive, Cookstown
 - Blackrock Road, Cookstown
 - Hall Lane, Knockcloghrim
 - Tullagh View, Cookstown
 - Gortalowry Park, Cookstown
- To note the results of the survey and not approve the application of a Dual Language Nameplate in Irish for Drummuck Road, Maghera.

Councillor McGinley stated that as the policy was in place for Dual Language Signage Nameplates officers had the right to proceed with erecting signage without the need for the matter to be brought to Committee each month as a matter for decision. Councillor McGinley proposed that the results of Dual Language Signage surveys be presented as an item for information going forward.

Councillor McNamee seconded Councillor McGinley's proposal.

In response to Member query the Director of Public Health and Infrastructure highlighted points 5 and 6 of the procedure for Dual Language Signage Nameplates which stated that the results of surveys shall be presented to the Environment Committee for decision. The Director highlighted that that the policy on Dual Language Signage Nameplates is due for review.

Councillor McGinley stated he took on board the Director's comments but stated he wanted to put on record that he was bored with the waste of time every month.

In response to Councillor Cuthbertson's question the Head of Building Control advised that the policy for Dual Language Signage Nameplates was approved in March 2017 and that the review of this policy should be completed by April 2019.

On the basis of this response Councillor Cuthbertson stated there was no need to talk about the review in November.

The Chair, Councillor Reid stated that the Committee had been waiting on a report in relation to cost of Dual Language Signage for a number of months and it was important to have this report before budget setting.

Councillor McGinley stated he was confused, that the Member raised objection to policy and the erection of signage without reason and then also objected to a review of the policy.

The Chair, Councillor Reid stated that the Member had the right to object if he wanted and had clarified his objection.

Councillor Cuthbertson stated that now policy and procedure was in place Members wanted the results hidden from public view.

Councillor McGinley clarified that the item did not have to go to confidential business but could remain in open business for information.

The Director of Public Health and Infrastructure advised that the review of policy would be taken forward and a report would be brought to Committee in due course.

E315/18 Street Naming and Property Numbering

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

Site off Killyliss Road, Dungannon

Proposed by Councillor S McGuigan
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to name development off Killyliss Road, Dungannon as Sandy Heights.

E316/18 Spelling of Derrycrin/Derrychrin Park, Cookstown

Members considered previously circulated report which advised on the result of the survey undertaken on all applicable residents on the street known as Derrycrin/Derrychrin Park regarding its spelling.

Resolved That it be recommended to Council to erect nameplate "Derrychrin Park" in accordance with the Dual Language Signage Nameplates Policy.

E317/18 Graffiti under the Clean Neighbourhood Programme

The Head of Environmental Health presented previously circulated report which outlined options in respect of graffiti treatment in order to determine a consistent approach to graffiti related complaints received.

Councillor M Quinn asked how Council distinguishes between art and something else and asked if there was a definition of what offensive graffiti was.

The Head of Environmental Health stated that Council will move forward based on complaints received and stated that offensive graffiti is defined as being racially offensive, hostile to a religious group, sectarian in nature, sexually offensive, homophobic, depicts a sexual or violent act or is defamatory.

Councillor McNamee asked for the opinion of officers as to the way forward.

The Head of Environmental Health stated that there was no legislative duty on Council to remove graffiti and that other Councils have taken differing views on the matter. The officer felt there should be some focus in relation to the removal of offensive graffiti but it was a matter for decision whether Council wanted to take on a budget for other graffiti as there is limited budget in place at the moment.

The Chair, Councillor Reid referred to Council liability for damage to property in removing graffiti.

Councillor B McGuigan felt a way forward would be to supply proactive community groups with the necessary materials to remove graffiti if they know who owns the property in question. The Councillor advised he had seen this approach working in the past.

Councillor McGinley felt that the two options put forward in the report could compliment each other and proposed that both are adopted for a trial period with priority being given to the informal approach.

The Head of Environmental Health stated that the main difference was that option two would mean Council removing all types of graffiti.

Councillor Glasgow stated he would support the informal first option and seconded Councillor McGinley's proposal.

Councillor Cuthbertson felt there had been issues beforehand regarding issuing hazardous substances to groups outside of Council. The Councillor felt there needed to be the option of a rapid response as earlier in the year there had been offensive graffiti relating to Council in place on a main arterial route for almost a week before it was removed.

Councillor Kearney felt there was a need for a cautious approach and that he was uneasy with the line within the report which stated "...and the person who displayed the graffiti has been identified...."

Councillor Burton referred to scheme operated through Youth Justice in which offenders are tasked with cleaning graffiti areas.

The Head of Environmental Health stated she was not familiar with this scheme and stated that it could have been led by PSNI.

Councillor McGinley stated that the scheme referred to by Councillor Burton would be led by Youth Justice Agency as part of restorative practice but stated that it can take 7-9 months for graffiti to be removed.

The Director of Public Health and Infrastructure referred to previous incident where offensive graffiti regarding the Council had been dealt with, and that Council had liaised with the landowner concerned before arranging for the removal of the graffiti.

The Director of Public Health and Infrastructure highlighted that consideration should be given to removing all offensive graffiti in public areas, thoroughfares and town centres for the protection of public amenity.

Resolved That it be recommended to Council to endorse a combination of Options 1 and 2 to ensure the prompt removal of all offensive graffiti in public areas, thoroughfares and town centres for the protection of public amenity and work with local community groups where appropriate to assist with its removal. This approach to be reviewed after six months to provide an evidence base of graffiti complaints received and costs incurred.

Matters for Information

E318/18 Minutes of Environment Committee held on 9 October 2018

Members noted minutes of Environment Committee held on 9 October 2018.

E319/18 Bulky Waste Collection Service Update

Members noted previously circulated report which provided update on the provision of the bulky household waste collection service.

E320/18 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2018

Members noted previously circulated report which provided update on 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 the (quarter one) period of April to June 2018.

E321/18 Invasive Species Control and Maintenance on Council Property

Members noted previously circulated report which provided update on Invasive Species control and maintenance on Council property.

Councillor Cuthbertson thanked officer for bringing report back which he had requested last month and asked if the treatments being applied were working to eradicate invasive species.

The Head of Property Services advised that treatments were working and were making a difference on the ground.

Councillor Cuthbertson asked if any of the invasive species listed could be taken off the register yet.

The Head of Property Services advised that over the course of time through further treatment and the invasive species being brought under control and eradicated then it will be removed from the register.

E322/18 Dual Language Signage

Members noted previously circulated report which provided update on the Dual Language Signage process and progress of Dual Language Survey Requests received to date.

E323/18 Building Control Workload

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

E324/18 Entertainment Licensing Applications

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

E325/18 Environmental Health Planning Comments

Members noted previously circulated report which provided update on Environmental Health consultation responses to the Planning Department following concerns raised regarding response times.

E326/18 Local Government Award for Agewell

Councillors Burton and McFlynn declared an interest in this item.

Members noted previously circulated report which advised of award received by Agewell for the Best Local Authority Community Planning Initiative at the NILGA local authority awards event on 11 October 2018.

E327/18 Southern Health and Social Care Trust Traveller Action Group Progress Report 2017/18

Members noted previously circulated report which referred to the Southern Health and Social Care Trust Traveller Action Group progress report 2017/18.

E328/18 Mid Ulster Nominees to the NI Age Friendly Network

Members noted previously circulated report which referred to correspondence received advising on work carried out by a number of organisations to establish an Age Friendly Network across NI.

In response to Councillor Burton's question the Head of Environmental Health advised that the Age Friendly Network is a Northern Ireland wide regional forum which provides support to Councils who want to move towards being Age Friendly.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor S 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 E329/18 to E340/18.

Matters for Decision

- E329/18 Clogher Recycling Centre
- E330/18 Memorial Tree Request – Polepatrick, Magherafelt
- E331/18 Tender Report for the Supply of Fleet Maintenance and Repair Services
- E332/18 Dungannon United Youth – Capital Project
- E333/18 Knockmany Forest – Capital Project
- E334/18 Washingbay Wetlands Park – Capital Project

Matters for Information

- E335/18 Confidential Minutes of Environment Committee held on 9 October 2018
- E336/18 Curran Terrace, Dungannon – Capital Project
- E337/18 Capital Projects Update
- E338/18 Off Street Car Parking; Quarter 2 2018/2019
- E339/18 Capital Works Update – Final Capping at Magheraglass Landfill
- E340/18 Capital Works Update – Construction of Waste Transfer Station

E341/18 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.08 pm.

CHAIR _____

DATE _____