

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 13 March 2018 in Council Offices, Burn Road, Cookstown**

Members Present

Councillor McGinley, Chair

Councillors Buchanan, Burton, Cuthbertson, Gillespie,
Glasgow, Kearney, McFlynn, B McGuigan, S McGuigan,
McNamee, Mulligan, O'Neill, M Quinn, Reid

**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, Committee Services Officer

The meeting commenced at 7.00 pm

E069/18 Apologies

Councillor Totten.

E070/18 Declarations of Interest

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

E071/18 Chair's Business

Councillor Glasgow referred to item 20 on the agenda – Re-Naming of an existing Street/Road and stated that although the item was for information he wished to speak on it.

Matters for Decision

**E072/18 DfI Roads Proposals to Mid Ulster Council – Proposed Traffic
Calming, Ferndale, Clogher**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed traffic calming at Ferndale, Clogher.

Proposed by Councillor Burton
Seconded by Councillor Mulligan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed traffic calming at Ferndale, Clogher.

E073/18 Redistribution of Residual Waste Contract Savings

The Chair, Councillor McGinley advised that he had received a request that this item be taken in confidential business and that he had accepted this request.

Members agreed that this item be taken in confidential business later in the meeting.

E074/18 Off Street Car Parking Strategy

The Director of Environment and Property presented previously circulated report which sought approval in relation to the implementation of the Strategy and Action Plan for Off Street Car Parking.

Councillor McNamee proposed that this item be deferred for one month to allow time for each political party to discuss the matter within their own party and with the Director of Environment and Property.

Councillor B McGuigan seconded Councillor McNamee's proposal.

Councillor Mulligan proposed the recommendations as per the report, he stated that there was no such thing as free parking and that the user of the car park should contribute towards the operation of a car park.

Councillor Cuthbertson stated he had some issues regarding option 4 and would be happy to defer the matter for further discussion.

Councillor McFlynn also felt further discussion was needed.

Councillor Mulligan stated, on hearing the views of the Members, he would withdraw his proposal.

Resolved That it be recommended to Council to defer making decision on Off Street Car Parking Strategy for one month to allow further discussion on the matter. Party meetings to be arranged with the Director of Environment and Property.

E075/18 Grounds Maintenance Awards Submissions 2018/19

The Head of Property Services presented previously circulated report which sought approval for town and villages nominations to the NIAC Best Kept Awards and Ulster in Bloom 2018.

Councillor Burton commended all community/horticultural groups and Council staff for the work that they put into the competitions and wished all every success for 2018.

Councillor Burton referred to numerous dog fouling complaints in the Fivemiletown area and felt there was an opportunity for officers to work with the Chamber of Commerce on the matter.

Proposed by Councillor Burton
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to approve the nominations as below to both the Best Kept Awards and Ulster in Bloom 2018 – Dungannon, Cookstown, Magherafelt, Coalisland and Maghera, Castlecaulfield, Donaghmore and Tobermore.

E076/18 Update on Administration of Burials and Cemetery Operations

The Head of Property Services presented previously circulated report which provided update on the administration of burials and Council's operational cemeteries.

Councillor Reid proposed option 1 across the board – maintaining the status quo with regard to burial provision across Council cemeteries at Forthill, Cookstown, Cottagequinn, Dungannon and Polepatrick, Magherafelt. Future development of respective cemeteries should follow current custom and practice.

Councillor Glasgow seconded Councillor Reid's proposal.

The Head of Property Services stated that the status quo could be maintained provided there was agreement to develop provision at respective cemeteries, particularly at Forthill Cemetery.

Councillor Glasgow stated he had previously been advised at a Planning Committee that there was adequate burial provision at Forthill and asked what had changed.

The Head of Property Services advised that there was adequate provision at Forthill Cemetery but that future development needed to be planned.

Resolved That it be recommended to Council –

- **Burial Provision/Future Layouts** – To maintain the status quo (Option 1) with regard to burial provision at respective Council cemeteries and that future burial provision follow current custom and practice.
- **Consultation** – To undertake stakeholder consultation on the draft rules and regulations to incorporate into a policy for Council approval, including consultation on the longer term burial layouts and provision in each cemetery.

E077/18 Dual Language Signage Survey

The Chair, Councillor McGinley declared an interest in this item.

The Chair, Councillor McGinley referred to the spelling of Mullanahoe Road within report and stated it should be spelled Mullinahoe Road.

The Head of Building Control advised that officers refer to the Pointer Addressing System for the spelling of roads and confirmed that Mullanahoe Road is spelled with an “a” on this system.

The Chair, Councillor McGinley asked if there was a fallback for the residents who felt that the spelling was incorrect.

The Director of Public Health and Infrastructure advised that a request could be lodged regarding a spelling change.

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 officer recommendation for the application of Dual Language Nameplates.

Councillor S McGuigan seconded Councillor McNamee’s proposal.

Councillor McNamee referred to the numerous attacks on Dual Language nameplates across the District, in particular the recent attack at Burnbank on Orritor Road at the weekend which the Councillor stated he had reported as a hate crime. Councillor McNamee stated it was disgraceful what was going on and that Unionist Members needed to be condemning such attacks. Councillor McNamee asked if there were statistics on costs to Council regarding attacks to Dual Language nameplates.

Councillor Cuthbertson proposed not to proceed with erection of Dual Language nameplates due to cost to Council. The Councillor also referred to a lot of graffiti in the Dungannon area which appeared to be related to Republican warring factions and that this also needed to stop.

The Chair, Councillor McGinley advised Councillor Cuthbertson to refer his concerns to the Police.

Councillor Buchanan seconded Councillor Cuthbertson’s proposal.

The Chair, Councillor McGinley called for votes in respect of Councillor Cuthbertson’s proposal not to proceed with erection of Dual Language nameplates –

For – 6

Against – 8

Abstained - 1

Members voted on Councillor McNamee’s proposal to proceed with application of Dual Language nameplates –

For – 8

Against – 6

Abstained - 1

Councillor Cuthbertson referred to the Chair declaring an interest in this item and questioned whether he should have stepped down from the position of Chair when the vote was being taken. The Councillor realised this would make no difference to the result of the vote.

The Chair, Councillor McGinley stated he had declared an interest at the outset of discussion and had merely facilitated the vote on proposals put forward as he had not voted himself.

The Head of Property Services advised that a report could be brought forward regarding costs to Council on vandalism on Dual Language nameplates.

Councillor McNamee referred to problems regarding nameplates not being exactly as per the agreed template and asked that this be given greater consideration going forward.

The Director of Public Health and Infrastructure indicated Technical Services section would follow up on the issue.

Councillor O'Neill referred to his request put forward in November regarding Dual Language Nameplate at Gortgonis Park, Coalisland.

The Head of Building Control advised that officers were working through a list of requests and that Councillor O'Neill's request would be dealt with in due course.

The Chair, Councillor McGinley stated that, having considered Councillor Cuthbertson's comments, he would ask the Deputy Chair to facilitate the vote again if it was so desired.

Councillor Cuthbertson asked officers for their guidance in relation to Standing Orders.

The Director of Environment and Property advised that the interpretation of Standing Orders was a matter for the Chair.

Councillor Cuthbertson asked that the proposals put forward be voted on again.

Due to the foregoing the Deputy Chair, Councillor M Quinn brought the matter to vote –

Members voted on Councillor Cuthbertson's proposal –

For – 6

Against – 8

Abstained - 1

Members voted on Councillor McNamee's proposal –

For – 8
Against – 6
Abstained - 1

- Resolved** That it be recommended to Council to agree the application of Dual Language Nameplates in Irish for –
- Mullanahoe Road, Dungannon
 - Gort Road, Cookstown
 - Drumenny Road, Cookstown

E078/18 Dual Language Signage Request

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.

Councillor McNamee proposed the officer recommendation to proceed to survey.

Councillor S McGuigan seconded Councillor McNamee's proposal.

In response to Councillor M Quinn's question the Director of Environment and Property advised that going forward signage will have street name and townland included.

- Resolved** That it be recommended to Council to proceed to survey the following roads on which a request for Dual Language Signage has been received –
- Blackrock Road, Cookstown
 - Sullenboy Park, Cookstown
 - Ratheen Avenue, Cookstown

E079/18 Keep Warm Packs – Update Report

The Director of Public Health and Infrastructure presented previously circulated report which advised of the outcomes from recent audit on the distribution of Keep Warm Packs within Mid Ulster area.

Councillor Reid stated that this matter came to his attention in November 2017 and that he had asked for an investigation to be carried out. The Councillor raised a number of issues –

- Complaint from member of public made in January 2017 – why complaint was not actioned at that time.
- Person who made complaint did not need pack – packs are for those in severe need.
- Are packs held in other places.
- In 16/17 year 319 packs were issued to a particular political party grouping with packs also going to an MLA in that political party.

- In the 17/18 year 96 packs were issued to the same MLA and questioned whether these were given out in one go.
- Were Members aware of the availability of Keep Warm Packs.

Councillor Reid felt that the matter had been handled very badly and that more detail was needed. Councillor Reid stated that the abuse of the system had to stop and proposed that going forward an elected representative should pass on the detail of those who require a Keep Warm Pack to council officers to determine distribution.

The Director of Public Health and Infrastructure advised that the investigation report refers to a query received from a member of the public regarding pack distribution. On checking, there was no surety that the person who received the pack should not have done so as there was a wide criteria as to how a recipient can merit receiving a pack. The Director advised that more information could be provided if desired.

The Committee were advised that packs are not held off Council premises, in relation to whether 96 packs were given out at once this would have to be checked. Members were advised that availability of the packs was promoted through Council minutes, Council website, press articles and events.

Councillor Buchanan declared an interest in this item as he was named within the investigation report.

Councillor McFlynn felt Members had to believe that packs distributed prior to 2017 went to those in need and that any remaining packs should be distributed. The Councillor stated she would have concern regarding some of the contents of previous packs distributed. Councillor McFlynn stated she agreed with the recommendations set out in the report and proposed same.

The Head of Environmental Health stated that when packs were given out for distribution what was put alongside them was outside the control of Council.

Councillor Kearney seconded Councillor McFlynn's proposal.

Councillor Glasgow felt that the statistics contained within the investigation gave cause for concern and that there was a responsibility to distribute packs to the most vulnerable within the community. The Councillor stated that whenever election information goes into the packs it does not reflect well on the Council and that any future Public Health Agency cuts may affect Council receiving a further allocation of packs due to what has happened in the past. Councillor Glasgow felt that Council has a qualified staff who can ensure those in need receive a pack, the Councillor seconded Councillor Reid's proposal stating that the current distribution practice could not continue.

The Chair, Councillor McGinley advised that the Public Health Agency have not articulated any concerns in relation to the funding of packs.

Councillor Burton advised she became aware of the availability of packs through officers in Dungannon and stated that she could testify that there was not one person who she distributed a pack to that was not entitled to it and that indeed many

depended on receiving it. Councillor Burton stated that Members needed to be willing to go out to the community in relation to distribution of the packs and that the matter was becoming political. The Councillor felt that as the scheme was now coming under such scrutiny that those in need should be able to self refer.

Councillor S McGuigan stated he would not have been sure of the arrangements regarding the distribution of packs. The Councillor stated that because of the issues raised Members felt some reluctance at being involved with the scheme which was a great pity as this was one of the best initiatives associated with Council.

Councillor Cuthbertson referred to the delivery of packs and whether election material was contained in or out of the pack, or had simply been delivered on the same day. The Councillor felt that when Members are delivering something they are more than likely to leave a card or something with their name on it. Councillor Cuthbertson felt that if more information was being brought back to committee in relation to this matter it should be discussed in confidential business.

The Chair, Councillor McGinley stated that passing detail to staff for determination of allocation will be labour intensive.

Councillor McFlynn stated that on hearing the views of Members she would withdraw her proposal.

The Chair, Councillor McGinley referred to the number of packs already distributed and stated this was a credit to staff.

Resolved That it be recommended to Council that Members submit detail of those who should receive a Keep Warm Pack to Council officers for determination and distribution.

E080/18 Mid Ulster Bonfires – Draft Procedures

The Director of Public Health and Infrastructure presented previously circulated report which provided update on the Bonfire Working Group and considered Draft Procedures arising from the selection of Draft Options at last month's meeting of Committee.

Councillor B McGuigan proposed the actions as set out in appendix under options 3 and 4. The Councillor commended officers and members of the working group on bringing the matter forward to this stage and that work should continue in a proactive way regarding Killymerron and Killymoon bonfires in particular.

Councillor O'Neill seconded Councillor B McGuigan's proposal.

Councillor Cuthbertson stated that he would propose the actions set out under option 2. The Councillor welcomed the positive news in relation to Killymerron bonfire and the proposals put forward by those who organise the bonfire. Councillor Cuthbertson stated that a lot of work was going on behind the scenes and he would mind the committee to give the community space.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal to implement actions under option 2 –

For – 3

Against – 9

Members voted on Councillor B McGuigan's proposal to implement actions under options 3 and 4 –

For – 9

Against - 3

Resolved That it be recommended to Council to implement the Draft Procedural Arrangements under options 3 and 4 (as set out in appendix to report) for the promotion of bonfire safety.

Matters for Information

E081/18 Minutes of Environment Committee held on Tuesday 8 February 2018

Members noted minutes of Environment Committee held on Tuesday 8 February 2018.

E082/18 DfI Proposals for Abandonment of Land at Tamnamore Roundabout, Dungannon

Members noted previously circulated report which advised of the Department of Infrastructure's intention to carry out an abandonment of land at Tamnamore Roundabout, Dungannon.

E083/18 Forestry Expansion Scheme at Ballymcombs Landfill Site

Members noted previously circulated report which advised of the planned Forest Expansion Scheme at Ballymacombs Landfill Site.

E084/18 Update on Bin-Ovation App

Members noted previously circulated report which provided update on usage of the Bin-Ovation App and related Report It Functionality.

E085/18 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for July to September 2017

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 two) period of July to September 2017.

E086/18 Building Control Workload

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

E087/18 Entertainment Licensing Applications

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

E088/18 Re-Naming of an existing Street/Road

Members considered previously circulated report which advised on the issues regarding re-naming of Church Road, Cookstown.

Councillor Glasgow stated that whilst he did not dispute the content of the report he felt that this was a unique case and it would be a great loss to the local community if the road cannot be renamed. Councillor Glasgow proposed the re-naming of Church Road to Meetinghouse Road, Cookstown.

Discussion ensued regarding whether Councillor Glasgow's proposal was contrary to policy.

The Director of Public Health and Infrastructure suggested that legal opinion be sought to determine if there is any flexibility in the policy taking into consideration Councillor Glasgow's proposal.

Resolved That it be recommended to Council to seek legal opinion in relation to the re-naming of Church Road, Cookstown. Report to come back to Committee on the matter.

E089/18 Workplace Health Event

Members noted previously circulated report which advised of the "Making Links in the Workplace" health event which was held in Magherafelt Council offices on 30 January 2018.

E090/18 Mid Ulster Community Resuscitation Group

Members noted previously circulated report which provided update on the Mid Ulster Community Resuscitation programme

E091/18 The Roads Miscellaneous Provisions Act (NI) 2010

The Head of Environmental Health presented previously circulated report which provided update in relation to the application process for the temporary closing of roads under The Roads Miscellaneous Provisions Act (NI) 2010.

In response to Councillor Cuthbertson's question the Head of Environmental Health advised that a few requests had been received in relation to temporary closure of roads for a special event.

Councillor Cuthbertson asked who was responsible for diversion road signs such as "AA signs."

The Head of Environmental Health advised that those organising the event would be responsible for necessary road signage. The officer advised that there are only a small number of traffic management companies in Northern Ireland.

The Director of Environment and Property advised that for previous events the promotor has paid for the installation and removal of necessary road diversion signage.

E092/18 Live Here Love Here Community Awards and Grants

Members noted previously circulated report which advised of the award recipients from the Mid Ulster District at the Live Here Love Here Community Award ceremony in February 2018 and to advise on an information evening for communities for funding under this programme.

Councillor B McGuigan commended Ballinascreen Eco Schools on being awarded the NI overarching award under the Spirit of Live Here Love Here.

Councillor Reid stated that Live Here Love Here was a very good project.

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 E093/18 to E098/18.

Matters for Decision

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| E073/18 | Redistribution of Residual Waste Contract Savings
(Deferred from Open Business) |
| E093/18 | Maghera Public Realm Scheme – Capital Project |
| E094/18 | Contracts for Landfill Related Services |
| E095/18 | Update Report on Old Burial Grounds |

Matters for Information

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| E096/18 | Confidential Minutes of Environment Committee held on
Tuesday 8 February 2018 |
| E097/18 | Cyclical Fleet Replacement Programme Update |

E098/18 Capital Projects Update

E099/18 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.16 pm.

CHAIR _____

DATE _____