

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 12 March 2019 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor Wilson, Chair

Councillors Buchanan, Burton (7.10 pm), Colvin,
Cuthbertson, Gillespie, Glasgow, Kearney, McFlynn,
McGinley, B McGuigan, S McGuigan, McNamee, O'Neill,
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

The meeting commenced at 7.00 pm

E058/19 Apologies

Councillor M Quinn.

E059/19 Declarations of Interest

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

E060/19 Chair's Business

Councillor Colvin stated it was intended to propose that Farlough Lane, Newmills be adopted by Council, as a precedent had already been set in relation to Curran Terrace. The Councillor asked how this proposal can be progressed through Council.

The Director of Environment and Property advised that Council had an Unadopted Roads Policy in place and that the process needed to be instigated by a resident writing to Council, the officer stated that a number of criteria needed to be met prior to Council considering the request.

The Director of Environment and Property reminded Members that Council undertook works to bring Curran Terrace up to an adoptable standard and that DfI Roads then adopted the stretch of road.

Matters for Decision

E061/19 DfI Roads Proposals to Mid Ulster District Council – Proposed Revocation of Limited Waiting – Union Street and Oldtown Street, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed revocation of Limited Waiting at Union Street and Oldtown Street, Cookstown.

Proposed by Councillor McGinley
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed revocation of Limited Waiting at Union Street and Oldtown Street, Cookstown.

E062/19 DfI Roads Proposals to Mid Ulster District Council – Proposed No Waiting At Any Time – Augher Road, Clogher

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 Augher Road, Clogher.

Proposed by Councillor Cuthbertson
Seconded by Councillor S McGuigan 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 Augher Road, Clogher.

E063/19 Dual Language Signage Requests

Members considered 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 –

- The Orchard, Draperstown
- Back Lower Road, Stewartstown
- Regency Drive, Magherafelt
- Dalriada Park, Dungannon
- Wellbrook Avenue, Dungannon
- Carrycastle Road, Aughnacloy

E064/19 Review of Policy on Street Naming and Numbering

Members considered previously circulated report which advised on the review of the Policy on Street Naming and Numbering.

Proposed by Councillor McGinley
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to approve the Policy on Street Naming and Numbering as reviewed and circulated at appendix two of report.

E065/19 Review of Policy on Dual Language Nameplate Signage

Members considered previously circulated report which advised on the review of the Policy on Dual Language Nameplate Signage.

Councillor McGinley proposed the adoption of the policy on Dual Language Nameplate signage as reviewed and circulated.

Councillor McNamee seconded Councillor McGinley's proposal.

Councillor Cuthbertson referred to Appendix B, Section 5 of draft policy in which it was stated that -

For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected

Councillor Cuthbertson proposed that the current policy remain in place in which the results of a survey continue to be brought to the Environment Committee for decision.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 4
Against – 9

Members voted on Councillor McGinley's proposal –

For – 9
Against - 4

Resolved That it be recommended to Council to approve the Policy on Dual Language Nameplate Signage as reviewed and circulated at appendix two of report.

**E066/19 Notice of Motion referred from February Council meeting -
That Mid Ulster District Council review its current bye laws
regarding the consumption of alcohol in designated places, and
ensure all Council owned parks and walkways are included.
Also ensure adequate signage is in place in all designated areas
throughout Mid Ulster, something which is vital to successfully
prosecute Offenders**

Councillor Cuthbertson stated that he stood by his motion referred from Council meeting in that current bye laws regarding consumption of alcohol in designated places needed to be reviewed and that adequate signage needed to be in place in designated areas.

Councillor Cuthbertson stated that current bye laws in Dungannon legacy area in relation to the consumption of alcohol were adopted by Dungannon and South Tyrone Borough Council in May 2000 and that since then a number of new developments had taken place and were not on the designated list and signage in those areas was not in place. The Councillor stated that Members were aware of the problems that drinking in public places presents and of issues at Railway Park and Windmill Wood in particular. Councillor Cuthbertson stated that unless Council steps up to the mark and takes action then public areas will not be safe for the public to use, he also referred to a person who had approached him stating that they were afraid of walking through Railway Park during the day because of people drinking there. The Councillor added that young people were not always to blame for the issues that were arising. Councillor Cuthbertson also highlighted that the Police had referred some cases to Council and that Council had taken no action on these, the Councillor queried whether this was because there had been no signage in place where the incidents had occurred.

The Chair, Councillor Wilson stated he would be supportive of Councillor Cuthbertson's comments, that there were a number of designated areas in Cookstown and that in the last three years three cases had been referred by the Police to Council resulting in one prosecution.

Councillor McFlynn stated she was also supportive of Councillor Cuthbertson's comments and that there were similar problems in relation to drinking in public places right across the District.

Councillor Burton entered the meeting at 7.10 pm.

The Head of Environmental Health stated that the bye laws in relation to consumption of alcohol in designated places had been reviewed by legacy Councils in the early 2000s, at that time Cookstown had 351 designated places, Dungannon had 550 and Magherafelt had 427. The officer stated it would be difficult to take a blanket approach in relation to consumption of alcohol in designated places and referred to Hill of The O'Neill which is registered for weddings and Dungannon Park which can hold concerts etc. The Head of Environmental Health advised that there needed to be a history of complaints and highlighted anti social behaviour legislation in which some issues may be dealt with. Of the three Police referrals to Council it was advised that one person was issued with a written warning, one person relocated prior to action being taken and one case was currently with the Council Solicitor. Members were also advised that there was signage in designated areas.

Councillor Cuthbertson stated that in order to build up a case there needed to be adequate signage in an area. The Councillor also referred to current bye laws which allowed for exemptions such as a wedding at Hill of The O'Neill and that he was not seeking a blanket ban.

The Chair, Councillor Wilson suggested it may be useful for Members to see the list of areas currently designated in order to identify gaps.

Councillor McNamee stated that any review needed to consider all of Mid Ulster not just the towns.

Councillor B McGuigan stated that people can get driven out of using public areas because of anti social behaviour.

Councillor Cuthbertson stated that the current bye laws for Dungannon covered all areas of the legacy Council.

The Chair, Councillor Wilson stated that there was general support for a review of current bye laws which may require a multi agency approach and that Members needed to be better informed by way of identification of areas currently designated throughout the District.

Resolved That it be recommended to Council to bring report back to Environment Committee in relation to conducting a review of current bye laws regarding consumption of alcohol in designated places, to ensure all Council owned parks and walkways are included and that adequate signage is in place in all designated areas throughout Mid Ulster. List of areas currently designated to be made available to Members.

E067/19 Community Events on Council Land

The Director of Public Health and Infrastructure presented previously circulated report which provided update on progress and sought approval for Council Policy for Community Events on Council Land.

Councillor B McGuigan proposed the approval of the Draft Policy for Community Events on Council Land and the planned community engagement programme as outlined in report.

Councillor McGinley seconded Councillor B McGuigan's proposal stating this was a massive piece of work undertaken by Council and that from it he hoped that safe events could be facilitated. Councillor McGinley stated he looked forward to the outworkings from the community engagement programme.

Councillor Cuthbertson stated he would be in agreement with community engagement as he had stated this was needed from the outset but that he would be against the approval of the draft policy. Councillor Cuthbertson proposed not to adopt the draft policy for Community Events on Council land.

Councillor B McGuigan stated that the policy needed to be adopted first with the action plan then being carried forward over a period of time.

The Chair, Councillor Wilson stated that he agreed that better safety and community engagement was needed but that he had some difficulty with the policy and what was being asked of community groups in signing documentation.

Councillor Colvin stated he would agree with Councillor Cuthbertson's comments in that the policy should be informed by community engagement which would help the policy to be more realistic. The Councillor felt there was more work to be done prior to a policy being brought forward.

Councillor Burton stated that Council should be working with the community from the ground up on this issue.

Councillor McFlynn referred to work by consultants last summer following which a report was brought forward in November recommending that a policy be brought forward along with an action plan. Councillor McFlynn stated that work in relation to community events on Council land will be a work in progress for the next number of years.

Councillor McGinley stated he did not understand previous comments in relation to approaching the matter realistically, the Councillor stated that the policy had been well thought out, that there was a working group in place, although not attended by everyone, and that a public consultation had taken place. Councillor McGinley stated he would also question the comments as to why individuals would not want to put their name to things. Councillor McGinley stated he seconded Councillor McGuigan's proposal of adopting the policy and community engagement programme which was a result of a well thought through approach and hoped that Council would get behind the policy. Councillor McGinley stated that threats to staff should be condemned.

Councillor Glasgow stated that whilst community engagement should be encouraged he referred to the outworkings from consultation in which 33% of respondents felt that the introduction of a policy would have either a negative or very negative impact on the promotion of good relations. The Councillor stated that this was too big a number to ignore and would indicate that a policy would not have community buy in. Councillor Glasgow also stated that there was uncertainty amongst statutory stakeholders as to how the policy would work in reality.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor B McGuigan's proposal –

For – 9

Against – 5

Resolved That it be recommended to Council to approve the Draft Policy for Community Events on Council Land and support the planned community engagement programme as outlined in report.

E068/19 Licensing of Houses of Multiple Occupation – Implementation Procedures

The Director of Public Health and Infrastructure presented previously circulated report which sought agreement for draft SLA for service delivery and associated procedures in relation to commencement of the Houses in Multiple Occupation (HMO) Act NI 2016 on 1 April 2019.

Councillor Glasgow asked how many bins an HMO dwelling was entitled to.

The Director of Environment and Property stated that bin provision would equate to a bin per unit within the dwelling.

Proposed by Councillor McGinley
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council to approve the Implementation Procedures and associated Service Level Agreements as outlined in appendices to report to enable Belfast City Council and Derry City and Strabane Council to act for and on behalf of Mid Ulster District Council as Lead and Cluster Council respectively in the implementation and delivery of the Houses in Multiple Occupation Act NI 2016 and associated legislative provisions.

E069/19 The Roads Miscellaneous Provisions Act (NI) 2010 – Road Closures

The Head of Environmental Health presented previously circulated report which sought determination on six applications for Road Closure Orders in connection with special events that are being held in May and June 2019.

Proposed by Councillor McNamee
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to approve that each Road Closure Order outlined in Section 3.1 of the report be made in line with DfI guidance, subject to no objections being received during the consultation process and DfI consent being granted.

The Chair, Councillor Wilson stated that there were no clear guidelines in relation to fun runs and people manning road junctions during these type of events.

E070/19 Consultation on amending allergen information provisions contained within domestic food information legislation for food prepacked for direct sale

Members considered previously circulated report which sought approval to issue response in relation to the above consultation.

Proposed by Councillor Colvin
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to agree the content of the draft response in relation to consultation on amending allergen information provisions contained within domestic food information legislation for food prepacked for direct sale as outlined at appendix to report.

Matters for Information

E071/19 Minutes of Environment Committee held on 12 February 2019

Members noted minutes of Environment Committee held on 12 February 2019.

E072/19 Tullyvar Joint Committee Update

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

E073/19 Recycling Centre Funding

Members noted previously circulated report which advised of successful funding applications to the Household Recycling Centre Optimisation Fund and Household Recycling Centre Communications Fund.

Councillor McGinley stated that it was good to hear of the successful funding applications and that it would help to assist with recycling performance statistics.

E074/19 Making Links in Workplace Health Event

Members noted previously circulated report which provided update in relation to the Making Links to Workplace Health event which took place on 30 January 2019.

E075/19 Results of a regional survey relating to the nutritional content of scones available from high street coffee shops in Northern Ireland

Members noted previously circulated report which provided results of a regional survey, which the Environmental Health Service participated in, relating to the nutritional content of scones available from coffee shops in Northern Ireland.

E076/19 Building Control Workload

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

E077/19 Entertainment Licensing Applications

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

E078/19 Entertainment Licence at 86 Chapel Street, Cookstown

Members noted previously circulated report in relation to Entertainment Licence for premises located at 86 Chapel Street, Cookstown.

E079/19 Administration of Street Naming and Dual Language Nameplate Policy

Members noted previously circulated report which provided an update on the costs associated with the administration of the Policy for Street Naming and Dual Language Signage.

Councillor Cuthbertson stated that at last month's meeting officer costings within property services had been requested with regard to erection of signage.

The Director of Environment and Property agreed to provide costs.

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 E080/19 to E085/19.

Matters for Decision

E080/19 Tender report for the appointment of a Contract Cleaning Services provider
E081/19 Contract(s) for the collection and sale of textiles/footwear
E082/19 Peace IV Shared Space Project

Matters for Information

E083/19 Confidential Minutes of Environment Committee held on 12 February 2019
E084/19 Capital Works – Final Capping of Magheraglass Landfill Site
E085/19 Capital Projects Update

E086/19 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.42 pm.

CHAIR _____

DATE _____