

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Wednesday 14 January 2015 in Magherafelt District Council Offices**

Members Present: In the Chair, Councillor Cuddy (Chair)

Councillors Cuthbertson, Gillespie, Mallaghan, McFlynn,
McGinley, B McGuigan, S McGuigan, Mulligan, J O'Neill,
Reid

Officers in Attendance: Mr Tohill, Chief Executive
Mr Cassells, Director of Technical Services and Leisure
Services (MDC)
Mr Kelso, Director of Environmental Health and Building
Control (CDC)
Mr Wilkinson, Head of Building Control (CDC)
Mrs Caldwell, Head of Environmental Health (CDC)
Mr McAdoo, Head of Waste and Contracts Management
(CDC)
Mrs O'Kane, Principal Environmental Health Officer
(CDC)
Miss Thompson, Committee Services/ Senior Admin
Officer (DSTBC)

The meeting commenced at 7.00 pm

E1/15 Apologies

Councillors Buchanan, Burton, McAleer, McNamee and Mullen

E2/15 Declarations of Interest

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

E3/15 Receive and confirm minutes of the Environment Committee meeting held on Wednesday 3 December 2014

Proposed by Councillor Cuthbertson
Seconded by Councillor B McGuigan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Wednesday 3 December 2014 (E41/14 – E49/14 and E51/14) were considered and signed as accurate and correct.

Matters for Decision

E4/15 Transfer of Waste Authorisations to Mid Ulster District Council

Mr McAdoo presented a report which informed Members of the process regarding transfer of waste authorisations to Mid Ulster District Council and to seek approval to make the necessary applications and payments prior to 1 April 2015.

At present the three current Councils all hold a range of waste related authorisations that have been issued by the Department of the Environment and which must now be reviewed and transferred to Mid Ulster District Council for 1 April 2015 to ensure the new Council is documented as the legal authorisation holder. The types of waste authorisations currently held by the existing three councils include the following:

- Pollution Prevention Control (PPC) Permits
- Waste Management Licences
- Water Discharge Consents
- Registered Waste Carrier Registrations

In addition each Council currently holds a Goods Vehicle Operator Licence for their respective vehicle fleets.

Mr McAdoo advised that NI Environment Agency (NIEA) has confirmed the cost of transferring each waste management licence will be £260, which, based on a total of 15 licences, equates to a total of £3900. The cost of transferring a PPC permit is still to be confirmed but based on existing rates would be £322 per site (with a potential supplement of £1239). The cost of obtaining a new Operator Licence will be £703 (£254 application fee plus £449 application fee). The cost of the entire exercise is therefore estimated to be less than £7000 with staff time also required to prepare and review the applications.

Mr McAdoo recommended that approval be granted to proceed with the necessary applications and related payments to ensure all waste authorisations are transferred/in place for Mid Ulster District Council on 1 April 2015.

Councillors Mallaghan and Mulligan voiced their concern as to the substantial charges being set out by NIEA for what largely seems to be an administrative task. Councillor S McGuigan enquired if the cost of transfer of licences to Mid Ulster District Council can be paid for under funding from Department of the Environment.

Proposed by Councillor S McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to proceed with necessary applications subject to writing to the Environment Minister requesting that fees for transfer of waste licences to Mid Ulster District Council be waived or reduced to reflect the nature of the task.

E5/15 Completion Notice Ready Process, Land and Property Services

Mr Wilkinson updated Members on the notification by Building Control of dwellings which are Completion Notice Ready to Land and Property Services.

On the 1 October 2011 Land and Property Services were given powers under the Rating of Empty Homes (REH) Legislation to collect the same level of rates on all domestic properties whether they were occupied or vacant.

Under the Rates (Northern Ireland) Order 1977 as amended, Councils are obliged to provide all relevant information to Land and Property Services to enable them to administer rate collection across the area. This includes the provision of information on the status and readiness of new dwellings under construction within the Council area so as to enable rates to be levied once the properties are deemed 'occupiable'.

Land and Property Services issued guidelines to Councils with revised procedures for activation of a Completion Notice Ready notification being introduced in November 2011 this included the following structural elements which are designed to ensure that the property was both structurally secure and weatherproof:

- External walls
- Roof
- Windows
- External doors
- Floors (at least to sub-floor level)
- Services laid to site

On receipt of this information Land and Property Services indicate that in normal conditions they expect the dwelling to have moved to completion and be ready for occupation within three months of the Completion Notice Ready notification being received. From their guidance, LPS would then issue a 'Completion Notice' to the householder concerned highlighting the date when rates will become payable. If the householder disagrees with the proposed date, they must lodge an Appeal within 28 days.

Mr Wilkinson advised that, following the circulation of the revised guidance to Councils in 2011, the three Councils sought and obtained member approval to process applications in this manner. All three Councils are now using the same Tascomi Software platform and are processing the Completion Notice Ready notifications in a similar way.

Mr Wilkinson added that Land and Property Services are currently revising the Memorandum of Understanding and will be issuing it for consultation and consideration by the new Councils in the near future.

Councillors Gillespie, Mallaghan and Reid felt the current criteria set for issuing Completion Notice Ready notifications is totally unfair, Members were opposed to this process in its current format and felt that Mid Ulster District Council needs to look at setting its own criteria for issuing Completion Notice Ready notifications in the future.

The Chief Executive reminded Members that at the moment Mid Ulster District Council has no authority with regards the current issue of Completion Notice Ready notifications but that this Council can create the criteria going forward from 1 April 2015. The Chief Executive advised that the draft Memorandum of Understanding from Land and Property Services has just been received and can be brought to a future meeting.

Councillor S McGuigan felt that going forward the term 'occupiable' needs a clear definition.

Resolved That it be recommended to Council to bring draft Memorandum of Understanding from Land and Property Services to future meeting for discussion. Chief Executive to contact other Councils to consider a joint approach in setting future criteria as to when a Completion Notice Ready notification should be issued.

Matters for Information

E6/15 Health and Wellbeing Activities within Mid Ulster

Mrs Caldwell provided Members with an update on some of the key health and wellbeing initiatives being delivered in the Mid Ulster area along with options for future delivery of programmes.

Despite improvements in health and improved life expectancy, significant and persistent inequalities remain within Mid Ulster. NISRA statistics state that the existing three Councils are above the NI average for death from Circulatory Disease and for Standardised Death Rates for males under 75.

Due to its geographical location, Mid Ulster District Council bridges two Health Trust Areas (Northern and Southern). This crossover is replicated with two Public Health Regional Areas and two Local Health Commissioning Groups commissioning services across the new Council area. This historically has resulted in a different focus and method of commissioning of local Health Improvement programmes in the Dungannon (Southern) and Cookstown and Magherafelt Council (Northern) areas, which will require further consideration going forward.

Mrs Caldwell advised that the 'Hearty Lives' Programme being delivered in Cookstown Council area has received national recognition as an 'Award Winning' Partnership between Council, Health Trusts (GP Primary Care), Public Health Agency and the British Heart Foundation. The establishment of these strong connections between local GP Surgeries and the Council Services, a first in NI, provides a framework and model of good practice for further development across Mid Ulster.

Mrs Caldwell expressed the need for structured discussions with all the relevant partner agencies, to ensure a 'joined up' and targeted approach in addressing Health and Well Being Improvement across the Mid Ulster area as part of the wider Community Planning Framework currently being taken forward.

Councillor S McGuigan left the meeting at 7.30 pm during presentation of the above report.

Councillor McFlynn referred to the success of the 'Hearty Lives' programme and the need for Mid Ulster District Council to be taking a lead in promoting such initiatives to residents through for example council newsletter.

The Chief Executive advised that this would be taken into consideration in the future.

Councillor Reid expressed the importance of the two health boards working together across the whole of the Mid Ulster area and the need for a discussion relating to having one health board for all of Mid Ulster in the future.

IN COMMITTEE

Proposed by Councillor McGinley
Seconded by Councillor Reid and

Resolved That item E7/15 be taken 'in committee'.

E8/15 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.40 pm.

CHAIR _____

DATE _____