

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 12 March 2024 in Council Offices, Burn Road, Cookstown**

Members Present

Councillor Cuthbertson, Chair

Councillors J Buchanan, Cahoon, Kelly, Groogan,
Mallaghan, McAleer, McElvogue, McGuigan, McNamee,
Quinn, Robinson, Varsani

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment (SD:
Env)
Mr Gallogly, Capital Contracts Manager (CCM)
Mr McAdoo, Assistant Director of Environmental Services
(AD: ES)
Mr Scullion, Assistant Director of Property Services (AD:
PS)
Miss Thompson, Committee and Member Services
Officer

The meeting commenced at 7.00 pm

The Chair, Councillor Cuthbertson welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Cuthbertson in introducing the meeting detailed the operational arrangements for transacting the business of the committee by referring to Annex A to this minute.

E050/24 Notice of Recording

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

E051/24 Apologies

Councillors J Burton, Martin and Milne.

E052/24 Declarations of Interest

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

E053/24 Chair's Business

The Chair, Councillor Cuthbertson asked officers to bring forward a report for information in relation to Council policy on abandoned vehicles. Councillor Cuthbertson stated he had been approached a couple of times in recent months in

relation to this issue and a report outlining Council policy would be informative for all Members.

Councillor Mallaghan referred to the virtual links for meetings previously sent to Members by Democratic Services and stated that whilst he realised the online option for joining a meeting has stopped pending new legislation he asked that a diary link continue to be sent to Members in the interim.

Matters for Decision

E054/24 Dual Language Signage Requests

The Assistant Director of Property Services (AD: PS) presented previously circulated report which advised of requests for Dual Language Signage from residents on the streets/roads in question, the report also sought members consideration on an application.

Councillor Varsani proposed that requests for Torrent Valley, Coalisland and Clarke Avenue, Maghera move to survey. In relation to re-surveying of Rossmore Road, Councillor Varsani stated there have already been extensive discussions on the issues pertaining to this at other meetings. The Councillor stated that this is the first case in approximately 450 requests and that policy seems to be working well but felt that there were exceptional circumstances regarding the most recent surveying of Rossmore Road namely an administrative error, wrong information being provided to the Environment Committee, to Council and to the Chair of Council and the confusion for residents. Councillor Varsani stated that due to these exceptional circumstances she would propose that Rossmore Road be re-surveyed.

Councillor McElvogue seconded Councillor Varsani's proposal.

The Chair, Councillor Cuthbertson stated that the recommendation is to note the report and that consideration is sought in relation to Rossmore Road. Councillor Cuthbertson stated that surveys of the Rossmore Road took place in 2021 and most recently in 2023 to which there was an administrative error associated with this survey but highlighted that the communication provided to residents was correct. Councillor Cuthbertson stated that policy outlines that where a request is refused then another request will not be considered until the expiry of 12 months from the date at which the Environment Committee refused it and on this basis he felt that each request needs to be dealt with in a consistent manner. Councillor Cuthbertson proposed that the request for Rossmore Road to be resurveyed be held until the 12 month period has expired.

Councillor Robinson stated he would take a similar view to Councillor Cuthbertson in that policy clearly states at point 8 that 12 months must pass before a further survey is considered and that it is important to stick to the policy. The Councillor stated that he accepted that there was an administrative error in relation to Rossmore Road but that this did not change the outcome of the survey and questioned why the policy

should be changed because of an administrative error. Councillor Robinson seconded Councillor Cuthbertson's proposal.

Councillor Varsani stated she understood what was being said but as previously raised at point 7 of the policy it states that in specific circumstances a report may be brought to the Environment Committee to determine an application where there are particular issues requiring the Members consideration. Councillor Varsani stated that for all the reasons previously outlined including the Chair of Council being wrongly informed by the Environment Committee and through minutes and his conversations with residents that there are specific circumstances relating to Rossmore Road and on this basis it is appropriate that the matter be brought back to the Environment Committee for consideration.

The Chair, Councillor Cuthbertson advised that policy does not state it is the role of the Chair of Council to inform residents of the outcome of surveys and that residents can request to be advised of the outcome of a survey. Councillor Cuthbertson stated that in this case a number of residents did request to be advised and the correct outcome was relayed to those residents.

Councillor Robinson stated that 2.1 of the policy states that the policy aim is to ensure that requests for the erection of dual language nameplate signage for existing streets are delivered in a fair, equitable and consistent manner. The Councillor stated that Councillor Varsani's proposal is not consistent and does not meet with the policy aims and objectives.

The Chair, Councillor Cuthbertson stated he would agree with Councillor Robinson's comments and referred to the amount of time and money already spent on surveying Rossmore Road in 2021 and 2023 and that to go out and survey the road again for a third time was a waste of money.

Members voted on Councillor Varsani's proposal –

For – 9

Against – 4

The Chair declared Councillor Varsani's proposal carried.

Resolved That requests for Torrent Valley, Coalisland and Clarke Avenue, Maghera move to survey and that Rossmore Road, Dungannon be re-surveyed in respect of request for dual language signage.

E055/24 Martyns Law Government Consultation: Terrorism (Protection of Premises) Bill – Standard Tier

The Assistant Director of Property Services (AD: PS) presented previously circulated report which advised of a Government consultation on a draft bill to enhance public safety by ensuring premises are prepared for the threat of terrorism. The report sought approval to respond to the consultation.

Proposed by Councillor Cuthbertson
Seconded by Councillor J Buchanan and

Resolved That it be recommended to Council to submit response to the consultation as outlined at appendix to report.

E056/24 DfI Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at Fairhill Road, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal to introduce a Disabled Persons Parking Bay at Fairhill Road, Cookstown.

Proposed by Councillor Robinson
Seconded by Councillor Cahoon and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposal to introduce a Disabled Persons Parking Bay at Fairhill Road, Cookstown.

E057/24 DfI Roads Proposal to Mid Ulster District Council – Disabled Persons Parking Bay at O’Neill Park, Ballyronan

Members considered previously circulated report which sought agreement in relation to proposal to introduce a Disabled Persons Parking Bay at O’Neill Park, Ballyronan.

Proposed by Councillor Robinson
Seconded by Councillor Cahoon and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposal to introduce a Disabled Persons Parking Bay at O’Neill Park, Ballyronan.

Matters for Information

E058/24 Environment Committee minutes of meeting held on 13 February 2024

Members noted minutes of Environment Committee held on 13 February 2024.

The Chair, Councillor Cuthbertson referred to his request made at last month’s meeting for a report to be brought forward in relation to Council’s role and responsibility regarding horses and their welfare and the particular issues relating to a recent case on Cookstown Road. The Councillor stated that there was no report before Members tonight.

The Strategic Director of Environment advised that a report on the matter will be brought before the Committee in April.

E059/24 Tullyvar Joint Committee Update

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

Councillor Mallaghan referred to discussions which have commenced with the company who wants to buy Council's three landfill sites and that he had previously asked for a report to be brought back to committee on the matter. The Councillor stated that he was aware from reading the Tullyvar Joint Committee minutes that discussions are at an early stage but that it be useful for Members to have a report outlining the aspirations of the company for the landfill sites as it would be a significant concern to hand over these large environmental sites to a private company without knowing what type of experience they have and the potential outcomes for Council.

The Assistant Director of Environmental Services (AD: ES) advised that at the last meeting of Tullyvar Joint Committee it was agreed to put further consideration of the proposal referred to by Councillor Mallaghan on hold as an alternative option for the future of the site is being explored, namely a solar farm. The AD: ES advised that it had been agreed at the last Tullyvar Joint Committee meeting to undertake a feasibility study in relation to the siting of a solar farm and consider the outcome of that study before any further consideration is given to the other proposal outlined by Councillor Mallaghan.

E060/24 Public/bank holiday working arrangements for 2024/25

Members noted previously circulated report which outlined the proposed public/bank holiday working arrangements for Environmental Services department for the period 1st April 2024 to 31st March 2025.

E061/24 Bus Shelters Update

Members noted previously circulated report which provided update on current bus shelter status.

The Chair, Councillor Cuthbertson thanked staff for the new bus shelter recently erected at Main Road, Moygashel.

Councillor McAleer referred to appendix 2 of report relating to Annaghnamore Road, Clonoe and that the progress status states that he had confirmed that this application should be withdrawn. Councillor McAleer clarified that he had not asked for this application to be withdrawn and asked that this be updated.

Councillor Quinn stated it was his understanding that a meeting had taken place in respect of this application and that DfI have identified a suitable site for a bus shelter at this location.

Officers agreed to provide update to Members on this issue.

E062/24 Building Control Workload

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

E063/24 Entertainment Licensing Applications

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

E064/24 Dual Language Signage Surveys

Members noted previously circulated report which advised of the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.

E065/24 Emergency Planning Update: DAERA MOU

Members noted previously circulated report which outlined review of Emergency Planning support arrangements between District Councils and the Department of Agriculture, Environment and Rural affairs regarding epizootic diseases.

Councillor Varsani referred to earlier discussion in relation to Rossmore Road and potential to try to frame that her proposal is outwith the policy and advised that as raised with the legal department point 7 of policy does allow for exceptional circumstances and that argument has been made for exceptional circumstances in this case. The Councillor referred to 2.4 of the report which advised that the Environment Committee had been delegated authority to process its decision in relation to Rossmore Road. Councillor Varsani also referred to 3.4 of the report which highlighted that the policy is silent on procedure and processes to be followed if an administrative error occurs. The Councillor stated that careful consideration has been given to moving things forward in a constructive, timely and comprehensive manner and expressed thanks to all who helped moved this matter forward in a way that is within policy.

Live broadcast ended at 7.21 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Robinson
Seconded by Councillor McNamee 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 E066/24 to E075/24.

Matters for Decision

- E066/24 SIB Waste Specialist Resource
- E067/24 Extension to Contracts for Processing of Dry Recyclables
- E068/24 Small Settlements- ICT appointment- Moy Pitch
- E069/24 Maghera Public Realm - IST Contract Award

Matters for Information

- E070/24 Environment Committee Confidential Minutes of meeting held on 13 February 2024
- E071/24 Update on Digital Transformation Work for Refuse Collection Service
- E072/24 Capital Framework – ICT Contracts Update
- E073/24 Capital Framework – IST Contracts Update
- E074/24 Off Street Car Parking Enforcement Contract and Pay on Foot Pilot Update
- E075/24 Lough Neagh/River Blackwater Update

E076/24 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.41 pm.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Cookstown/Dungannon/Magherafelt].

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast as aforesaid, will run for the period of our Open Business but will end just before we move into Confidential Business. I will let you know before this happens.

I would remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted.

Thank you and we will now move to the agenda.