

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 12 September 2023 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present

Councillor Cuthbertson, Chair

Councillors J Burton, J Buchanan, Cahoon, Kelly,
Groogan, Mallaghan, Martin*, McAleer, McElvogue,
McGuigan, McNamee, Milne*, Quinn* (7.06 pm),
Robinson (7.02 pm), Varsani

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment (SD:
Env)

Mrs Donnelly, Council Solicitor

Mr Fox, Building Control Development Officer (BCDO)

Mr Gallogly, Capital Contracts Manager (CCM)

Mr Gillis, Licensing Officer (LO)**

Mr McAdoo, Assistant Director of Environmental Services
(AD: ES)

Mr McNeill, Capital Development Manager (CDM)**

Mr Scullion, Assistant Director of Property Services (AD:
PS)

Miss Thompson, Committee and Member Services
Officer

**Others in
Attendance**

**Agenda Item 31 – Gribbens Bar Entertainment
Licence Application**

Ms Askin - Objector

Mr Currie – Applicant

Mrs Currie – Applicant

Mr McLaughlin – Solicitor, Belfast City Council

Mr McNeill – PSNI***

Mr O'Lone – Objector

* Denotes members and members of the public present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

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 in the chamber and by virtual means, by referring to Annex A to this minute.

E165/23 Notice of Recording

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

E166/23 Apologies

None.

E167/23 Declarations of Interest

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

E168/23 Chair's Business

The Chair, Councillor Cuthbertson stated he was aware that Councillor Robinson wanted to raise an issue under Chair's Business but that he had not yet entered the meeting and that when he did this item could be returned to.

Councillor McElvogue referred to Northway mushroom compost factory and that NIEA had recently met with residents and advised that they do not have enough officers to do the smell test and asked if this is something Environmental Health could do.

The Chair, Councillor Cuthbertson advised that Environmental Health is now under the remit of the Development Committee and that the matter should be raised there or alternatively with the Principal Environmental Health Officer.

Matters for Decision

E169/23 Bus Shelters Update

The Capital Development Manager (CDM) presented previously circulated report which provided update on current bus shelter status. The CDM drew particular attention to point 3.6 of report which related to neighbourhood notification for bus

shelter at Moore Street, Aughnacloy. The CDM advised that six notification letters were sent out, one was returned in favour within the timeframe and that a solicitor's letter was received from the landlord of five of the six properties. The solicitor's letter was sent claiming they were not aware of the notification as they are a landlord and not a tenant and it was advised that the letter was received after the timeframe. The CDM stated that following the procedural guide this bus shelter would go through to be approved however given the solicitor's letter received he would take guidance on how to move forward. The CDM advised that DfI have been out to inspect the proposed site and that they have found it acceptable. The CDM stated that the solicitor's letter claims that the bus shelter will give rise to issues of noise and anti social behaviour. The CDM stated that at the site visit other options were explored along Moore Street and there would be another suitable site available.

Councillor Robinson entered the meeting at 7.02 pm during presentation of the above report.

The Chair, Councillor Cuthbertson referred to the alternative site and that Moore Street is quite long and asked if there are other stop off points for Translink along the Street.

The CDM advised that there are other stop offs, the one requested is outside the Bureau de Change and that the Education Authority also leave children close to McIlwaine Hall.

The Chair, Councillor Cuthbertson proposed that an alternative site be explored for Moore Street given that there is some explanation as to why the objection received was late and that further report be brought back on this.

Councillor Robinson seconded Councillor Cuthbertson's proposal.

- Resolved** That it be recommended to Council –
- That alternative site be explored for siting of bus shelter at Moore Street, Aughnacloy.
 - That the following application is recommended for rejection and should be removed from the register – Old Dungannon Road, Ballygawley.

Councillor Quinn joined the meeting at 7.06 pm.

Chair's Business - continued

The Chair, Councillor Cuthbertson stated that Councillor Robinson was now in attendance and invited him to raise his issue.

Councillor Robinson stated he had received a number of complaints from residents in relation to the smell coming from Northway Mushrooms. The Councillor stated there is a level of frustration from the residents and asked if there is anything more Council could be doing regarding this matter.

The Chair, Councillor Cuthbertson stated that Councillor McElvogue had raised a similar issue and again highlighted that Environmental Health matters are considered at the Development Committee or that the issue can be raised with officers.

Councillor Robinson referred to dual language signage and that there are a number of requests to change signs in the Augher area. The Councillor referred to the request letters that be sent in and that a number seem to come in on a template format and asked can Councillors lobby residents on the road.

The Chair, Councillor Cuthbertson stated that Councillor Robinson's comments could be raised when the meeting gets to that point on the agenda.

E170/23 Capital Projects – Contract Awards Delegated Authority Request

The Strategic Director of Environment (SD: Env) presented previously circulated report which sought approval to give delegated powers for the award of Capital Contracts for the following projects –

1. Connecting Pomeroy – Civil Trail development (IST Contract)
2. Small Settlements – Castlecaulfield (ICT Contract)
3. Small Settlements – Moy (ICT Contract)

Proposed by Councillor McNamee
Seconded by Councillor Cahoon and

- Resolved** That it be recommended to Council that –
- Pursuant to Section 7(1)(b) of the Local Government Act (NI) 2014, that authority is delegated to P&R or Environment Committee to approve the award of contracts for the following schemes -
 1. Connecting Pomeroy – Civil Trail development (IST Contract)
 2. Small Settlements – Castlecaulfield (ICT Contract)
 3. Small Settlements – Moy (ICT Contract)

- A full update report will be brought back to Members in November Committee/Council for Members information.

E171/23 Dfl Roads Proposal to Mid Ulster District Council – Eglish Road, Dungannon 30mph Speed Limit

Members considered previously circulated report which sought agreement in relation to a proposal from Dfl Roads to introduce a 30mph speed limit at Eglish Road, Dungannon.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from Dfl Roads to introduce a 30mph speed limit at Eglish Road, Dungannon.

E172/23 Dfl Roads Proposal to Mid Ulster District Council – Proposed Stopping Up – Killybracken Road and Eglish Road, Dungannon

Members considered previously circulated report which sought agreement in relation to a proposal from Dfl Roads to introduce a ‘stop-up’ on the Killybracken Road, Dungannon and an advisory speed limit on the Eglish Road, Dungannon.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from Dfl Roads to introduce a ‘stop-up’ on the Killybracken Road, Dungannon and an advisory speed limit on the Eglish Road, Dungannon.

E173/23 Dfl Roads Proposal to Mid Ulster District Council - Bracken Way, Bracken Ridge, Bracken Ridge Park and Bracken Ridge Avenue, Newmills 20 mph Speed Limit

Members considered previously circulated report which sought agreement in relation to a proposal from Dfl Roads to introduce a 20mph speed limit at Bracken Way, Bracken Ridge, Bracken Ridge Park and Bracken Ridge Avenue, Newmills.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from DfI Roads to introduce a 20mph speed limit at Bracken Way, Bracken Ridge, Bracken Ridge Park and Bracken Ridge Avenue, Newmills.

E174/23 DfI Roads Proposal to Mid Ulster District Council - Traffic Calming, Bush Road and Cavan Road, The Bush

Members considered previously circulated report which sought agreement in relation to a proposal from DfI Roads to introduce traffic calming measures at Bush Road and Cavan Road, The Bush.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from DfI Roads to introduce traffic calming measures at Bush Road and Cavan Road, The Bush.

E175/23 DfI Roads Proposal to Mid Ulster District Council - Traffic Calming, Moydamlaght Road Moneyneany

Members considered previously circulated report which sought agreement in relation to a proposal from DfI Roads to introduce traffic calming measures at Moydamlaght Road Moneyneany.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from DfI Roads to introduce traffic calming measures at Moydamlaght Road Moneyneany.

E176/23 DfI Roads Proposal to Mid Ulster District Council - Traffic Calming, Mullaghboy Road Bellaghy

Members considered previously circulated report which sought agreement in relation to a proposal from DfI Roads to introduce traffic calming measures at Mullaghboy Road Bellaghy.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from DfI Roads to introduce traffic calming measures at Mullaghboy Road Bellaghy.

E177/23 DfI Roads Proposal to Mid Ulster District Council - Traffic Calming, Bridge Street Castledawson

Members considered previously circulated report which sought agreement in relation to a proposal from DfI Roads to introduce traffic calming measures at Bridge Street, Castledawson.

Proposed by Councillor B McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council to approve the proposal from DfI Roads to introduce traffic calming measures at Bridge Street, Castledawson.

Matters for Information

E178/23 Minutes of Environment Committee held on 3 July 2023

Members noted minutes of Environment Committee held on 3 July 2023.

E179/23 Environment Directorate Departmental Plan 2023/24

Members considered previously circulated report which outlined the annual Departmental Plan for the Environment Directorate for the period 2023/24.

Councillor McElvogue referred to removal of metal skip from Coalisland Recycling Centre and proposed that this decision be reviewed.

The Strategic Director of Environment (SD: Env) stated that a working group has been set up to look at recycling centres and has met once and will meet again this week. The SD: Env advised that Councillor McGuigan is Chair of the working group.

Councillor McGuigan stated that the working group is there to look at all the issues across the recycling centres. The Councillor stated that when the working group have looked at all the issues a report will be brought to the Environment Committee and felt that until that piece of work is done there was no point in raising issues within a particular recycling centre.

The Chair, Councillor Cuthbertson stated he was aware of the issue and asked for the reasoning behind why the skip was removed.

The SD: Env stated that the skip was removed for health and safety reasons. The SD: Env confirmed that the working group is looking at all issues across all sites and that this particular issue is something that the working group will be making a recommendation on going forward.

The Chair, Councillor Cuthbertson stated he thought the working group was set up to look at the future of the site and not individual operational matters.

Councillor Quinn stated that the loss of the metal skip in Coalisland will have a big impact on tonnages coming into the site and asked if this issue can only be dealt with by the working group.

The Chair, Councillor Cuthbertson stated that the SD: Env has advised that the skip was removed for health and safety reasons and it was uncertain whether these can be addressed before the working group bring forward their recommendations. Councillor Cuthbertson stated that the Councillor could ask for an update next month.

E180/23 Extended Producer Responsibility Obligations/Regulations Update

Members noted previously circulated report which provided update on the Extended Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations.

E181/23 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for January to March 2023

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 Quarter 4 of 2022/23 from January to March 2023.

E182/23 School Uniform Reuse Pilot Scheme

Members noted previously circulated report which advised of the commencement of a school uniform reuse pilot scheme.

E183/23 Maghera Walled Garden Green Flag Award

Members noted previously circulated report which highlighted the success for Maghera Walled Garden at the Green Flag Awards.

E184/23 Building Control Workload

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

E185/23 Entertainment Licensing Applications

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

E186/23 Dual Language Signage Surveys

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

E187/23 Dual Language Signage Requests

Members noted previously circulated report which advised of requests for Dual Language Signage from residents on the streets/roads in question.

Councillor Robinson stated that a number of roads in his area have been requested to be changed to Irish over the native language of English and asked what the process is for making a request as a number being received appear to be submitted on a template format. The Councillor asked if it is a case that Councillors can lobby residents along roads to submit requests and that as he is relatively new to the Committee he was unsure of the process and requested that it be explained.

The Chair, Councillor Cuthbertson stated that he had raised this issue in the past in relation to templates as he felt there does seem to be a concerted campaign to get people to request dual language signage which adds time and expense to officers. Councillor Cuthbertson stated that as there are a number of new Councillors on the Committee an explanation of the process may be beneficial.

Councillor Robinson stated that this issue is something he is asked about regularly and he is unsure of the process.

The Assistant Director of Property Services (AD: PS) stated that there is a policy in place regarding dual language signage and that when a request is received officers then evidence the requestor through the Electoral Register and this is the way of verifying that they are a legitimate resident. The AD: PS stated he was happy to include the policy within next month's report.

Councillor Robinson asked if everyone has to respond to a survey.

The AD: PS advised that when a request is made and verified then all residents of that street or road are notified of request and asked to respond. The AD: PS stated that in line with the policy a dual language sign will be erected where 51% or more of the replies returned are in favour and this is reflected in the other survey report before Members tonight.

Councillor Robinson referred to the issue of templates.

The AD: PS stated he can address the issue in a future report but highlighted that it is the residents who make a request.

Councillor McAleer asked that the policy be emailed to the members of the Environment Committee to familiarise themselves with.

Councillor McNamee proposed that the policy be emailed to all Members.

Councillor Quinn stated he was content that the policy be emailed and challenged Councillor Robinson on his comment regarding Irish being introduced over a native language and that he was sure the Councillor was aware that Irish has been spoken here for thousands of years. The Councillor referred to lobbying and stated that the officer has clarified that it is up to the individual to submit a request and that if verified everyone on the street/road is then polled.

Councillor McAleer seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council to email Council policy on Dual Language Signage to all Members.

Live broadcast ended at 7.22 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McAleer
Seconded by Councillor Robinson and

10 – Environment Committee (12.09.23)

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 E188/23 to E206/23.

Matters for Decision

- E188/23 Proposed enhancement scheme at Cottagequinn Cemetery
- E189/23 Extension to contracts for processing of dry recyclables
- E190/23 Off Street Car Parking: Quarter 1 2023/2024 Update and Future Parking Provision
- E191/23 Service Level Agreement - Structural Engineering Services
- E192/23 Vehicle Emissions Reduction: HVO (Hydrotreated Vegetable Oil) Fuel Trial
- E193/23 Building Maintenance Framework Tender Report
- E194/23 Maghera Regeneration Project – Wetlands Park and Walled Garden Enhancements ICT Award
- E195/23 Gribben’s Bar Entertainment Licence Application

Matters for Information

- E196/23 Environment Committee Confidential Minutes of Meeting held on 3 July 2023
- E197/23 Coolhill Cemetery Improvement Works
- E198/23 Capital Framework – ICT Contracts Update
- E199/23 Capital Framework – IST Contracts Update
- E200/23 IST Award – Connecting Pomeroy
- E201/23 IST Award – Small Settlements – Moneymore EI Improvements
- E202/23 Capital Projects – Scoping Contracts Update
- E203/23 Off-Street Car Parking Update 2022-2023
- E204/23 Energy Management Update – Display Energy Certificates (DEC’s)
- E205/23 Electric Vehicle Charging Points Update
- E206/23 Capital Programme Update Quarter1 23-24

E207/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 23.04 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, [Dungannon/Magherafelt] and virtually.

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

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I 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 first item on the agenda.