

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 May 2017 in Council Offices, Ballyronan Road, Magherafelt**

Members Present	Councillor Cuthbertson (Chair) Councillors Buchanan, Burton, Gillespie, Glasgow, Kearney, McFlynn, McGinley, B McGuigan, Mulligan (7.03 pm), J O'Neill, M Quinn, Reid (7.02 pm), Totten
Officers in Attendance	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr McAdoo, Head of Environmental Services Mrs McClements, Head of Environmental Health Mr Lowry, Head of Technical Services Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services Officer

The meeting commenced at 7.00 pm

E114/17 Apologies

Councillors S McGuigan, McNamee

E115/17 Declarations of Interest

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

E116/17 Chair's Business

The Chair, Councillor Cuthbertson referred to recent anti-social behaviour which took place on council property in which persons were consuming alcohol. The Chair advised that Police were called in relation to the matter however they advised that as the activity was taking place in a non designated drinking zone then no enforcement action could be taken. Councillor Cuthbertson called on officers to undertake a review of all council facilities/property to ascertain what areas are designated/not designated.

Councillor Reid entered the meeting at 7.02 pm.

Councillor B McGuigan advised he had experienced similar issues in the past and that Police had also advised at that time they could not take enforcement action when there is no signage in place.

Councillor Mulligan entered the meeting at 7.03 pm.

Councillor Reid referred to previous concerns regarding illegal drinking beside Tesco in Dungannon and advised that, at that time, an officer of the Council advised that

Police did have the power to take enforcement action even though signs were not erected.

Councillor B McGuigan stated that Police had advised him differently in that signage had to be erected for them to take action.

The Director of Public Health and Infrastructure stated it was his understanding that an area had to be designated for enforcement action to be taken. The Director advised that a report would be brought to a future committee meeting regarding the designation of Council owned properties/facilities.

The Chair, Councillor Cuthbertson advised that he had been contacted by an angry constituent who went to Dungannon recycling centre to enquire about availability of free compost. The constituent advised that on enquiring, an operative working at the site stated "Don't ask me, I haven't a clue what you're on about." Councillor Cuthbertson advised he was at the same site later in the day and had seen two pallets of compost and asked if a further supply would be made available at a later date.

The Head of Environmental Services advised that 2-3 pallets of compost had been made available at each of the three sites (Cookstown, Dungannon, Magherafelt) however this was all distributed within a few hours.

Councillor Burton advised she had been approached by an environmental services employee and asked if the pay and grading review of environment and property was complete and operational.

The Director of Environment and Property advised that the outcome of the pay and grading review had been agreed by Council and was being implemented. The Director advised that payment of backpay would be made to all affected staff by end of May.

Councillor McGinley referred to new layout of reports and asked why branding had been removed.

The Director of Environment and Property advised that changes to the processing of confidential business within agendas, minutes and reports were agreed at March P&R Committee. The Director advised that the report template was amended to include the seven exemption categories in which officers are required to select at least one if they want a report to be considered under confidential business. The Director advised he would follow up as to why branding had been removed from report template.

Councillor Reid asked if backpay for pay and grading review of environment and property had been budgeted for.

The Director of Environment and Property advised that monies had been set aside from previous years budgets in order to make backpay payments.

Matters for Decision

E117/17 Transport NI Proposals to Mid Ulster Council – Proposed Disabled Persons’ Parking Bay, Main Street Ballygawley

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed provision of a Disabled Persons’ Parking Bay at Main Street, Ballygawley.

Proposed by Councillor McGinley
Seconded by Councillor Reid and

Resolved That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to provision of a Disabled Persons’ Parking Bay at Main Street, Ballygawley.

E118/17 Transport NI Proposals to Mid Ulster Council – Proposed No Waiting At Any Time, Sloan Street Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed introduction of No Waiting At Any Time on Sloan Street, Dungannon.

Proposed by Councillor McGinley
Seconded by Councillor Reid and

Resolved That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to introduction of No Waiting At Any Time on Sloan Street, Dungannon.

E119/17 Transport NI Proposals to Mid Ulster Council – Proposed Revocation of a Disabled Persons’ Parking Bay, Sullenboy Park Cookstown

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed revocation of a Disabled Persons’ Parking Bay at Sullenboy Park, Cookstown.

Proposed by Councillor McGinley
Seconded by Councillor Reid and

Resolved That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to revocation of a Disabled Persons’ Parking Bay at Sullenboy Park, Cookstown.

E120/17 Rainey Street Public Toilet Options

The Head of Property Services presented previously circulated report which provided a number of options in relation to Public Toilets at Rainey Street, Magherafelt.

Councillor B McGuigan asked what other toilet facilities were available within Magherafelt town.

The Head of Property Services advised that toilet provision was available in The Bridewell, a council facility, whilst other provision was available at the bus station, shopping centre and other retailers in the town.

Councillor B McGuigan asked what the £65,000 cost of a new modular semi-automatic toilet block included.

The Head of Property Services advised that £65,000 covered the outright purchase and installation of the unit. He further advised that there would be an additional maintenance payment which could be in the region of approximately £9,000 per annum.

Councillor McFlynn advised of other similar automated toilet facilities throughout the District and stated that option two or three listed within the report would be preferred. The Councillor advised that there was a significant footfall in the town and asked what facilities were available out of normal working hours when other premises would be closed.

Councillor McGinley stated that an additional option would be to close Rainey Street toilets.

The Director of Environment and Property advised that following previous discussion at March meeting and subsequent articles in press a number telephone calls were received from the public expressing concern at closure of Rainey Street toilets.

In response to Councillor Gillespie's question the Head of Property Services advised that income from a coin operated facility would come back to Council.

Councillor McFlynn stated that Cookstown and Dungannon were both well serviced for toilet provision and did not think that Rainey Street toilets should be closed outright. Councillor McFlynn proposed that Council move ahead with either option two or three as detailed in report.

Councillor Reid felt that £9,000 was a considerable amount for annual maintenance.

Councillor McGinley asked if there was detail on the usage of these toilets and the opening hours of same.

The Head of Property Services advised that usage of public toilets was not monitored in any facilities across the District. Opening hours of the toilets are from 7.30 am to dusk. The Head of Property Services also clarified that the £9,000 maintenance cost was provided by one supplier and would have to be market tested. It was also advised that if Members chose to go with the purchase of an automated toilet block there would be no further need for an attendant at this location.

Councillor Kearney referred to the night time economy in Magherafelt and felt that to close the Rainey Street toilets would be depriving the area of a service.

In response to the Chair's question the Head of Property Services advised that as a maintenance contract is in place, there were very little additional running costs to other automated toilet provision throughout the District.

Councillor B McGuigan asked what the cost of maintenance would be if options one or two were agreed.

The Head of Property Services advised that if the existing toilet provision was refurbished or replaced he would expect £9,000 to cover cost of maintenance and attendant.

Councillor Reid proposed option one – full refurbishment of existing toilet provision.

Councillor Burton asked which option offered the most protection against vandalism and enquired if another option may be to leave toilets within Bridewell open.

The Director of Environment and Property advised that reception cover would be required if toilets were to be left open within Bridewell. The Director stated that option two would provide a higher level of certainty for Council in relation to future running costs.

The Head of Property Services advised that option three offered the most protection against vandalism.

Councillor Reid stated he withdrew his earlier proposal and would now propose option two – New replacement masonry toilet block. Councillor Reid asked what running costs would be associated to this option.

The Head of Property Services advised that running costs for option two would also be in the region of £9,000.

The Director of Environment and Property clarified that the running costs for Rainey Street toilets were already included within the budget.

In response to Councillor B McGuigan's question the Director of Environment and Property advised that subject to successful application being made for funding, toilets at Rainey Street could be replaced within the next year.

Councillor McFlynn seconded Councillor Reid's proposal.

Resolved That it be recommended to Council to close the existing facility at Rainey Street with a view to their replacement once financial resources become available. The Head of Property Services to make an urgent application to the Council through the Policy and Resources Committee for an allocation under the Capital Programme for the replacement of Rainey Street toilets.

Councillor Burton referred to discussion at March meeting in relation to further investment being required for toilets in Augher. The Councillor stated that whilst these toilets were kept to a high standard the tiling and installations were very out of date.

The Head of Property Services advised that the assessment taken of Augher toilets was fair and that there were toilets within the District that were in a poorer condition. The officer advised that he would look again at the condition of Augher toilets after the toilets in poorer condition had been brought up to standard.

Councillor Burton stated that there were some toilets without seats or lids and that this was unhygienic. The Councillor felt that the toilets in Augher were well used and were the first accessible toilets after coming off the motorway and should be kept to a higher standard.

E121/17 Property Services Service Plan 2017/18

The Head of Property Services presented previously circulated report which detailed Property Services Service Plan for 2017/18.

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the Property Services Service Plan for 2017/18.

E122/17 Environmental Services Service Plan 2017/18

The Head of Environmental Services presented previously circulated report which detailed Environmental Services Service Plan for 2017/18.

Proposed by Councillor J O'Neill
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to approve the Environmental Services Service Plan for 2017/18.

E123/17 Street Naming and Property Numbering

Members considered previously circulated report regarding the naming of new residential housing developments within Mid Ulster as follows –

Site off Tamnamore Road, Dungannon

Proposed by Councillor Burton
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Tamnamore Road, Dungannon (Street 1) as Cobblers Manor.

Proposed by Councillor McFlynn
Seconded by Councillor Burton and

Resolved That it be recommended to Council to name development off Tamnamore Road, Dungannon (Street 2) as Cobblers Avenue.

E124/17 Building Control Service Plan 2017/18

The Head of Building Control presented previously circulated report which detailed Building Control Service Plan for 2017/18.

Proposed by Councillor Mulligan
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to approve the Building Control Service Plan for 2017/18.

E125/17 Environmental Health Service Plan 2017/18

The Head of Environmental Health presented previously circulated report which detailed Environmental Health Service Plan for 2017/18.

Proposed by Councillor Glasgow
Seconded by Councillor Reid and

Resolved That it be recommended to Council to approve the Environmental Health Service Plan for 2017/18.

E126/17 Technical Services Service Plan 2017/18

The Head of Technical Services presented previously circulated report which detailed Technical Services Service Plan for 2017/18.

Proposed by Councillor Mulligan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the Technical Services Service Plan for 2017/18.

Matters for Information

E127/17 Minutes of Environment Committee held on Tuesday 11 April 2017

Members noted minutes of Environment Committee held on Tuesday 11 April 2017.

E128/17 Transport NI Proposals to Mid Ulster Council – Proposed Classification and Reclassification at Magherafelt Bypass

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed classification of Magherafelt Bypass as the A31 and reclassification of a section of the existing A31 as the B40.

Resolved That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to proposed classification of Magherafelt Bypass as the A31 and reclassification of a section of the existing A31 as the B40.

E129/17 Bulky Waste Collection Service

Members noted previously circulated report which provided update on the Council's bulky waste collection service.

E130/17 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2016

Members noted previously circulated report which provided an 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 the (quarter three) period of October to December 2016.

E131/17 Re-launch of Council Brown Bin Collection Scheme

Members noted previously circulated report which provided update on progress of Council's re-launch of the brown bin kerbside collection scheme.

Councillor Burton asked if officers were content that brown bins were being used as intended and if there were any areas where these bins were not being put out for collection.

The Head of Environmental Services advised that the relaunch of the brown bin collection scheme in April had seen increased brown bin weights being collected in the past couple of weeks.

The Director of Environment and Property advised that following the rollout of brown bins in rural Dungannon area a significant increase in usage was observed. The Director advised that Mid Ulster District Council had achieved the highest recycling rate of all eleven councils for the third consecutive quarter and stated that it would be important to monitor the transfer of material from black bin to brown bin as this would have both economic and environmental advantage. The Director also advised that Mid Ulster District Council had one of the best composting rates of the eleven councils.

E132/17 Disposal of Assets – Fleet/Plant

Members noted previously circulated report which advised of the disposal/sale of surplus fleet, plant and equipment from Mid Ulster District Council for the period 1 September 2016 to 8 April 2017.

E133/17 Houses in Multiple Occupation (HMO) Bill and drafting of subordinate legislation

Members noted previously circulated report which advised of the current position on Houses in Multiple Occupation (HMO) Bill and drafting of subordinate legislation.

E134/17 Food Hygiene Rating Scheme Week of Action (20-24 February 2017)

Members noted previously circulated report which provided update on the second Food Hygiene Rating Scheme (FHRS) Week of Action undertaken to assess compliance with the requirements of the statutory FHRS.

E135/17 Radon in Homes in Northern Ireland: 2016 Data Report

Members noted previously circulated report which provided information on radon measurements in the Mid Ulster area.

E136/17 Building Control Workload

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

E137/17 Entertainment Licensing Applications

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

Proposed by Councillor B McGuigan
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to note the content of report items E127/17 to E137/17.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Glasgow
Seconded by Councillor Burton 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 E138/17 to E141/17.

Matters for Decision

E138/17 Ballymacombs Proposed Surface Water Drainage Works

Matters for Information

E139/17 Confidential Minutes of Environment Committee held on Tuesday 11 April 2017

E140/17 Off Street Car Parking Update 2016-2017

E141/17 Contracts Update

E142/17 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.03 pm

CHAIR _____

DATE _____