

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 8 November 2016 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present	Councillor Cuthbertson (Chair) Councillors Buchanan, Burton, Gillespie, Glasgow, Kearney, McFlynn, McGinley, B McGuigan, S McGuigan, McNamee, Mulligan, J O'Neill, M Quinn (7.04 pm), Reid (7.10pm), 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

E272/16 Apologies

None.

E273/16 Declarations of Interest

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

E274/16 Chair's Business

None.

E275/16 Receive and confirm minutes of the Environment Committee meeting held on Tuesday 11 October 2016

Proposed by Councillor Mulligan
Seconded by Councillor Buchanan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 11 October 2016 (E238/16 – E258/16 and E271/16) were considered and, signed as accurate and correct.

In response to Councillor McGinley's question the Director of Public Health and Infrastructure advised that officers were in the process of arranging meeting with Housing Executive to discuss travellers needs.

Councillor McGinley referred to discussion at last month's committee regarding Councillor nomination to bonfire working group and welcomed the decision of UUP to

now nominate to the working group. Councillor McGinley felt it would also be useful for DUP to nominate Members to the group.

Councillor Kearney advised that SDLP had nominated Councillor T Quinn to the working group and asked if this was acceptable as Councillor T Quinn did not sit on the Environment Committee.

The Director of Public Health and Infrastructure advised that he would check this but understood that as long as the working group reported back to the Environment Committee then it would be acceptable for Councillors who are not on the committee to sit on the working group.

M Quinn entered the meeting at 7.04 pm

Matters for Decision

E276/16 Review of Public Toilet Opening Hours

The Head of Property Services presented previously circulated report which sought approval to review and align the opening hours for Council's Public Toilets.

The Chair, Councillor Cuthbertson stated it would be important to align public toilet opening hours but that the review should also include the work required at each toilet block.

Councillor Mulligan stated he was aware of toilets in Augher sometimes being open later than the hours stated within report and asked if the opening times listed were current. The Councillor referred to toilets in Aughnacloy which require urgent work and asked what progress had been made in relation to Council project at Mcllwaine Hall in which part of the development had been proposed to relocate public toilets in Aughnacloy to this location. Councillor Mulligan also mentioned Knockmany Forest which attracts a high number of visitors and felt that toilet facilities were required at this location. The Councillor also felt that additional signage was required for toilets in Clogher.

The Head of Property Services advised that the opening hours listed within the report were what was current, however the noted the point made by the Member. In relation to toilet provision at Aughnacloy it was advised that the Mcllwaine Hall project was part of the capital programme and would continue to move forward. The Head of Property Services advised that signage issues at Clogher were being addressed and that consideration could be given to toilet provision at Knockmany Forest.

Councillor Reid entered the meeting at 7.10pm.

Councillor Burton stated that Council needs to ensure that whatever it states it is doing is what is happening. In relation to toilet provision at Augher, Councillor Burton stated that the toilets were well used and kept spotless however she did feel that the toilets now required some refurbishment work, the Councillor also agreed that signage for toilet provision in Clogher was required and would support need for toilet provision at Knockmany Forest.

Councillor McFlynn felt that the proposed review was worthwhile and stated that the toilet provision at Rainey Street in Magherafelt needed urgent attention.

Councillor S McGuigan advised he would support the review and the need to maximise toilet facilities in the District. The Councillor stated he would also support the need for toilets at Knockmany Forest which was now a recognised Council facility.

Councillor B McGuigan referred to toilets at Draperstown and requested improved signage for same.

Councillor M Quinn referred to toilets at Stewartstown which he felt needed extended opening hours and asked that consideration be given to this.

Councillor McGinley supported Councillor Quinn's comments.

Councillor Reid also supported Councillor Quinn's request for extended opening hours for Stewartstown toilets and referred to previous anti social behaviour at Scotch Street toilets in Dungannon and asked if this was still an issue.

The Head of Property Services advised he was not aware of anti social behaviour at Scotch Street toilets.

Proposed by Councillor S McGuigan
Seconded by Councillor Burton and

Resolved That it be recommended to Council to undertake a review to align the opening hours of Council's Public Toilets and to consider Members requests in relation to toilet provision at Knockmany Forest, improved signage at Draperstown and extension to opening hours of Stewartstown toilets.

E277/16 Street Naming and Property Numbering

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

1 Site off Bush Road, Dungannon

Proposed by Councillor Reid
Seconded by Councillor Burton and

Resolved That it be recommended to Council to name development off Bush Road, Dungannon as Hawthorne Lane.

2 Site off Coolreaghs Road, Cookstown

Proposed by Councillor Buchanan
Seconded by Councillor Glasgow

To name development Oakview Manor.

Proposed by Councillor McNamee
Seconded by Councillor J O'Neill

To name development Oakview.

Members voted on Councillor Buchanan's proposal –

For – 6
Against – 7

Members voted on Councillor McNamee's proposal –

For – 7
Against - 6

Resolved That it be recommended to Council to name development off Coolreaghs Road, Cookstown as Oakview.

3 Site off Hospital Road, Magherafelt

Proposed by Councillor McFlynn
Seconded by Councillor Kearney

To name development Bellebrook Mews.

Proposed by Councillor Totten
Seconded by Councillor McGinley

To name development Bellebrook Lane.

Members voted on Councillor McFlynn's proposal –

For – 9
Against – 7

Members voted on Councillor Totten's proposal –

For – 7
Against – 9

Resolved That it be recommended to Council to name development off Hospital Road, Magherafelt as Bellebrook Mews.

Councillor McFlynn asked Councillor Totten why he had made the counter proposal.

Councillor Totten advised that he had been approached with the request to name the development Bellebrook Lane.

E278/16 Review of Monetary Limits for Gaming Machines and Associated Social Responsibility Issues

The Head of Environmental Health presented previously circulated report on the review of monetary limits for gaming machines and associated social responsibility issues.

The Chair, Councillor Cuthbertson referred to recent PSNI twitter feed which advised that police had recently lifted a gaming machine from premises in Cookstown which should not have been there. The Chair also asked if a similar review was taking place in England and Wales.

The Head of Environmental Health advised she was not aware of any details of a current review in England or Wales but that there had been previous reviews conducted.

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

Resolved That it be recommended to Council to respond to correspondence from Department for Communities by indicating that any review of monetary limits and use of Social Responsibility Codes of Practice are progressed as part of a wider review of current arrangements for management and control of Betting and Gaming activities and request that the Department for Communities put in place the necessary consultation arrangements for this purpose.

E279/16 Protect Life 2 – Strategy Consultation

Councillor McGinley declared an interest in this item.

The Head of Environmental Health presented previously circulated report which sought Member's views on the consultation document received from the Department of Health on Protect Life 2.

Members made the following comments in relation to the consultation response document –

Question 1 –

Councillor Reid asked where the figures contained within the document had been sourced from as he did not feel these were correct. The Councillor also referred to recent strategy introduced in Dungannon area and emphasised the need for further similar strategies within the Mid Ulster area.

The Head of Environmental Health advised that the figures contained within the document had come from the Department and were overall Northern Ireland figures. It was advised that any discrepancy in figures may be attributed to time lapse in recording of deaths.

Councillor Reid declared an interest in this item.

Question 2 –

Councillor McGinley expressed need for prevention strategy to also be included within response.

Councillor Burton advised of difficulties experienced by parents of mental health patients who are over the age of 18 and the need for information to be shared with these parents/families for the good of the person who is ill.

The Head of Environmental Health referred to response to question 5 which covered point raised by Councillor Burton.

Question 4 –

Councillor Kearney felt that the farming and rural community should also be included within list of priority groups.

Question 6 –

Councillor McGinley felt that legal highs should also be included within commentary.

Question 9 –

Based on earlier comment, the Head of Environmental Health advised that legal highs would be added to response.

Councillor McGinley referred to closing date of consultation as being 4 November and asked if Council had been given an extension to submit a response.

The Head of Environmental Health advised that a draft response was put forward within deadline and that the agreed response could be submitted once ratified by Council.

Proposed by Councillor Reid
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to respond to the Protect Life 2 consultation as detailed within report and to include additional comments as per discussion above.

E280/16 Officer Authorisation

The Director of Public Health and Infrastructure presented previously circulated report which updated Members on the Authorisation Procedure for staff within Environmental Health and Building Control services.

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the Delegated Authority and Authorisation arrangements for Environmental Health and Building

Control services to the Director of Public Health and Infrastructure in accordance with Section 2 and 7 of Local Government Act (NI) 2014.

Matters for Information

E281/16 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Statistics Report for April to June 2016

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for the first quarter 1 April to 30 June 2016.

E282/16 Town and Village Awards 2016

Members noted previously circulated report which provided update on the local success at the various town and village awards in 2016.

Councillor Burton referred to recent achievements of Castlecaulfield in competitions and asked if it was correct that if the village was successful in Ulster in Bloom this year they could not enter Britain in Bloom next year. Councillor Burton stated if this was the case it was very disappointing for the village, she advised that she had since been informed of an another competition called Communities in Bloom and proposed that Council investigate the opportunity of entering Castlecaulfield in this competition.

The Chair, Councillor Cuthbertson stated he was not aware of the issue raised by Councillor Burton and that judges at Britain in Bloom Awards had not indicated this on the evening of the awards.

Councillor Buchanan seconded Councillor Burton's proposal.

The Director of Environment and Property advised that the situation could be investigated.

Resolved That it be recommended to Council to investigate situation regarding Castlecaulfield's entry to next years Britain in Bloom competition and entry to Communities in Bloom competition.

E283/16 Department for Infrastructure/TransportNI: The Church Street/Mullagh Road, Maghera (Abandonment) Order (NI) 2016

Members noted previously circulated report which advised Members in relation to proposals from Department for Infrastructure/TransportNI to make an Abandonment Order under Article 68 (1) of the Roads (Northern Ireland) Order 1993 at Church Street/Mullagh Road, Maghera.

E284/16 Building Control Report

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

E285/16 Entertainment Licensing Applications

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

Correspondence from PSNI was also circulated around table which provided detail of policy of Police in F District (Mid Ulster) to object to the granting of any Entertainments Licence which would allow entertainment beyond 1.00 am Monday to Saturday and beyond midnight on Sunday. This policy will apply across the Mid Ulster District Policing Command area.

The Chair, Councillor Cuthbertson stated that Members in attendance at last month's meeting had all heard what the approach of PSNI would be to Entertainment Licensing and asked for clarification if the matter had been discussed at PCSP meetings as stated in letter.

Councillor Burton advised that discussion had taken place at PCSP.

Councillor McGinley asked if the correspondence received from PSNI would be taken as a blanket objection to all applications received for entertainment licences beyond 1.00am as he did not feel this was an acceptable approach.

The Director of Public Health and Infrastructure advised that the correspondence had been circulated tonight to make Members aware of the approach of PSNI, he advised that Council would not accept a blanket objection and that each application would be decided upon on its own merits. The Director advised that Council would respond to PSNI in that regard and further advised that officers had attempted to organise meeting with PSNI to enable matter to be discussed.

Councillor McNamee felt that PSNI were pulling in the opposite direction to Stormont in relation to entertainment/liquor licensing.

Councillor Reid commented that the approach of PSNI would have an impact on this committee.

Councillor Kearney asked if there would now be conflict between PCSP and this committee.

The Director of Public Health and Infrastructure advised that the powers to grant / refuse Entertainment licences following objection rested with Environment Committee and that this would be reflected in response to PSNI.

Councillor Burton advised that she was Chair of PCSP and that when complaints were being made regarding premises with entertainment licences these were usually being brought forward by Councillors. Councillor Burton stated that Council needed to be clear in the message it was sending out.

E286/16 Research on Derelict / Idle Sites and Buildings

Members noted previously circulated report which advised on the commencement of an initial research survey by the Department of Finance on prominent derelict / idle site and buildings across Mid Ulster.

E287/16 Restart a Heart 2016

Members noted previously circulated report which provided update on the Mid Ulster “Restart a Heart Day” event held on 18 October 2016.

Councillor McGinley commented on the success of the Restart a Heart Day and also referred to recent fundraising event in Ardboe which raised £5000 for defibrillators. Councillor McGinley requested that a letter be sent to the family who organised the event in Ardboe to recognise their fundraising efforts.

The Director of Public Health and Infrastructure advised that a letter would be forwarded.

E288/16 Houses in Multiple Occupation Act (NI) 2016

Members noted previously circulated report which provided update in relation to the Houses in Multiple Occupation (HMO) legislation and the current progress with the transfer of this function to Councils.

Confidential Business

Proposed by Councillor Burton
Seconded by Councillor McGinley and

Resolved That items E289/16 – E294/16 be taken as confidential business.

E295/16 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.20 pm

CHAIR _____

DATE _____