

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 February 2016 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present	Councillor McFlynn (Chair) Councillors Buchanan, Burton, Cuddy (7.45 pm), Cuthbertson, Gillespie, Glasgow, Kearney, McGinley, B McGuigan, S McGuigan, McNamee, Mullen, Mulligan, J O'Neill, Totten
Officers in Attendance	Mrs Caldwell, Principal Environmental Health Officer (Public Health, Housing and Health and Wellbeing) Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services Mr McAdoo, Head of Environmental Services Mrs Patterson, Principal Environmental Health Officer (Health and Safety and Licensing) Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services/ Senior Admin Officer
Others in Attendance	Agenda Item 4 – Northern Ireland Fire and Rescue Service Equality Officer – Ms Davidson Area Commander – Mr Gallagher Assistant Chief Fire Officer – Mr Thompson

The meeting commenced at 7.03 pm

E26/16 Apologies

None.

E27/16 Declarations of Interest

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

E28/16 Chair's Business

None.

E29/16 Northern Ireland Fire and Rescue Service (NIFRS)

The Chair, Councillor McFlynn welcomed representatives from Northern Ireland Fire and Rescue Service and invited them to make their presentation.

Mr Gallagher proceeded with a powerpoint presentation and advised that NIFRS have commenced consultation in relation to proposed changes to crewing arrangements. One of the proposed changes within the consultation identified that Dungannon station would benefit from additional day duty cover to support the existing retained duty cover currently available. Members were advised that wholetime day duty cover would enhance prevention, protection and emergency response from Monday-Friday 0800-1800 hrs.

Councillor Mulligan asked if the proposed changes to crewing would require a recruitment process to be carried out or whether existing staff would be redeployed. The Councillor also asked if there has ever been a situation where the level of risk to crews has been stretched.

Mr Gallagher paid tribute to retained staff and advised that the current consultation follows a risk assessment of the risk levels across all 67 fire station areas in Northern Ireland over a five year period. The assessment indicated that in 11 station areas, including Dungannon, the risk levels and resources are not effectively matched. Mr Gallagher advised that there will be no need for recruitment of further wholetime staff as staff will be redeployed, he did comment however that a recruitment exercise for retained firefighters at the Dungannon station will be carried out in the near future due to planned retirement within current staffing.

Councillor Cuthbertson referred to the risk assessment carried out which indicated that the risk was high in Dungannon and asked if a difference had been found in the number of emergency calls received during daytime, night time and weekend. The Councillor also expressed concern that retained staff will only be on duty from 7pm during the week and at weekends meaning that firefighters would no longer be in a position to attend local community information events.

Mr Gallagher advised that profiling of calls indicated that most emergency calls are received outside of day time hours and that if this protocol was followed through it would mean wholetime staff would be required at night. Mr Gallagher advised that a pilot of the proposed crewing changes had been conducted at Enniskillen station the impact of which had not been as bad as expected. Mr Gallagher advised that retained staff will continue to be 'on call' during the day should there be a need for a second pump. In relation to community protection events Mr Gallagher stated that he understood that local people liked to see their local firefighters, he continued that if there are events taking place during the day then these would be covered by the wholetime staff.

Councillor Cuthbertson referred to daytime staffing and felt that the risk could be increased during this time as retained staff will have little incentive to stay close to the town if they are not on duty.

Mr Gallagher advised that NIFRS are currently looking at different ways of structuring retained staff to ensure there is adequate cover at all times.

Councillor S McGuigan felt that the consultation appeared to be an agenda to reduce costs rather than the risks associated. The Councillor asked how staff were briefed on the proposed changes and if the proposals will mean redundancies within existing staff.

Mr Gallagher advised Members that all stations have been consulted with regarding the proposed changes and that no redundancies will be required as a result of the proposals being made. Mr Gallagher was confident that the proposed changes to crewing arrangements will drive down risk.

The Chair, Councillor McFlynn referred to the rural nature of the Mid Ulster area and expressed the importance of sat navs on rescue vehicles being up to date. The Councillor also asked if there is facility for staff counselling particularly after attending an incident where there had been a fatality.

Mr Gallagher stated that NIFRS probably had the best fleet within the UK and advised that all rescue vehicles were fitted with an on board mobile data computer which updates daily. With regard to staff counselling, Mr Gallagher advised that a robust protocol was in place, NIFRS also have a partnership with Carecall and have in house occupational health.

In response to Councillor Buchanan's question Mr Gallagher stated he would welcome and encourage a formal response from Council on the consultation regarding crewing arrangements.

The Chair, Councillor McFlynn commended NIFRS for the work they do in the community and thanked them for their presentation following which the representatives withdrew from the meeting at 7.35 pm.

Resolved That it be recommended to Council to respond to NIFRS consultation on proposed changes to crewing arrangements.

Councillor Burton stressed the importance of the fire service continuing to attend events run by Council and that Council should retain its link with local fire stations.

Councillor Gillespie referred to the knowledge base of local firefighters which is particularly helpful when attending calls in rural areas.

E30/16 Receive and confirm minutes of the Environment Committee meeting held on Tuesday 12 January 2016

Proposed by Councillor McNamee
Seconded by Councillor Mulligan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 12 January 2016 (E1/16 – E16/16 and E25/16) were considered and, subject to the foregoing, signed as accurate and correct.

Matters for Decision

E31/16 Department for Regional Development proposals to Mid Ulster Council

Members considered previously circulated report which sought Members approval in relation to proposals from Department for Regional Development /TransportNI to

abandon a length of 339m of the B122 Murley Road, Fivemiletown under the (Abandonment) Order (Northern Ireland) 2016.

Councillor Burton referred to the advertising of these types of proposals and felt there was an opportunity for DRD to advertise more widely in local newspapers.

The Director of Environment and Property advised he would bring the Members comments to the attention of DRD.

Resolved That it be recommended to Council to endorse the proposal for an abandonment order at B122 Murley Road, Fivemiletown as submitted by the Department for Regional Development.

E32/16 TransportNI proposals to Mid Ulster Council

Members considered previously circulated report regarding proposals from TransportNI to introduce measures to enhance safety and development of the transport network with a range of transport projects.

Resolved That it be recommended to Council to endorse the proposals submitted by TransportNI as follows –

- Proposed 40 mph Speed Limit – Mullaghteige Road, Edendork Road and Mullaghmarget Road, Dungannon
- Traffic Calming Proposals – Mullaghboy Road, Bellaghy

E33/16 Grounds Maintenance – Small Meadows Pilot Project

The Head of Property Services presented previously circulated report which sought approval to proceed with a Mid Ulster Small Meadows Pilot Project which seeks to use land more sustainably in regard to grass cutting.

Councillor Cuddy entered the meeting at 7.45 pm during presentation of the above report.

Councillors Burton and Mulligan both expressed concern as to how the project will be received by the public. Reference was made to a similar scheme at Ballygawley Roundabout which often looked overgrown with a lot of weeds coming through. Councillor Mulligan questioned how weed growth would be controlled and Councillor Burton asked how this project would affect future sponsorship of flowerbeds/roundabouts.

In response, the Head of Property Services advised that previous sustainable land use initiatives, both in this Council and other Councils, had received positive and negative reviews and that suitable areas will need to be identified within the District for this project. Members were advised that the project would be managed carefully in terms of weed growth. The Head of Property Services also advised that Council will continue will flowerbed sponsorship and will advertise for this in the near future.

In response to Councillor S McGuigan's question the Head of Property Services advised that, for areas that don't qualify under this project Council will try to continue to maintain current standards with regard to grass cutting.

Councillor Kearney referred to the timing of the grass cutting which is proposed for late August/September and suggested an earlier cut (in July) and a later cut if required. The Councillor also asked if there is an intention to use any treatments such as fertiliser on the areas identified within the project.

The Head of Property Services advised that the Councillor's suggestion in relation to the cutting of grass can be considered, he further advised that there are no plans to use any treatments on the lands identified under this project.

The Chair, Councillor McFlynn felt that if there are a large amount of complaints in relation to this project then there will be a need to review.

The Head of Property Services confirmed that this will be a pilot project that will be kept under review.

Resolved That it be recommended to Council to approve the use of Councils Landfill Tax monies (£50,000) to fund the Mid Ulster Small Meadows Project.

E34/16 Property Services Scale of Charges for 2016/17 – Cemeteries

The Head of Property Services presented previously circulated report in relation to proposed scale of charges for cemetery services for the period 1 April 2016 to 31 March 2017.

Councillor S McGuigan referred to double charges for services to non-residents and asked where information in relation to residency comes from.

The Head of Property Services advised that this information is usually received via an Undertaker.

Councillor Buchanan queried how the proposed charges had been derived and was advised that 5% had been added to existing 2015/16 charges with the result being rounded to the nearest pound.

In response to Councillor McNamee's question the Head of Property Services advised that very few burials of non-residents take place within the District.

Councillor McGinley referred to the Old Cross Cemetery in Moortown and asked who is responsible for its upkeep.

The Head of Property Services advised that the Old Cross Cemetery is maintained by Council with regards to grass cutting and upkeep of boundaries but not the graves themselves.

In response to Councillor Burton's question the Head of Property Services advised that Council maintain a number of cemeteries across the District and agreed to provide this detail to Members.

Resolved That it be recommended to Council to approve the proposed scale of charges for cemetery services for the period 1 April 2016 to 31 March 2017 as follows –

Fee Category	Existing Charge (2015/16)	Proposed Charge (2016/17)
1. Purchase of grave plot	£125.00	£131.00
2. Interment Charge	£125.00	£131.00
3. Burial of Ashes	£60.00	£63.00
4. Exhumation	£250.00	£263.00
5. Approval Fee: Erection of Headstone or Memorial	£40.00	£42.00
6. Administration Fee: Search/Re-issue/Transfer of Certificate	£15.00	£16.00

E35/16 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding street naming of new residential housing developments within Mid Ulster.

Members considered the naming of new residential developments within Mid Ulster as follows –

- 1 Site off Drumreagh Crescent, Newmills

Proposed by Councillor Buchanan
Seconded by Councillor Burton and

Resolved That it be recommended to Council to name new development off Drumreagh Crescent, Newmills as Blackberry Lane.

- 2 Site off Tamnamore Road, Killyman

Councillor Cuthbertson felt that in order to avoid any confusion as there were already developments in the nearby area ending in 'Meadows' and 'Manor' that this development should be called 'Clarefield Grange'.

Proposed by Councillor Cuthbertson
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to name new development off Tamnamore Road, Killyman as Clarefield Grange.

- 3 Site off Bush Road, Dungannon

Proposed by Councillor Mullen
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to name new development off Bush Road, Dungannon as Derrywinnin Heights.

4 Site off Derrycourtney Road, Caledon

Proposed by Councillor Burton
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to name new development off Derrycourtney Road, Caledon as Derrycourtney Manor.

5 Site off Gortgonis Road, Coalisland

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

Resolved That it be recommended to Council to name new development off Gortgonis Road, Coalisland as Millview Meadow.

6 Site off Washingbay Road, Coalisland

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

Resolved That it be recommended to Council to name new development off Washingbay Road, Coalisland as Annaghmore Meadows.

7 Site off Ballinderry Bridge Road, Coagh

Councillor Burton proposed that the development be named Oak Wood.

Councillor McGinley expressed thanks that, following request from the local community group, further naming options were able to be brought for Members consideration. Councillor McGinley proposed that the development be named Killetra.

In response to Councillor Cuthbertson's question the Chair advised that Killetra was not a townland name but referred to the locality of the development.

Councillor Burton withdrew her proposal.

Proposed by Councillor McGinley
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name new development off Ballinderry Bridge Road, Coagh as Killetra.

E36/16 Licensing of Cinemas

Members considered previously circulated report which provided the terms and conditions for Film Exhibition Licensing in accordance with The Cinema (Northern Ireland) Order 1991 for Mid Ulster District Council.

Resolved That it be recommended to Council to adopt the Terms and Conditions for Film Exhibition Licensing under Cinema (NI) Order 1991.

**E37/16 Safety at Sports Grounds (Northern Ireland) Order 2006 Part III –
Safety of Stands at Other Sports Grounds**

The Principal Environmental Health Officer (Health and Safety and Licensing) presented previously circulated report which provided Members with an update on the current status on the Safety at Sports Grounds (Northern Ireland) Order 2006 and the inclusion of regulated stands. Members were asked to make a decision regarding the ‘determination of regulation’ for relevant sports grounds.

Councillor S McGuigan asked if there was any funding available, particularly for smaller clubs, to meet legislative requirements.

The Principal Environmental Health Officer advised that she was not aware of any funding availability at the moment however Council Officers would continue to work closely with clubs.

In response to Councillor B McGuigan’s question the Principal Environmental Health Officer advised that clubs required to be regulated have been advised of the legislative process and agreed to provide updates to the Committee regarding progress.

Proposed by Councillor S McGuigan
Seconded by Councillor Burton and

- Resolved** That it be recommended to Council to ‘regulate’ the following spectator stands as below in accordance with Article 13 of the Safety at Sports Grounds (Northern Ireland) Order 2006 –
- Coalisland GFC, Annagher Hill, Coalisland
 - Moy Tir na Og GAC, 24 Benburb Road, Moy
 - Dungannon Swifts FC, Stangmore Park, Dungannon (North Stand)
 - Pomeroy Plunkett’s GAC, Canankeeran Road, Pomeroy
 - Glen GFC, Falgortrevy GAC, Maghera
 - Ballinascreen GFC, 6 Corrick Road, Draperstown
 - Tobermore FC, 20 Maghera Road, Tobermore

E38/16 Clean Neighbourhood Programme

The Principal Environmental Health Officer (Public Health, Housing and Health and Wellbeing) presented previously circulated report which advised Members of Clean Neighbourhoods programmes of work in relation to graffiti, flytipping and litter.

In response to Councillor S McGuigan’s question the Principal Environmental Health Officer advised that since April 2015, Council were continuing to send referrals to NIEA and that these were being dealt with, the officer highlighted however that once the budget is spent NIEA will no longer accept referrals as per their communication in December 2014.

Councillor McGinley referred to Ardboe Aerodrome which has been a dumping hot spot in the past and the difficulties in identifying land ownership in that area.

The Director of Public Health and Infrastructure advised that because dumping had been a problem in the past the legacy council undertook work to identify landowners in the Aerodrome area. The Director agreed to update Councillor McGinley further on the programme of work undertaken.

Councillor Burton felt that there is no protection for rural landowners whenever dumping takes place on their property and asked how many offenders had been prosecuted.

The Director of Public Health and Infrastructure advised that NIEA are the primary regulator in relation to fly-tipping, he further advised that Council can instigate some processes in relation to illegal dumping however main enforcement controls rest with NIEA.

Councillor McNamee asked if funding had been set aside to continue schemes of work with regard to graffiti, flytipping and litter.

The Director of Public Health and Infrastructure advised that a maximum of £15,000 had been included within this year's budget utilising existing staff resources.

Councillor B McGuigan spoke in relation to graffiti removal and the need for these type of instances to be dealt with promptly. The Councillor also highlighted a current issue regarding advertising by a business in Draperstown in which posters are chained to trees.

The Principal Environmental Health Officer referred to the previous success of the scheme in the legacy Cookstown area in which the statutory enforcement role was complemented by a Clean Neighbourhood Programme. The officer advised that in relation to the concerns raised regarding flyposting there may be an opportunity to issue fixed penalty notices, the officer also accepted the need for instances of graffiti to be dealt with quickly.

Councillor Kearney referred to the enforcement role of Planning in respect of infill of sites.

Resolved That it be recommended to Council that, in addition to its statutory enforcement role, a Clean Neighbourhood Programme be taken forward similar to that of the legacy Cookstown Council.

Matters for Information

E39/16 Northern Ireland Local Authority Collected Municipal Waste Management Statistics Report for July to September 2015 (Q2)

The Head of Environmental Services circulated information in relation Mid Ulster EcoSpeak 2016 competition which takes place on Wednesday 9 March. The officer advised that this is a separate competition to Northern Ireland Youthspeak and asked for Members participation on the judging panel.

The Chair, Councillor McFlynn and Councillors Burton, Glasgow and Kearney agreed to sit on the judging panel with other interested Councillors to put their name forward.

The Head of Environmental Services presented previously circulated report which advised Members of the Councils performance in relation to recycling and landfill diversion as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for the quarter 1 July to 30 September 2015 with the following being noted –

- Mid Ulster District Council had the highest household recycling rate during the quarter.
- Mid Ulster District Council has the highest waste arisings per household.
- Mid Ulster District Council only utilised 17% of the available annual allowance during the second quarter and for the six month period April to September 2015 the figure is 34% which is the second lowest utilisation of the eleven Councils.

The Chair, Councillor McFlynn commented on the excellent work of the recycling officers within Council.

Councillor Cuddy asked if any further market changes are foreseen in respect of blue bin material and how Council could counter for these.

The Director of Environment and Property advised that the current blue bin contract is only set to run for twelve months from January 2016 and that a number of Councils, Mid Ulster amongst these, have met to discuss their concerns in relation to the market for blue bin material. The Director advised that a number of service delivery models are being considered which will offer a more transparent process and give Councils more authority within any potential contract.

The Director of Environment and Property also advised that Members need to be mindful of future issues related to residual waste, he pointed out that officers have already looked at the remaining life of Council landfill sites and commented that there should be no difficulty in Mid Ulster District Council meeting the 50% recycling target by 2020. The Director reflected however that consideration should also be given to the fact that as a country emerges from recession it is often found that the amount of waste increases. An increase in population will also affect the amount of waste being produced. The Director highlighted that, by 2030, waste targets are expected to be –

- 65% waste recycled
- 10% waste to landfill
- 25% recoverable waste

E40/16 Tullyvar Landfill Site – Joint Committee Update

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

E41/16 Building Control Workload Analysis

Members noted previously circulated report which provided an update on the workload analysis for Building Control across Mid Ulster District Council.

E42/16 Entertainment Licensing Applications

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

E43/16 Statutory Food Hygiene Rating Scheme

The Principal Environmental Health Officer (Health and Safety and Licensing) presented previously circulated report which updated Members on the requirements of the Food Hygiene Rating Bill and the requirement for Councils to participate in the scheme and for food businesses to display their food hygiene rating.

Members noted the content of the report.

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Burton and

Resolved That items E44/16 – E55/16 be taken as confidential business.

E56/16 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.43 pm.

CHAIR _____

DATE _____