



10 January 2023

Dear Councillor

You are invited to attend a meeting of the Environment Committee to be held in The Chamber, Magherafelt and by virtual means Council Offices, Ballyronan Road, Magherafelt, BT45 6EN on Tuesday, 10 January 2023 at 19:00 to transact the business noted below.

A link to join the meeting through the Council's remote meeting platform will follow.

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

1. Notice of Recording
This meeting will be webcast for live and subsequent broadcast on the Council's You Tube site [Live Broadcast Link](#)
2. Apologies
3. Declarations of Interest
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
4. Chair's Business

Matters for Decision

- | | | |
|----|--|---------|
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| 6. | DfI Roads proposed amalgamation of the 40mph stretches on Tullywiggan Road, Cookstown | 7 - 10 |
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Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

19. Contract for the Collection, Processing and Recycling / Recovery of Rubble / Hardcore from Recycling Centres
20. Sustainable NI Support
21. Tender Report for Fleet Maintenance and Repair Services
22. Bus Shelters: Tender report for Supply and Manufacture, and Shelter Design Type

Matters for Information

23. Confidential Minutes of Environment Committee held on 5 December 2022
24. Capital Framework – ICT Contracts Update
25. Capital Framework – IST Contracts Update
26. Capital Projects – Scoping Contracts Update

Report on	Dfl Roads proposed introduction of No Waiting At Any Time – Granville Industrial Estate, Dungannon
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director Property Services
Contact Officer	Terry Scullion, Assistant Director Property Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek the agreement of Members in relation to a proposal from Dfl Roads to introduce No Waiting At Any Time – Granville Industrial Estate, Dungannon.
2.0	Background
2.1	Dfl Roads is proposing to introduce a no waiting at any time, loading and unloading permitted at Granville Industrial Estate.
3.0	Main Report
3.1	<p>The following outlines the proposal to be brought to the attention of the Environment Committee:</p> <p>PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME – GRANVILLE INDUSTRIAL ESTATE, DUNGANNON</p> <p>Correspondence was received from Dfl Roads dated 5th December 2022 to introduce No Waiting At Any Time – Granville Industrial Estate, Dungannon.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: Officer time in drafting reports
	Risk Management: The introduction of the aforementioned proposal at these locations will assist in the management of road safety issues.

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at these locations will assist DfI in the discharge of their statutory duty.
	Rural Needs Implications: The rural needs assessment would be conducted by DfI Roads.
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 – Letter from DfI Roads dated 5 th December 2022; No Waiting At Any Time – Granville Industrial Estate, Dungannon.
6.2	Appendix 2– Map – Granville Industrial Estate, Dungannon.



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Infrastructure

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5 December 2022

Network Development

Chief Executive
Mid Ulster District Council
Ballyronan
Magherafelt
BT45 6EN

Dear Mr McCreesh

PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME – GRANVILLE INDUSTRIAL ESTATE, DUNGANNON

DfI Roads is proposing to introduce a no waiting at any time, loading and unloading permitted at Granville Industrial Estate, as shown on the enclosed map.

Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

Granville Industrial Estate, Dungannon - Proposed No Waiting at Any Time



Report on	DfI Roads proposed amalgamation of the 40mph stretches on Tullywiggan Road, Cookstown
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director Property Services
Contact Officer	Terry Scullion, Assistant Director Property Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek the agreement of Members in relation to a proposal from DfI Roads to amalgamate the 40mph stretches on Tullywiggan Road, Cookstown.
2.0	Background
2.1	DfI Roads is proposing to amalgamate the 40mph stretches on Tullywiggan Road, Cookstown, into one description for the length shown on the Map attached at Appendix 2.
3.0	Main Report
3.1	<p>The following outlines the proposal to be brought to the attention of the Environment Committee:</p> <p>PROPOSED AMALGAMATION OF 40MPHs – TULLYWIGGAN ROAD, COOKSTOWN.</p> <p>Correspondence was received from DfI Roads dated 16th December 2022 to amalgamate the 40mph stretches on Tullywiggan Road, Cookstown.</p> <p>Consultation letter and location map of aforementioned proposal are attached as appendices to this report.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: Officer time in drafting reports
	Risk Management: The introduction of the aforementioned proposal at these locations will assist in the management of road safety issues.

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The introduction of the aforementioned proposal at these locations will assist DfI in the discharge of their statutory duty.
	Rural Needs Implications: The rural needs assessment would be conducted by DfI Roads.
5.0	Recommendation(s)
5.1	That the Environment Committee endorses the proposal submitted by DfI Roads.
6.0	Documents Attached & References
6.1	Appendix 1 – Letter from DfI Roads dated 16th December 2022; amalgamation of the 40mph stretches on Tullywiggan Road, Cookstown.
6.2	Appendix 2– Map – Tullywiggan Road, Cookstown.

Western Division Network Development



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Tel: 028 8225 4085

16 December 2022

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Ballyronan
Magherafelt
BT45 6EN

Dear Mr McCreesh

AMALGAMATION OF 40MPHs – TULLYWIGGAN ROAD, COOKSTOWN

DfI Roads is proposing to amalgamate the 40mph stretches on Tullywiggan Road, Cookstown, into one description for the length shown on the attached map.

PSNI have been consulted and are in agreement with the proposal.

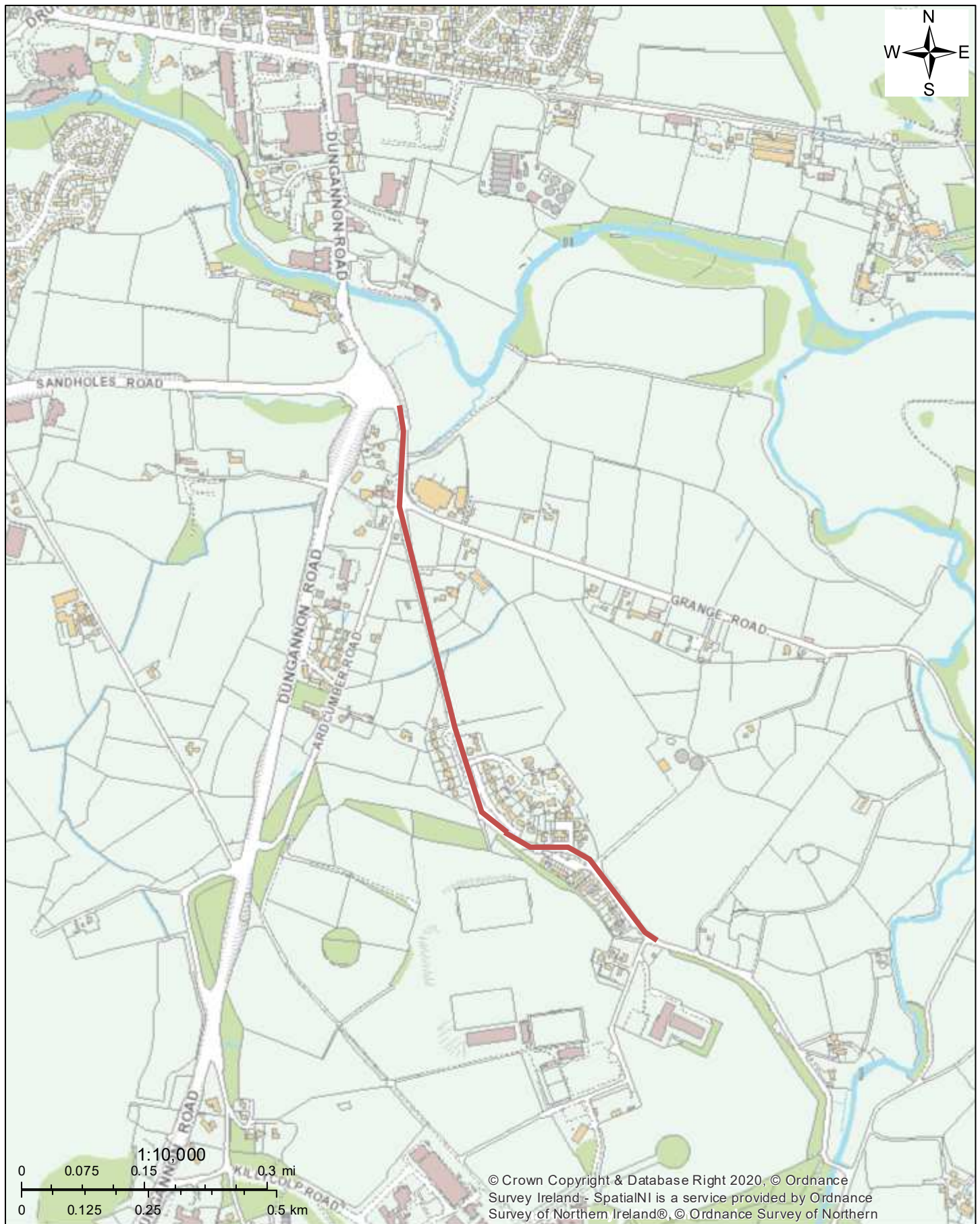
Please bring this matter to the attention of your council.

Yours sincerely

Mrs Hazel Burton
Network Development Section

Enc

40mph - Tullywiggan Road, Cookstown



Report on	Street Naming and Property Numbering
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director of Property Services
Contact Officer	P J Fox, Principal Building Control Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	For Members to consider the naming of new streets within residential Housing Developments within Mid Ulster District Council.
2.0	Background
2.1	<p>In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility of approving Street Naming and Numbering of buildings erected thereon.</p> <p>The Policy for Street Naming and Numbering, as adopted (see Appendix 1) forms the basis for considering proposals for the street naming of new developments.</p>
3.0	Main Report
3.1	<p>The Building Control Department has received a request for the naming of a street within a proposed residential development as follows:</p> <p><u>Development 1 - Site southwest of 44 Dungannon Road, Moy</u></p> <p>An application has been submitted by PD Construction Ltd for the naming of a new street within a residential development southwest of 44 Dungannon Road, Moy.</p> <p>The options submitted are as noted below:</p> <ol style="list-style-type: none"> 1. Laurelbank Gate 2. Laurelbrook Drive <p>As the options submitted are linked to the locality in each case, it is considered that each option demonstrates compliance with the policy as adopted.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: No
5.0	Recommendation(s)
5.1	<p>It is recommended that consideration is given to the approval of one option of the following proposals for the Street Naming of the following street within a new residential development within Mid Ulster District Council:</p> <p><u>Site southwest of 44 Dungannon Road, Moy</u></p> <p style="text-align: center;">Either Laurelbank Gate Or Laurelbrook Drive</p>
6.0	Documents Attached & References
6.1	Appendix 1 - Policy for Street Naming and Numbering
6.2	Appendix 2 - Pro-forma containing street naming proposals, location map, site layout plan & site map identifying Laurel Vale for new street southwest of 44 Dungannon Road, Moy.

Policy on Street Naming and Numbering

Document Control			
Policy Owner	Director of Public Health & Infrastructure		
Policy Author	Director of Public Health & Infrastructure		
Version	Version 2		
Consultation	Senior Management Team	Yes / No	
	Trade Unions	Yes / No	
Equality Screened by	Principal Building Control Officer	Date	27/04/21
Equality Impact Assessment	N/A	Date	
Good Relations	N/A		
Approved By	Environment Committee	Date	11/05/21
Adopted By	Council	Date	27/05/21
Review Date		By Whom	
Circulation	Councillors, Staff		
Document Linkages			

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7.0	Roles & Responsibilities	
8.0	Impact Assessments <ul style="list-style-type: none"> • Equality Screening & Rural Needs Impact • Staff & Financial Resources 	
9.0	Support & Advice	
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Appendices	Description	Page Number
A	Article 11 of the Local Government (Miscellaneous Provisions) (NI) Order 1995	
B	Naming of New Streets and Housing Developments: <i>Procedure</i>	
C	Renaming Existing Streets: <i>Procedures</i>	

1.0 INTRODUCTION

1.1 Mid Ulster District Council resolved that a policy and associated procedures be developed to guide the Council in accordance with the provisions of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995("the 1995 Order"), referenced in Appendix A to this policy, on;

- (i) Naming of New Streets and Housing Developments;
- (ii) Renaming and Re-numbering existing streets

2.0 Policy Aim & Objectives

2.1 **Policy Aim:** To ensure the naming of New Streets and Housing Developments is delivered in a fair, equitable and consistent manner.

2.2 Policy Objectives:

- To facilitate Mid Ulster District Council in meeting its statutory obligations with regard to local government Street Naming requirements
- To confirm the mechanism and process by which Mid Ulster District Council will name new streets and housing developments
- To provide residents with a process whereby they may request the renaming of their street
- To ensure street names are reflective of localities within which they are being proposed and engagement of all affected residents of streets where requests have been received to rename

3.0 Policy Scope and Legislative Framework

3.1 This policy relates specifically to the naming of New Streets/ Housing Developments and processing requests for the erection of nameplates expressing the name of the street in a language other than English. The statutory basis for this policy is contained within Article 11 of the 1995 Order.

- 3.2 This legislation empowers Council to authorise the naming of streets within its respective District. The 1995 Order provides for street naming, street numbering and the provision of street signs. It also provides the Council with a discretionary power to erect dual language street signs or second nameplates in a language other than English via Section 1a and 1b. A copy of the relevant statute is included in Appendix A.

Interpretation and Definitions

- 3.3 For purposes of this Policy the following interpretation/ definitions apply as set out within the 1995 Order:

- Nameplate - defined as a means of 'signifying a name in writing'
- Street - defined as 'any road, square, court, alley, passage or lane'.

4.0 Linkage to Corporate Plan

- 4.1 Referring to Mid Ulster District Council's Corporate Plan 2015-2019, this policy contributes toward the delivery of Corporate Theme 1 *Delivering for Our People*.

5.0 Naming of New Streets

- 5.1 Proposals for new Street names linked to traditional place names will be favorably considered and that if such a place name is traditionally in a language other than English, that name may also be considered as the name by which that place may be known. The procedure that will apply in relation to proposal under this [policy] is contained in Appendix [B]. Building names are not controlled by statute and do not form part of this Policy.
- 5.2 Criteria - General

To maintain the heritage and identity of the area administered by Mid Ulster District Council in naming a new Street and/ or Housing Development the following criteria shall be adhered to. The name chosen shall;

1. Reflect the local townland name, or a local geographical/ topographical, social or historical feature.
2. The name shall not use the townland name within which the street and/ or the housing development is situated. The townland name shall still form part of the postal address.

3. The name should not mark any historical or political event or any individual or family, living or deceased.
4. The prefix of the name can only be the same as an existing Street or Road name prefix in the locality if it is accessed from that street or road.
5. To avoid confusion over addresses the name should not sound similar to an existing Street or Road name in that District Electoral Area.
6. The erected nameplate shall express the name in English; and may express that name in any other language other than English in accordance with Article 11 of the 1995 Order.
7. Although not prescriptive or exhaustive the running order/hierarchy for Street naming should follow an easily understood pattern, for example:
 - Road–Street–Avenue–Mews–Drive–Lane–Close–Alley

6.0 Renaming and Renumbering Existing Streets

- 6.1 Provision shall be made for the renaming and renumbering of existing Streets within the Mid Ulster District Council area, where instances as noted in 7.2 below require that that this be undertaken to maintain a consistent approach to street naming. The 1995 Order empowers Council to authorise Street names within the area they administer. The procedure that will apply in relation to a proposal under this policy is contained in Appendix C.

6.2 Criteria - General

The renaming or renumbering of an existing street shall normally only be considered;

- To remove similar or the same street name in the immediate locality
- Where a street name has been 'lost'
- To correct an incorrectly spelt name
- If emergency services have reported problems in identifying and locating the street
- If postal services or other statutory agencies has reported problems in identifying and locating the street
- Where a request has been received by the Council and signed by not less than 50% of the occupiers of a street to which a change is being sought. This would be based on 1 occupier per premises on the relevant street

7.0 Roles and Responsibilities

- 7.1 **Director of Public Health and Infrastructure:** shall have responsibility for implementation of this policy by Mid Ulster District Council, through the Building Control Service.
- 7.2 **Building Control Service:** shall be responsible for implementing arrangements to administer; (i) requests to name New Streets and Housing Developments and (ii) requests to rename existing Streets.
- 8.0 Impact Assessments**
- 8.1.1 Equality Screening & Impact**
- 8.1.1 This policy has been subject to equality screening in accordance with the Council's equality scheme screening process. It has been 'screened out' for an Equality Impact Assessment.
- 8.2 Rural Needs Impact**
- 8.2.1 This policy has been subjected to a rural needs impact assessment and thus can demonstrate regard to rural needs when delivering this public service.
- 8.3 Staff & Financial Resources**
- 8.3.1 No issues have been identified which will impact on the delivery of Council business as a result of this policy being implemented. Valid requests for determination will be brought to attention of Committee.
- 9.0 Support and Advice**
- 9.1 Advice and guidance on the implementation of this should be sought from the Head of Building Control
- 10.0 Communication**
- 10.1 The Building Control Service within the Public Health & Infrastructure Department of Council is responsible for the communication, delivery and adherence to this policy
- 11.0 Monitoring and Review Arrangements**

- 11.1 Implementation of this policy will be routinely monitored and a formal review undertaken 4 years from its effective commencement date.

Appendix A
Article 11, Local Government (Miscellaneous Provisions) (Northern
Ireland) Order 1995

Street names and numbering of buildings

Powers of councils in relation to street names and numbering of buildings

11.—(1) A council may erect at or near each end, corner or entrance of any street in its district a nameplate showing the name of the street; and a nameplate erected under this paragraph—

- (a) shall express the name of the street in English; and
- (b) may express that name in any other language

(2) A council may, immediately adjacent to a nameplate erected under paragraph (1) which expresses the name of a street in English only, erect a second nameplate expressing the name of the street in a language other than English.

(3) Neither this Article nor anything done by a council thereunder authorises or requires the use of the name of a street expressed in a language other than English as, or as part of—

- (a) the address of any person; or
- (b) the description of any land; for

the purposes of any statutory provision.

(4) In deciding whether and, if so, how to exercise its powers under paragraph (1)(b) or (2) in relation to any street, a council shall have regard to any views on the matter expressed by the occupiers of premises in that street.

(5) Any person who—

- (a) obscures, pulls down or defaces any nameplate erected under paragraph (1) or (2);
- (b) erects in any street any nameplate showing as the name of the street a name different from that in any nameplate erected in the street under paragraph (1) or (2); or
- (c) erects in any street any nameplate purporting to show the name of the street, without the authorisation of the council for the district in which the street is situated,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) Where a council has exercised its powers under paragraph (1) in relation to any street, the occupier of each house or other building in that street shall ensure that that house or building is at all times marked with such number as the council may approve for the purposes of this Article.

(7) Where a person fails to comply with paragraph (6) the council may serve on him a notice requiring him to comply with that paragraph within 7 days from the date of service of the notice.

(8) A person who fails to comply with a notice served on him under paragraph (7) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) Where a person fails to comply with a notice served on him under paragraph (7) in respect of any house or other building, the council may itself do anything which he has failed to do and may recover from that person summarily as a civil debt any expenses thereby reasonably incurred by it.

(10) In this Article—
“nameplate” includes any means of signifying a name in writing; “street” includes any road, square, court, alley, passage or lane.

(11) The power of a council to erect a nameplate under paragraph (1) or (2) includes power—

- (a) to erect it on any building or in such other manner as the council thinks fit; and
- (b) to cause it to be erected by any person authorised in that behalf by the council.

(12) The following statutory provisions shall cease to have effect, namely—

- (a) sections 64 and 65 of the Towns Improvement Clauses Act 1847^{F6};
- (b) in section 38 of the Towns Improvement (Ireland) Act 1854^{F7} the words “naming the streets and numbering the houses and also so much thereof as relates to”;
- (c) section 21 of the Public Health Acts Amendment Act 1907^{F8};
- (d) section 19 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949^{F9}; and
- (e) so much of any local Act as relates to the naming of streets or the numbering of houses or buildings;

Appendix B

Naming of New Streets and Housing Developments: *Procedure*

1. Developers should submit an application for a new Street/ Development naming to the Council's Building Control service within the Public Health and Infrastructure Department ("the Department") before any promotional activity on the sale of properties commences.
2. The applicant should recommend at least 2 but no more than 3 names per street for consideration, outlining how they consider the proposed names comply with the criteria referred to within Section 5.2 above. To ensure compliance, applicants should consider contacting local historical/community groups where available, which may be beneficial on receiving advice on names which would be relevant for proposed names of a new road/street in the locality.
3. If the Department determines that the name(s) does not conform to the criteria within 5.2 of this Policy, the developer/applicant will be informed of this and asked to submit an alternative name(s) and/or written representations as to why they disagree. When the Council receives an alternative name(s) and the Council Officer deems that it meets the criteria then it will be recommended to the Council's Environment Committee for consideration.
4. If the developer/applicant is not in agreement with the Department's evaluation they can make written representations which will be considered at the next available meeting of the Environment Committee.
5. The developer/ applicant will be informed of the approved name following approval of the Environment Committee minutes at the next available Council meeting of Mid Ulster District Council
6. Should the Committee not accept any of the presented options the applicant/ developer will be informed of the Council's decision
7. If following the non-acceptance of a proposed name the applicant/ developer does not resubmit an alternative name to the Council within 8 weeks of the date of the decision letter, the Council may identify a name and notify the applicant/ developer of their intention to approve that name. The Council shall allow four weeks to elapse from the date of the notification of the name before presenting it to the next available Environment Committee
8. If a street name has been approved by the Council it shall not be considered for change within 6 months from the date of approval, unless in accordance with the Council's Standing Orders.
9. Names shall be shown on nameplates which will include the townland where relevant and erected in line with current Guidance.
10. New buildings will be allocated numbers consecutively with odd numbers to the right hand side and even numbers to the left hand side.

Appendix C

Renaming Existing Street Name: Procedures

This procedure provides guidelines for the procedure for renaming of existing street/road names which the 1995 Order empowers councils to authorise. The following procedure for canvassing the views of occupiers and the criteria to be applied in deciding whether to rename a street with an alternative in English shall be:

1. Upon receipt of a petition, signed by not less than 50% of the householders (based on one resident per household over the age of 18) of the street/road ("a Petition") the Council will consider a survey of the street/road in relation to the desired name change and reason for same.
2. The proposed name must meet the criteria set down in this policy for the naming of New Streets, as detailed within 5.2 of this policy.
3. If the Department considers the new name meets the criteria, approval to undertake the survey will be sought from the Environment Committee.
4. The Council will survey, by post, to the occupier(s) of each of the properties listed on the Electoral Register and one survey per established business as appears on the Non-Domestic Valuation List of that street/road or the part of a street/road affected at that time; seeking their views on the request to change the name. The survey shall be carried out by the Council's Building Control service.
5. Residents of the existing street being surveyed to be made aware at time of survey of issues which will arise if the street is successfully renamed.
6. Replies will be by way of a supplied self-addressed envelope and must be returned by the date specified in the correspondence giving notification of the survey and reason for same . Only replies received from registered occupiers by that date will be considered
7. The outcome of the survey will be presented to the Environment Committee and only where all occupiers (100 %) in the affected street agree with the proposed name change, will a recommendation be presented to approve the change.
8. Where a request is not approved any further request will not be considered until the expiry of a 12 month period from the date of the Environment Committee meeting where the outcome of the survey was considered.
9. Where a Petition to have an existing street renamed is not approved then the occupiers will be notified of this.

10. Where a new nameplate is erected. The decision to remove an existing nameplate will be made by Property Services, where deemed necessary to do so.
11. Historical nameplates may remain in place where they are fitted to an existing wall (or dwelling), where they will not affect directional issues. This shall be at the discretion of Property Services.
12. Where the Department receives a request from the emergency services, mail delivery services or other statutory bodies who have difficulty locating the street to rename it. They shall inform residents as noted above and consider to survey and rename the street upon the agreement of all households on that street. Such requests shall be notified to and approval sought from Environment Committee and outcome of survey reported to same.

MID ULSTER DISTRICT COUNCIL

New Street Name Proposals

Applicants Name & Address:

PD Construction Ltd

Description:

Southwest of 44 Dungannon Road, Moy

Ref:

F/2022/1322

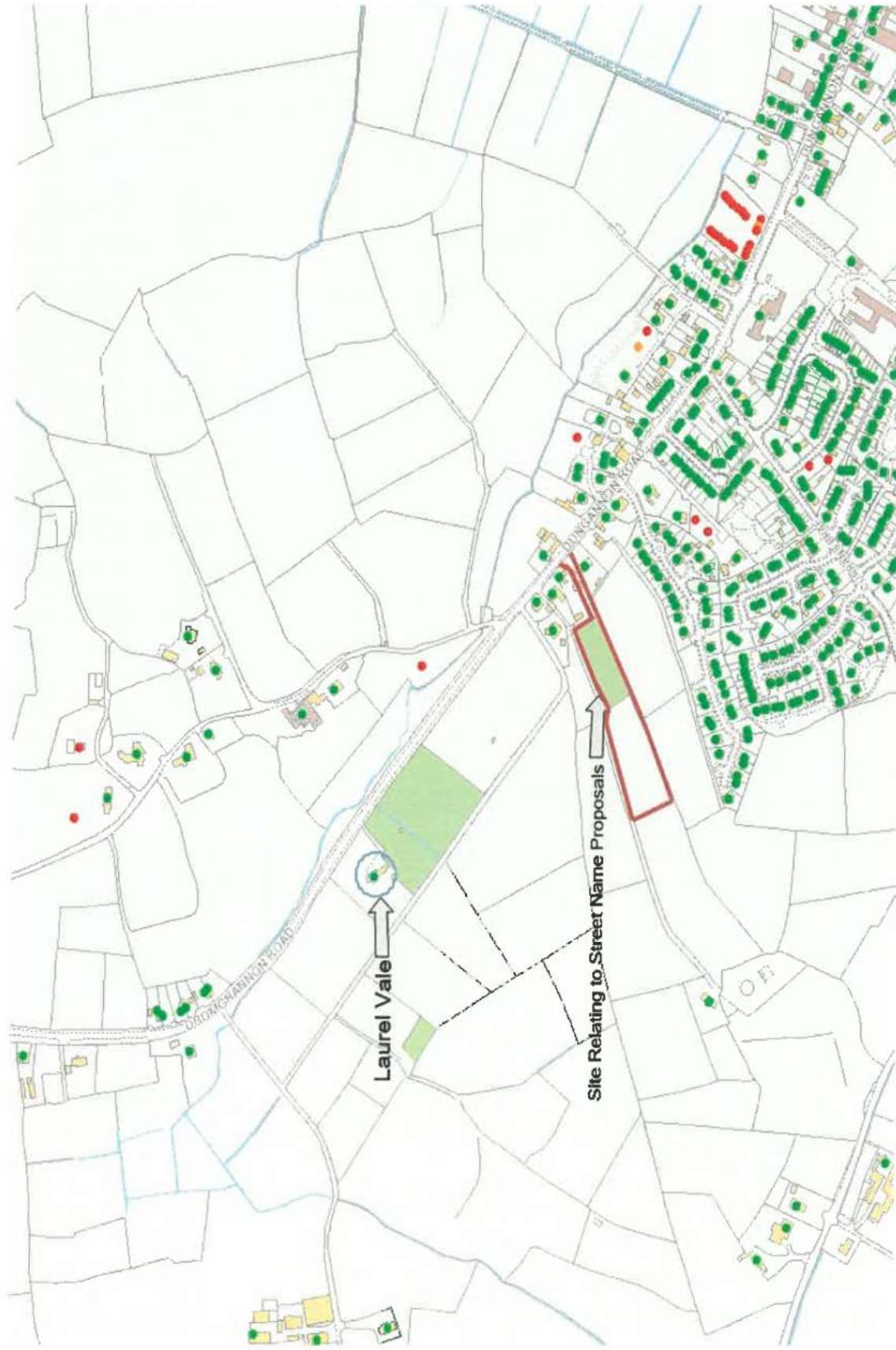
	Proposed Street Name	Linkage to Locality	Reason for Choice
Option 1	Laurelbank Gate	Laurel - From nearby historic property 'Laurelvale'. Bank - The lands are situated in the townland of Broughadowey which means 'Bank of it's Blackwater'	Of the 2 this has the most linkage with the locality and the name has quality to it.
Option 2	Laurelbrook Drive	Laurel - From nearby historic property 'Laurelvale'. Brook- there is a small watercourse to one side of the site.	Close association with the locality and physical feature within the site
Option 3	Pearl Heights	Former resident of the 44 Dungannon Road was a girl named Pearl	Close association with 44 Dungannon Road

* Please avoid the use of apostrophes, hyphens, full stops and commas.

Please note that street naming proposals should be in accordance with Mid Ulster Council Policy (Attached)

Signed Colm Donaghy.....Dated 30 11 22

Site location map indicating Laurel Vale and site relating to street name proposals





detached garages exempt
from building control
approval
as they are less than 30 sqm

MID ULSTER DISTRICT COUNCIL

Plans approved in pursuance of Article 13 of The Building Regulations (NI) Order 1979 (as amended)

Signed _____

Assistant Director of Property Services

Note: Where work has not been started within five years from the date of deposit of the plans the Council may, in accordance with Article 19, declare the deposit of the plans to be of no effect.

Streets: Directorate of Environment

Revision	Date	
Project	Lands Immediately SW of 44 Dunganon Road Moy	43 Dunganon Street Moy County Tyrone BT71 75
Title	Location & Site Plans	+44 (0)28 8778 9409
Date	24.06.22	Drp Nr PL01
		www.colmdanaghy.co.uk info@colmdanaghy.co.uk

Colm Donaghy
Chartered Architect

Report on	Local Authority Deed Agreements for Landfill Sites
Date of Meeting	10 th January 2023
Reporting Officer	Mark McAdoo, Assistant Director, Environmental Services
Contact Officer	Karl McGowan, Waste Disposal & Contracts Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To inform members on the closure and aftercare arrangements for the Councils three landfill sites and to seek approval for revised Local Authority Deed Agreements.
2.0	Background
2.1	Mid Ulster District Council currently manages one closed landfill site at Magheraglass (Cookstown) and two mothballed sites at Tullyvar (Aughnacloy) and Ballymacombs (Bellaghy). Due to the potential environmental impact of large waste facilities such as these, it is necessary to model the long term financial liabilities and to make provision for this liability in the Councils annual audited accounts.
2.2	These models were reviewed in 2019 by the consulting engineers, WDR & RT Taggart with a view to more accurately predicting the number of years that the sites must be managed for. The sites must meet a number of closure criteria before the Pollution Prevention Control (PPC) Permits may be surrendered and a detailed computer model of the site is developed to predict when these criteria are likely to be achieved. The modelling takes into consideration the surrounding geology of the site, its lining system and the types and volumes of waste accepted at the site. Council officers have carried annual reviews since this with the latest update having been submitted to the Northern Ireland Environment Agency (NIEA) in June 2022.
2.3	It is also a regulatory requirement for large waste facilities to have a financial bond in place to safeguard against operators going bankrupt or otherwise abandoning the site post closure. This would leave the NIEA, as regulator, responsible for any clean-up or aftercare of the site. However local authorities are able to use a Local Authority Deed Agreement in lieu of a financial bond and at the previous major review in 2019 the Council put in place individual agreements for each landfill site with the NIEA. The value of these local authority deed agreements based on the financial models generated for each site.

3.0Main Report

3.1

The review undertaken by WDR & RT Taggart resulted in a reduction in the number of years each site is predicted to require aftercare. Prior to 2019 this was based on an aftercare period of 60 years which was the standard at the time and the period recommended by the NIEA. The agreed revised length of the aftercare periods and the resulting year of permit surrender are detailed in the table below:

Site	Aftercare Period (Years)	Year of Permit Surrender
Ballymacombs	25	2044
Magheraglass	27	2046
Tullyar	19	2038

3.2

NIEA have recently advised that the wording previously accepted for all Local Authority Deeds has been reviewed and updated based on legal advice. The new format has been provided and this must be completed and signed for each of the three landfill sites (copies include as appendices).

3.3

Going forward, the expenditure plan for each site will be reviewed annually but the mechanism i.e. the deed agreement, will not need updated as long as the amount is less than the expenditure calculated and the deed does not have an expiry date. The revised deed agreements have the new expenditure plan amount detailed on them which have been calculated as follows following the latest annual review:

Site	2019 Local Authority Deed Value (£)	Revised Local Authority Deed Value (£)
Ballymacombs	1,254,445	1,296,433
Magheraglass	849,127	749,894
Tullyar	1,396,596	585,524

The provision for Ballymacombs is considerably higher than that for Magheraglass and Tullyar reflecting that capping works that still have to be completed there.

3.4

It should be noted that since Tullyvar Landfill Site is jointly owned by both Mid Ulster District Council and Fermanagh and Omagh District Council only 50% of the aftercare liability is provisioned within the Mid Ulster District Council accounts. The Local Authority Deed Agreement for Tullyvar will therefore have to be jointly signed and sealed by both Councils (as was previously the case in 2019).

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: The combined value of the three Local Authority Deed Agreements is £2,631,851,
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members are asked to note the content of this report and to approve revised Local Authority Deed Agreements for the three Council landfill sites.
6.0	Documents Attached & References
6.1	Appendix 1 – Local Authority Deed Agreement for Magheraglass Landfill Site
6.2	Appendix 2 – Local Authority Deed Agreement for Ballymacombs Landfill Site
6.3	Appendix 3 – Local Authority Deed Agreement for Tullyvar Landfill Site

DATED 26th January 2023

MID ULSTER DISTRICT COUNCIL

-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED

(LOCAL AUTHORITIES)

in relation to:

MAGHERAGLASS LANDFILL SITE

THIS DEED is made on the 26th day of January 2023

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** whose principal office is at Burn Road, Cookstown, Co. Tyrone, BT80 8DT ("**Permit Holder**")
; and
2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS acting through the NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (the "**NIEA**").

(each known as a "Party" together known as the "Parties")

RECITALS

- (A) The Permit Holder operates the installation at Magheraglass Landfill Site, Knockaleery Road, Cookstown, BT80 9EH which includes a specified waste management activity ("**the Installation**") and any reference to Permit Holder shall include its successors in title.
- (B) The NIEA is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) ("**the PPC Regulations**") and references to the NIEA shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference PO143/06A) ("**the Permit**") was issued to the Permit Holder by the NIEA on the 1st November 2019 (V4) for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained within the Permit (as amended from time to time).
- (D) In order to satisfy the NIEA that the Permit Holder is a fit and proper person for the purposes of the PPC Regulations, the Permit Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit.
- (E) The provision made by this Deed is without limitation to the NIEA's other rights and powers under the PPC Regulations and/or the Permit.

NOW IT IS AGREED as follows:

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 **“Agreed Interest”** means interest at the rate of 2% above the base rate of Northern Bank Ltd trading as Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 **“Business Day”** means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 **“Expenses”** includes all for the costs, damages, losses, debts, interest and other expenses of whatsoever nature (on a full indemnity basis) incurred by the NIEA in connection with the exercise of the NIEA's powers under regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 **“The RPI”** means the Retail Price Index (All Items) published by the Office for National Statistics or such other Index as the NIEA may from time to time notify the Permit Holder.
 - 1.5 **“Permit Holder's Obligations”** means all the Permit Holder's duties and/or obligations arising from the Permit and/or the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 **“the Review Date”** means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.
 - 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification, extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being made, issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made, issued or given under a re-enactment with or without any modification or extension.
 - 1.10 Headings are inserted for reference purposes only and do not form part of this Deed.
 - 1.11 This Deed shall be governed by and construed in accordance with the laws of Northern Ireland.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the NIEA upon the Permit Holder for the purpose of securing the performance and observance of the provisions of the Permit and further as security for the NIEA for the purpose of satisfying Expenses incurred by the NIEA in respect of any work undertaken by the NIEA (whether by itself or any other authorised person) pursuant to regulations 29(1) and/or (2) of the PPC Regulations. Provided that the NIEA has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3) and in either case the NIEA has served a notice on the Permit Holder requesting reimbursement of the Expenses within ten (10) Business Days of the date of service of the notice and the Permit Holder has failed to pay and thereupon the Permit Holder shall be unconditionally bound to satisfy the Expenses incurred by the NIEA on demand on service of a Certificate of Default by the NIEA upon the Permit Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit Holder under this Deed shall not exceed the total of £749,894 and FURTHER PROVIDED THAT the amount secured pursuant to this Deed shall be revised.
- (i) annually on the Review Date; or
 - (ii) on the date upon which the NIEA serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later,
- in line with the annual movement in the RPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.
- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the NIEA at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit Holder to the NIEA.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit Holder to satisfy and discharge the Expenses sustained by the NIEA shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit Holder by the NIEA of a Certificate of Default in the form of

the draft at Schedule 1 hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.

- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit Holder undertakes forthwith to make payment without any deduction direct to the NIEA for the sum demanded.
- 3.3 The NIEA may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit Holder.

RELEASE FROM THIS DEED

- 4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed:
 - 4.1 The Permit being surrendered or partially surrendered in either case in respect of all of the specified waste management activity of the Permit pursuant to regulation 22(5) of the PPC Regulations;
 - 4.2 The Permit being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom;
 - 4.3 The Permit either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations in respect of all of the specified waste management activity where the NIEA either:
 - 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
 - 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where the NIEA subsequently issues a certificate of satisfaction under regulation 24(7); and
 - 4.4 The Permit Holder providing to the NIEA an alternative mechanism for making financial provision which is acceptable to the NIEA in accordance with Clause 5.

ALTERNATIVE MECHANISM

- 5. Nothing contained in this Deed shall prevent the Permit Holder making an application to the NIEA to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations.

SERVICE OF NOTICES

6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class or registered post to the Party to be given notice or served at the address specified herein or at such other address as the Parties hereto may from time to time so serve upon each other and such notice shall be deemed to have been given and such document served:

- 6.1 If delivered personally on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class or registered post on the second Business Day after the date of posting.

FORBEARANCE BY THE NIEA

7. No alteration, variation or wavier in the terms of the Permit made under the PPC Regulations or in the extent or nature of the works to be provided, constructed and maintained thereunder and no allowance of time by the NIEA nor any forbearance, forgiveness or compromise in or in respect of any matter or thing concerning the Permit on the part of the NIEA shall discharge the Permit Holder from its liability hereunder.

COSTS

8. The Permit Holder shall pay the NIEA's legal and administrative costs and expenses incurred in the preparation and execution of this Deed in the sum of £100 plus Value Added Tax

COUNTERPARTS

9. This Deed may be executed in any number of counterparts and by the different Parties hereto on separate counterparts each of which when so executed and delivered shall be an original but all the counterparts shall together constitute but one and the same instrument.

ARBITRATION OF DISPUTES

10. 10.1 If any dispute arises between the Parties as to the interpretation, implementation or operation of this Deed and the Parties are unable to resolve the dispute amicably it shall be referred to arbitration by either Party.

- 10.2 A reference to a dispute shall not prevent the NIEA recovering monies under this Deed in accordance with Clause 2.1.
- 10.3 In the event of a reference to arbitration the Parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either Party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act 1996.
- 10.4 The Parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
- 10.5 If the decision of the arbitrator is that the NIEA has wrongly recovered monies under this Deed in whole or in part then the NIEA shall repay to the Permit Holder or such other person as directed by the Permit Holder within twenty (20) Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date of wrongful recovery to the date of repayment to the Permit Holder or such other person as directed by the Permit Holder.
- 10.6 The Parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each Party shall bear its own costs.

ASSIGNMENT

11. This Deed and the benefits thereof shall not be assigned without the prior written consent of the NIEA.

THIRD PARTY RIGHTS

12. The Parties to this Deed do not intend that any of its terms will be enforceable, by virtue of The Contracts (Rights of Third Parties) Act 1999 or otherwise, by any person not a Party to it.

Schedule 1

THE FORM OF THE CERTIFICATE OF DEFAULT

To: MID ULSTER DISTRICT COUNCIL (the “**Permit Holder**”)

CERTIFICATE OF DEFAULT relating to the Deed

Dated the 26th of January 2023 and

MADE BETWEEN:

MID ULSTER DISTRICT COUNCIL (“**the Permit Holder**”)

-and-

THE NORTHERN IRELAND ENVIRONMENT AGENCY (“**the NIEA**”)

The NIEA whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA hereby certifies that default has been made by the Permit Holder in the observance and performance of its obligations under PPC Permit dated the 1st November 2019 Reference PO143/06A (and subsequent Variation Notices) issued by the NIEA and/or the Deed made 26th of January 2023 between the NIEA and the Permit Holder in the following respects:

[]¹

As a result of the aforesaid default the NIEA is entitled to recover under the above mentioned Deed the amount £[]² which sum the NIEA hereby requires you to pay pursuant to your obligation under the said Deed.

Dated this day of 20[*]

Signed
(Authorised Officer of the NIEA)

¹ DN: A description of the Permit Holder’s default is to be included here.

² DN: Insert the appropriate Expenses figure

IN WITNESS of which the Parties have executed this Deed the day and year first written above

Present when the Seal of
MID ULSTER DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson³

Date

Executed as a DEED by the Northern Ireland Environment Agency	
..... PRINT NAME acting by an authorised signatory SIGNATURE DATE.....	
in the presence of:	
Signature of witness:
Name of witness:
Address of witness:
Occupation of witness:

³ DN: Confirmation is required as to what signatory block is to be used by the Permit Holder

DATED 26th January 2023

MID ULSTER DISTRICT COUNCIL

-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED

(LOCAL AUTHORITIES)

in relation to:

BALLYMACOMBS LANDFILL SITE

THIS DEED is made on the 26th day of January 2023

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** whose principal office is at Ballyronan Road, Magherafelt, BT45 6EN ("**Permit Holder**")
; and
2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS acting through the NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (the "**NIEA**").

(each known as a "Party" together known as the "Parties")

RECITALS

- (A) The Permit Holder operates the installation at Ballymacombs Landfill Site, Ballymacombs Road, Bellaghy, BT45 8JP which includes a specified waste management activity ("**the Installation**") and any reference to Permit Holder shall include its successors in title.
- (B) The NIEA is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) ("**the PPC Regulations**") and references to the NIEA shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference P0336/09A) ("**the Permit**") was issued to the Permit Holder by the NIEA on the 6th November 2015 (V2) for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained within the Permit (as amended from time to time).
- (D) In order to satisfy the NIEA that the Permit Holder is a fit and proper person for the purposes of the PPC Regulations, the Permit Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit.
- (E) The provision made by this Deed is without limitation to the NIEA's other rights and powers under the PPC Regulations and/or the Permit.

NOW IT IS AGREED as follows:

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 **"Agreed Interest"** means interest at the rate of 2% above the base rate of Northern Bank Ltd trading as Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 **"Business Day"** means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 **"Expenses"** includes all for the costs, damages, losses, debts, interest and other expenses of whatsoever nature (on a full indemnity basis) incurred by the NIEA in connection with the exercise of the NIEA's powers under regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 **"The RPI"** means the Retail Price Index (All Items) published by the Office for National Statistics or such other Index as the NIEA may from time to time notify the Permit Holder.
 - 1.5 **"Permit Holder's Obligations"** means all the Permit Holder's duties and/or obligations arising from the Permit and/or the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 **"the Review Date"** means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.
 - 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification, extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being made, issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made, issued or given under a re-enactment with or without any modification or extension.
 - 1.10 Headings are inserted for reference purposes only and do not form part of this Deed.
 - 1.11 This Deed shall be governed by and construed in accordance with the laws of Northern Ireland.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the NIEA upon the Permit Holder for the purpose of securing the performance and observance of the provisions of the Permit and further as security for the NIEA for the purpose of satisfying Expenses incurred by the NIEA in respect of any work undertaken by the NIEA (whether by itself or any other authorised person) pursuant to regulations 29(1) and/or (2) of the PPC Regulations. Provided that the NIEA has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3) and in either case the NIEA has served a notice on the Permit Holder requesting reimbursement of the Expenses within ten (10) Business Days of the date of service of the notice and the Permit Holder has failed to pay and thereupon the Permit Holder shall be unconditionally bound to satisfy the Expenses incurred by the NIEA on demand on service of a Certificate of Default by the NIEA upon the Permit Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit Holder under this Deed shall not exceed the total of £1,296,433 and FURTHER PROVIDED THAT the amount secured pursuant to this Deed shall be revised.
- (i) annually on the Review Date; or
 - (ii) on the date upon which the NIEA serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later,
- in line with the annual movement in the RPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.
- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the NIEA at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit Holder to the NIEA.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit Holder to satisfy and discharge the Expenses sustained by the NIEA shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit Holder by the NIEA of a Certificate of Default in the form of

the draft at Schedule 1 hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.

- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit Holder undertakes forthwith to make payment without any deduction direct to the NIEA for the sum demanded.
- 3.3 The NIEA may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit Holder.

RELEASE FROM THIS DEED

- 4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed:
 - 4.1 The Permit being surrendered or partially surrendered in either case in respect of all of the specified waste management activity of the Permit pursuant to regulation 22(5) of the PPC Regulations;
 - 4.2 The Permit being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom;
 - 4.3 The Permit either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations in respect of all of the specified waste management activity where the NIEA either:
 - 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
 - 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where the NIEA subsequently issues a certificate of satisfaction under regulation 24(7); and
 - 4.4 The Permit Holder providing to the NIEA an alternative mechanism for making financial provision which is acceptable to the NIEA in accordance with Clause 5.

ALTERNATIVE MECHANISM

- 5. Nothing contained in this Deed shall prevent the Permit Holder making an application to the NIEA to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations.

SERVICE OF NOTICES

6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class or registered post to the Party to be given notice or served at the address specified herein or at such other address as the Parties hereto may from time to time so serve upon each other and such notice shall be deemed to have been given and such document served:

- 6.1 If delivered personally on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class or registered post on the second Business Day after the date of posting.

FORBEARANCE BY THE NIEA

7. No alteration, variation or wavier in the terms of the Permit made under the PPC Regulations or in the extent or nature of the works to be provided, constructed and maintained thereunder and no allowance of time by the NIEA nor any forbearance, forgiveness or compromise in or in respect of any matter or thing concerning the Permit on the part of the NIEA shall discharge the Permit Holder from its liability hereunder.

COSTS

8. The Permit Holder shall pay the NIEA's legal and administrative costs and expenses incurred in the preparation and execution of this Deed in the sum of £100 plus Value Added Tax

COUNTERPARTS

9. This Deed may be executed in any number of counterparts and by the different Parties hereto on separate counterparts each of which when so executed and delivered shall be an original but all the counterparts shall together constitute but one and the same instrument.

ARBITRATION OF DISPUTES

10. 10.1 If any dispute arises between the Parties as to the interpretation, implementation or operation of this Deed and the Parties are unable to resolve the dispute amicably it shall be referred to arbitration by either Party.

- 10.2 A reference to a dispute shall not prevent the NIEA recovering monies under this Deed in accordance with Clause 2.1.
- 10.3 In the event of a reference to arbitration the Parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either Party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act 1996.
- 10.4 The Parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
- 10.5 If the decision of the arbitrator is that the NIEA has wrongly recovered monies under this Deed in whole or in part then the NIEA shall repay to the Permit Holder or such other person as directed by the Permit Holder within twenty (20) Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date of wrongful recovery to the date of repayment to the Permit Holder or such other person as directed by the Permit Holder.
- 10.6 The Parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each Party shall bear its own costs.

ASSIGNMENT

11. This Deed and the benefits thereof shall not be assigned without the prior written consent of the NIEA.

THIRD PARTY RIGHTS

12. The Parties to this Deed do not intend that any of its terms will be enforceable, by virtue of The Contracts (Rights of Third Parties) Act 1999 or otherwise, by any person not a Party to it.

Schedule 1

THE FORM OF THE CERTIFICATE OF DEFAULT

To: MID ULSTER DISTRICT COUNCIL (the “**Permit Holder**”)

CERTIFICATE OF DEFAULT relating to the Deed

Dated the 26th of January 2023 and

MADE BETWEEN:

MID ULSTER DISTRICT COUNCIL (“**the Permit Holder**”)

-and-

THE NORTHERN IRELAND ENVIRONMENT AGENCY (“**the NIEA**”)

The NIEA whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA hereby certifies that default has been made by the Permit Holder in the observance and performance of its obligations under PPC Permit dated the 6th November 2015 Reference P0366/03A (and subsequent Variation Notices) issued by the NIEA and/or the Deed made 26th of January 2023 between the NIEA and the Permit Holder in the following respects:

[]¹

As a result of the aforesaid default the NIEA is entitled to recover under the above mentioned Deed the amount £[]² which sum the NIEA hereby requires you to pay pursuant to your obligation under the said Deed.

Dated this day of 20[*]

Signed
(Authorised Officer of the NIEA)

¹ DN: A description of the Permit Holder’s default is to be included here.

² DN: Insert the appropriate Expenses figure

IN WITNESS of which the Parties have executed this Deed the day and year first written above

Present when the Seal of
MID ULSTER DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson³

Date

Executed as a DEED by the Northern Ireland Environment Agency	
..... PRINT NAME acting by an authorised signatory SIGNATURE DATE.....	
in the presence of:	
Signature of witness:
Name of witness:
Address of witness:
Occupation of witness:

³ DN: Confirmation is required as to what signatory block is to be used by the Permit Holder

DATED 26th January 2023

MID ULSTER DISTRICT COUNCIL
-and-
FERMANAGH & OMAGH DISTRICT COUNCIL
-and-

NORTHERN IRELAND ENVIRONMENT AGENCY

PERFORMANCE DEED
(LOCAL AUTHORITIES)

in relation to:
TULLYVAR LANDFILL SITE

THIS DEED is made on the 26th day of January 2023

BETWEEN

1. **MID ULSTER DISTRICT COUNCIL** and **FERMANAGH & OMAGH DISTRICT COUNCIL** whose principal office is at Circular Road, Dungannon, BT71 6DT ("**Permit Holder**")

; and
2. **THE DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS** acting through the **NORTHERN IRELAND ENVIRONMENT AGENCY** whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. (the "**NIEA**").

(each known as a "Party" together known as the "Parties")

RECITALS

- (A) The Permit Holder operates the installation at Tullyvar Landfill Site, 130 Tullyvar Road, Aughnacloy, BT69 6BN which includes a specified waste management activity ("**the Installation**") and any reference to Permit Holder shall include its successors in title.
- (B) The NIEA is the regulator of the Installation for the purposes of the Pollution Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160 (as amended) ("**the PPC Regulations**") and references to the NIEA shall include its successors in title as the regulator.
- (C) In accordance with the PPC Regulations a Permit (Reference PO184/07A) ("**the Permit**") was issued to the Permit Holder by the NIEA on the 8th June 2021 (V6) for the use of the Installation for a specified waste management activity (under the PPC Regulations) subject to conditions contained within the Permit (as amended from time to time).
- (D) In order to satisfy the NIEA that the Permit Holder is a fit and proper person for the purposes of the PPC Regulations, the Permit Holder desires to make and maintain adequate financial provision in relation to and/or arising from its duties and obligations under the Permit.
- (E) The provision made by this Deed is without limitation to the NIEA's other rights and powers under the PPC Regulations and/or the Permit.

NOW IT IS AGREED as follows:

DEFINITIONS AND INTERPRETATION

1. In this Deed unless the context otherwise requires or definitions are elsewhere set out in this Deed.
 - 1.1 **“Agreed Interest”** means interest at the rate of 2% above the base rate of Northern Bank Ltd trading as Danske Bank published from time to time compounded quarterly or at the rate of 10% per annum compounded quarterly whichever is the greater.
 - 1.2 **“Business Day”** means any day from Monday to Friday inclusive other than Christmas Day, Good Friday or a statutory Bank Holiday in Northern Ireland.
 - 1.3 **“Expenses”** includes all for the costs, damages, losses, debts, interest and other expenses of whatsoever nature (on a full indemnity basis) incurred by the NIEA in connection with the exercise of the NIEA's powers under regulations 29(1) and/or 29(2) of the PPC Regulations under the Permit or the enforcement of this Deed in whole or in part or the exercise of any power under this Deed and all legal costs and disbursements together with Agreed Interest from the date on which the Expenses are incurred.
 - 1.4 **“The RPI”** means the Retail Price Index (All Items) published by the Office for National Statistics or such other Index as the NIEA may from time to time notify the Permit Holder.
 - 1.5 **“Permit Holder's Obligations”** means all the Permit Holder's duties and/or obligations arising from the Permit and/or the Waste and Contaminated Land (Northern Ireland) Order 1997.
 - 1.6 **“the Review Date”** means the anniversary of the date of this Deed.
 - 1.7 References in this Deed to Clause numbers are references to the Clauses in this Deed bearing those numbers.
 - 1.8 The singular includes the plural and vice versa.
 - 1.9 Any reference to an Act of Parliament or Order in Council shall include any modification, extension or re-enactment of it for the time being in force and shall also include all instruments, orders, plans, regulations, permissions, licenses and directions for the time being made, issued or given under such Act or Order or deriving validity from it or so made issued or given and treated as though so made, issued or given under a re-enactment with or without any modification or extension.
 - 1.10 Headings are inserted for reference purposes only and do not form part of this Deed.
 - 1.11 This Deed shall be governed by and construed in accordance with the laws of Northern Ireland.

ENFORCEMENT OF THIS DEED

2. 2.1 This Deed shall be enforceable by the NIEA upon the Permit Holder for the purpose of securing the performance and observance of the provisions of the Permit and further as security for the NIEA for the purpose of satisfying Expenses incurred by the NIEA in respect of any work undertaken by the NIEA (whether by itself or any other authorised person) pursuant to regulations 29(1) and/or (2) of the PPC Regulations. Provided that the NIEA has in relation to the exercise of power under regulation 29(2) complied with the requirements of regulation 29(3) and in either case the NIEA has served a notice on the Permit Holder requesting reimbursement of the Expenses within ten (10) Business Days of the date of service of the notice and the Permit Holder has failed to pay and thereupon the Permit Holder shall be unconditionally bound to satisfy the Expenses incurred by the NIEA on demand on service of a Certificate of Default by the NIEA upon the Permit Holder without deduction set-off or counterclaim and for the avoidance of doubt the Permit Holder's liability hereunder may arise on successive occasions PROVIDED THAT the amount recoverable from the Permit Holder under this Deed shall not exceed the total of £585,524 and FURTHER PROVIDED THAT the amount secured pursuant to this Deed shall be revised.
- (i) annually on the Review Date; or
 - (ii) on the date upon which the NIEA serves written notice of such revision on the Permit Holder certifying the revision as having been calculated in accordance with this Clause whichever is the later,
- in line with the annual movement in the RPI in the month prior to such Review Date in respect of the then preceding 12 months and calculated by compounding annually.
- 2.2 This Deed is and shall remain a continuing security for the Permit Holder's Obligations to the NIEA at all times and shall not be satisfied or otherwise affected by any repayment or recovery from time to time of the whole or any part of any amount which may then be due owing from the Permit Holder to the NIEA.

CERTIFICATE OF DEFAULT

3. 3.1 The obligation of the Permit Holder to satisfy and discharge the Expenses sustained by the NIEA shall be deemed conclusively to have arisen both as to liability to pay and the quantum of the damages upon the service upon the Permit Holder by the NIEA of a Certificate of Default in the form of

the draft at Schedule 1 hereto giving particulars of the default or occurrence giving rise to the liability and the quantum of the Expenses sustained.

- 3.2 Upon receipt of the Certificate described in Clause 3.1 the Permit Holder undertakes forthwith to make payment without any deduction direct to the NIEA for the sum demanded.
- 3.3 The NIEA may make a demand under or enforce this Deed either with or without first resorting to other means of payment or to other securities without taking proceedings against the Permit Holder.

RELEASE FROM THIS DEED

- 4. Upon any one of the following events occurring the Permit Holder shall be released from performance of this Deed:
 - 4.1 The Permit being surrendered or partially surrendered in either case in respect of all of the specified waste management activity of the Permit pursuant to regulation 22(5) of the PPC Regulations;
 - 4.2 The Permit being transferred or partially transferred in respect of all of the specified waste management activity pursuant to regulation 20 of the PPC Regulations except where any transfer is made to a local government body pursuant to the Reform of Local Government and any legislative provision arising therefrom;
 - 4.3 The Permit either being revoked entirely or partially pursuant to regulation 24 of the PPC Regulations in respect of all of the specified waste management activity where the NIEA either:
 - 4.3.1 does not require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations; or
 - 4.3.2 does require the Permit Holder to take further steps under regulation 24(5) of the PPC Regulations and where the NIEA subsequently issues a certificate of satisfaction under regulation 24(7); and
 - 4.4 The Permit Holder providing to the NIEA an alternative mechanism for making financial provision which is acceptable to the NIEA in accordance with Clause 5.

ALTERNATIVE MECHANISM

- 5. Nothing contained in this Deed shall prevent the Permit Holder making an application to the NIEA to consider any alternative mechanism for making financial provision in accordance with regulation 4(3)(b) of the PPC Regulations.

SERVICE OF NOTICES

6. Save as otherwise specifically provided any notice or document to be given or served for the purposes of this Deed shall be in writing and shall be delivered personally or sent by first class or registered post to the Party to be given notice or served at the address specified herein or at such other address as the Parties hereto may from time to time so serve upon each other and such notice shall be deemed to have been given and such document served:

- 6.1 If delivered personally on the date of delivery or transmission unless such date is not a Business Day or is after 4.30 pm on a Business Day in which event on the next Business Day; or
- 6.2 If sent by first class or registered post on the second Business Day after the date of posting.

FORBEARANCE BY THE NIEA

7. No alteration, variation or wavier in the terms of the Permit made under the PPC Regulations or in the extent or nature of the works to be provided, constructed and maintained thereunder and no allowance of time by the NIEA nor any forbearance, forgiveness or compromise in or in respect of any matter or thing concerning the Permit on the part of the NIEA shall discharge the Permit Holder from its liability hereunder.

COSTS

8. The Permit Holder shall pay the NIEA's legal and administrative costs and expenses incurred in the preparation and execution of this Deed in the sum of £100 plus Value Added Tax

COUNTERPARTS

9. This Deed may be executed in any number of counterparts and by the different Parties hereto on separate counterparts each of which when so executed and delivered shall be an original but all the counterparts shall together constitute but one and the same instrument.

ARBITRATION OF DISPUTES

10. 10.1 If any dispute arises between the Parties as to the interpretation, implementation or operation of this Deed and the Parties are unable to resolve the dispute amicably it shall be referred to arbitration by either Party.

- 10.2 A reference to a dispute shall not prevent the NIEA recovering monies under this Deed in accordance with Clause 2.1.
- 10.3 In the event of a reference to arbitration the Parties shall agree an arbitrator or if not agreed an arbitrator will be nominated at the request of either Party by the President (or failing that the vice-President) for the time being of the Northern Ireland Chapter of the Irish Branch of the Chartered Institute of Arbitrators and such reference shall be deemed to be a reference to arbitration pursuant to the Arbitration Act 1996.
- 10.4 The Parties agree that the decision of the arbitrator shall be final except in the case of manifest error.
- 10.5 If the decision of the arbitrator is that the NIEA has wrongly recovered monies under this Deed in whole or in part then the NIEA shall repay to the Permit Holder or such other person as directed by the Permit Holder within twenty (20) Business Days of the arbitrator's decision that amount wrongly recovered together with Agreed Interest from the date of wrongful recovery to the date of repayment to the Permit Holder or such other person as directed by the Permit Holder.
- 10.6 The Parties agree that the costs of the arbitrator shall be paid as directed the arbitrator or in the absence of such direction each Party shall bear its own costs.

ASSIGNMENT

11. This Deed and the benefits thereof shall not be assigned without the prior written consent of the NIEA.

THIRD PARTY RIGHTS

12. The Parties to this Deed do not intend that any of its terms will be enforceable, by virtue of The Contracts (Rights of Third Parties) Act 1999 or otherwise, by any person not a Party to it.

Schedule 1

THE FORM OF THE CERTIFICATE OF DEFAULT

To: MID ULSTER DISTRICT COUNCIL and FERMANAGH & OMAGH DISTRICT COUNCIL (the “**Permit Holder**”)

CERTIFICATE OF DEFAULT relating to the Deed

Dated the 26th of January 2023 and

MADE BETWEEN:

MID ULSTER DISTRICT COUNCIL and FERMANAGH & OMAGH DISTRICT COUNCIL (“the **Permit Holder**”)

-and-

THE NORTHERN IRELAND ENVIRONMENT AGENCY (“the **NIEA**”)

The NIEA whose principal office is at Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA hereby certifies that default has been made by the Permit Holder in the observance and performance of its obligations under PPC Permit dated the 8th June 2021 Reference PO184/07A (and subsequent Variation Notices) issued by the NIEA and/or the Deed made 26th of January 2023 between the NIEA and the Permit Holder in the following respects:

[]¹

As a result of the aforesaid default the NIEA is entitled to recover under the above mentioned Deed the amount £[]² which sum the NIEA hereby requires you to pay pursuant to your obligation under the said Deed.

Dated this day of 20[*]

Signed
(Authorised Officer of the NIEA)

¹ DN: A description of the Permit Holder’s default is to be included here.

² DN: Insert the appropriate Expenses figure

IN WITNESS of which the Parties have executed this Deed the day and year first
written above

Present when the Seal of
MID ULSTER DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson

Date

Present when the Seal of
FERMANAGH & OMAGH DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson

Date

Executed as a DEED by the Northern Ireland Environment Agency

.....
PRINT NAME

acting by an authorised signatory

.....
SIGNATURE

DATE.....

in the presence of:

Signature of witness:

Name of witness:

Address of witness:

Occupation of witness:

THIS AGREEMENT is made the 26th day of January 2023 between MID ULSTER DISTRICT COUNCIL of Circular Road, Dungannon in the County of Tyrone ("Mid Ulster") of the one part and FERMANAGH & OMAGH DISTRICT COUNCIL of The Grange, Mountjoy Road, Omagh in the County of Tyrone ("Fermanagh & Omagh") of the other part.

WHEREAS:-

a) Mid Ulster and Fermanagh & Omagh are the joint owners of Tullyvar Landfill Site and are the joint holders of a Permit issued under the Pollution Prevention and Control (Northern Ireland) Regulations 2003 in respect of the waste management activity carried on therein.

b) Mid Ulster and Fermanagh & Omagh have today executed a Performance Deed with the Department of Agriculture, Environment and Rural Affairs acting through the Northern Ireland Environment Agency for the purpose of securing performance and observance of the provisions of the Permit a copy of which is set out in Schedule One attached hereto.

NOW IT IS HEREBY agreed that Mid Ulster and Fermanagh & Omagh shall each be liable for and shall discharge without deduction, set-off or counterclaim one half of any liability which may from time to time arise on foot of the Performance Deed.

IN WITNESS whereof the parties hereby have affixed their seals the day and year first herein written.

Present when the Seal of
MID ULSTER DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson

Date

Present when the Seal of
FERMANAGH & OMAGH DISTRICT COUNCIL
was affixed hereto

Chief Executive

Chairperson

Date

EXEMPLAR

Report on	Bus Shelters Update
Date of Meeting	10 January 2023
Reporting Officer	Raymond Lowry Head of Technical Services
Contact Officer	Johnny McNeill – Technical Services Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update Members on the current bus shelter status.
2.0	Background
2.1	Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the department to erect and maintain on any road within the district of the council, shelters for the protection from the weather or persons waiting to enter public service vehicles. Bus shelters are erected following local representations. They are provided, particularly for those who have to use public services who may have to stand out in the inclement weather.
2.2.	Following the bus shelter collaborative workshop held in March 2020, the bus shelter process was discussed and agreed at the Council meeting held on the 27 th March 2020. Members are advised in a monthly report of progress made on the various applications that have been lodged with the department.
2.3	Due to the Covid-19 pandemic progress has been delayed with unavailability of staff and priority of workloads within the various departments involved in dealing with the shelter installation. MUDC / DfI Roads have met (through "Microsoft Teams") to discuss a selection of these projects and will continue to carry out similar meetings to progress shelter applications.
2.4	Members to note current Procedural guide approved by Council March 2021. (see appendix 1)

3.0	Main Report
3.1	<p>The following information headings will be covered:</p> <ul style="list-style-type: none"> • New applications received in the past month (see 3.2) • Progress on stages 2-4 application process (see 3.3) • Request for Council to move from stage 5 (see 3.4) • Progress update on stages 6-9 (see 3.5) • Neighbour Notification summary and detailed analysis (see 3.6) • Projects recommended for approval (3.7) • Projects recommended for withdrawal (see 3.8) • Shelters passed to Property Services for installation (3.9) • Progress update on stages 10-11 (see 3.10) • Update on statutory response times in relation to agreement on time related responses for application (see 3.11) • Issued Raised during previous Env Committee (3.12) • Other issues (see 3.13)
3.2	New Applications received in the past month – 0Nr new application received in the past month.
3.3	Progress on stages 2-4 of the application process – see table in Appendix 1.
3.4	Requests for Council to move from stage 5 of the application process – 0Nr applications to move from stage 5.
3.5	<p>Progress update on stages 6-9 – Update on applications below have been discussed with a view to getting approval:</p> <ul style="list-style-type: none"> • Derryfubble Road, Benburb, awaiting valuation and approval from NIHE.
3.6	<p>Summary of Neighbour Notifications- To be returned January 2023,</p> <ul style="list-style-type: none"> • Annaghmore Road, Cookstown • The Mills, Coalisland

3.6a

- **Derryvale, Coalisland** (see Table 4 Appendix 1 – reference 10) Neighbour notification completed.

Shelter Location	Derryvale, Coalisland
Bus Shelter Requested	28/06/2016
Date Request Validated	28/06/2016
Survey Issued	2/11/2022
Survey Returned By	09/12/2022
Survey Letters Issued (No.)	3
Survey Letters Returned	0
Replies in Favour	0
Replies not in Favour	0
No response	3
Valid Returns	0
Percentage that have objections	100%

In accordance with the Bus Shelter Procedural guide, at least 51% of the addresses surveyed must have no objections to the shelter. NOTE; for the purposes of assessment where 51% (rounded to the nearest whole number) of property addresses that respond indicate that they are not in favour of the erection of a shelter, then the results of the survey will be forwarded to the Environment Committee for information confirming that the shelter will not be approved or erected. The Bus shelter at Derryvale, Coalisland is recommended to be installed, (subject to final landowner agreement NIHE).

3.6b

- **Old Dungannon Road, Ballygawley** (see Table 4 Appendix 1 – reference 9) Neighbour notification completed.

Shelter Location	Old Dungannon Road, Ballygawley
Bus Shelter Requested	12/10/2022
Date Request Validated	12/10/2022
Survey Issued	25/11/2022
Survey Returned By	09/12/2022
Survey Letters Issued (No.)	3
Survey Letters Returned	0
Replies in Favour	0
Replies not in Favour	0
No response	3
Valid Returns	0
Percentage that have objections	100%

In accordance with the Bus Shelter Procedural guide, at least 51% of the addresses surveyed must have no objections to the shelter. NOTE; for the purposes of assessment where 51% (rounded to the nearest whole number) of property addresses that respond indicate that they are not in favour of the erection of a shelter, then the results of the survey will be forwarded to the

3.6c	<p>Environment Committee for information confirming that the shelter will not be approved or erected. The Bus shelter at Old Dungannon Road, Ballygawley is recommended to be installed.</p> <ul style="list-style-type: none"> • Innishrush Village (see Table 4 Appendix 1 – reference 11) Neighbour notification completed. <table border="1"> <thead> <tr> <th>Shelter Location</th><th>Innishrush Village</th></tr> </thead> <tbody> <tr> <td>Bus Shelter Requested</td><td>12/10/2022</td></tr> <tr> <td>Date Request Validated</td><td>12/10/2022</td></tr> <tr> <td>Survey Issued</td><td>25/11/2022</td></tr> <tr> <td>Survey Returned By</td><td>09/12/2022</td></tr> <tr> <td>Survey Letters Issued (No.)</td><td>10</td></tr> <tr> <td>Survey Letters Returned</td><td>2</td></tr> <tr> <td>Replies in Favour</td><td>2</td></tr> <tr> <td>Replies not in Favour</td><td>0</td></tr> <tr> <td>No response</td><td>0</td></tr> <tr> <td>Valid Returns</td><td>2</td></tr> <tr> <td>Percentage that have objections</td><td>100%</td></tr> </tbody> </table> <p>In accordance with the Bus Shelter Procedural guide, at least 51% of the addresses surveyed must have no objections to the shelter. NOTE; for the purposes of assessment where 51% (rounded to the nearest whole number) of property addresses that respond indicate that they are not in favour of the erection of a shelter, then the results of the survey will be forwarded to the Environment Committee for information confirming that the shelter will not be approved or erected. The Bus shelter at Innishrush Village, is recommended to be installed. (subject final landowner agreement).</p>	Shelter Location	Innishrush Village	Bus Shelter Requested	12/10/2022	Date Request Validated	12/10/2022	Survey Issued	25/11/2022	Survey Returned By	09/12/2022	Survey Letters Issued (No.)	10	Survey Letters Returned	2	Replies in Favour	2	Replies not in Favour	0	No response	0	Valid Returns	2	Percentage that have objections	100%
Shelter Location	Innishrush Village																								
Bus Shelter Requested	12/10/2022																								
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Valid Returns	2																								
Percentage that have objections	100%																								
3.7	<p>Projects recommended for Approval; - 3Nr applications are recommended for approval this month.</p> <ul style="list-style-type: none"> • Derryvale, Coalisland • Old Dungannon Road, Ballygawley • Innishrush Village 																								
3.8	<p>Projects noted below are recommended for withdrawal – 0Nr applications are being recommended for withdrawal.</p>																								
3.9	<p>Members to Note the following shelters as listed below have been passed over to Property Services for installation and these are currently being programmed for installation within their current workload. Members seeking information on installation dates etc should direct their queries to Property Services.</p> <ul style="list-style-type: none"> • Reenaderry Road, Washingbay • Coagh Road, Stewartstown • Garrison Road, Curran • William Street Bellaghy • Hillhead Road, Stewartstown x2 																								

- Eglish View, Ballinderry
- The Square, Moy
- Killeshill A29, Ballygawley Road
- St Colmans Park, Moortown – Subject to Legal approval from NIHE

3.10 **Progress update on stages 10-11** – 0nr shelters installed since date of last meeting.

3.11 **Progress on response times** – Agreed response times within 30 days with statutory agencies.

Statutory Agencies	Number requests sent	Reply <30 Days	Reply >30 Days
Translink	1	0	1
Education Authority	1	0	1
Dfi Roads	0	0	0
NIHE	1	0	1

**Translink,
Responses Outstanding** 1. Thatch Inn,

**Education Authority,
Responses Outstanding** 1. Tirkane Road, Maghera

**NIHE
Responses Outstanding** 1. Derryfubble Road, Awaiting NIHE approval and valuation

Interagency Meeting; Statutory update meeting to be held 16 January 2022, with DFI Roads EA, NIHE and Translink, to discuss new Bus shelter locations, response times and issues as listed below;

3.12 **Issues raised at the Environment Committee- 14th June 2022;**

- **Route alterations;**
Head of Technical services advised that Translink / Agreed that any alterations to routes to be notified to MUDC in advance of any planned route changes. Agreed with Translink and EA.

3.13	<ul style="list-style-type: none"> • NIHE - Derryfubble Road, Benburb- NIHE confirmed they own the land and that it is not currently zoned for development. Awaiting NIHE Lands section response to request. • Inishrush shelter- Alternative option has been proposed by resident to assist in the location at Inishrush. DFI Roads/Translink meeting held, 23/11/2022, to identify suitable Bus shelter location. Neighbour notification issued and returned, 9 December 2022. Recommendation to proceed to installation stage. • Eglish View, Ballinderry – DFI Roads are proposing to create a footpath from Eglish View to Derrychrin PS, under Active Travel scheme. Meeting to be held January 2023 to discuss proposals. • Rural shelter across the District- Requested that rural shelters are checked and cleared of weeds prior to the start of the new school term. (item passed to Property Services to Action as they have the responsibility for this scope of works • Redundant Shelters- At the October Interagency meeting both Translink and Education Authority have indicated that they are prepared to assist with the identification of redundant shelters within the Mid Ulster area. Process to be agreed to carry out identification of redundant shelters. <p>Other issues: None</p>
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4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Within budget for Technical Services and Property services to action provision / installation costs within their budget.</p> <p>Risk Management: Non-delivery will have adverse impact of users of public transport.</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: N/a</p> <p>Rural Needs Implications: N/a</p>

5.0	Recommendation(s)
5.1	Members to note the content of the report on the progress made on bus shelters within the district and grant approval to progress thus shelters listed below.
5.2	3.7 – Projects recommended for approval <ul style="list-style-type: none"> • Derryvale, Coalisland • Old Dungannon Road, Ballygawley • Innishrush Village
6.0	Documents Attached & References
6.1	Appendix 1 – March 2021 - Procedural guide
6.2	Appendix 2 – Progress table with comments
6.3	Appendix 3 – Progress Table Summary

Procedural Guide on the Provision of Bus Shelters



1.0 Bus Shelters – Mid Ulster District Council

Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the Department for Infrastructure (DfI) to erect and maintain on any road within the district of the council, shelters for the protection from the weather or persons waiting to enter public service vehicles. Bus shelters are erected following local representations. They are provided, particularly for those who have to use public services who may have to stand out in the inclement weather.

1.1 PROCEDURAL STATEMENT

Council will erect a bus shelter where there is shown to be a need, providing the location does not present a safety or nuisance problem and adequate funding is available. Relocation of bus shelters should only take place as a result of either road alignment or the bus companies relocating their bus stops. All other cases of relocation should be resisted as long as there is an identified need for the shelter. Any relocation as a result of retail business / property owner request will only be considered if an alternative suitable location (distance restrictions will be considered) can be accommodated AND the retail business / property owner covers all associated costs for relocated shelter.

If there is any reported anti-social behaviour over a 12 month period at the location of a new/existing shelter the shelter location will be reviewed by Council with an option to remove the shelter and make good the existing surfaces.

1.2 CRITERIA FOR THE ERECTION OF A BUS SHELTER

1. Usage must be a minimum of 6 passengers over a period of a day and applications will be considered on a first come, first served basis, with Translink NI / Education Authority confirming this information. Less than 6 passengers will only be considered by a Council/DEA approval process.
2. The location must be at a recognised bus stop.
3. Following validation, the Council will canvass, by post, all property addresses within 50m frontage to the bus stop (25m either side) on the erection of the shelter, including the type of shelter.
4. At least 51% of the addresses surveyed must have no objections to the shelter.

NOTE - for the purposes of assessment where 51% (rounded to the nearest whole number) of property addresses that respond indicate that they are not in favour of the erection of a shelter, then the results of the survey will be forwarded to the Environment Committee for information confirming that the shelter will not be approved or erected.)

Appendix 1

5. There should be no Department for Infrastructure Roads objections on traffic grounds.
6. There must be sufficient budgetary provision available to provide the bus shelter.
7. All Survey results that do not meet the essential criteria to be reported to Council for consideration.
8. Once refused a request may not be considered for a further 12 month period from the original decision by Council.
9. Form TS/BSRF/01 to be completed and signed off by Head of Service.
10. Bus Shelter request to be approved by Environment Committee.

1.3 DESIGN OF BUS SHELTER

The Council endeavour to provide good quality, comfortable bus shelters purchased through the Procurement Department. Where appropriate they will endeavour to have bus shelters erected free of charge, other than services by Adshel.

1. All shelters within 30mph speed limits will have shelter in accordance with **Example A**, (as below).
2. All shelters outside 30mph speed limits will have shelter in accordance with **Example B**, (as below).

Council will consider in conservation areas the erection of shelters above this standard, but the cost of such shelters excluding erection and servicing costs shall not exceed £3000.00.



Example A, within
30mph speed limits,
Glazed shelter.



Example B, outside
30mph speed limits,
painted metal shelter.

1.4 REPLACEMENT OF BUS SHELTERS

Any defective shelters that require replacement as part of their life span to be replaced using location criteria and shelter design Examples A or B as noted above as part of the maintenance of the Council Estate .

1.5 PROVISION OF BUS SHELTERS – PROCESS

Stage 1: Send application form to person requesting Erection of Shelter.

Stage 2: Acknowledge receipt of request (in writing) – standard letter sent.

Stage 3: Carry out preliminary visit to investigate suitability of site.

Stage 4: Contact Translink / SELB / Private approved Coach Companies to confirm viability of erecting bus shelter i.e. recognised "Bus Stop", number and age of children, bus routes etc. 1st organisation to respond with numbers meeting the criteria i.e. 6 or more then proceed to next stage.

Note – shelters only provided at locations where it is confirmed a minimum of six people await / board buses.

Organisational Name	Contact Name	Contact Number	

Stage 5: Report to Environment Committee to seek Council approval/instruction.

Stage 6: Identify landowner e.g. Housing Executive, local farmer, etc. and obtain their written consent for erection of bus shelter and consult with adjoining properties (contact local Councillor and arrange site meeting if necessary). Elected members to be notified by email when letters are to be issued to neighbours for information purposes.

Stage 7: Send letters (with location maps) for approval/comments to DfI (Roads) / Water Service, PSNI, BT and NIE (arrange follow-up site meetings if necessary).

Stage 8: Sign and return DfI (Roads), Article 66, Consent/Schedule at least six days prior to erection of bus shelter.

Stage 9: Erect bus shelter – Example A or Example B (see 1.3).

Stage 10: Send request to GIS officer to have new asset plotted, and add to shelter register which is to be forwarded to Procurement Department, for insurance cover. Information to include erection/ maintenance/ ownership/ risk assessments / inspection regime / legal agreements between Council and the relevant landowners.

Stage 11: Report back to Council.

Date

Our Ref: MUDC/TS/BS/

The Occupier

Address 1

Address 2

Postcode

Dear Sir/Madam,

Re: Application for Provision of Bus Shelter at [Enter Location]

Mid Ulster District Council have received an application to erect a bus shelter at the above location and as noted in attached map (see Appendix 1).

The Council's Procedural Guide on the Provision of Bus Shelters outlines that validated applications are subject to neighbour notification. Those who meet the following criteria are eligible to register their preference on this matter:

- All property addresses within 50m frontage to the bus stop (25m either side) on the erection of the shelter, including the type of shelter

Our records indicate that this address is within 50m criteria and therefore subject to neighbour notification.

If approved Council would install Bus Shelter type **[Enter Bus Shelter Example A or B]** as detailed in Appendix 2.

On completion of this survey Council will provide a determination on this request on the basis of the majority preference as submitted. For approval to be considered, at least 51% (majority) of respondents must be in favour of the proposal.

Please read carefully the statements on the survey form attached. Tick your preferred option in the appropriate box, print your name and address and sign the document. The completed survey form(s) should be returned to this office by either:

- a. returning in Self Addressed Envelope provided, or
- b. emailing to Technicalservices@midulstercouncil.org

Forms received after **[Enter Day and Date]** will not be considered.

Thank you for your time completing this survey.

If you have any queries on the above, please contact (Officer Name) in the Cookstown Office by email at (,,,,,,,) or by telephone on 03000 132 132 Ext: 24400.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Raymond Lowry', is enclosed in a thin black rectangular border.

Raymond Lowry
Head of Technical Services

Encs.

Cc DEA Councillors



PROVISION OF BUS SHELTER – SURVEY FORM

1. **I HAVE NO OBJECTIONS** to have a Bus Shelter erected at **[Enter Location]**

☐

2. **I DO NOT WISH** to have a Bus Shelter erected at **[Enter Location]**

☐

If you have ticked this box please give reason for objection

Reason for Objection:

Name: _____
(CAPITALS)

Address: _____

Signature: _____

The Results of this survey will be available to view on the MUDC website
www.midulstercouncil.org under Council Meetings but should you wish to receive written
correspondence detailing the outcome of the survey please tick this box. ☐

Data Protection

In accordance with Data Protection Legislation, Mid Ulster District Council has a duty to protect any data we hold. The information you provide on this survey form will be used for the purposes of processing your survey and will not be shared to any third party unless law or regulation compels such a disclosure. Information will be retained in accordance with the Council's Retention and Disposal Policy.

Appendix 1

[Insert Map of proposed Bus Shelter location]

Appendix 2

BUS SHELTER TYPE

See below Example A - within 30mph speed limits, glazed shelter.



See below Example B - outside 30mph speed limits, painted metal shelter.



Table 1 – Applications awaiting formal application to be submitted (1nr)				
No	Location	Stage	Status / Comment	Progress status
1	Thatch Inn, Hillhead Road	0	Presented to Translink for comment	DFI roads / Translink to confirm if shelter falls under their remit to install rather than MUDC.
Table 2 – New applications received since last Committee (2nr)				
0			N/A	0nr New Applications from last Committee meeting
Table 3 – STAGES 2-4, (11nr)				
1	Brough Road, Castledawson (Private Application) - 2018/001	3	Application Form returned .	Translink 20nr user numbers, EA do not use this route.
2	Tirkane Road, Maghera	3	Application Form returned .	Site visit held, identified site for shelter. Translink do not use this stop. Awaiting EA response.
3	Annaghnamore Rd, Clonoe	3	New application	DFI Roads to visit site , to assess proposed location
4	Cloverhill, Moy	3	Application received	Site visit with DFI Roads, 09 August 2022. No suitable location identified, applicant advised awaiting decision
5	The Mills, Coalisland	4	Application received	Translink consulted for new proposed location.
6	Annaghmore Rd, Cookstown	4	Signed application form	Site meeting held 21/09/2022, Confirmed 12nr passenger numbers
7	Fardross-Slatmore Rd, Clogher	4	Signed application form	Site meeting held 15/09/2022, Letters sent to Translink and EA for user numbers. EA 4nr users, Translink to confirm user numbers
8	Ballyronan rd, Magherafelt	4	Signed application form	Site meeting held 15/09/2022, Letters sent to Translink and EA for user numbers
9	Lisclare Road, Killeen	2	Application form returned	Additional shelter requested for increased user numbers.

10	Primrose Hill, Clogher	2	Application form returned	New application, User numbers requested from Translink and EA
11	Cullion Road, Desertmartin	4	Application form returned	New application, User numbers requested from Translink and EA

Table 4 – STAGES 5-8, (14 NR)

No	Location	Stage	Status / Comment	Progress status
1	Tullyhogue Village	6	Residents declined original location as will promote anti-social behaviour. Limited options for alternative sites that suit bus pick-ups.	No suitable site currently available within the village.
2	St Colmans Park, Moortown	6	Met applicant on site 9 October 2020, site agreed.	Agreed at Council to proceed with lease provided by NIHE. Property Services to action.
3	Glendavagh Road, Crilly, Aughnacloy - 2016/013	6	Application Form filled in during meeting with Cllr Burton	Awaiting confirmation from applicant to see if proposed shelter is still required in this location
4	Church street , Cookstown	6	Site meeting held with applicant, user number requests issued to Translink and EA	Translink 20nr passengers. EA confirmed 10nr users. Site estate agent for adjacent vacant site to be consulted on shelter location. Formal Translink application has been lodged for this site.
5	Kinrush Road/Battery Road Junction, Moortown	6	Original site limited space, alternative site to be confirmed.	Original location deemed not acceptable although alternative location has now been identified and progress to install shelter to programmed.
6	Kingsisland Primary School	6	Final confirmation from primary school required to progress.	A Planning application has been lodged to extend the school. (On hold subject to Planning decision)
7	Magheracastle Road / Mountjoy Road, Brocagh	6	Pending withdrawal notification from applicant as proposed site on wrong side of the road for pick-up.	Site agreed, requests sent to Translink and EA for number confirmation. Reminders sent to both parties awaiting responses
8	Goland Road/ Armaghlughey Road, Ballygawley - 2016/015	6	Site and user numbers confirmed .	Translink users confirmed, 10nr. Location to be agreed with DFI roads./ Translink. Site visit to be arranged
9	Old Dungannon Road, Ballygawley	6	Signed Application form	Neighbour notification returned, recommended to approve, subject to final landowner agreement

10	Derryvale, Coalisland	6	Alternative site identified	Neighbour notification returned, recommended to approve, subject to final landowner agreement
11	Innishrush Village	6	New location agreed 23/11/2022 with Translink and DFI Roads	New site agreed, Nearest Neighbour returned, recommended to approve, subject to final landowner agreement
12	Derryfubble road, Benburb	6	NIHE Site	Site visit held with DFI Roads. Awaiting approval and valuation from NIHE. 40nr Passengers
13	Churchtown Road, Lissan	4	Additional shelter request.	Confirmed 10Nr passengers
14	Cullion Road, Desertmartin	4	Application form returned	New application, User numbers requested from Translink and EA

Table 5 – STAGE 9, (8 NR),

No	Location	Stage	Status / Comment	Progress status
1	Reenaderry Rd, Reenaderry	9	New application	User numbers confirmed by Translink, 16nr users. DFI roads confirmed suitability, landowner consultation required, for exact location. Nearest neighbour returned, approved.
2	Coagh Rd, Stewartstown	9	New application	Translink confirmed they do not pick-up at this location. EA confirmed 8nr passengers. Nearest Neighbour returned, recommended to move to installation stage

3	Hillead, Stewartstown x 2	9	Site visit 24 January 2022, application form completed	Passenger numbers confirmed by Translink, 20 plus children. Nearest Neighbour returned, recommended to move to installation stage
4	William Street/Beatrice Villas, Bellaghy	9	Site visit 20 January 2022, application form completed	Passenger numbers confirmed by Translink, 30nr children. Nearest Neighbour returned, recommended to move to installation stage
5	Garrison Road, Curran	9	Site visit 28 January 2022	Passenger numbers confirmed by Translink and EA, 6nr. Nearest Neighbour returned, recommended to move to installation stage.
6	Eglis View, Ballinderry	9	Application pending Statutory authorities meeting	New location agreed with DFI roads/Translink. DFI roads reviewed footpath provision and confirmed qualifies under Active travel scheme. DFI Roads to confirm Active Travel input. Nearest Neighbour returned with no objections.
7	Killeshill- A29 Ballygawley Road	9	Application received	DFI visited the site 09 August 2022 and approved location. EA user numbers confirmed as 8nr. Neighbour Notification not required as no properties within 50m of the shelter location
8	The Square, Moy Village	9	Application received	Dfi visited the site 09 August 2022, and approved the location for the bus shelter.

Table 6 – Stage 10-11 - Bus Shelters Installed (18nr)

No	Location	Stage	Status / Comment	Progress status
1	143 Omagh road, Ballygawley	10	Existing Bus stop/layby, report to committee required	Installed.
2	Millview/Dunnamore Road, Dunnamore	10	Location agreed, site, DFI Roads compliant for new location.	Installed.
3	Kildrum Estate, Galbally	10	New shelter provision at entrance to housing development.	Installed.

4	Thornhill Road, Pomeroy	10	Location opposite community Hall	Installed.
5	Killeenan Road/Camlough Road/ Loughdoo Road	10	Proposal to locate shelter in Kildress GAC.	Installed.
6	Glebe Court, Castlecaulfield	10	Relocation of existing shelter, land ownership to be confirmed for new site.	Installed.
7	Culnady Village	10	Site approved in centre of village, located on DFI Roads lands.	Installed.
8	Stewartstown	10	Translink to provide Clear Channel shelter at this location. Available budget for Translink causing delay.	Installed.
9	Credit Union, Moygashel	10	Location agreed with MUDC, Translink and Cllr Cuthbertson on 28-02-2020	Installed.
10	Cappagh Village	10	Existing shelter in dangerous location, no footpath. Community request to have children lifted in the village. Limited turning space for buses in village.	Installed.
11	Whitebridge, Ballygawley	10	New request for shelter	Installed.
12	Annaghoboe Road/ Washingbay Road Junction, Clonoe - 2017/006	10	Siting of new shelter on Washingbay Road.	Installed.
13	Killeen, Lisacclare Road	10	Translink provided alternative pick-up avoiding dangerous road crossing to Coole Road. New pick-up on Lisacclare Road	Installed.
14	Brackaville, Four Seasons Bar, Coalisland	10	New location agreed with DFI roads and Translink	Installed.

15	Drummullan village	10	Replacement shelter with narrow sides to aid access	Installed.
16	Main Street, Bellaghy	10	New shelter provision at entrance to SHHP.	Installed.
17	Clonoe Crossroads	10	Relocation of existing shelter as too close to junction. Land search in progress to find alternative suitable site.	Installed.
18	119 Millix Road, Ballygawley	10	Application received, site agreed	Installed.

Table 7 – Applications to be Withdrawn/ Re- visited (7Nr)

No	Location	Stage	Status / Comment	Progress status
1	Coole Road	Revisit application	Re-open application	Discussion with DfI Roads to be held in light of new agreed process principals. Report at next Council Meeting
2	Main Street, Benburb	6	Review Application	Following recent DEA meeting 06/08/2021, Objection status still evident in current position – recommendation – seek statutory comments on the proposed slightly adjusted position. Discussed at Statutory meeting 13/12/2021, DfI Roads to visit to review proposed location w/c 31st January 2022
3	Innishrush Village	6	Application pending Statutory authorities meeting	Following recent DEA meeting 19/08/2021, Objection status still evident in current position – recommendation – seek statutory comments on the proposed slightly adjusted position. Alternative site to be reviewed by DfI Roads/Translink
4	Bellaghy, Overends layby	6	Withdraw Application	Following recent DEA meeting 11/08/2021, agreed to withdraw the current application
5	Meenagh Park, Coalisland	6	Withdraw Application	Application withdrawn by applicant
6	Knockloughrim Village	9	Landowner unknown for proposed site. Further investigations underway to determine landowner.	Parks department have agreed location within their site. Nearest neighbour consultation returned, did meet required criteria to proceed. Approved, passed to Property Services 27/08/2021 for installation. Translink confirmed change of bus route with pick-up moved to the centre of village, discussed at statutory agencies meeting 13/12/2021. New shelter is not to be installed.

Appendix 2**Bus Shelters Status Update**

7	Jordan Engineering, Benburb	4	Meeting organised with Cllr Burton on site to agree location. Not agreed	Shelter application withdrawn by applicant, unable to find suitable location for shelter
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Appendix 3 – Progress Table Summary, October 2022

TABLE	DESCRIPTION	NUMBERS
Table 1.	Applications awaiting formal application to be submitted	1Nr
Table 2.	New applications received from Last Committee Meeting	0Nr
Table 3.	Stages 2-4, <ul style="list-style-type: none"> • Stage 2, Acknowledge receipt of request • Stage 3, Site Visit • Stage 4, Contact Translink/EA for user numbers 	11Nr
Table 4.	Stages 5-8, <ul style="list-style-type: none"> • Stage 5, Report to Committee for approval • Stage 6, Identify landowner and Nearest Neighbour issued • Stage 7, Send letters for approval to DFI etc • Stage 8, Article 66 to be issued to DFI Roads 	14Nr
Table 5.	Stage 9, <ul style="list-style-type: none"> • Install Bus Shelter 	8Nr
Table 6.	Stages 10/11, Installed shelters <ul style="list-style-type: none"> • Stage10, Send to GIS officer • Stage 11, Report to Council 	18Nr

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Monday 5 December 2022 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present

Councillor S McGuigan, Chair

Councillors Brown, Buchanan, Burton*, Cuthbertson,
Glasgow*, Graham, Kearney*, N McAleer, S McAleer,
B McGuigan, McNamee* O'Neill*, Wilson

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment (SD:
Env)
Mr McAdoo, Assistant Director of Environmental Services
(AD: ES)
Mr Scullion, Assistant Director of Property Services (AD:
PS)**
Mr McGowan, Waste Facility Service Manager
Mr O'Hagan, ICT Support
Mrs Grogan, Democratic Services Officer

* 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 S McGuigan welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor S McGuigan 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.

E277/22 Notice of Recording

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

E278/22 Apologies

Councillors Milne and Totten.

E279/22 Declarations of Interest

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

E280/22 Chair's Business

None.

Matters for Decision

E281/22 DfI Roads Proposal – Traffic Calming, Old Omagh Road, Ballygawley

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval from Members in relation to a proposal from DfI Roads to introduce traffic calming measures at Old Omagh Road, Ballygawley.

Councillor S McAleer welcomed the speed calming in Ballygawley which had been sought after for many years and said that everyone was delighted that they were now going to get it, especially past the primary school on that busy road.

Proposed by Councillor S McAleer
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by DfI Roads.

E282/22 DfI Roads Proposal – No Waiting, Derramore Park, Magherafelt

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval from Members in relation to a proposal from DfI Roads to introduce three stretches of no waiting at any time (loading and unloading permitted) at Derramore Park, Magherafelt.

Proposed by Councillor S McAleer
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by DfI Roads.

E283/22 Renaming and Renumbering Existing Streets

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval to undertake the surveys of all applicable residents on the street/road in question:

- From: Fairview Park, Drumcoo, Dungannon –
- To: Fairview, Drumcoo, Dungannon

Proposed by Councillor Brown
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council that approval be granted to proceed with the Street Renaming Survey of Fairview Park, Drumcoo, Dungannon to all occupiers of each property as listed on the Electoral Register of the road, in accordance with the Policy for Street Naming and Numbering.

E284/22 Street Naming and Property Numbering

The Assistant Director of Property Services (AD: PS) presented previously circulated report to ask for consideration regarding the naming of new streets within residential Housing Developments within Mid Ulster District Council.

Development 1 – Site Adjacent to Shanmullagh Park, Draperstown

Options submitted for consideration:

- 1) Flax Field View**
- 2) Manor Mills**

Councillor B McGuigan referred to Development 1 – Site Adjacent to Shanmullagh Road, Draperstown and requested that this proposal be deferred. He advised that there were issues relating to this and had spoken to the Agent to advise that the proposed names were not acceptable within the area. He stated that there was no consultation carried out and that there was a very strong historical group and also a heritage group which did not accept the proposal and felt that this cannot proceed. He said that he would liaise with the Agent who is working on behalf of the Developer to try and agree a suitable name.

Proposed by Councillor B McGuigan
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to defer the above application until discussions take place with the Agent of the Developer on a more suitable name relative to the area of the site.

Development 2 – Site Off Coolshinney Road, Magherafelt

Options submitted for consideration:

- 1) Coolshinney Lane**
- 2) Coolshinney Hill**
- 3) Coolshinney Drive**

Proposed by Councillor Brown
Seconded by Councillor Wilson

Resolved That it be recommended to Council to name the site off Coolshinney Road, Magherafelt as Coolshinney Lane.

E285/22 Off Street Car Park: Accessible Parking

The Assistant Director of Property Services (AD: PS) presented previously circulated report to update Members on accessible parking in Council's Off Street Car Parks and to seek approval to implement feasible parking accessibility improvements.

Councillor Cuthbertson said that he would be happy to propose the recommendation of accessible carparking spaces but was mindful of our own Carparking Strategy being 5 to 6 years overdue. Whilst this was not a large costing to install these spaces he would be wary about spending any more money on our carparks until we figure out what we are doing with them in the long run i.e. are we making provision for paying on foot or implementing a barrier system etc., free carparking via the barrier system. He felt that going forward that rather than bringing small reports back to committee, there was a need to figure out what we were going to do with the Carparking Strategy. He said that it would be also important to be mindful if carparks were staying the way they were in Dungannon for instance, was there an equal split of accessible carparking and disabled bays in both the free and charging sections and felt that this should be kept in mind going forward also.

The AD: Property Services in response to member's comments said that regardless of what future directions we take in terms of the carparks it still didn't remove the need or desire to have adequate accessible parking provision but certainly would take into account on how to proceed going forward on carparking.

Councillor B McGuigan said that he was aware of a bigger piece of work in terms of the overall carparks within our district, but part of the recommendation is for additional spaces on Union Street and felt that this should be proceeded regarding this element part of it. He felt that this was going to take a lot longer to sort out the issues around what direction of travel we are proceeding in relation to parking and whether this is going to be a barrier system etc. which was not going to happen overnight. He said that a test was about to be conducted in one of the carparks in Magherafelt which would provide some data back on how this operates. He said that in terms relating to part of this recommendation, that this should be progressed.

Councillor Wilson agreed with the recommendation and felt it was important to pull together legislation and provide enough carparking spaces for disability and family parking. He said that the issues which need to be raised is that these designated spaces are specifically marked for those people who genuinely need them and if you go to the large supermarkets you witness quite a number of people parking in bays which are designated solely for disabled or family parking only. He said that he would be happy to second the proposal, but when Council was looking at the overall Carparking Strategy, there was a need to look at the provisions for electric charging points also.

Councillor Brown advised that he would be happy to support what members had said but enquired about the central carpark in Magherafelt where wiring was installed and enquired if there was any update on what was happening.

The AD: Property Services concurred with member's comments and advised that civil works had been completed with wiring and data points installed and currently

engaging with Contractor to get an installation date. He said that this would be followed up and a report brought back on a more comprehensive update to committee.

Proposed by Councillor Cuthbertson
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to approve the implementation of improved accessible parking across Mid Ulster Off Street Car Parks in the future, including the implementation of up to three additional non-designated family friendly spaces car parking spaces in Union Street Car Park, Magherafelt.

E286/22 Darren Clarke Signage Update

The SD: Environment presented previously circulated report to update members on the signage proposals for the gateway entrance to Dungannon for Darren Clarke. Darren has recently achieved another golfing title in winning the Senior Open Champion in 2022. Members had asked that the current gateway signage be updated to reflect his recent victory.

Councillor Cuthbertson said that he was pleased to see this proposal to recognise Darren Clarke's achievements in Dungannon. He referred to Greiner Packaging supplying the signage the last time and felt that this may be an opportunity for Officers to approach them again, but if not, the budget was in place to put them up ourselves. He said that previously Greiner Packaging had sponsored the signage.

Proposed by Councillor Cuthbertson
Seconded by Councillor Graham and

Resolved That it be recommended to Council to approve the new replacement signage as annotated in Section 3.4 of the report.

E287/22 Bus Shelters Update

The SD: Environment presented previously circulated report to update members on the current bus shelter status.

Councillor N McAleer enquired if there was any update in relation to St Colman's Park on the lease which was to be provided by the Housing Executive.

The SD: Environment advised that this was currently with Legals, but would investigate and provide an update to member.

Councillor B McGuigan said that he wished to raise a separate note in relation to bus shelters. He referred to DfI road scheme on the A6 Glenshane Pass at Ranaghan Road junction and said that previously there had been a bus shelter which had to be removed to provide a right-hand turning lane and also was in very poor condition and basically fell apart. He advised that DfI had approached him in relation to the base measurements which were linked in directly with the Head of Technical Services

(HoTS) and he provided the size to DfI. He said that it was the remit of Council to replace the bus shelter as the previous one was in too poor of a condition. He said that it was important to have this ready to go onsite quickly when need be due to the area where whether conditions are poor especially at this time of the year and the high number of children getting the bus from this location. Ordering of bus shelters can take some time and would be important to move this forward.

The SD: Environment advised that Officers would check in terms of timescales for delivery as she was aware of experiencing delays in relation to certain things, but would investigate if there were any in stock.

Councillor Burton advised that she was happy to see this progress as she had enquired about it at the last meeting regarding Clogher. She also commended staff who worked with the people of Primrose Hill.

Proposed by Councillor Burton
Seconded by Councillor S McAleer and

Resolved That it be recommended to Council to note the progress made on bus shelters within the District and grant approval to progress the shelters listed below:

3.2 – New Shelter Applications

- Lisnaclea Road, Killeen (additional Shelter, increased passengers)
- Primrose Hill, Clogher
- Cullion Road, Desertmartin

3.4 – Request to Move from Stage 5 of the Applications Process

- Cullion Road, Desertmartin

Matters for Information

E288/22 Environment Committee minutes of meeting held on 8 November 2022

Members noted minutes of Environment Committee held on 8 November 2022.

E289/22 Environmental Services – Christmas Working Arrangements

Members noted working arrangements in respect of refuse/recycling collection and operation of Recycling Centres during the Christmas and New Year holiday period.

The Chair stated that the only change was that bins due to be lifted on Monday 26th December would now be lifted on Saturday 24th December.

E290/22 Town Centre Footpath Snow/Ice Clearance Agreement

Members noted the rolling annual agreement with DfI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.

Councillor Burton advised that there was quite a number of our footpaths which were mossy and commended staff which had come out to Caledon and carried out a very good job as there was a lot of moss buried deep down into the base. She said that yesterday she had attended an event at Clogher Cathedral and as people will be aware the footpath around the Cathedral was very narrow solely because the road wasn't wide enough and was gritty and mossy. She asked if this could be flagged up with the team to see if this could be cleaned as the double yellow lines run alongside the very narrow footpath on the side of the Cathedral. She referred to people attending Church services and attending one of our oldest graveyards over special times like Christmas and said that it was important for visitors safety as it was an area of concern in the event of someone falling onto the road.

Councillor Wilson following on from Councillor Burton's comments advised that this was an ongoing issue all the time over who cleans and salts the footpaths. He said that he recalled the legacy Cookstown Council staff going out to clean the footpaths and someone was very close to taking an action against the Council as they believed that they weren't cleaned properly. He asked if it would be possible to set up a meeting with DfL Roads to discuss the entire issue as people assume if they see our staff cleaning, then it is our responsibility when indeed it is not and feels that something needs to be done, not just in Clogher but in other areas also. He felt that it would be important to be holding this meeting sooner rather than later.

Councillor Burton said that it was her understanding that it was not the case that Council cleans the footpaths, but if there is work to be done then DfL Roads replace, resurface or carry out whatever is needed. She felt that it may be more beneficial to seek clarity before proceeding any further as it was her understanding that we clean and they maintain.

The AD: Environmental Services clarified that the Council was responsible for cleaning and removing litter from footpaths, but not responsible for spraying weeds or moss. However, if leaves and loose moss form on the footpath and become what's known as detritus then Council is responsible for removing it. If it was ingrained as the Councillor alluded to in Caledon, this was a degraded service and not a matter for this Council but a matter for DfL.

E291/22 Building Control Workload

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

E292/22 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.

E293/22 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.

E294/22 Entertainment Licensing Applications

Members noted update on Entertainment Licensing applications across Mid Ulster District Council.

E295/22 Determination of Fees for Entertainment Licences from 2023/24

Members noted update on the Determination of Fees for Entertainment Licences from 2023/24 following fees easement introduced as a result of Covid 19.

E296/22 Internal Bi-lingual Signage Mid Ulster District Council Facilities

Members noted update on the new bi-lingual signage for Mid Ulster District Council facilities accessed by the public.

Councillor McNamee referred to bi-lingual signage and advised that he had raised this issue at the Regional and Minority Working Group at the beginning of last month. He said that he did not see anywhere on the chart the completion date of the Heaney Centre and enquired if there was a specific date when this was to be completed.

The SD: Environment advised that she didn't have the information in front of her but would come back to the Councillor with an update.

Councillor Graham enquired if there was any real need for all this signage during these financially difficult times. She felt that this was a waste of money as there were illustrations to indicate whether it was a male or female toilet and a waste of resources as half the people cannot read the writing anyway.

Councillor Cuthbertson was he was off the similar view and referred to the cost-of-living crisis. He said that it was agreed earlier in the meeting regarding the implementation of signage in recognition of Darren Clarke, but he also highlighted the fact that there was previously a sponsor to cover the costs associated with that. He felt that it was a total waste of money to add additional signage to tell a person where a toilet or changing room was located, which was absolutely ridiculous.

Live broadcast ended at 7.26 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor B McGuigan
Seconded by Councillor Brown 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 E297/22 to E307/22.

Matters for Decision

E297/22	Council Strategic Waste Management Arrangements
E298/22	Award of Contract for Works at Coolhill Cemetery
E299/22	Application to Install a Memorial Plaque on Council Property
E300/22	Tender Report for the Appointment of Vehicle Suppliers
E301/22	Entertainment Licence – Gribben's Bar

Matters for Information

E302/22	Confidential Minutes of Environment Committee held on 8 November 2022
E303/22	Off Street Car Parking: Quarter 2 2022/2023
E304/22	Capital Framework – ICT Contracts Update
E305/22	Capital Framework – IST Contracts Update
E306/22	Capital Projects – Scoping Contracts Update
E307/22	Biodiversity – Q3 Update – October to December 2022

E308/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 7.55 pm.

The Chair wished everyone a safe and peaceful Christmas.

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 - apologies and then roll call of all other Members in attendance.

Report on	Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Annual Report for 2021/22
Date of Meeting	10 th January 2023
Reporting Officer	Mark McAdoo, Assistant Director, Environmental Services
Contact Officer	Karl McGowan, Waste Disposal & Contracts Manager

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

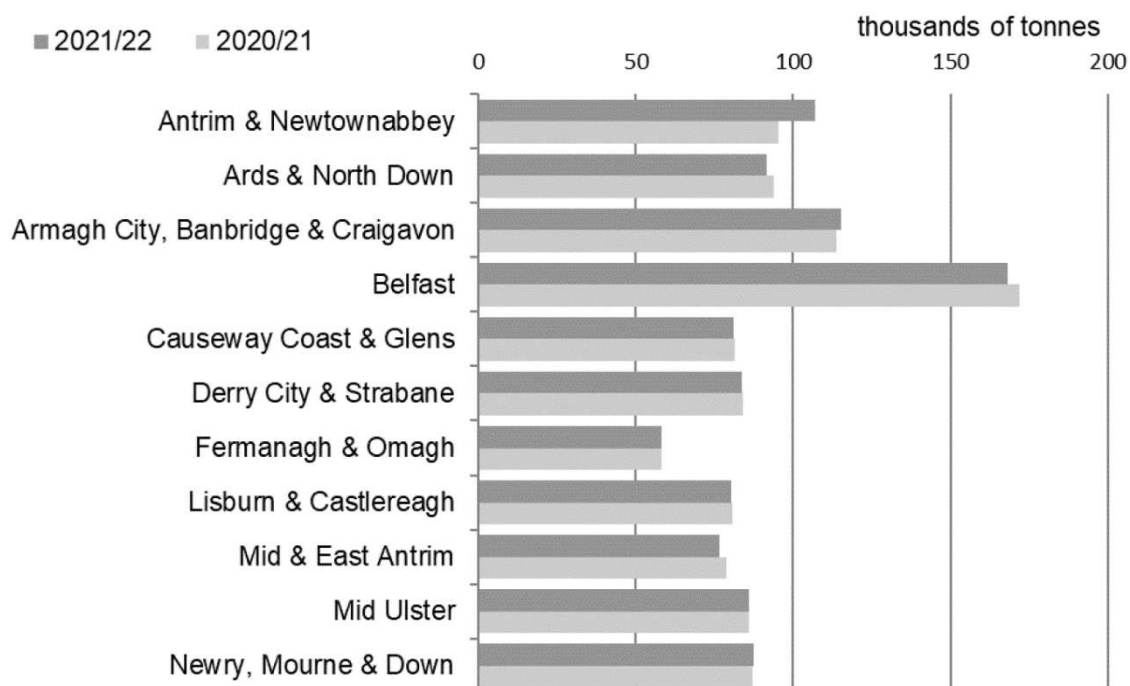
1.0	Purpose of Report
1.1	To update members on the Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Annual Report for 2021/22.
2.0	Background
2.1	<p>The above report was published on 1st December 2022 by the Department of Agriculture, Environment and Rural Affairs (DAERA). The data in the report is based on quarterly returns made to WasteDataFlow, a web-based system, used by all local authorities throughout the UK to report on local authority collected municipal waste (LACMW). This publication provides information on local authority collected municipal waste from household and non-household sources and recycling and landfill rates in Northern Ireland.</p> <p>Headline figures are shown in the attached infographic with the full report available via the below link:</p> <p>https://www.daera-ni.gov.uk/publications/northern-ireland-local-authority-collected-municipal-waste-management-statistics-2021</p>
3.0	Main Report
3.1	<p><u>Key Points:</u></p> <ul style="list-style-type: none"> Northern Ireland's councils collected 1,034,637 tonnes of waste during 2021/22 which was similar to the amount collected in 2020/21. During 2021/22, 49.7 per cent of waste collected by councils was sent for recycling which was also similar to the recycling rate in 2020/21 (50.0 per cent). The landfill rate for waste collected by councils was 24.9 per cent in 2021/22, 2.1 percentage points higher than 22.8 per cent in 2020/21 which was the lowest rate recorded. The energy recovery rate for waste arisings was 23.2 per cent in 2021/22 compared to a quarter of arisings (24.6 per cent) in 2020/21, and 0.4 per cent 12 years ago.

- Household waste accounted for 88.0 per cent of all local authority collected waste during 2021/22. The recycling rate for household waste was 50.1 per cent while the landfill rate for household waste was 24.7 per cent.
- Belfast generated the smallest amount of household waste per capita at 429 kg whilst Antrim & Newtownabbey recorded the largest at 554 kg per capita.
- There were 141,301 tonnes of biodegradable waste sent to landfill during 2021/22, an increase of 11.8 per cent from the quantity reported in 2020/21 (126,404 tonnes).

3.2 **Waste Arisings:**

In 2021/22, Northern Ireland's councils collected 1,034,637 tonnes of waste. This is similar to 2020/21 when 1,031,169 tonnes were collected. Whilst the tonnage of waste collected at kerbside decreased by 4.0 per cent during 2021/22 compared to the previous year, waste collected at civic amenity sites increased by 12.9 per cent. These changes will be in response to the relaxation of coronavirus (COVID-19) restrictions and a return to fully operating civic amenity sites compared to 2020/21.

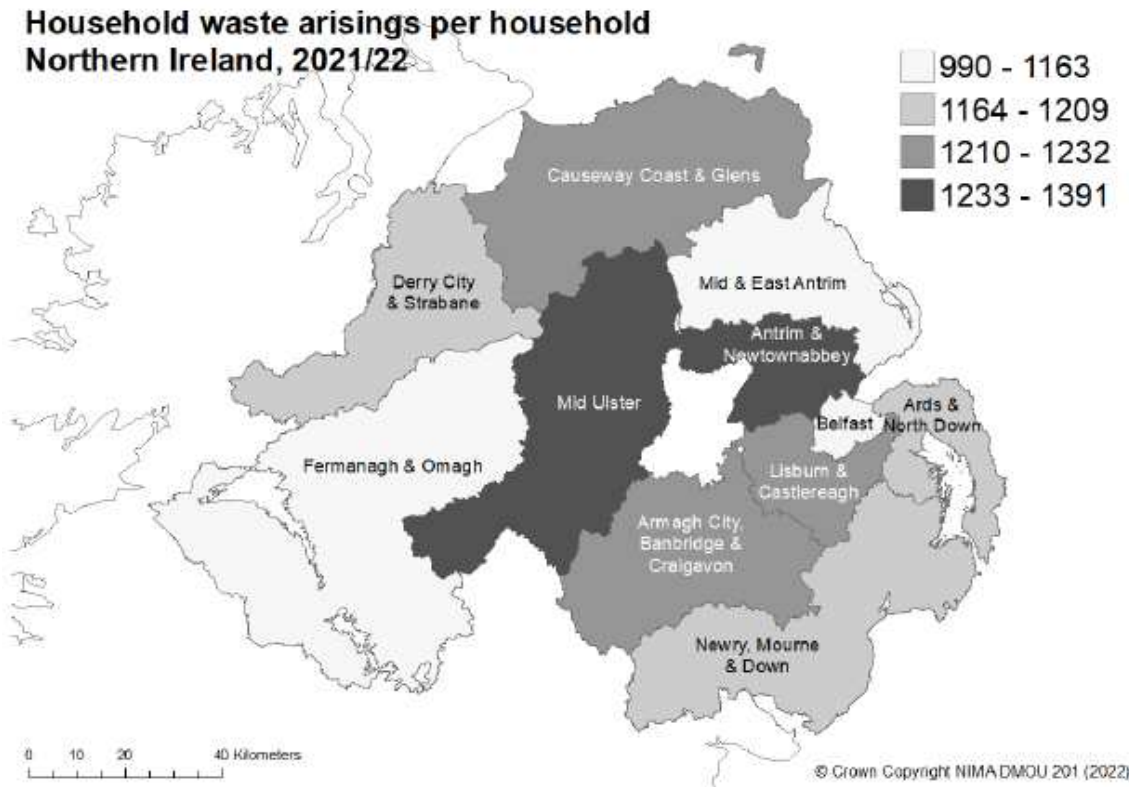
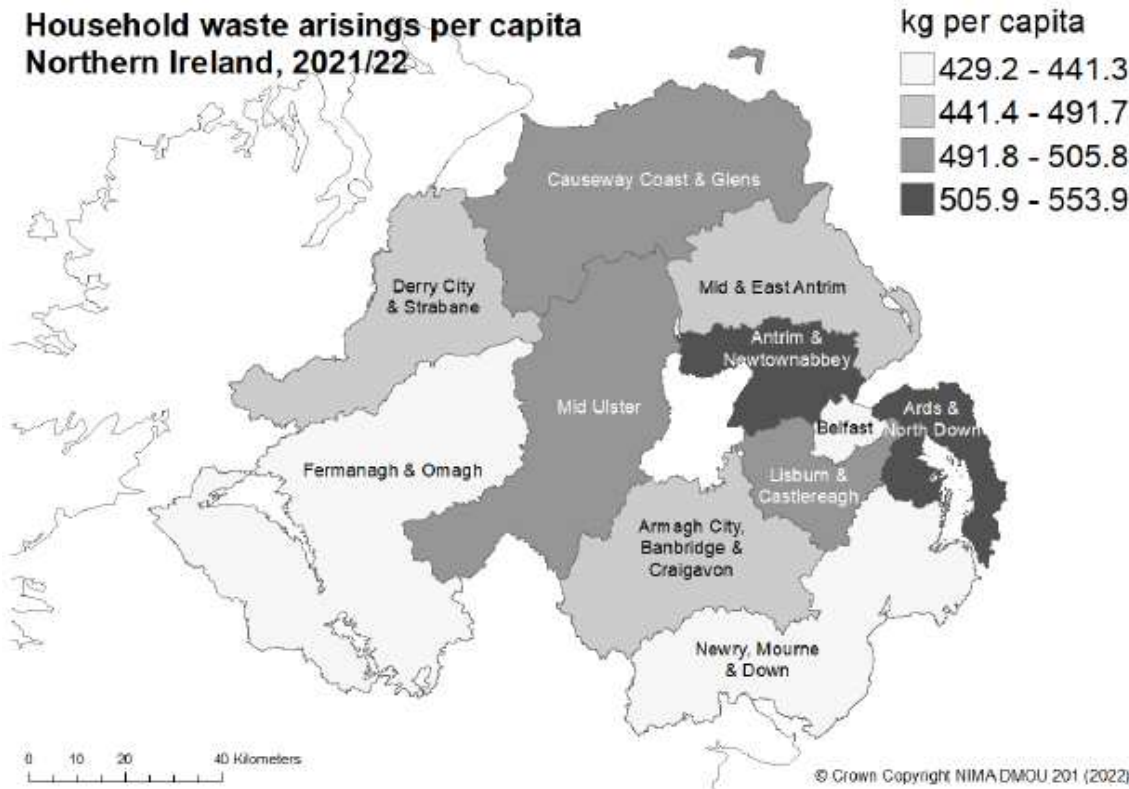
Mid Ulster waste arisings have remained largely unchanged in the last year rising by only 36 tonnes in total. Across the 11 Councils (as illustrated in the below graph) 3 reported waste increases, 2 were largely unchanged and 6 reported decreases:



In Northern Ireland there were 479 kgs of household waste collected per capita and 1,178 kgs per household during 2021/22, compared to 488 kgs of household waste collected per capita and 1,207 kgs per household during 2020/21.

The infographics overleaf show the household waste generated across the 11 councils on a per capita and per household basis. The largest quantity per household was recorded in Mid Ulster at 1,391 kg per household. Mid Ulster was the 4th highest on a per capita basis at 503 kg per capita indicating larger household sizes in the District. The high waste arisings in Mid Ulster may, in part, be due the provision of 240l brown bins to all households for food and garden waste collections. This can be seen in the relatively

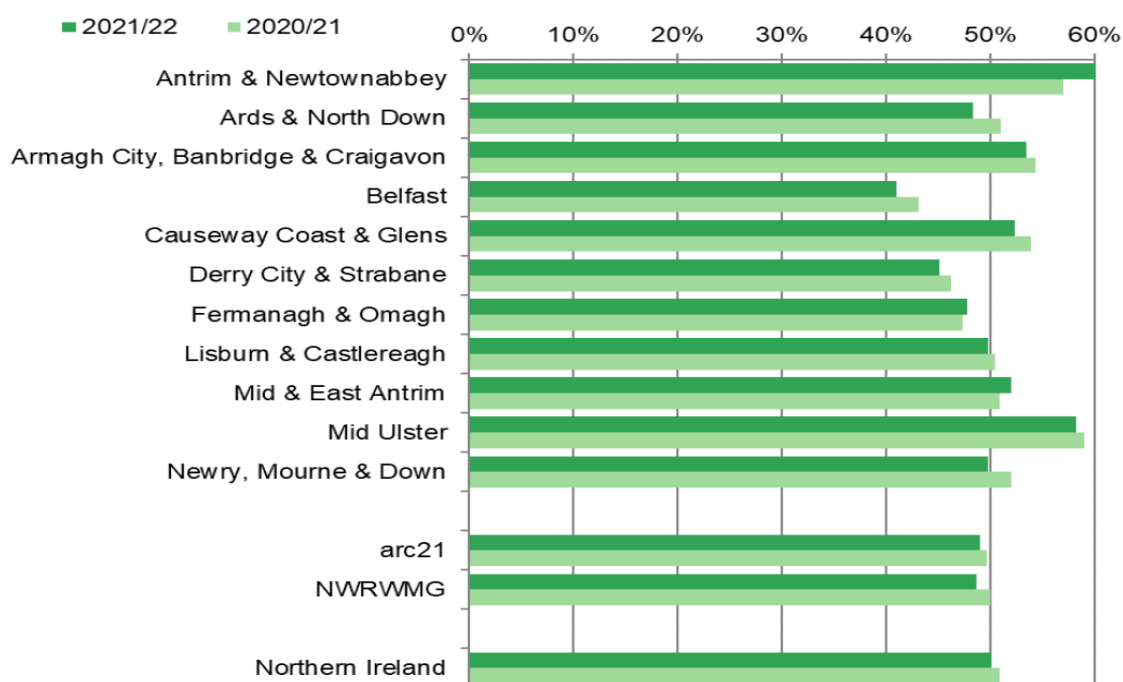
higher tonnages collected for composting compared to some other Councils who provide smaller kitchen caddies for food waste only.



Waste to Recycling:

In 2021/22, the tonnage of waste sent for preparing for reuse, dry recycling and composting (referred to as 'recycling' for the rest of this section) was 513,791 tonnes. The recycling rate was 49.7 per cent which was similar to the recycling rate recorded in 2020/21. The preparing for reuse and dry recycling rates remained similar to those reported in 2020/21, however the composting rate decreased slightly by 0.6 percentage points.

Most Councils (as illustrated in the below graph) reported a decreased household recycling rates compared to the previous year, due in part due to the ongoing impact of Covid19 and industrial action in early 2022. However, Mid Ulster still achieved the second highest recycling rate of all 11 Councils for the year, recycling 58.2 per cent of household waste:



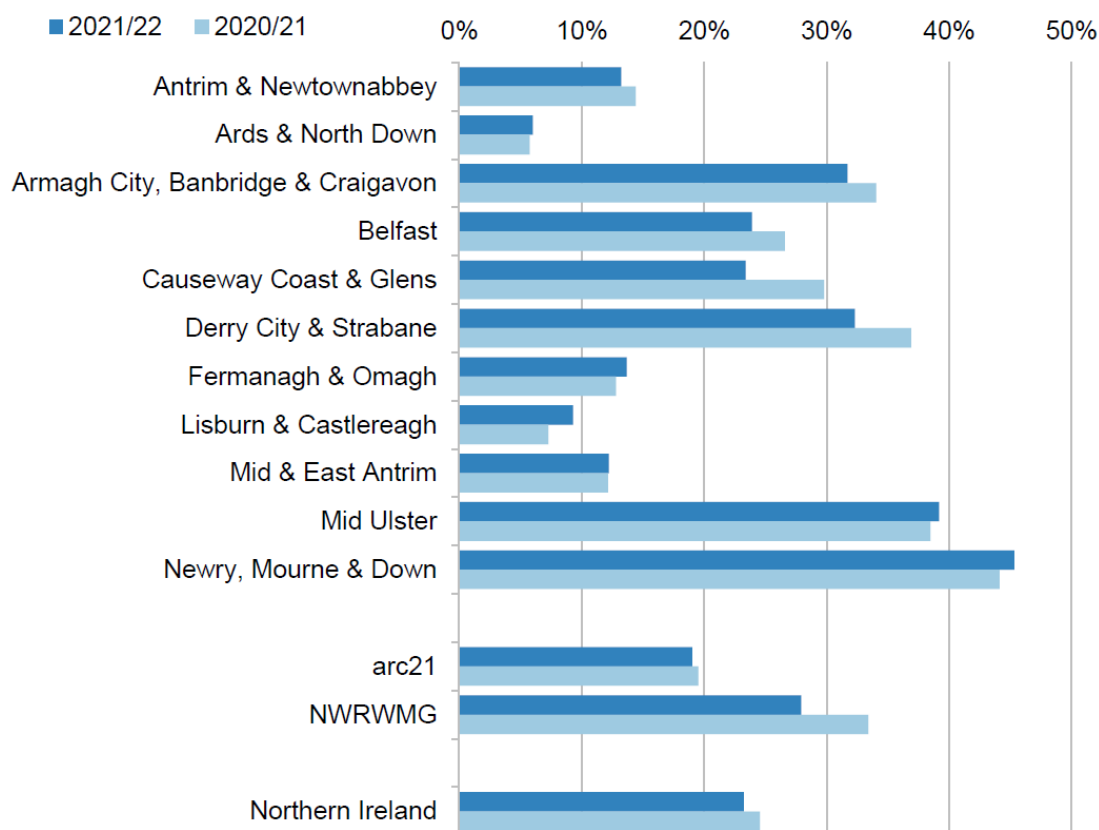
**Household waste recycling rate
Northern Ireland, 2021/22**



3.4

Waste to Energy

In 2021/22, 240,339 tonnes of waste arisings were sent for energy recovery. This produced an energy recovery rate of 23.2 per cent, lower than the 24.6 per cent recorded in 2020/21. The majority of energy recovery is derived from mixed residual waste with a smaller proportion from specific streams, e.g. wood. Mid Ulster had the second highest energy recovery rate at 39.2% as can be seen in the chart below:



3.5

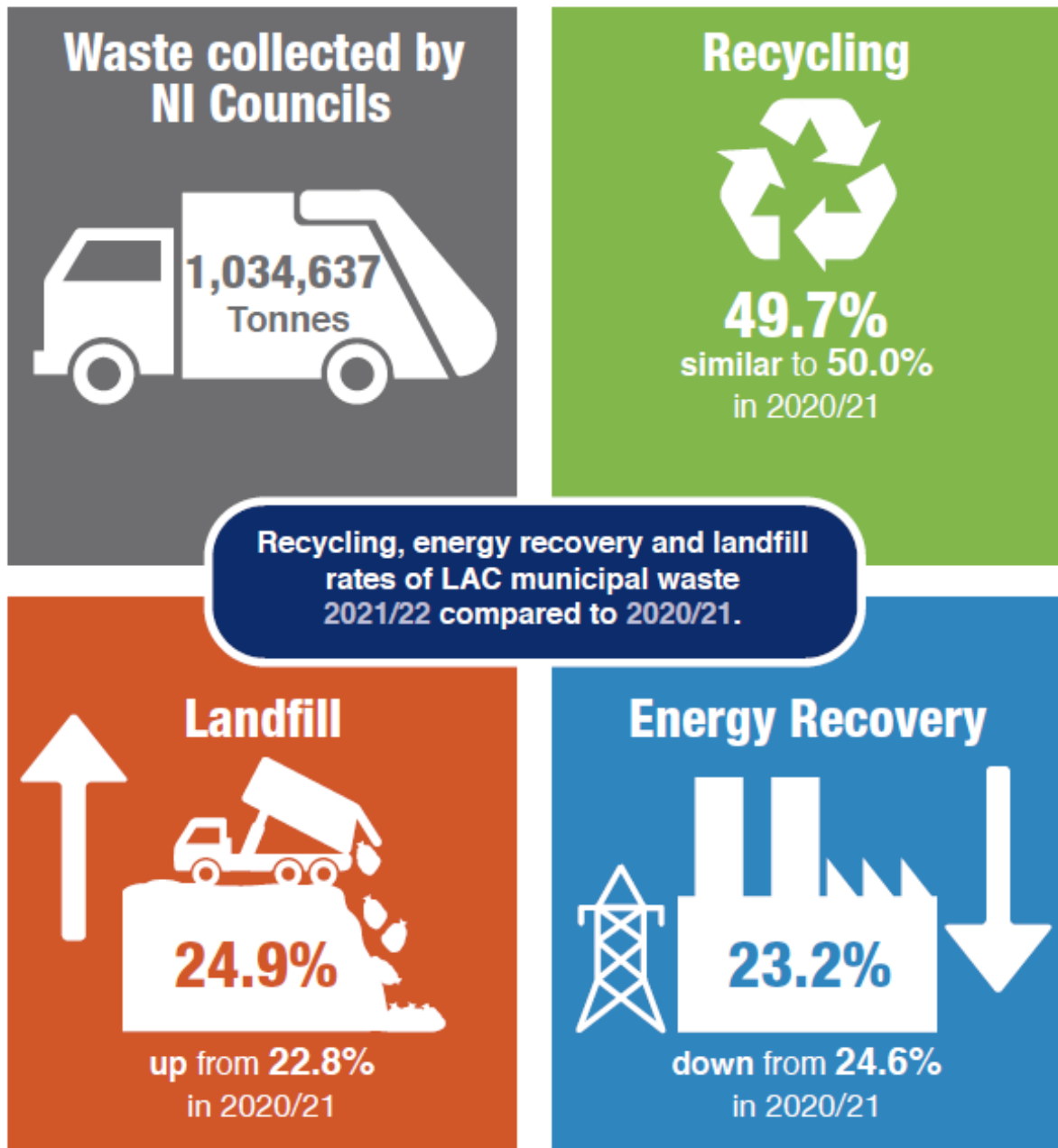
Waste to Landfill:

The quantity of waste sent to landfill increased by 9.8 per cent from 234,956 to 257,900 tonnes between 2020/21 and 2021/22. This produced a landfill rate of 24.9 per cent for 2021/22, 2.1 percentage points higher than the 22.8 per cent recorded in 2020/21 which was the lowest ever landfill rate recorded. Similarly, the landfill rate for household waste recorded its lowest value in 2020/21 of 22.4 per cent which increased by 2.3 percentage points to 24.7 per cent in 2021/22.

Mid Ulster achieved the lowest landfill rate of all eleven Councils at 3.6 per cent, almost one seventh of the Northern Ireland rate of 24.7 per cent (as illustrated in the chart overleaf):

	<div><div><div>2021/22</div><div>2020/21</div></div><div><div>0%</div><div>10%</div><div>20%</div><div>30%</div><div>40%</div><div>50%</div></div></div> <table><thead><tr><th>Region</th><th>2021/22 (%)</th><th>2020/21 (%)</th></tr></thead><tbody><tr><td>Antrim & Newtownabbey</td><td>24</td><td>28</td></tr><tr><td>Ards & North Down</td><td>45</td><td>43</td></tr><tr><td>Armagh City, Banbridge & Craigavon</td><td>11</td><td>7</td></tr><tr><td>Belfast</td><td>32</td><td>27</td></tr><tr><td>Causeway Coast & Glens</td><td>22</td><td>13</td></tr><tr><td>Derry City & Strabane</td><td>17</td><td>9</td></tr><tr><td>Fermanagh & Omagh</td><td>36</td><td>38</td></tr><tr><td>Lisburn & Castlereagh</td><td>40</td><td>42</td></tr><tr><td>Mid & East Antrim</td><td>35</td><td>37</td></tr><tr><td>Mid Ulster</td><td>4</td><td>3</td></tr><tr><td>Newry, Mourne & Down</td><td>6</td><td>5</td></tr><tr><td>arc21</td><td>30</td><td>29</td></tr><tr><td>NWRWMG</td><td>20</td><td>11</td></tr><tr><td>Northern Ireland</td><td>25</td><td>22</td></tr></tbody></table>	Region	2021/22 (%)	2020/21 (%)	Antrim & Newtownabbey	24	28	Ards & North Down	45	43	Armagh City, Banbridge & Craigavon	11	7	Belfast	32	27	Causeway Coast & Glens	22	13	Derry City & Strabane	17	9	Fermanagh & Omagh	36	38	Lisburn & Castlereagh	40	42	Mid & East Antrim	35	37	Mid Ulster	4	3	Newry, Mourne & Down	6	5	arc21	30	29	NWRWMG	20	11	Northern Ireland	25	22
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4.0	Other Considerations																																													
4.1	Financial, Human Resources & Risk Implications																																													
	Financial: Failure to meet waste targets could result in fines.																																													
	Human: A significant amount of time is spent by the Recycling Officers in gathering, collating, and submitting the necessary data for quarterly WasteDataFlow returns.																																													
	Risk Management: Failure to meet waste targets would result in reputational damage.																																													
4.2	Screening & Impact Assessments																																													
	Equality & Good Relations Implications: None																																													
	Rural Needs Implications: None																																													
5.0	Recommendation(s)																																													
5.1	Members are asked to note the content of this report.																																													
6.0	Documents Attached & References																																													
6.1	Local Authority Collected Municipal Waste Infographic 2021-22.																																													

Waste Collections by NI Councils 2021/22



Sustainability at the heart of a living, working, active landscape valued by everyone.

Report on	Climate Change Working Group Update
Date of Meeting	10 th January 2023
Reporting Officer	Mark McAdoo, Assistant Director, Environmental Services
Contact Officer	Mark McAdoo, Assistant Director, Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To provide members with an update on the business of the Climate Change Working Group.
2.0	Background
2.1	Under section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 District Councils have a statutory duty to promote the achievement of sustainable development in the exercise of their functions.
2.2	A Climate Change Working Group has been set up with the purpose of providing a forum for discussion between politicians, businesses, NGOs and academics to drive forward climate action and sustainable development in Mid Ulster.
2.3	Its primary function is to consider the potential implications of climate change for Mid Ulster and make recommendations to Council on interventions to help Mid Ulster transition to a low-carbon, climate resilient and sustainable economy.
3.0	Main Report
3.1	A meeting of the Climate Change Working Group was held on 5 th December. A copy of the associated agenda, minutes, reports and presentations provided by Sustainable NI and Queens University are attached for members' information.
3.2	The Working Group is planning to meet quarterly going forward with the next meeting to take place in late April 2023. Members of the Environment Committee will be kept updated and informed on the ongoing business of the Working Group.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: None
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members are asked to note the content of this report and associated papers.
6.0	Documents Attached & References
6.1	Appendix 1 – Papers and minutes from the Climate Change Working Group meeting on 5/12/22

Climate Change Working Group
Monday 5th December 2022 at 5.30 pm
Committee Room Dungannon
A G E N D A

1. Review of Terms of Reference (attached).
2. Update on internal actions/baselining work on Climate Change and Sustainability.
3. Presentation on the development of a Climate Change and Sustainable Development Strategy and Action Plan (Dr Francesca Di Palo, Sustainable NI).
4. Presentation on proposal for a Mid Ulster Decarbonisation Co-operative (Dr James Young, QUB).

Climate Action Working Group

DRAFT Terms of Reference

Purpose - The Group will provide a forum for discussion between politicians, business leaders, NGOs and academics, to drive forward climate action and sustainable development in Mid Ulster.

Mission - to influence policymaking and put climate action and sustainability at the centre of political decision making in Mid Ulster.

Function - to consider the potential implications of climate change for Mid Ulster and make recommendations to Council on interventions to help Mid Ulster transition to a low-carbon, climate resilient and sustainable economy.

Specific functions include:

Democratic Scrutiny of: Council input in relation to priority climate and sustainability issues, and to develop regional policy approaches on these and related issues.

Monitoring the progress of Council on climate change and sustainable development approaches, including relationships with arms-length bodies

Oversight of the partnership work between local and central government and their partners on delivery of key climate and sustainability issues impacting on citizens, and over which councils and government can influence.

Promotion of good practice: Development of collaborative approaches, development of Councillor and awareness of the issues through the provision of evidence from other parties about the risks, opportunities and solutions in relation to climate change and sustainable development. Ensuring congruence with the Councils Corporate Plan and Community Plan

Lobbying for improvements in policy and for resources to deliver this agenda

Membership

Membership of the Group will be cross party and include 10 representatives from the main political parties in Mid Ulster.

Frequency of meetings

It is proposed that the Working Group will normally meet quarterly (Late April, July, October and January).

External Groups

The Group will have a working relationship with external groups as appropriate.

Governance

That the Working Group would Report through to Council via the Environment Committee

Update on Internal Actions on Climate Change and Sustainability for Climate Change Working Group Meeting

05/12/22

1. Corporate Improvement Objective One

The Council Corporate Improvement Objective One (CIP1) is “*Mid Ulster District Council will seek to reduce the environmental impacts of our own activities and will contribute to the improvement of the wider environment through local action*”.

CIP1 is the only current mechanism used to capture and detail the present environmental, sustainability and climate change related activities carried out by Mid Ulster District Council.

There are currently 22 actions for 2022/23 being delivered across the Council with some of the major ones related to climate change summarised below:

What are we going to do?	Progress Update
1. Plant additional trees at Tullyvar Landfill Site to add to the native woodlands previously created at Magheraglass and Ballymacombs Landfills.	During May/June 2021/22 - Tree planting was completed on site offsetting approx. 1,400 tonnes of carbon and a funding claim submitted to DAERA for £20,232. During Q2 Year 1 funding of £15,834.60 was received from DAERA
2. Increase the Council recycling rate to further boost the carbon reductions associated with recycling.	Q1 recycling rate of 61.59%. The tonnage recycled in Q1 offsets approx. 7,900 tonnes of carbon equivalent. The redevelopment of Magherafelt Recycling Centre currently in progress using a capital grant from the DAERA Household Waste Recycling Collaborative Change Programme. Site expected to be re-opened in November 2022.

What are we going to do?	Progress Update
3. Manage Landfill Gas emissions at the Tullyvar, Magheraglass, Ballymacombs Landfill sites and seek opportunities for Further Renewable Energy Projects	Both LFG plants operational over 90% of the time in Q1 & Q2. Income and generation figures expected in Q3.
4. Increase participation in the Eco-Schools programme, which encourages and directs young people to think about climate action including litter, recycling, energy saving, and water conservation	100% of schools registered (123). 80 schools have achieved at least one Green Flag award since registering on programme (65% of schools). 39 (32%) schools with current Green Flag (awarded within the last two years). NI average 22%. An additional 16 schools whose Green Flags have lapsed or who have not yet achieved this level are currently preparing a Green Flag application which they hope to submit during this academic year. Recycling Officer will continue to engage with schools whose Green Flag awards are due for renewal within the academic year to encourage and assist with renewal applications. Contact will also be made with schools who have not yet achieved Green Flag status since registering on the programme to encourage them to work towards the award during this academic year if possible.
6. Number of homes helped to improve the energy efficiency of their homes - (linkages to affordable warmth).	During Q1 there were 53 homes helped by providing energy efficiency advice and 80 referrals for households eligible for Affordable Warmth scheme. During Q2 there were 38 homes helped by providing energy efficiency advice and 60 referrals for households eligible for Affordable Warmth scheme.

What are we going to do?	Progress Update
14. Introduce and pilot sustainability assessment (screening tool) for 50% capital projects (Early stages).	To be progressed once the new Sustainability Officer is in post.
16. Research the application and introduction of alternative fuelled Vehicles/Diverse Plant into Council's Fleet and develop Fossil Fuel Usage Baseline Report on Fleet/diverse plant.	Council agreed in Q1 to purchase small vehicles through direct award, including electric vans. In Q2, 4 Electric powered vans purchased and in operation and monitoring commenced.
17. Research and develop a Mid Ulster District Council's Estates Carbon Management Plan 20/21 and by 21/22 develop monitoring arrangements for MUDC properties reference the impact of : 1. Emissions. 2. Fossil Fuel Consumption. 3. Energy Usage / Source	Display Energy Certificates (DEC's) completed and reported to Committee Ongoing consideration in context of climate change baselining exercise in conjunction with Environmental Services.
18. Develop and agree Hybrid Working as part of flexible working arrangements policy - by September 2021.	Draft Hybrid Working Procedures updated following initial discussion with Trade Unions in Q2. Updated Hybrid Working Procedures to be reviewed by SMT in Q3
19. Progress to Stage 3 of the NI Climate Adaptation Planning Cycle i.e. complete Stage 3 of the NI Adapts Planning Toolkit.	Progress meeting held with ClimateNI to discuss progress. 2nd Adaptation workshop planned to take place in Q4 following the preparation of a draft risk register.

What are we going to do?	Progress Update
20. Prepare a Climate Change and Sustainable Development Strategy and Action Plan	Successfully obtained funding of £5,000 from the Live Here Love Here Climate Challenge Fund. Currently working with SustainableNI for development of a Climate Change and Sustainable Development Strategy Action Plan. Data collection continuing with focus initially on Scope 1 & 2 emissions i.e. heating, vehicle fuel & electricity usage.
21. Raise business awareness of the climate crisis and what practical measures businesses can implement to reduce their carbon footprint through the delivery of an "On the Road to Net Zero" information and networking event as part of Mid Ulster Enterprise Week 2022.	Online Event took place on Wednesday 16th November 10-11am as part of Mid Ulster Enterprise Week (14th to 18th November). Jamie Delargy hosted a panel of experts: Steven Agnew, RenewableNI, Bernadette Convery, Invest NI and Mareanne Bradley, Specialist Group, who talked about the benefits of achieving Net Zero, how to get there, supports available as well as how to overcome challenges along the way.

2. Local Carbon Offset Fund

NI has set an ambitious climate target of achieving Net Zero emissions by 2050 and the Northern Ireland Climate Change Adaptation Programme 2019-2024 includes several adaptation actions under key priority areas. Many organisations across NI have set ambitious net zero targets. Whilst these will mostly be delivered through emission reductions, it is likely that most organisations will need to off-set the emissions they cannot avoid or reduce by paying for a carbon credit, which allows them to pay for an equivalent amount of emissions to be reduced or removed elsewhere. Most off-setting projects are in developing countries but there is anecdotal evidence that there is an appetite among NI companies to off-set their emissions via local projects.

Working in partnership, a number of Councils have identified a need to carry out a desktop review to quantify the opportunity for establishing a regional Carbon Offset Fund that could be used to finance a pipeline of climate investments across NI. These could range from investments in energy efficiency, decarbonised heating supply and renewable energy to habitat restoration and other nature-based solutions that enhance resilience and sequester carbon. This project would be a collaborative exercise between Mid Ulster District Council, Derry City and Strabane District

Council, Belfast City Council, Antrim and Newtownabbey Borough Council, Mid and East Antrim Borough Council, Ards and North Down Council, and Fermanagh and Omagh District Council and Newry, Mourne and Down District Council. The overall objective is to undertake a mapping exercise to help the partners understand the extent of the opportunity for local off-setting in NI.

This would require a joint procurement by interested Councils to identify a suitably qualified supplier with experience and expertise in climate finance and developing climate plans and programmes, to undertake a mapping exercise to help us understand the extent of the opportunity for local off-setting in NI.

This work is being aligned with ongoing work by SIB and DAERA to develop funding mechanisms to deliver against Net Zero targets. The off-setting fund would provide a source of finance to support the development and delivery of a Net Zero pipeline as well as help to deliver against targets in the Energy Strategy and the Green Growth Strategy but in a very place-specific (rather than sector or departmental based) fashion.

This is an initial piece of mapping work to develop the evidence base and provide an opportunity for the Councils, SIB, DfE and DAERA to start working together on the financing / delivery challenge. It would need to be followed up with further scoping work.

The intended outcome is that, based on a survey of emitters from key sectors, the potential for establishing a local off-setting fund will be better understood along with an estimate of the potential annual income that could be achieved by such a scheme. It is anticipated that the survey results will lead onto further preparatory work that could be used as part of a business case or funding application. In particular, the survey will determine the following:

- 1) What is the current value of the offset market in Mid Ulster District Council and more widely across NI i.e. what amount of Green House Gas (GHG) emissions are currently offset?
- 2) What level of investment is needed to satisfy GHG offset targets currently?
- 3) What is the current trend in offsetting across the organisations (increasing / decreasing)?
- 4) What is the likely value of the offset market in Mid Ulster District Council and more widely across NI through to 2030 based on trends in carbon prices and expected volume of offsetting?
- 5) Who are the largest emitters? What is their individual and combined GHG emission output?
- 6) What is the level of interest from organisations (public, private) in offsetting locally?
- 7) How much of their current offset would they be willing to channel into a local fund?
- 8) What types of projects are they interested in? Are there any restrictions on what they can and can't fund?
- 9) What are the key barriers or enablers to offsetting locally?
- 10) What type of support do they require in relation to carbon offsetting?

- 11) Highlight examples of best practice elsewhere which can be shared with others, and which highlight the opportunities for regional carbon offsetting.

The costs for this study would be divided across the eight participating Councils, with a contribution of £2,500 required from Mid Ulster District Council.

3. Climate Change Adaptation Plan

The Northern Ireland Climate Change Adaptation Programme (NICCAP) sets out Northern Ireland's adaptation approach and actions for the period 2019 – 2024. The 2019 NICCAP report, for the first time, provided an outline of how local government will contribute to addressing these climate change risks and opportunities and featured a 'Civil Society and Local Government Adapts' chapter which included the following action (as agreed by SOLACE, NI Local Government Association, Climate NI and Sustainable NI):

Work with Local Councils to embed the adaptation cycle across council planning, with the aim of encouraging councils to complete a minimum of:

- *Step 1 by 2021 (Developing an Adaptation Planning Working Group)*
- *Step 4 by 2024 (Completing full Adaptation Plan including Risk Register).*

Since late 2021 officers from the Environment Directorate have been engaging with Climate NI which has provided carbon literacy training and a local council climate change adaptation guidance and support tool developed to aid NI Councils implement their climate change adaptation plans.

Mid Ulster District Council has completed Step 1 and 2 of the NIAdapts Adaptation Planning Toolkit and is currently on Step 3. As part of Step 1 a core working group of 6 officers from the Environment Directorate was set up. The next stage involved a wider workshop involving representatives from each service. In advance of this workshop, GIS maps showing Council assets, with layers for climate change projections from NI Flood Maps, were made available on the Council Intranet for all staff to use. The Council is now at Step 3 which involves developing drafts of the risk register in advance of holding a third workshop in early 2023.

4. Climate Change & Sustainable Development Strategy & Action Plan

Northern Ireland has passed its first Climate Bill after it was voted through at the Stormont Assembly on 9th March. The bill commits Northern Ireland to a net zero greenhouse gas emissions target by 2050. Within the Bill there is provision for DAERA to impose specified climate change reporting duties on public bodies. This will require Council to prepare reports including a statement of the authority's proposals and policies for adapting to, or mitigating the effects of, climate change in the exercise of its functions and an assessment of the progress of the authority towards implementing these proposals and policies. This will require Mid Ulster District Council to prepare a Climate Change and Sustainable Development Strategy and Action Plan and associated performance reporting framework.

In recent years Sustainable NI (SNI) has become the key instrumental body in providing expert advice to local authorities on the legislative requirements needed to comply with the Sustainable Development Duty and to keep abreast on new environmental and sustainability developments and policies. Mid Ulster District Council currently supports the work of SNI through an annual subscription payment.

In April the Council successfully obtained funding of £5,000 from the Live Here Love Here Climate Challenge Fund to help with preparing a Climate Change and Sustainable Development Strategy and Action Plan. SustainableNI was subsequently appointed to assist the Council with the preparation of this plan. Work is currently ongoing around data collection with a focus initially on Scope 1 & 2 emissions i.e. heating, vehicle fuel & electricity usage. Workshops are being planned for January 2023, to discuss potential actions and targets, and will involve representatives from each service.

Update on Baseline Work on Climate Change and Sustainability for Climate Change Working Group Meeting

05/12/22

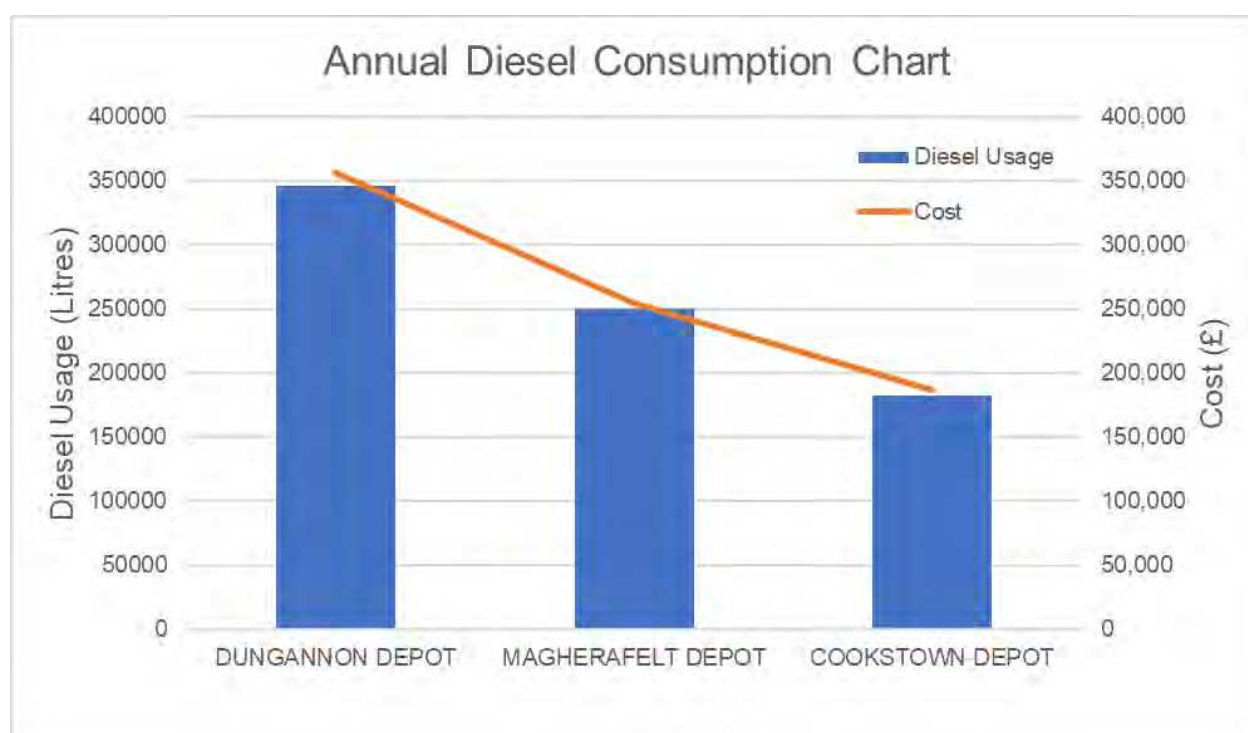
1. Baseline Data 2019 - 2020

The first stage of the Climate Change & Sustainable Development Strategy & Action Plan involves the collection of energy data for establishing a baseline for carbon emissions. The baseline year chosen was the 2019 – 2020 financial year as the 2020 – 2021 financial year would have been significantly impacted by the COVID-19 pandemic. The main findings of this data collection exercise are presented in the table below:

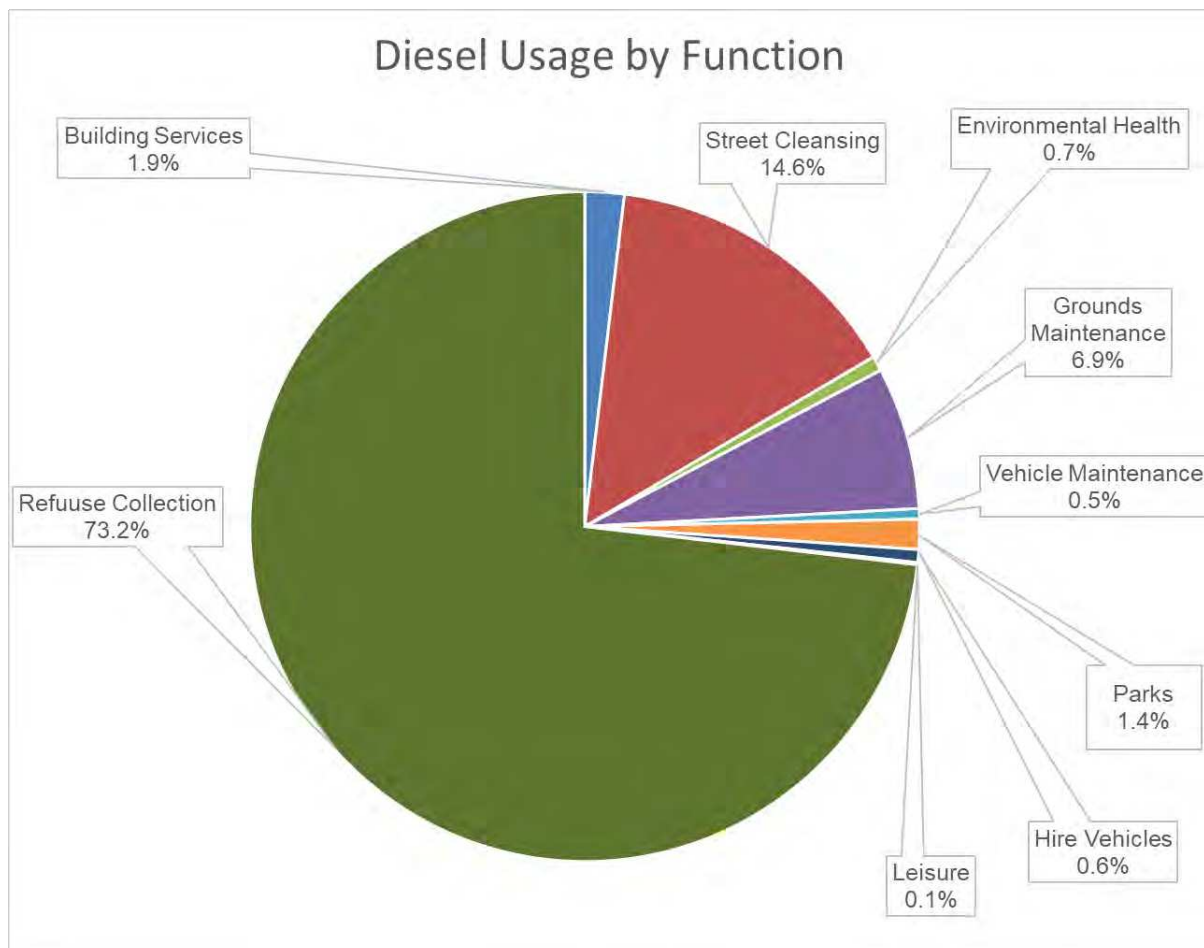
Activity	Quantity	Emissions (Tonnes CO_{2e})
<i>Vehicle Fuel (Diesel)</i>	885,506 Litres	2,297.10
<i>Electricity</i>	6,717,076 kWhrs	1,716.88*
<i>Heating (Red Diesel)</i>	460,968 Litres	1,183.58
<i>Heating (Kerosene)</i>	305,336 Litres	753.42
<i>Heating (Wood Pellets)</i>	3,879,437 kWhrs	60.64
<i>Heating (Natural Gas)</i>	8359 kWhrs	1.54
<i>Total</i>	-	6,013.16

* Some of these carbon emissions may be offset from the use of renewable energy sources by our electricity provider.

The Councils largest carbon footprint in the baseline year comes from vehicle fuel, using 885,506 litres at a cost of £855,211. The below chart shows the breakdown of diesel usage from the Council depots, which accounts for most of the Councils diesel usage.

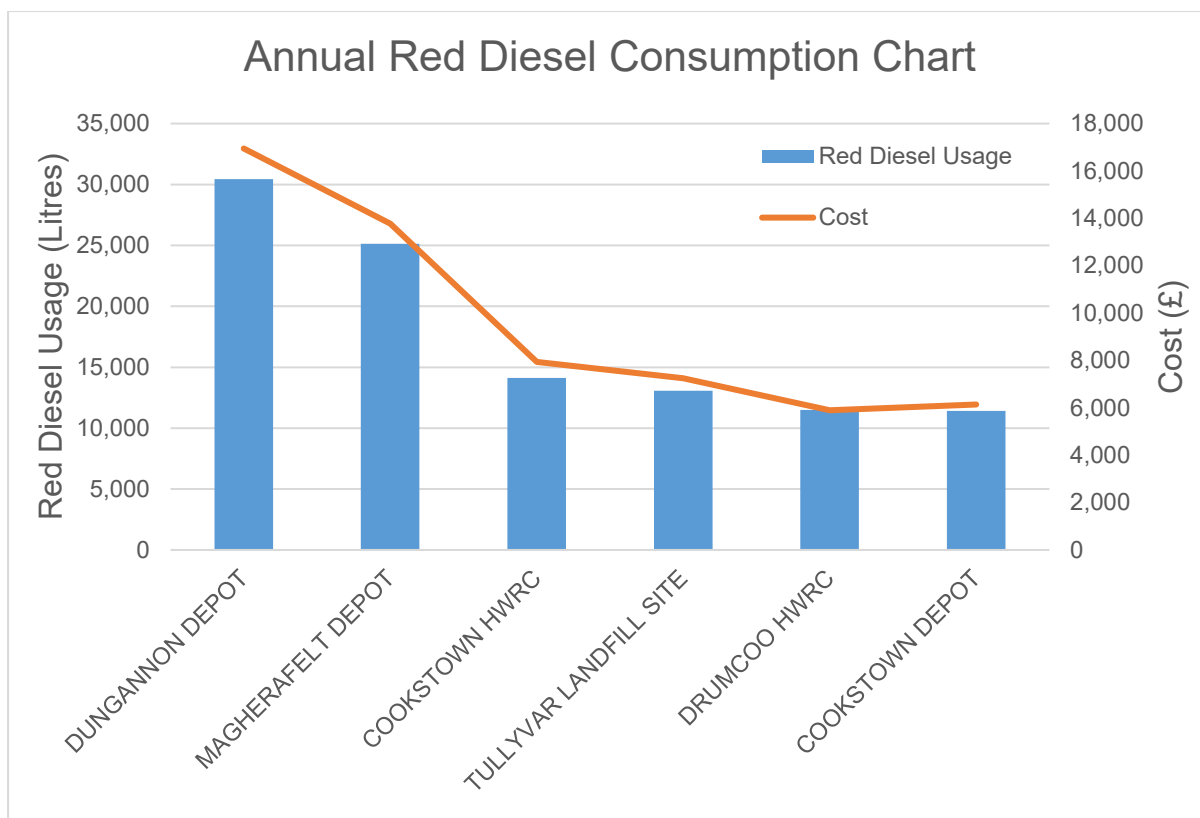


This diesel use can be further analysed in the chart below which shows the breakdown of the fuel use by Council function. Refuse collection used the most diesel with 73.2% of all usage followed by street cleansing at 14.6% and grounds maintenance at 6.9%.



In the future it will also be necessary to collect data around use of employees cars for business use through mileage and expenses claims and data from employees commute to work.

The chart overleaf shows the breakdown of red diesel usage from the major Council locations that used this in on-site plant, grass cutting equipment, generators etc... Since this is no longer permitted and clear diesel must be used the Councils current costs assuming similar usage will be considerably higher.



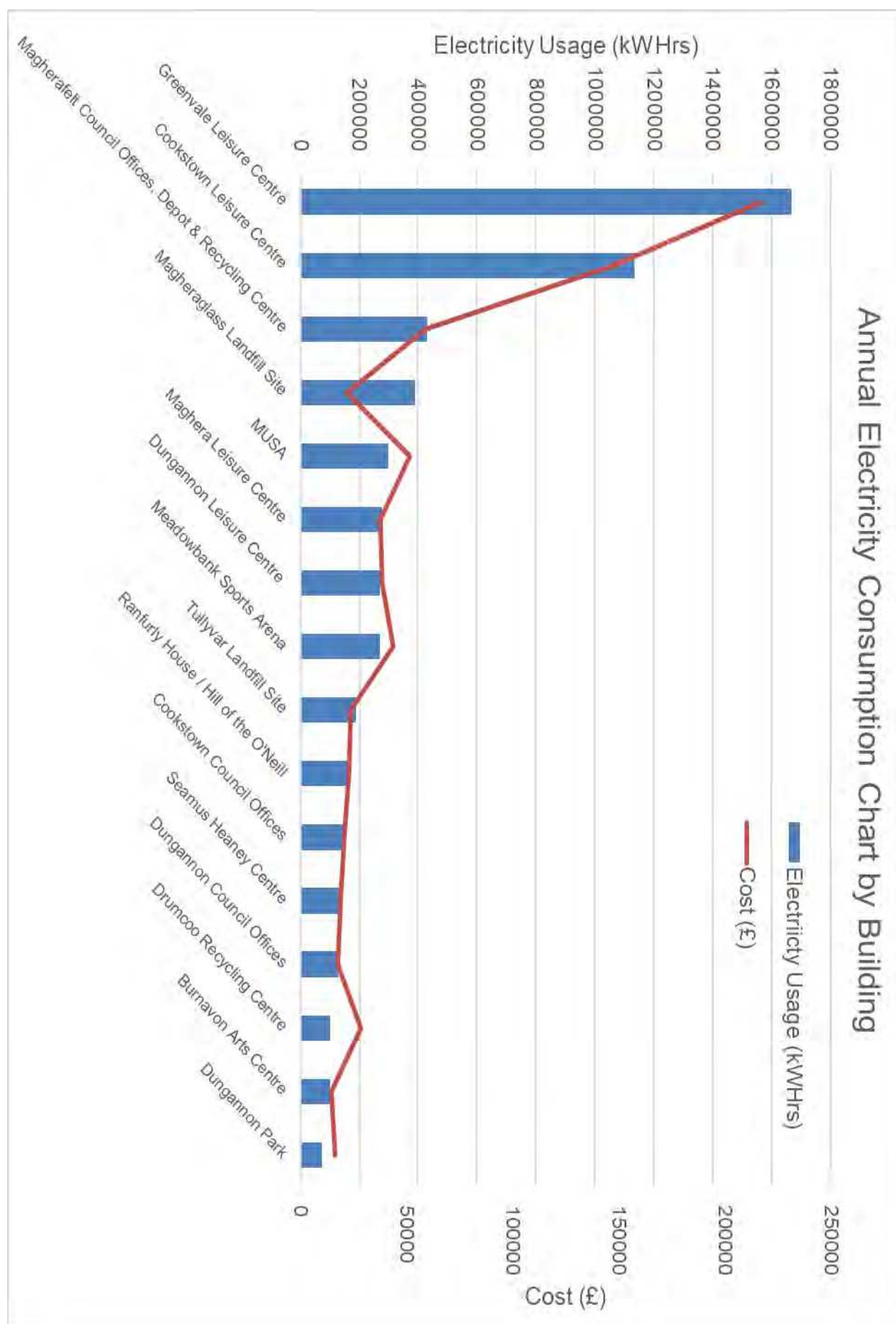
When the figures are combined the use of fuel oils for heating Council buildings are the next highest carbon footprint, with a combined usage of 766,304 litres of kerosene and red diesel at a cost of £370,674.

To reduce the reliance on fuel oils for heating, Greenvale and Cookstown leisure centres make use of wood pellets. Wood pellets have a much lower carbon footprint (by a factor of approx. 15 times less) per kWhr of energy than the other fuel types currently used.

The Councils third largest carbon footprint is electricity, using 6,717,076 kWhrs at a cost of £907,997.85. The chart overleaf shows the breakdown of electricity usage from the major Council locations. The largest users are the Councils leisure centres, especially those with swimming pools. It should be noted that Dungannon leisure Centre would have been in the top 3 users but in the baseline year the swimming pool was closed for refurbishment for approx. 8 months. The reduction in electricity use caused by this is approx. 300k – 400k kWhrs.

These costs are for the 2019-20 financial year so the Councils current costs, assuming similar energy usage, will now be considerably higher, further underlining the rationale for implementing energy efficiency measures and low carbon alternatives across the Council estate.

Ofgem estimates that a typical household uses approx. 2,900 kWhrs of electricity per annum and a further 12,000 kWhrs for heating. The total of the Councils usage for electricity and heat is 18,267,912 kWhrs which would be equivalent to around 1,200 houses or a town the size of Fivemiletown or Bellaghy.



Mid Ulster Carbon Cluster

5th December 2022

Dr. James Young

Chemical Engineer in Decarbonization & Sustainability

Decarbonization via a cross-sectoral approach through energy creation, transmission & distribution within Local Communities



supported by



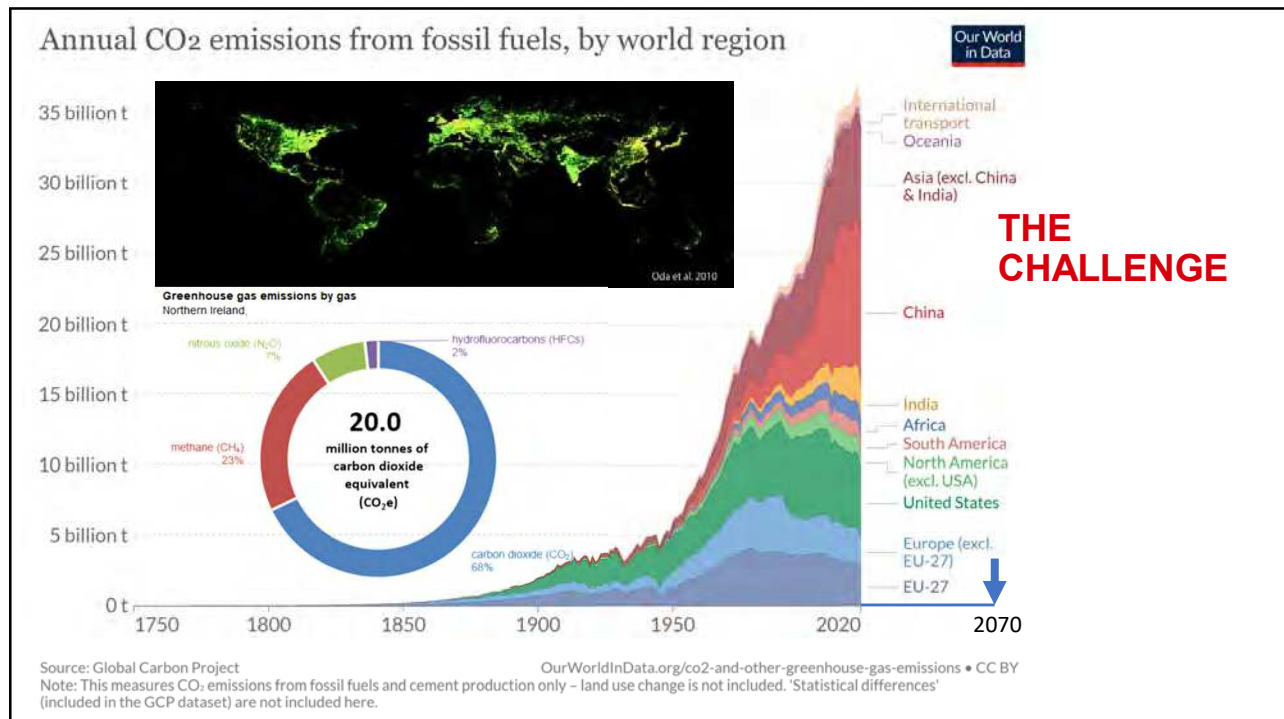
UK Government
This project is funded by the UK Government through the UK Community Renewal Fund



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

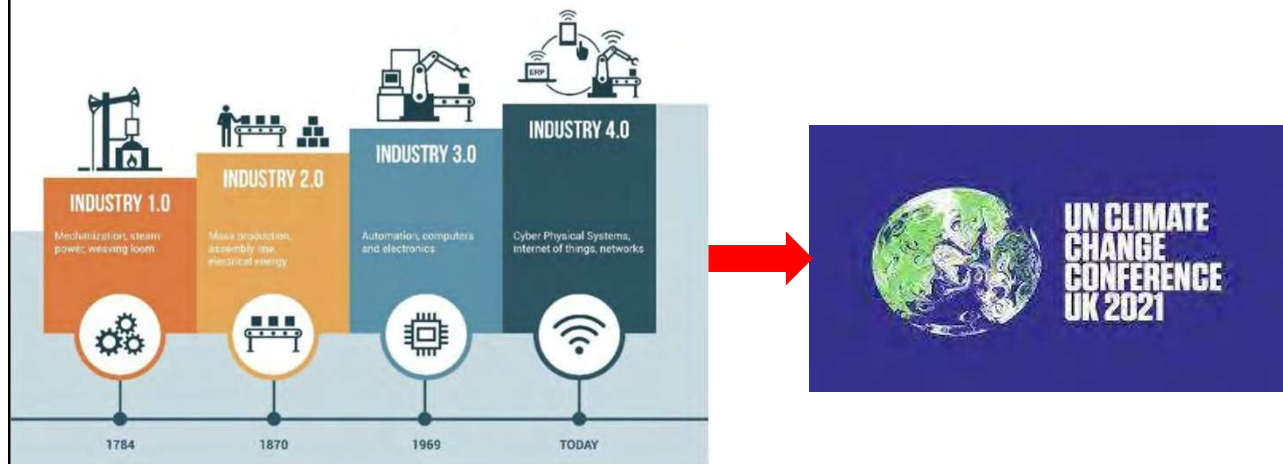


1



2

Industrial Revolution- Where Next?



Industry 5.0 – The roll out of decarbonization and sustainability, growth of self sufficiency

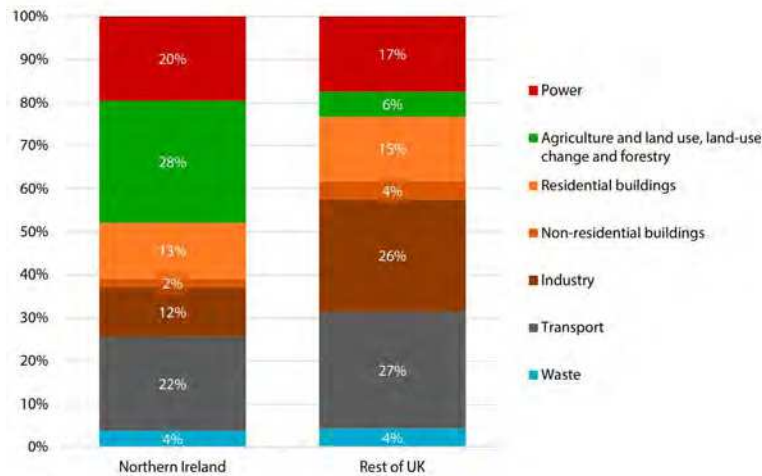
3

Every Country is Different



4

Emissions in 2016 by sector in Northern Ireland compared to the rest of the UK



Reducing emissions in Northern Ireland, Committee on Climate Change February 2019

Greenhouse gas emissions by gas within sector N. Ireland (2019, DAERA)

Sector	CO ₂	CH ₄	N ₂ O
Agriculture	0.6	3.7	1.3
Business	2.0	0.0	0.0
Energy supply	2.8	0.0	0.0
Industrial process	0.2	0.0	0.0
Land use change	2.0	0.3	0.2
Public	0.1	0.0	0.0
Residential	2.8	0.1	0.0
Transport	4.2	0.0	0.0
Waste management	0.0	0.7	0.0
Total	14.6	4.8	1.7

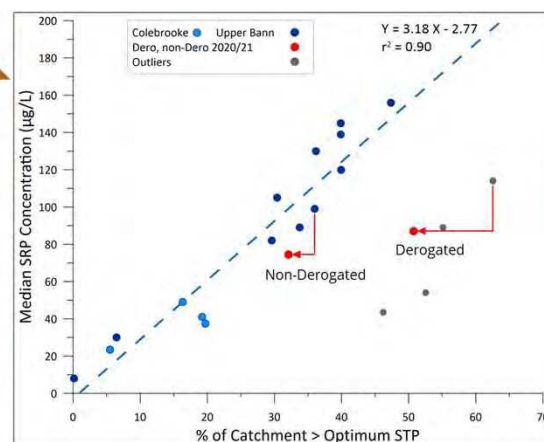
Species	Global Warming Potential (100 year time horizon, IPCC 4 th Assessment)
Carbon dioxide	1
Methane	25
Nitrous oxide	298

5

Changing Water Quality?

- High P soils and deteriorating water quality (SRP)
- By redistributing slurry P, evidence shows that water quality can improve some.
 - Increased liming – optimised nutrient utilisation
 - Reduction in soil P – less excess, less potential loss to the environment
 - Very low P soils need addressed on a farm-by-farm basis
- Still significant land with excessive P

Worsening water quality

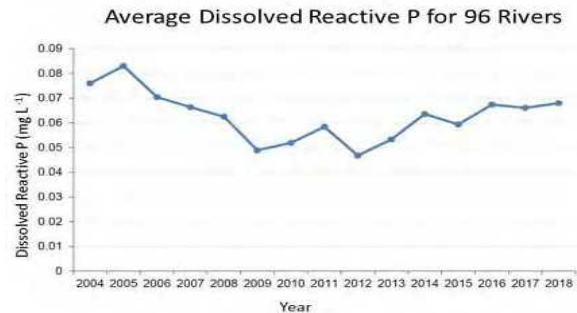
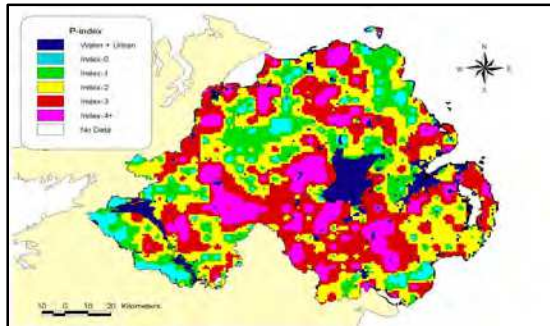


Excess Soil P

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Impact of P Loss from Soils

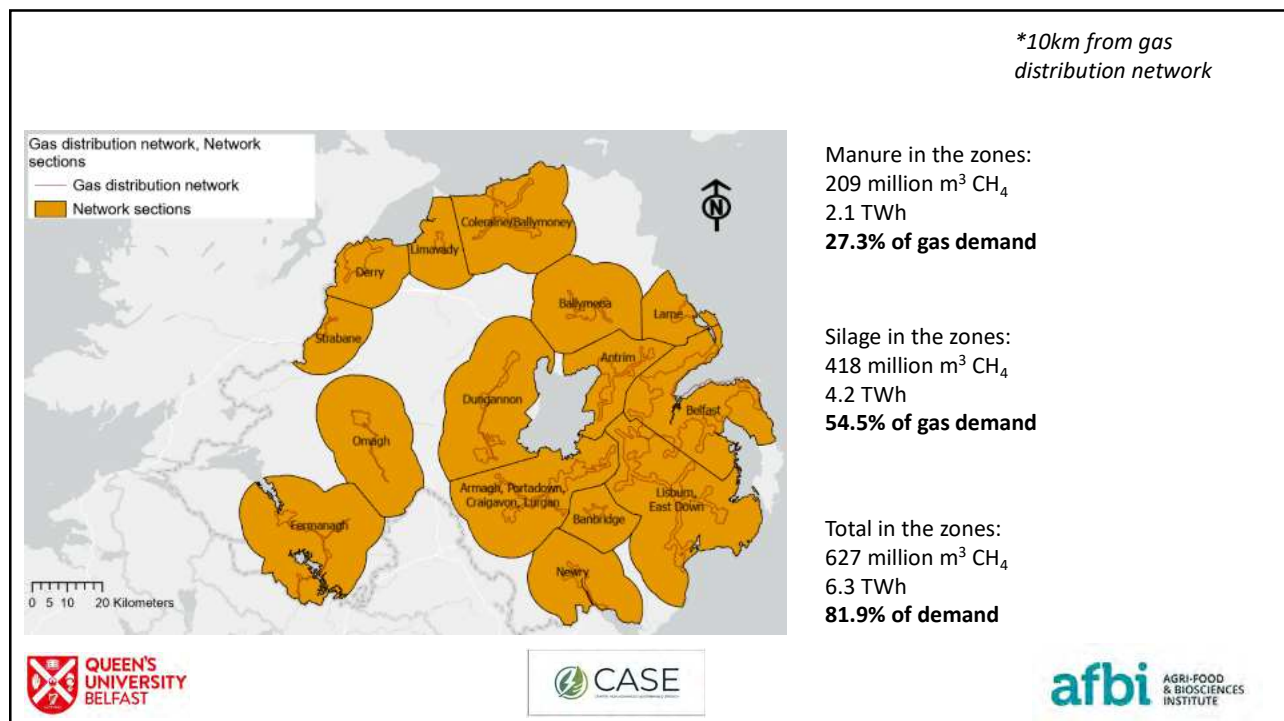
Soluble Reactive Phosphorus (SRP) (127 NI rivers, NIEA)



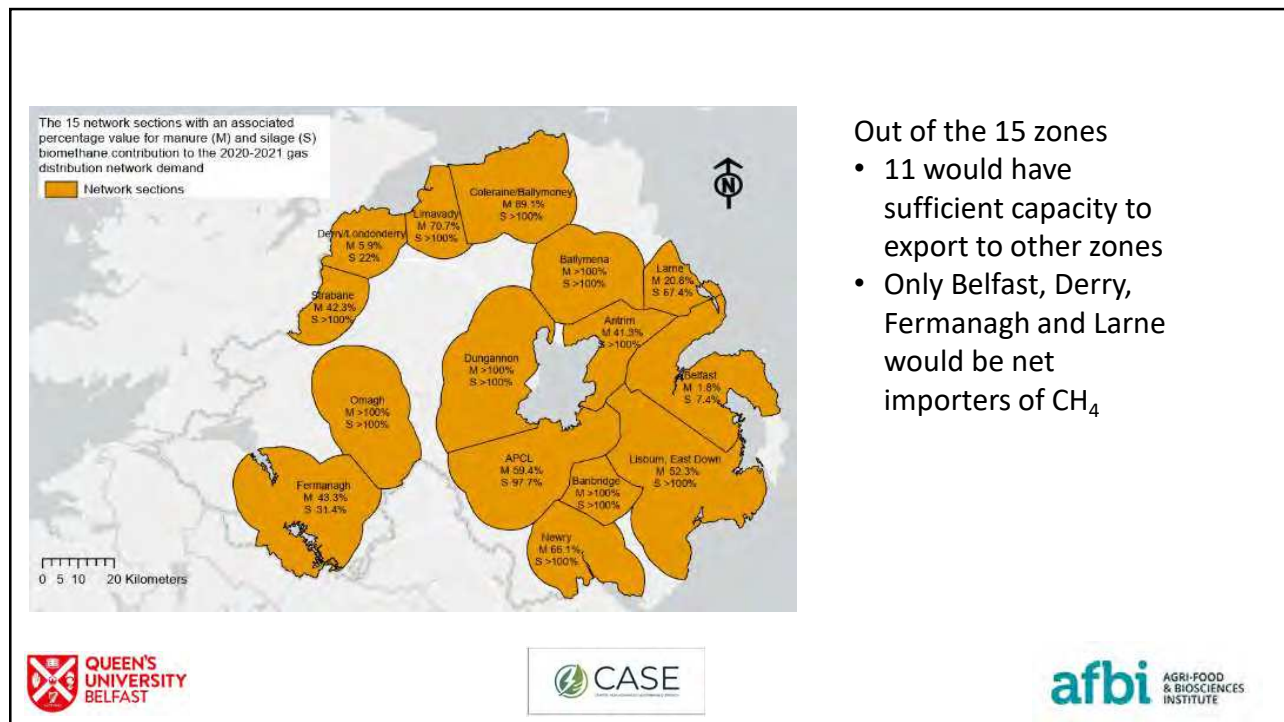
- Until recently, P concentrations in NI rivers had been declining.
- In the past 5 years, however, P levels appear to have been rising again.
- 55% of waterbodies at 'good' or high status based on DRP only

afbi AGRI-FOOD & BIOSCIENCES INSTITUTE

7



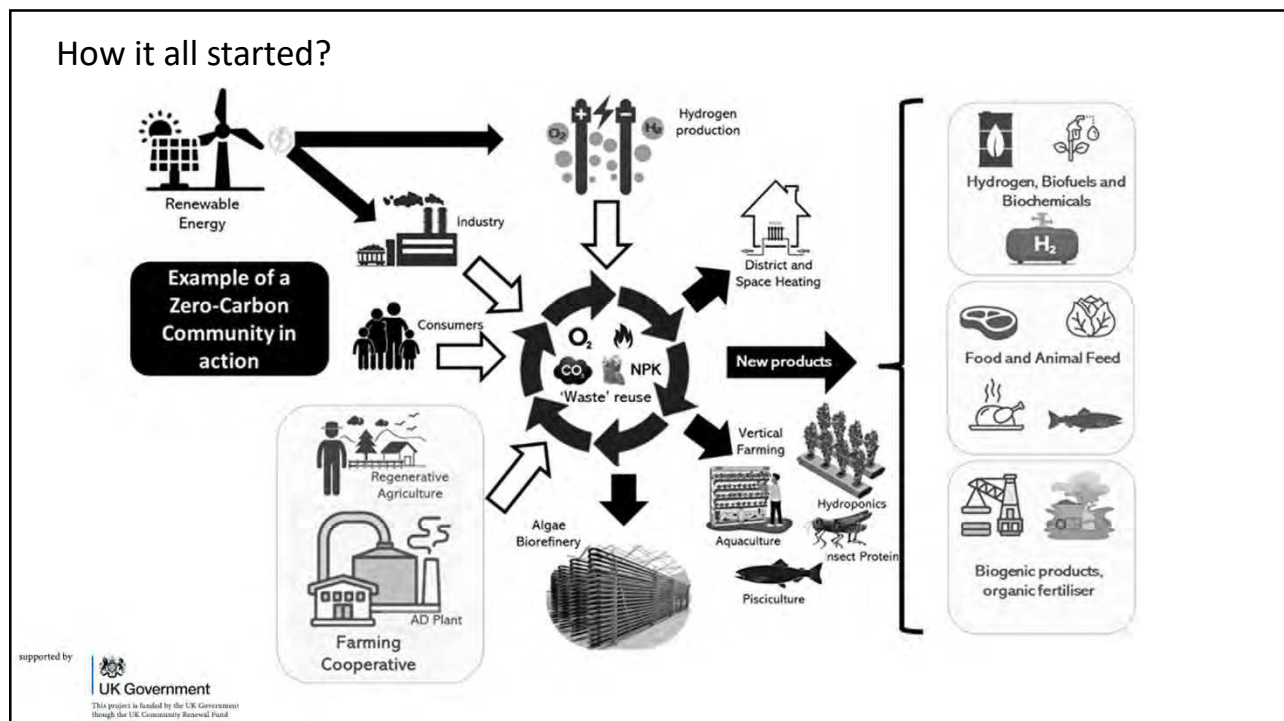
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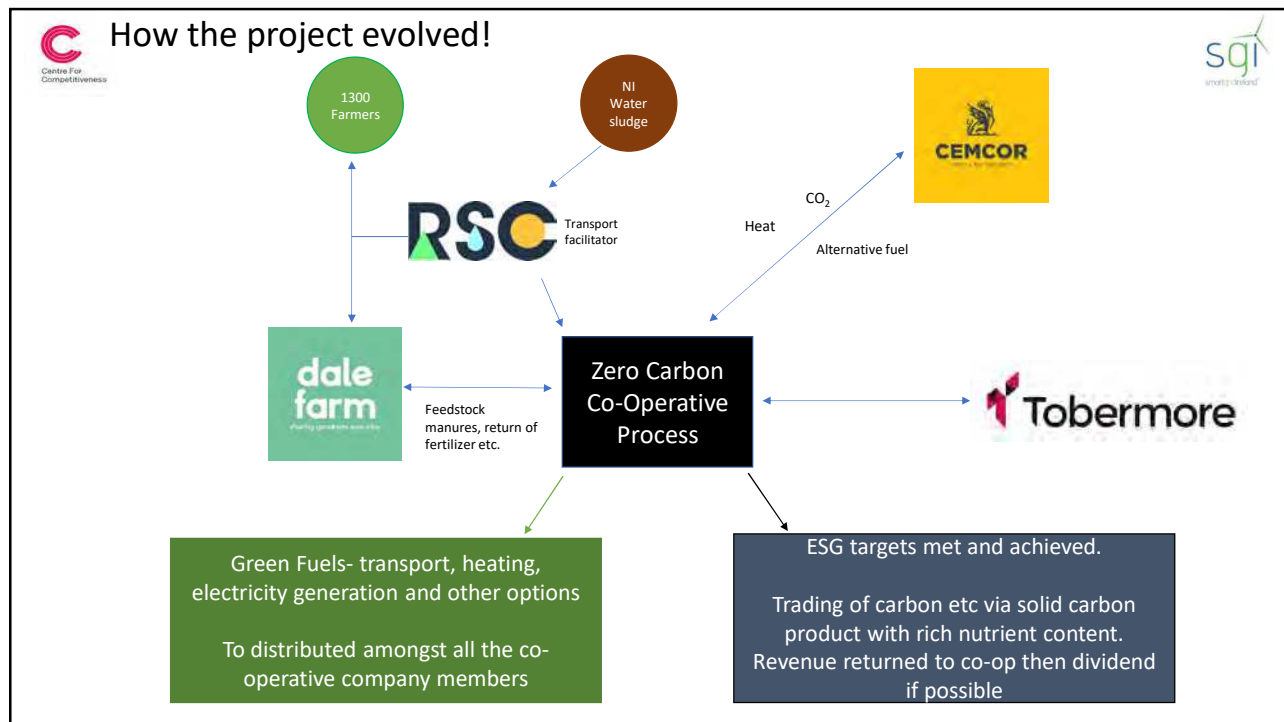
Out of the 15 zones

- 11 would have sufficient capacity to export to other zones
- Only Belfast, Derry, Fermanagh and Larne would be net importers of CH₄

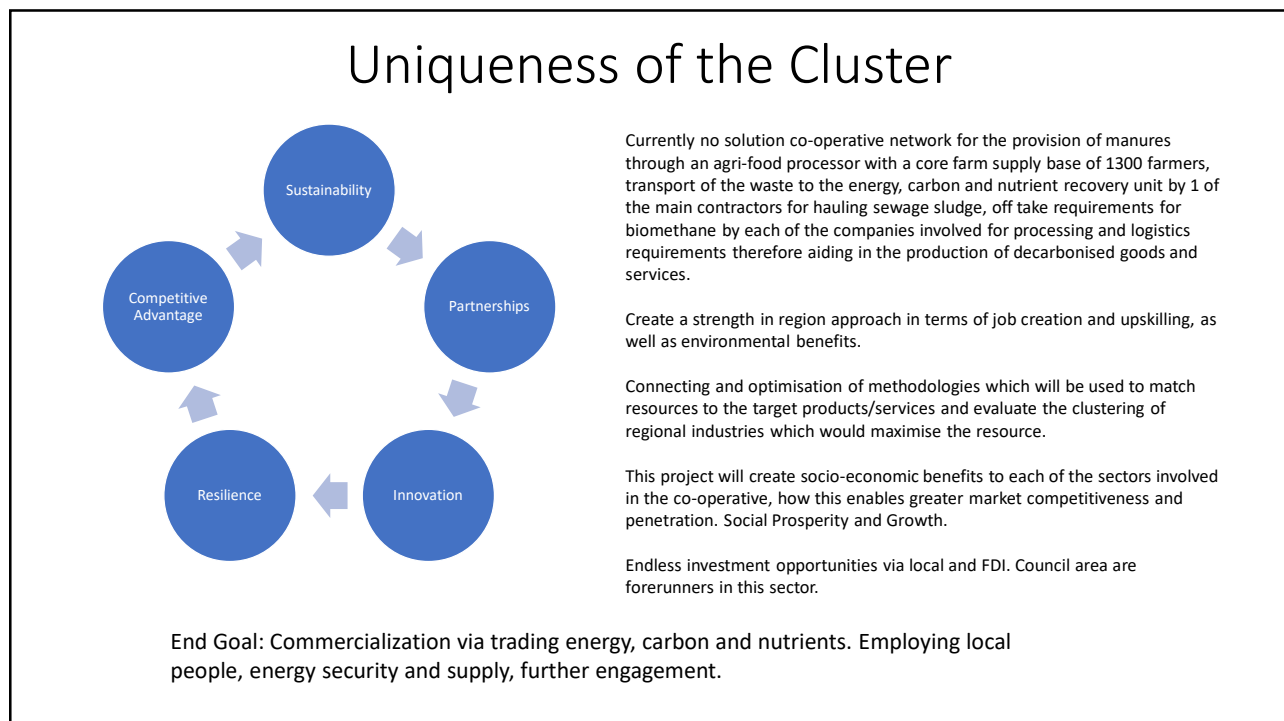
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10



11



12




SMART GRID IRELAND ENERGY CLUSTER

**Centre for Competitiveness
NI TECHNOLOGY CENTRE
CLOREEN PARK
QUEENS UNIVERSITY BELFAST**



13




Operating Principles



1. All Ireland Representation and Engagement in Smart Energy Development
2. Not For Profit, Independent Cluster of Energy Connected Organisations
3. Provides an Industry / Net-Zero Network Framework for Transformation Engaging with the Utilities, System Operators, Regulators, both Governments & Academia
3. Supports the EU Directive on Energy Security & Sustainability
4. Takes a Long-Term, Stakeholder Centric View of Decarbonisation and the Net Zero Infrastructure in Transition
5. Facilitates Potential Demonstration Project Opportunities

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How do SGI Help?

Centre For Competitiveness

sqi smartireland

COLLABORATE: INFORM: CONNECT: ENABLE: CREATE:

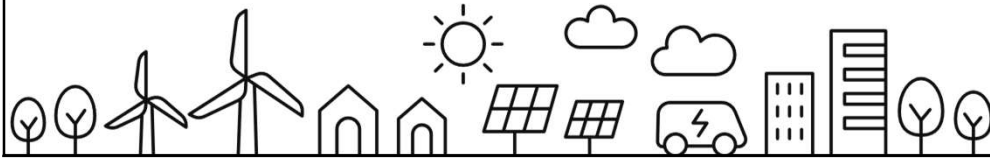
- **PROVIDE FRAMEWORKS FOR COLLABORATION**
- **FACILITATE COLLABORATION – Project Management**
- **ENGAGE MULTINATIONAL SUPPORTSPV'S, Investment etc..**
- **ALL ISLAND NETWORK**

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MUDC Sustainability Strategy and Climate Action Plan



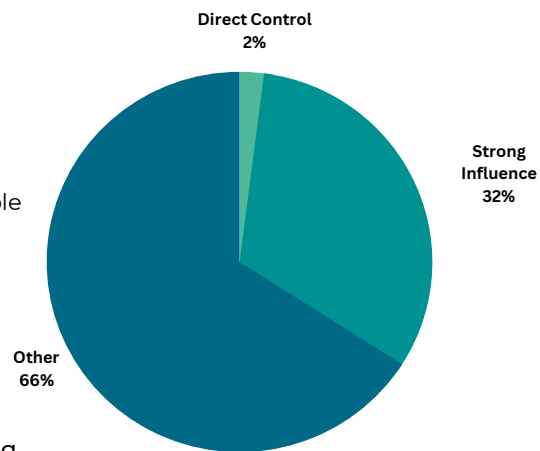
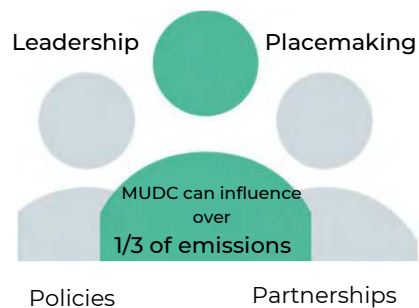
1

Mid Ulster District Council SUSTAINABILITY STRATEGY AND CLIMATE ACTION PLAN

SNI Work Update

Background

Local authority directly responsible
for 2-5% of local emissions



2

SNI Work Update

Background



Section 25 - Statutory duty to promote the achievement of sustainable development
 Section 42 - Departmental climate action plans, sectoral plans required to establish regulations on climate change reporting

3

SNI Work Update

Background

The Mid Ulster District Council Sustainability Strategy and Climate Action Plan 2023-2028 will

Demonstrate delivery of the agreed outcomes and actions

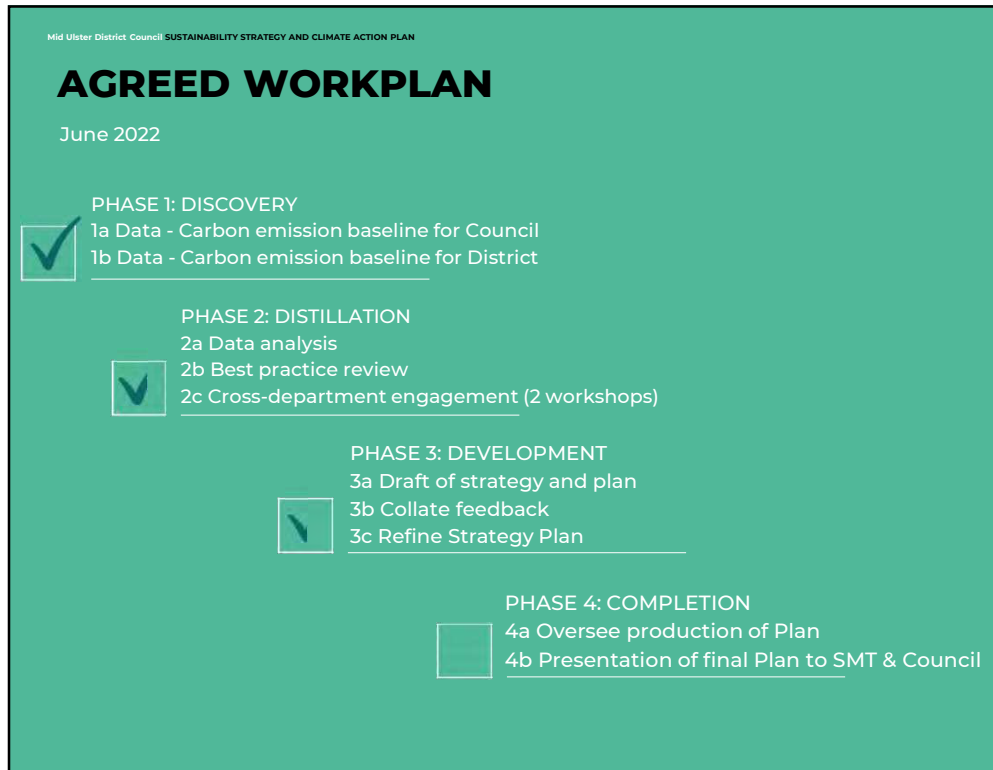
Be monitored by Performance Reporting with agreement on reporting timeframes

Be compiled with a first draft and a potential final version by March 2023

Collate data on the agreed baseline year 2019-2020

Be compatible with the Council's obligations under the Rural Needs Act (NI) 2016

4



5



6

AGREED WORKPLAN

November - March 2023

SNI Actions

2 Workshops Content Development

Strategy Outline and GHG emissions analysis

Delivery of two workshops and CAP first draft

CAP presentation to relevant Council Committee

Expected Outcomes

Cross-departmental audience engagement

Strategy content, key figures and design

Climate Action Plan and SM sign-off

Final Approval

7

KEY FIGURES AND PROJECTIONS

A SUMMARY CARBON ROADMAP



£ 498 million

A total of £498 million was spent in 2020 on all energy and fuel bills



19%

That means that 19% of everything that is earned leaves the area to pay the energy bill



£ 135 million

If it invested in all of the profitable energy efficiency and low carbon options, total energy bills would be cut by £135 million a year

8

KEY FIGURES AND PROJECTIONS

BEIS GHG EMISSIONS - 2020 Data



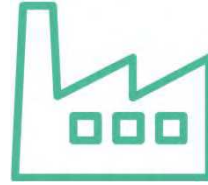
£ 6 million

Households in the area would save £6 million a year from their energy bill



£ 0.6 million

Schools, hospitals, offices, shops and restaurants in the area would save £0.6 million a year from their energy bill



£ 91 million

The area's industry could cut its fuel costs by £91 million a year

SOURCE Place-Based Climate Network - Leeds University

9

KEY FIGURES AND PROJECTIONS

BEIS GHG EMISSIONS - 2020 Data



2,969 Years

Doing this would lead to the creation of an extra 2,969 years of employment in the area



14 %

This would mean the area's carbon emissions would fall by 14% over and above what is already expected



Priceless

And that would mean a happier, healthier, more prosperous and resilient area for all!

SOURCE Place-Based Climate Network - Leeds University

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RECOMMENDATIONS

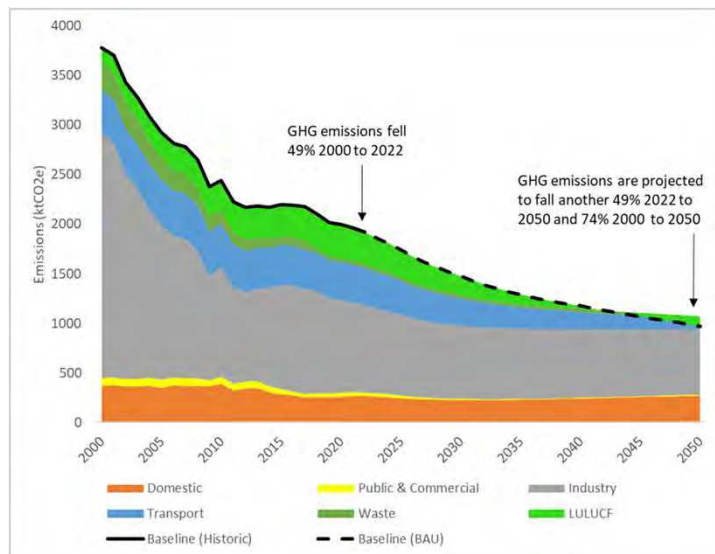
Mid Ulster District Area 'Fair' Contribution towards the Paris Climate Agreement

- 1** Stay within the calculated 8.7 MtCO₂ area's emission budget for the 2020-2100 timeframe
- 2** Immediate CO₂ mitigation programme to cut emissions by 14.1% per year
- 3** 2040 Net Zero target (95% of recommended Carbon Budget emitted)

SOURCE Tyndall Centre - The University of Manchester

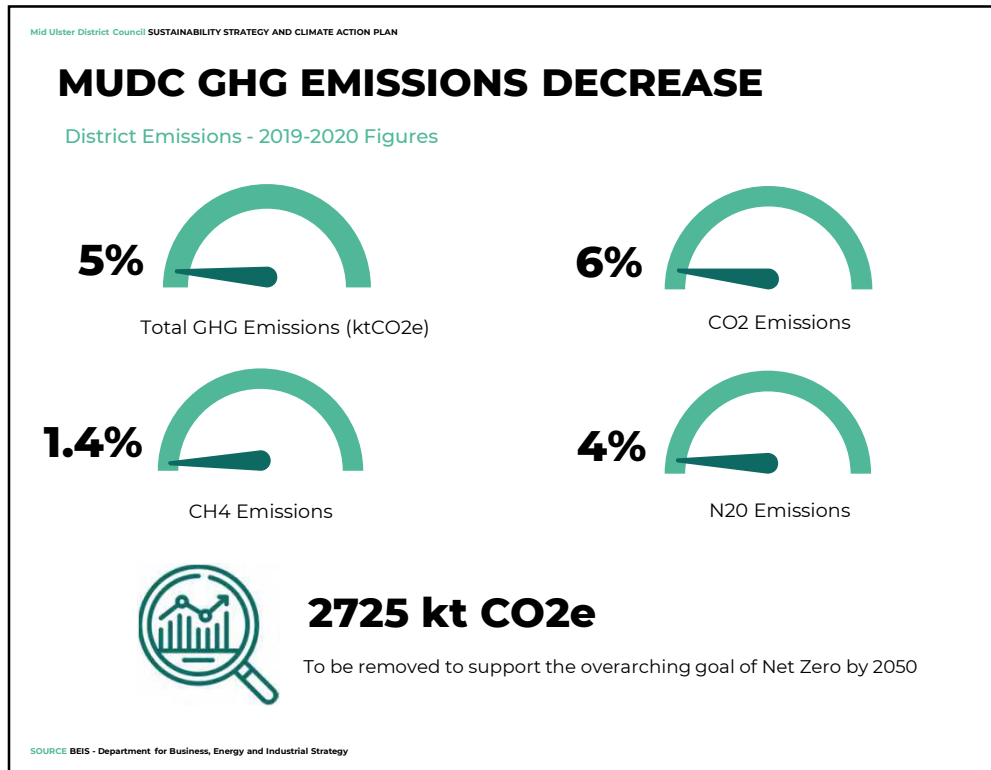
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MUDC BASELINE EMISSIONS



SOURCE Department for Agriculture, Environment and Rural Affairs

12



13

Sustainable
Northern Ireland

INFORM | REFORM | TRANSFORM

Sustainable NI is committed to further assisting our clients/members in understanding what they can do to help tackle climate change and make their organisation more sustainable.

SUSTAINABLENI.ORG

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**MINUTES OF CLIMATE CHANGE WORKING GROUP MEETING HELD ON MONDAY 5TH
DECEMBER 2022 AT 5.30 PM IN DUNGANNON COUNCIL OFFICES COMMITTEE ROOM**

PRESENT

MEMBERS PRESENT: Councillor Corry
Councillor Graham

OFFICERS IN ATTENDANCE: A-M Campbell – Strategic Director of Environment
M McAdoo – Assistant Director, Environmental Services
K McGowan – Waste Disposal and Contracts Manager

OTHERS IN ATTENDANCE: Dr Francesca Di Palo - Sustainable Northern Ireland (SNI)
Dr James Young – Queens University Belfast (QUB)
Martin Doherty - Centre for Advanced Sustainable Energy (CASE)

APOLOGIES: Councillor McPeake, Councillor Molloy

Meeting commenced at 5.45pm with Members and Officers only

1.0 Review of Terms of Reference – see Appendix A

A draft Terms of Reference paper was presented by A-M Campbell.

Councillor Corry asked about the option of virtual meetings considering the climate change impact of commuting to in person meetings. After discussion it was agreed to keep the Terms of Reference as per the version presented.

2.0 Update Report on Internal Actions on Climate Change and Sustainability for Climate Change – see Appendix B

M McAdoo presented 12 actions from Corporate Improvement Objective One that related to climate change, circulating copies to the members and officers present.

Following query from Councillor Graham in relation how good/bad electric vehicles are in practice. M McAdoo indicated the electrical vehicles would only be an option for smaller vehicles i.e. vans and not larger refuse vehicles.

2.1 Update on Baseline Work on Climate Change and Sustainability for Climate Change – see Appendix C

K McGowan presented the report, circulating copies to the members and officers present.

Following query on the costs outlined in the report, K McGowan indicated the figures are from Baseline Data 2019-2020 financial year as 2020-2021 figures were significantly impacted by the Covid-19 pandemic. The figures could have risen by 30% in the current climate.

Following query from Councillor Corry regarding the implementation of solar panels on Council buildings. K McGowan indicated small solar panel arrays could be put on council buildings and larger panel arrays at landfill sites. Any future new builds could incorporate solar panels and heat pumps thus ensuring energy efficiency is implemented.

Presentations commenced at 6.10 pm from Dr Francesca Di Palo, Dr James Young and Martin Doherty.

3.0 Presentation on the development of a Climate Change and Sustainable Development Strategy and Action Plan

Dr Francesca Di Palo from Sustainable NI presented via PowerPoint (copy attached).

4.0 Presentation on proposal for a Mid Ulster Decarbonisation Co-operative

Dr James Young, QUB presented via PowerPoint (copy attached).

The Members and Officers thanked Dr Francesca Di Palo and Dr James Young for their presentations.

5.0 Any Other Business

No other business discussed

6.0 Date of Next Meeting

Next date to be confirmed

Meeting ended at 6.45pm

Report on	European Week for Waste Reduction (EWWR) 2022
Date of Meeting	10 th January 2023
Reporting Officer	Mark McAdoo, Assistant Director, Environmental Services
Contact Officer	Karen Brown, Recycling Education & Awareness Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the actions carried out to promote EWWR 2022 in Mid Ulster.
2.0	Background
2.1	European Week for Waste Reduction (EWWR) is an annual waste reduction initiative promoted across all of Europe. Each country that registers to take part requests Action Developers to submit their actions that will encourage individuals, communities, schools and businesses to reduce the waste that they all produce.
2.2	EWWR took place from 19 th – 27 th November with the theme of “Circular and Sustainable Textiles – Waste is out of fashion”. The Week of Waste Reduction focused on textiles to highlight the strong impact the industry has on our planet and to inspire actions that will bring more circularity into the textile sector.
2.3	The theme of “Circular and Sustainable Textiles – Waste is out of fashion” was chosen to highlight the fact that the fashion industry is one of the most polluting sectors, together with housing, transport, and food. This is caused by the strong impact it has on land use, water pollution and even greenhouse emissions. This sector has a high environmental and social impact in every phase: from production, to distribution, use, and after use (collection, sorting, recycling, and final waste management, which is most of the time related to incineration and landfills)

3.0	Main Report
3.1	<p>The EWWR initiative was officially launched by the Chair of the Environment Committee, Cllr Sean McGuigan, on 16th November 2022 with a Press Release and news item on the Council website, followed by a series of social media posts (see appendix 1) to promote activities throughout the week as follows;</p> <ul style="list-style-type: none"> • 16th November: Press Release and article on MUDC website featured to mark the beginning of EWWR and inform residents of the annual campaign. • 16th November: Social Media posts to mark the beginning of EWWR encouraging residents to be more sustainable with their fashion. • 22nd November: Social Media post highlighting some of the environmental impacts associated with the textiles industry. • 25th November: Social Media post to bring EWWR to a close and encourage residents to get creative and give their fashion a facelift rather than purchasing new items. (see appendix 1)
3.2	<p>The Recycling Team are engaged in ongoing education and awareness activities. The next related campaign focused on the reuse of large electrical appliances with the Recycle, Refresh, Renewed campaign recently launched, again by Chair of Environment Committee Cllr Sean McGuigan on 7th December (see appendix 2).</p>
3.3	<p>The new Electrical Reuse Scheme will see old large electrical appliances being repaired, refurbished and resold. The initiative is being run in partnership with Refresh Appliances Ltd who are a social enterprise business based in Newtownards offering economical and affordable refurbished large appliances to the general public, landlords and charities. The following items are suitable under the scheme; cookers, hobs, ovens, washing machines, tumble dryers and dishwashers. The scheme is currently operating at three of the Council's Household Waste Recycling Centres – Magherafelt, Maghera and Castledawson – with plans to extend the scheme to other sites in the New Year.</p>
3.4	<p>A video has been filmed to promote the scheme and will be featured across Mid Ulster Councils social media platforms in January and February to give full coverage and promotion of the campaign at a time of year with more impact as residents make New Year purchases and carry out a post-Christmas clear out</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	<p>Human:</p> <p>A significant amount of Recycling Officer time, together with the Communications Officers, was spent to co-ordinate the various forms of communications carried out</p>
	Risk Management: None

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members are asked to note the content of this report
6.0	Documents Attached & References
6.1	Appendix 1 EWWR social media posts
6.2	Appendix 2 Recycle, Refresh Renewed launch photo

EWWR 2022 Social Media posts

POST 1



Mid Ulster District Council's post



The Council is urging residents to be more sustainable with their textiles and footwear this [European Week for Waste Reduction \(EWWR\)](#) which takes place from 19 – 27 November.

[#EWWR](#) provides the perfect opportunity to challenge everyday actions and habits to reduce the waste we produce and increase our recycling.

The textile and clothing industry is one of the most polluting sectors, together with housing, transport, and food.

Chair of the Council's Environment Committee, Councillor Sean McGuigan said: "Simple actions like using our creative talents, supporting second hand sales, or donating unwanted clothes to charity shops, can make a big difference to the sustainability of our fashion." [#EWWR2022](#)

Read the full article at: <https://www.midulstercouncil.org/news/news-archive/news-items-2022/november-2022/%E2%80%98changing-relationship-with-clothes-%E2%80%93-waste-is-out>



POST 2

[Posts](#) [About](#) [Photos ▼](#) [Mentions](#)

 **Mid Ulster District Council** 22 Nov · 🌐

Waste is out of fashion!! As [#EWWR](#) continues this week, did you know;

- ♻️ Approximately 5.8 million tonnes of textiles are discarded every year, which is equivalent to 11.3kg per person.
- ♻️ Almost nine out of ten Europeans think that clothing should be made to last longer.
- ♻️ Up to 35% of all the microplastics released into the environment can be traced back to textile products.

For more information on the main impacts of the fashion industry and what actions can help visit https://ewwr.eu/thematic_focus/circular-and-sustainable-textiles/



POST 3



Mid Ulster District Council



25 Nov · 🌐

As [#EWWR](#) draws to a close, if your wardrobe is due for a revamp there are lots of inspiring ways to create a clean, fresh look from the things you already have. Getting creative with your clothes will not only save you money but it can also give you a fabulous style that nobody else can match.

We'd love to hear your top tips for giving your wardrobe a face-lift and we'd love to see your creative results. Email recycling@midulstercouncil.org with your upcycled creations!

[Recycle Now Bin-Ovation Limited European Week for Waste Reduction](#)





Report on	Magherafelt Recycling Centre Reopening
Date of Meeting	10 th January 2023
Reporting Officer	Mark McAdoo, Assistant Director, Environmental Services
Contact Officer	Mark McAdoo, Assistant Director, Environmental Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update members on the reopening of the Recycling Centre in Magherafelt.
2.0	Background
2.1	Members were advised previously of a successful capital funding application to the DAERA Recycling Collaborative Change Programme for £945,898 to extend and refurbish Magherafelt Recycling Centre and adjacent Waste Transfer Station.
2.2	The upgrade to the existing Recycling Centre includes a new split-level facility (incorporating an additional 0.8 acres of land purchased from the adjacent landowner), new site office, weighbridge, green waste storage building, CCTV, compactors/containers and vehicle parking shed. Improvements to the Waste Transfer Station include new waste storage bays with reinforced concrete walls.
3.0	Main Report
3.1	A contract with a value of £1.7m to undertake the capital works was awarded to Civco Ltd in October 2021 and the works started on site in early March 2022.
3.2	A temporary recycling/skip facility had been in operation at the site since May.
3.3	Works at the new Recycling Centre and at part of the Waste Transfer Station were completed at the end of November resulting in a partial handover of the site (an aerial image showing the completed works on site is included at appendix 1).
3.4	The new Recycling Centre subsequently opened to the general public on 7 th December (following further confirmation of handover of insurances) and the feedback received from site users to date has been very positive and encouraging.
3.5	A new Waste Management Licence for the site (Ref: LN/22/11) was obtained from the regulator, the Northern Ireland Environment Agency (NIEA) on 15 th November.

3.6	A photo-call to mark the reopening was held with the Council and Environment Committee Chairs and DAERA Assistant Director of Environmental Policy on 15 th December (press release and photo included at appendix 2 and 3 respectively).
3.7	It is anticipated that the remaining (non-public facing) works to the waste transfer station and vehicle parking shed will now be completed early in the new year.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Total cost of capital project £1.7m with £946k external funding from DAERA.
	Human: None
	Risk Management: A critical aim of the project to improve health and safety on site for users and staff has now been achieved by separating Council/service vehicles from the public.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Aerial photograph of Magherafelt Recycling Centre
6.2	Appendix 2 – Press release for reopening of Recycling Centre
6.3	Appendix 3 – Photo-call for reopening of Recycling Centre



News Release

Friday 16th December 2022

Magherafelt Recycling Centre opens after £1.7M refurbishment works

Magherafelt Recycling Centre has reopened following its £1.7M refurbishment.

The Council received a £945,898 grant from the Department for Agriculture, Environment and Rural Affairs (DAERA) Household Waste Recycling Collaborative Change Programme to undertake the work.

The extensive investment at the recycling centre has transformed the facilities, enhancing the customer's experience, and will increase both the quantity and quality of recyclable materials collected on the site, diverting an anticipated 2,000 tonnes of additional material from landfill.

Chair of the Council, Councillor Córa Corry commented, "The completion of this £1.7M refurbishment at Magherafelt Recycling Centre is proof again of the Council's continued determination and commitment to invest in our services and to enhance the effectiveness and experience for our residents and customers. With these completed works, residents will have access to a bespoke state of the art recycling centre which will result in an increase in both the quantity and quality of recyclable materials collected on site. Health and safety at the site has also been enhanced through the segregation of site visitors from Council and contractor vehicles.

"The refurbishment is another example of the Council's on-going investment in the effective collection and disposal of our waste, with the primary focus continuing to be the diversion of waste from landfill. I would like to thank DAERA for their substantial funding and for again working in partnership with the Council to bring such improvements to our district and for our residents."

Chair of the Council's Environment Committee, Councillor Sean McGuigan added, "For the duration of the refurbishment works at Magherafelt Recycling centre, temporary facilities on the site meant that residents could continue to use the centre

safely and to dispose of as wide a range of materials as possible. I would like to thank all residents and businesses in the district, particularly those in the Magherafelt area for their continued patience and understanding while the works were ongoing over the last number of months. It has definitely been worth it when you look at the fantastic new facility we now have as a result.”

Speaking at the official opening, Michael McCallion, Assistant Director of Environmental Policy at DAERA, said: “I am delighted to attend the official opening of Magherafelt Recycling Centre. DAERA provided grant funding of £945,898 towards this £1.7M redevelopment which is part of the Department’s Household Waste Recycling Collaborative Change Programme and will mean approximately 2,000 tonnes of waste will be diverted from landfill each year.

“The money will also help improve how waste is separated and the quality of materials collected, to support local processors and our circular economy. We will continue to look for ways to collaborate with local councils and other stakeholders to reduce emissions from the waste management sector, ensure recycling rates remain high and to see ways of increasing the economic value of recycling in the economy.”

Refurbishment works at the recycling centre began in April 2022 and it reopened to the public again on Wednesday, 7 December 2022.

-ends-

Cap: Chair of Mid Ulster District Council, Councillor Córa Corry is joined by the Chair of the Council’s Environment Committee, Councillor Sean McGuigan and Michael McCallion, Assistant Director of Environmental Policy at DAERA, at the official opening of Magherafelt Recycling Centre following its £1.7M refurbishment.

Note to Editor

For further information, contact Kate Keys, Marketing and Communications

Manager, Mid Ulster District Council, kate.keys@midulstercouncil.org , tel: 03000

132 132, Mob: 07584 203 866.



Report on	Building Control Workload
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director of Property Services
Contact Officer	P J Fox, Principal Building Control Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report		
1.1	To provide Members with an update on the workload analysis for Building Control across Mid-Ulster District Council.		
2.0	Background		
2.1	<p>Building Control applications are received in three different forms:-</p> <ul style="list-style-type: none"> a Full Applications - submitted with detailed working drawings. b Building Notices - minor work not usually requiring detailed plans, e.g. provision of insulation to roof space, etc. c Regularisation Applications – where work has been carried out without an approval, an application must be submitted for retrospective approval. 		
3.0	Main Report		
3.1	Workload Analysis	December 2022	Accumulative 2022/23
	Total number of Applications	168	1522
	Full plans applications received	43	586
	Building Notices applications received	118	824
	Regularisation applications received	7	112
	Estimated value of works submitted	£9,737,420	£252,462,670
		837	5804

	Number of inspections carried out by Building Control Officers		
	Commencements	236	1538
	Domestic Dwellings	40	388
	Domestic alterations and Extensions	185	1008
	Non-Domestic work	11	142
	Completions	228	1308
	Domestic Dwellings	70	391
	Domestic alterations and Extensions	153	813
	Non-Domestic work	5	104
	Property Certificates Received	136	1449
3.2	It should be noted from the Workload Analysis in 3.1, that the full range of applications are being received and administered in accordance with our procedures and performance criteria.		
3.3	It can also be noted that demand for the service continues at similar level for same period last year, despite the volatile economic climate.		
4.0	Other Considerations		
4.1	Financial, Human Resources & Risk Implications		
	Financial: Within Current Resources		
	Human: Within Current Resources		
	Risk Management: None		
4.2	Screening & Impact Assessments		
	Equality & Good Relations Implications: None		
	Rural Needs Implications: None		

5.0	Recommendation(s)
5.1	Members are requested to note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – List of significant applications received by the Building Control Service

Significant Developments Report January 2023

Applicant	Location of Development	Details of Development	Estimated value of development
P McVey Building Systems	Site 3, 3 Creagh Industrial Park, Toome.	Erection of an Industrial Unit (Floor area 1818m2) B.C. fee - £3,025	£517,000
Edge Innovate NI Ltd	30 Farlough Road, Dungannon.	Infill Factory Extension (Floor area 2814m2) B.C. fee - £2,430	£397,055

Report on	Entertainment Licensing Applications
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director of Property Services
Contact Officer	Colm Currie, Principal Building Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To update Members on Entertainment Licensing applications across Mid Ulster District Council.
2.0	Background
2.1	The Council has responsibility for licensing places of entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985. Entertainment Licensing applications are received on a continued basis across the District. Statutory consultations are carried out with PSNI and NIFRS for each Entertainment Licence application (grant or renewal) submitted.
3.0	Main Report
3.1	<p>As previously agreed a list of applications for all grant/renewal of Entertainment Licences in Mid Ulster District Council is attached (see Appendix 1). The number of applications received on a monthly basis will vary depending on the date of expiry of the current licence.</p> <p>Each application is accompanied by the following documentation:</p> <ol style="list-style-type: none"> 1 A current Fire Risk Assessment detailing the following: <ol style="list-style-type: none"> (a) means of escape from premises (b) management responsibilities for day to day safety aspects (c) details of review on an annual basis <p>The fire risk assessment submitted is audited by the inspecting officer.</p> 2 Electrical certification is required for the following: <ol style="list-style-type: none"> (a) General electrical installation (b) Emergency lighting system (c) Fire alarm system 3 Details of current public liability insurance for premises

	4 Copy of public advertisement in local press
3.2	Following the application for the Grant/Renewal of an Entertainment Licence being submitted and validated, an inspection is carried out to ensure that the premises are in compliance with all relevant guidance and legislation.
3.3	<p>Areas which would be inspected are as follows:</p> <ol style="list-style-type: none"> 1. Means of escape from the venue i.e. Final Exit Doors and Easy Opening Devices are satisfactory and escape routes are free from obstruction etc. 2. All floor, wall, and ceiling coverings are in compliance and in good condition 3. All firefighting equipment are correctly positioned and serviced as required 4. The general condition of the premises is satisfactory 5. All management documentation is in place
3.4	Entertainment licensing applications have continued to be processed where possible including statutory consultations with external Bodies as required by legislation.
3.5	Licences have been issued where inspections had been completed and all points requiring attention have been addressed.
3.6	Inspection of venues have continued where possible to do so and specifically where issues in relation to the current Covid-19 Guidance can be achieved.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: Within Current Resources
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None

5.0	Recommendation(s)
5.1	Members are requested to note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Schedule of applications received for the Grant/Renewal of Entertainment Licences.
6.2	Appendix 2 – Schedule of Entertainment Licence applications which have been granted/renewed.

Appendix 1 – Schedule of applications received for the Grant/Renewal/Variation of Entertainment Licences December 2022

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
F Lavery	PB's BAR	1 Dungannon Street, Moy	Annual	Monday To Thursday From 11.30 To 23.00 Friday and Saturday From 11.30 To 01.00 Sunday From 12.30 To 00.00	104
S Whiteside	Whiteside's Bar	87 Main Street Clogher	Annual	Monday To Saturday From 11.00 To 01.00 Sunday From 11.00 To 01.00	157

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
P Forbes	The Cove Bar	126 Shore Road Magherafelt	Annual	Monday to Saturday From 11.30 To 01.00 Sunday From 11.30 To 00.00	120
I Burrows	Braeside Bar	221 Orritor Road Cookstown	Annual	Monday to Sunday From 11.00 To 01.30	183
T Jebb	The Oldtown Inn	12-14 Oldtown Street, Cookstown	Annual	Monday to Saturday From 11.00 To 01.00 Sunday From 12.00 To 00.00	60

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
M Shilliday	Drumglass High School	Carland Road Dungannon	14 Unspecified Days	Monday to Saturday From 18.00 To 22.00	
T McNiece	The Mill Court Bar And Restaurant	40 Main Street Coalisland	Annual	Monday To Wednesday From 10.00 To 22.00 Thursday From 10.00 To 23.00 Friday and Saturday From 10.00 To 01.00 Sunday From 12.00 To 23.00	160
P Scullion	Clubland and The Cherry Tree	21-23 Molesworth Street, Cookstown	Annual	Monday To Sunday From 12.00 To 03.00	1085

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
H Davidson	Bellaghy Presbyterian Church Hall	50 Main Street Bellaghy	Annual	Monday To Friday From 09.00 To 01.00 Saturday To Sunday From 09.00 To 00.00	268
G Booth	Railway Bar	67 Union Street Cookstown	Annual	Monday To Sunday From 11.00 To 02.00	160
M Devlin	The Marina Centre	135a Shore Road Magherafelt	Annual	Monday To Sunday From 09.00 To 01.30	400
H Corey	Loup GFC Social Club	111a Ballyneil Road Moneymore	Annual	Monday to Saturday From 11.30 To 01.00 Sunday From 12.30 To 00.00	220

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
Mid Ulster District Council	Seamus Heaney Home Place	45 Main Street Bellaghy	Annual	Monday To Thursday From 12.00 To 23.00 Friday To Saturday From 10.00 To 01.00 Sunday From 13.00 To 22.00	220
B Morris	Glenavon House Hotel	52 Drum Road Cookstown	Annual	Monday to Sunday From 11.00 To 01.00	2210
J Downey	Downey's Jubilee Bar	124 Main Street Fivemiletown	Annual	Monday To Thursday From 11.30 To 23.00 Friday & Saturday From 11.30 To 00.00 Sunday From 12.00 To 22.00	150

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
R Mulholland	Ballyscullion House	61 Ballyscullion Road, Bellaghy	Annual	Monday To Sunday From 10.00 To 01.00	300
J Lamont	Cookstown Royal British Legion Club Ltd	19 Burn Road Cookstown	Annual	Monday To Thursday From 11.30 To 00.00 Friday To Saturday From 11.30 To 01.00 Sunday From 11.30 To 23.00	300
J Smith	The Old Bank	26 The Square Stewartstown	Annual	Monday To Sunday From 08.00 To 02.00	50
B A Heron	Sperrin Integrated College	39 Pound Road Magherafelt	14 Unspecified Days	Tuesday To Thursday From 19.00 To: 21.00	?

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
G Gildrenew	The Brantry Bard Cultural Centre	65 Carrycastle Road, Dungannon	Annual	Monday to Thursday From 09.00 To 23.00 Friday From 09.00 To 02.00 Saturday From 09.00 To 02.30 Sunday From 09.00 To 00.00	250
S Donnelly	Castlebay Community Centre	187a Mountjoy Road, Dungannon	Annual	Monday To Sunday From 12.00 To 02.00	250
G Williamson	The Valley Hotel	60 Main Street Fivemiletown	Annual	Monday To Saturday From 11.30 To 01.30 Sunday From 12.30 To 01.00	480

Name of Applicant	Name of Premises	Address of Premises	Type of Licence	Days and Hours proposed	Max Number of Patrons
S Faloon	Bardic Theatre	9 Hillview Avenue Donaghmore	Annual	Monday To Thursday From 09.00 To 23.00 Friday to Sunday From 09.00 To 23.00	200
J Conway	The Belfast House	3 Orritor St, Cookstown	Annual	Monday to Saturday From 11.30 To 01.00 Sunday From 12.00 To 00.00	120

Office Use
From 15-11-2022
To 13-12-2022

Appendix 2 – Schedule of Entertainment Licence applications which have been Granted/Renewed in December 2022

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
M Sharma	Church Street Brasserie	19-23 Church Street, Magherafelt	Annual	Monday to Saturday From 12.00 To 01.00 Sunday From 12.00 To 00.00
M Bradley	The Dugout Bar	94 Main Street, Maghera	Annual	Monday To Saturday From 11.30 To 01.00 Sunday From 12.30 To 01.00
E McGovern	Tirgan Community Recreational & Social Club	36 Tirgan Road, Moneymore	Annual	Monday To Sunday From 10.00 To 01.00

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
R Bloomfield	Killygullib Orange Hall	1 Tamlaght Road, Kilrea	Annual	Monday To Sunday From 21.00 To 00.00
The Cornstore Creative Hub	Cornstore Creative Hub	20A High Street, Draperstown	Any 14 Unspecified Days	Monday To Thursday From 19.00 To 23.00 Friday To Saturday From 19.00 To 01.00 Sunday From 19.00 To 22.00
W Dallas	Coagh United Football Club	11 Ballinderry Bridge Road, Cookstown	Annual	Monday To Sunday From 11.30 To 23.00
P Worrall	Cohannon Inn	212 Ballynakelly Road, Dungannon	Annual	Monday To Sunday From 09.00 To 01.00

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
A Quinn	The Bridge Bar	86 Ballinderry Bridge Road, Coagh	Annual	Monday To Friday From 18.00 To 23.00 Saturday To Sunday From 12.00 To 23.00
T Jebb	The Oldtown Inn	12-14 Oldtown Street, Coosktown	Annual	Monday To Saturday From 12.00 To 01.00 Sunday From 12.00 To 00.00
G Booth	Railway Bar	67 Union Road, Cookstown	Annual	Monday To Sunday From 11.00 To 02.00
J Smith	The Old Bank	26 The Square, Stewartstown	Annual	Monday To Sunday From 08.00 To 02.00
Rev P Donnelly	St Patrick's Parish Hall	137 Ballinderry Bridge Road, Coagh	Annual	Monday To Sunday From 09.00 To 22.00

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
Ardboe Parish Centre c/o N Coney	Ardboe Parish Centre	105 Mullanahoe Road, Dungannon	Annual	Monday To Sunday From 11.00 To 00.00
P & M Mulgrew	The Roadside Tavern	36-38 The Square, Stewartstown	Annual	Monday To Saturday From 11.30 To 01.30 Sunday From 12.00 To 00.00
C McVey	The Country House	102 Loup Road, Magherafelt	Annual	Monday To Saturday From 11.00 To 01.00 Sunday From 11.00 To 00.00

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
CMcGlone	Cosy Inn	36 Rainey Street, Magherafelt	Annual	Monday To Saturday From 11.30 To 03.00 Sunday From 12.30 To 03.00
N P Bryson	Bryson's Bar & Restaurant	28 Union Road, Magherafelt	Annual	Monday To Saturday From 11.30 To 01.30 Sunday From 12.30 To 00.00
J Clarke	St Oliver Plunkett Hall	232 Mayogall Road, Clady	Any 14 Unspecified Days	Monday To Sunday From 12.00 To 01.00

Name of Applicant	Name of Premises	Address of Premises	Type Of Licence	Days and Hours Granted
A Quinn	Daly's Bar	65 Irish Street, Dungannon	Annual	Monday To Saturday From 11.30 To 11.00 Sunday From 11.30 To 10.00
C Lawn	Lavery's Bar	2 Ardboe Road, Moortown	Annual	Monday To Sunday From 12.00 To 11.00

Report on	Dual Language Signage Surveys
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director of Property Services
Contact Officer	Colm Currie, Principal Building Control Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To advise Members on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.
2.2	The Policy for Street Naming and Dual Language Signage – Section 6.0, as adopted forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.
2.3	In accordance with the Policy as adopted, all occupiers as listed on the Electoral Register residing on the streets/roads as noted below were canvassed, by post seeking their views on the request to erect dual-language street nameplates in the Irish Language as requested in each case.
3.0	Main Report
3.1	The Building Control Service within the Environment Directorate issued occupiers of the undernoted street, correspondence seeking their views on the request to erect a dual-language street nameplate.
3.2	Completed surveys were received by the return date and the outcome is as follows:

Name of Street	Clonavaddy Road, Galbally
Language Requested	Irish
Date Request Validated	20/09/2022
Survey Request Reported to Environment Committee	11/10/2022
Surveys Issued	10/11/2022
Surveys returned by	08/12/2022
Survey Letters Issued	62
Survey Letters Returned	20
Replies in Favour	19
Replies not in Favour	0
Invalid	1
Valid Returns	19
Percentage in Favour	100%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Clonavaddy Road, Galbally will be erected

Name of Street	Aghaginduff Road, Killeeshil
Language Requested	Irish
Date Request Validated	20/09/2022
Survey Request Reported to Environment Committee	11/10/2022
Surveys Issued	10/11/2022
Surveys returned by	08/12/2022
Survey Letters Issued	44
Survey Letters Returned	15
Replies in Favour	14
Replies not in Favour	1
Invalid	0
Valid Returns	15
Percentage in Favour	93%

In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Aghaginduff Road, Killeeshil will be erected

	<table border="1"> <tr> <td>Name of Street</td><td>Esker Hill, Galbally</td></tr> <tr> <td>Language Requested</td><td>Irish</td></tr> <tr> <td>Date Request Validated</td><td>20/09/2022</td></tr> <tr> <td>Survey Request Reported to Environment Committee</td><td>11/10/2022</td></tr> <tr> <td>Surveys Issued</td><td>10/11/2022</td></tr> <tr> <td>Surveys returned by</td><td>08/12/2022</td></tr> <tr> <td>Survey Letters Issued</td><td>26</td></tr> <tr> <td>Survey Letters Returned</td><td>4</td></tr> <tr> <td>Replies in Favour</td><td>4</td></tr> <tr> <td>Replies not in Favour</td><td>0</td></tr> <tr> <td>Invalid</td><td>0</td></tr> <tr> <td>Valid Returns</td><td>4</td></tr> <tr> <td>Percentage in Favour</td><td>100%</td></tr> </table> <p>In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates at Esker Hill, Galbally will be erected</p>	Name of Street	Esker Hill, Galbally	Language Requested	Irish	Date Request Validated	20/09/2022	Survey Request Reported to Environment Committee	11/10/2022	Surveys Issued	10/11/2022	Surveys returned by	08/12/2022	Survey Letters Issued	26	Survey Letters Returned	4	Replies in Favour	4	Replies not in Favour	0	Invalid	0	Valid Returns	4	Percentage in Favour	100%
Name of Street	Esker Hill, Galbally																										
Language Requested	Irish																										
Date Request Validated	20/09/2022																										
Survey Request Reported to Environment Committee	11/10/2022																										
Surveys Issued	10/11/2022																										
Surveys returned by	08/12/2022																										
Survey Letters Issued	26																										
Survey Letters Returned	4																										
Replies in Favour	4																										
Replies not in Favour	0																										
Invalid	0																										
Valid Returns	4																										
Percentage in Favour	100%																										
4.0	Other Considerations																										
4.1	Financial, Human Resources & Risk Implications																										
	Financial: Within Current Resources																										
	Human: Within Current Resources																										
	Risk Management: None																										
4.2	Screening & Impact Assessments																										
	Equality & Good Relations Implications: None																										
	Rural Needs Implications: None																										
5.0	Recommendation(s)																										
5.1	That Members note the result of the survey for application of Dual Language Nameplates in Irish for the street as detailed below.																										
5.2	Where more than 51 % of occupiers that respond indicated that they were in favour of the erection of a dual language signage, nameplates will be erected.																										

	<ol style="list-style-type: none"> 1. Clonavaddy Road, Galbally 2. Aghaginduff Road, Killeeshil 3. Esker Hill, Galbally
6.0	Documents Attached & References
6.1	Appendix 1 – Dual Language Nameplate Translation for each street/road

Appendix 1 – Dual Language Nameplate Translation for each street/road

Request for Street/Road Names Translations

	Current Name	Irish Translation
Road	Clonavaddy Road, Galbally	Bóthar Chluain an Mhadaidh
Townland	Aghaginduff Aghnagar Gortlenaghan & Derrykeel	Achadh Cinn Duibh Achadh na gCarr Gort Uí Leannacháin & Doire Caol

	Current Name	Irish Translation
Road	Aghaginduff Road, Dungannon	Bóthar Achadh Cinn Duibh
Townland	Aghaginduff Aghnagar	Achadh Cinn Duibh Achadh na gCarr

	Current Name	Irish Translation
Road	Esker Hill, Galbally	Cnoc na hEascrach
Townland	Aghnagar Cranlome	Achadh na gCarr Doire na gCrann Lom

Report on	Dual Language Signage Requests
Date of Meeting	10 th January 2023
Reporting Officer	Terry Scullion, Assistant Director of Property Services
Contact Officer	Colm Currie, Principal Building Control Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To advise Members of requests for Dual Language Signage from residents on the streets/roads in question.
2.0	Background
2.1	In accordance with the Local Government (Miscellaneous Provisions) NI Order 1995 – Article 11 the Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English.
2.2	The Policy for Dual Language Nameplate Signage as adopted forms the basis for considering requests expressing the name in a language other than English, to both existing and new streets.
2.3	In accordance with the Policy as adopted, the Environment Committee will be informed of requests which have been validated and are proceeding to survey.
3.0	Main Report
3.1	The Building Control Service within the Environment Directorate have received a valid letter signed by an occupier of the street below requesting signage to be erected in a second language being “Irish” in each case adjacent to the nameplate in English as follows:- 1. Collowen, Gortgonis, Coalisland
3.2	The occupier signing the request in this case have been confirmed as residents of their particular street which has been evidenced by their listing on the current Electoral Register as required in accordance with the Policy as adopted, see letter of request attached in Appendix 1.
3.3	It should also be noted that the Electoral Office are only permitting access to members of the public including Officers of the Council for 60 minutes per visit.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That Members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Letter received from a resident of Collowen, Gortgonis Road, Coalisland

Appendix 1 – Letter received from a resident of Collownen, Gortgonis, Coalisland

