

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 8 March 2022 in Council Offices, Circular Road, Dungannon
and by virtual means**

Members Present

Councillor Brown

Councillors Buchanan, Burton, Cuthbertson, Glasgow*,
Graham, Kearney*, N McAleer*, S McAleer,
B McGuigan, S McGuigan, McNamee, Milne*, O'Neill*
(7.12 pm), Totten*, Wilson*

**Officers in
Attendance**

Mr McCreesh, Chief Executive
Mrs Campbell, Strategic Director of Environment
Mr Currie, Principal Building Control Officer**
Mr Fox, Principal Building Control Officer**
Mr Gordon, Assistant Director of Health, Leisure and
Wellbeing**
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director of Environmental
Services**
Mr Scullion, Assistant Director of Property Services**
Miss Thompson, Democratic Services Officer

**Others in
Attendance**

**Agenda Item 22 – Entertainment Licensing
Greenvale Hotel**

Messrs McElhatton and Redmond

Legal Team

Mr Beattie, QC

Mr Chambers, Barrister***

Ms Largey, Solicitor, Belfast City Council

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

E056/22 Notice of Recording

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

E057/22 Apologies

None.

E058/22 Declarations of Interest

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

E059/22 Chair's Business

None.

Matters for Decision

E060/22 DfI Roads Proposal to Mid Ulster District Council – Proposed Introduction of No Waiting At Any Time – Mullaghboy Crescent, Magherafelt

Members considered previously circulated report which sought agreement in relation to Proposed Introduction of No Waiting At Any Time at Mullaghboy Crescent, Magherafelt.

Proposed by Councillor S McGuigan
Seconded by Councillor Graham and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Introduction of No Waiting At Any Time at Mullaghboy Crescent, Magherafelt.

E061/22 DfI Roads Proposal to Mid Ulster District Council – Proposed Introduction of No Waiting At Any Time – Feenys Lane, Dungannon

Members considered previously circulated report which sought agreement in relation to Proposed Introduction of No Waiting At Any Time at Feenys Lane, Dungannon.

Proposed by Councillor S McGuigan
Seconded by Councillor Graham and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Introduction of No Waiting At Any Time at Feenys Lane, Dungannon.

E062/22 Dfl Roads Proposal to Mid Ulster District Council – Proposed Extension of existing Traffic Calming Measures at Pomeroy Road, Donaghmore

Members considered previously circulated report which sought agreement in relation to Proposed Extension of existing Traffic Calming Measures at Pomeroy Road, Donaghmore.

Proposed by Councillor S McGuigan
Seconded by Councillor Graham and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Extension of existing Traffic Calming Measures at Pomeroy Road, Donaghmore.

E063/22 Consultation Response (Draft) – Dfl Inconsiderate Pavement Parking Consultation

The Assistant Director of Property Services presented previously circulated report which outlined the draft consultation response developed on behalf of Mid Ulster District Council in response to the Consultation on Inconsiderate Pavement Parking.

Councillor Cuthbertson stated this was a problem that is getting worse and highlighted that a lot of housing developments were built a long time ago when there were not as many cars and therefore adequate parking provision was not provided to what is needed today. Councillor Cuthbertson stated there needs to be a move away from parking on footpaths due to the dangers for disabled people and people with children/prams but that unfortunately in some estates there is no other option but to park on the pavement as otherwise the car would be blocking the road which can cause further problems for emergency vehicles etc. Councillor Cuthbertson felt that a multi agency approach is needed going forward to put onus on Dfl or Housing Executive to create more parking spaces within estates. The Councillor stated he was conscious this would not be possible in every housing development but asked that the comment be included within the response.

Councillor B McGuigan stated the points within the response are well made and that he would also agree with Councillor Cuthbertson's comments and that there is sometimes no other option but to park on the footpath within older housing developments. The Councillor stated this issue comes up regularly at interagency meetings and that it was right that a multi agency approach should be explored. Councillor B McGuigan stated that Members are constantly lobbied on this issue and that there is a job of work to do to try to alleviate the problem.

Councillor S McAleer stated that she welcomed the consultation and the response and agreed with the previous comments made by Members on the matter and felt that parking on footpaths is a problem everywhere and not just in housing developments but in towns and villages as well. The Councillor stated that parking on footpaths has become the norm in some places and felt that if the matter is highlighted enough people will become more aware. Councillor S McAleer stated

that it is often the case that there are parking spaces available but that people want easy access to shops etc and will just pull up on the pavement.

Councillor Wilson stated he agreed with the previous speakers and thanked staff for drafting a response to the consultation. The Councillor stated that pavement parking causes problems in housing estates and that developments built 40-50 years ago do not have adequate parking provision. Councillor Wilson felt that going forward a date should be included within the response for providing adequate parking within developments in future.

Councillor Kearney agreed with the comments made and felt that attention should be drawn within the response to the difficulties pavement parking can cause for emergency services.

Proposed by Councillor B McGuigan
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to approve for submission the draft response to consultation on Inconsiderate Pavement Parking as outlined at appendix to report to include additional commentary in respect of having a multi agency approach on the matter going forward, having a future date for providing adequate parking within housing developments and difficulties pavement parking causes to emergency services.

E064/22 Works at Dungannon Roundabout

The Assistant Director of Environmental Services presented previously circulated report which provided update on works at the Thomas Street roundabout in Dungannon.

Councillor O'Neill joined the meeting at 7.12 pm

Councillor Cuthbertson stated it was good to see progress going forward to improve the roundabout in Dungannon which has been very attractive over the years. The Councillor expressed some disappointment in respect of the requirements in relation to maintenance of the roundabout and that this could not be accommodated in the evening or less busy times. Councillor Cuthbertson referred to the removal and relocation of the butterflies from the roundabout and proposed that these structures should stay in the Dungannon area ie. Dungannon Park, Railway Park, Windmill Wood, bedding area at Stangmore.

The Chair, Councillor Brown asked if there was a reason why the butterfly structures could not stay on the roundabout.

The Assistant Director of Environmental Services advised that as outlined in the report, DfI Roads have stated that a lane closure would be required on the roundabout during maintenance and watering of the planting which is not feasible and would create a bottleneck 2-3 times a week during the summer season. The Assistant Director advised that alternative locations have been identified for the

butterfly structures but that further consideration can be given to this to ascertain if there is a suitable site in the Dungannon area.

Proposed by Councillor S McAleer
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to approve the approach being taken regarding works at Thomas Street roundabout as outlined in report with further consideration to be given to the relocation of the butterfly structures within the Dungannon area.

E065/22 Ireland's Best Kept Town Awards 2022

The Assistant Director of Environmental Services presented previously circulated report which sought approval to enter Castlecaulfield in Ireland's 2022 Best Kept Awards Competition.

Councillor Burton proposed the report recommendation. The Councillor stated that more villages are coming on board year on year which is good to see and asked if there are monies set aside or if thought has been given as to how Council can provide support to these villages going forward. Councillor Burton referred to other sources of funding but that these often have strict criteria and not every village can avail of these sources and felt that the worst thing that could be done would be to pitch villages against each other. The Councillor stated that it is fantastic to see the number of villages who want to take part and that Council should be supporting them as best it can but that this support should be equal.

Councillor Graham seconded Councillor Burton's proposal.

The Assistant Director of Environmental Services stated that support provided to the entrants is within existing resources and that this is shared as best possible.

Councillor Burton asked if there is a budget to provide support to entrants or if this needs to be considered going forward as there are now more villages coming on board. The Councillor stated that people will be coming to Council to seek help and felt that Council should be providing support as best it can.

The Strategic Director of Environment stated there is a budget for plants and bedding which is determined through the rates setting process, it was advised that this budget is for the whole district and is used in the best way possible. The Strategic Director stated there are no additional monies for supporting entrants to competitions.

The Chair, Councillor Brown asked what the budget is for plants and bedding.

The Strategic Director of Environment advised she would not have the figure to hand and would have to come back but stressed that there were no additional monies set aside for plants and bedding as part of the rate setting process this year.

Councillor B McGuigan stated that support needs to be factored into considerations going forward and not after the rate setting process.

Councillor Burton stated that for the last two years competitions did not take place due to Covid and monies would not have been used. The Councillor felt that those volunteering their time in villages needed some support and that she was aware of an upcoming meeting in Castlecaulfield at which those volunteers will be expecting answers from Members attending. Councillor Burton stated she had no doubt those entering the competitions will put their whole heart into it but that this should also be the case for Council as well.

The Chair, Councillor Brown stated that if the budget amount was known it would be helpful going forward.

Councillor B McGuigan stated he had no issue with entering the competition but the question is whether Council has the finance to support. The Councillor stated he took on board the comments in relation to volunteers and the good work they do but that a plan is needed going forward.

Resolved That it be recommended to Council to approve the nomination of Castlecaulfield into Ireland's Best Kept Small Town Awards Competition for 2022.

E066/22 Sustainable NI Support

The Assistant Director of Environmental Services presented previously circulated report which sought approval to provide continued financial support to Sustainable NI (SNI).

Proposed by Councillor Brown
Seconded by Councillor S McAleer and

Resolved That it be recommended to Council to approve the annual subscription of £6,000 to Sustainable NI.

E067/22 Bus Shelter Update

The Head of Technical Services presented previously circulated report which provided update on current bus shelter status.

Councillor Kearney referred to proposed bus shelter at Innishrush and that it has been eight months since the DEA meeting and a response from NIHE on the shelter is still outstanding. The Councillor stated that a new site has been explored for a bus shelter in the village which is not near any social housing and that he was confused as to why Council was still waiting on a response from NIHE on the matter.

Councillor Wilson referred to neighbour notification survey for bus shelter at Reenaderry Road, that four surveys were issued and none were returned. The Councillor referred to the report which states that in accordance with policy where more than 51% of the completed replies *returned* indicate they are in favour of the

installation of a bus shelter, it is confirmed that the bus shelter is recommended to be installed. Councillor Wilson questioned the use of the word returned in this case.

The Head of Technical Services stated he would check the policy but that it is generally considered if there are no objections to a bus shelter it is taken as a positive to install a bus shelter at the given location.

Councillor Wilson stated he had no objection the installation of the bus shelter but that he was just pointing out the wording of the policy.

The Head of Technical Services stated he would also follow up in relation to Councillor Kearney's query.

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council –
- That the applications listed below move to stage five –
 - Coagh Road, Stewartstown
 - Garrison Road, Curran
 - Beatrice Villas/William Street, Bellaghy
 - Hillhead, Stewartstown
 - That bus shelter for Reenaderry Road be approved to proceed to Property Services for installation.
 - That bus shelter at Jordan Engineering, Benburb be approved to be withdrawn.

Matters for Information

E068/22 Environment Committee minutes of meeting held on 8 February 2022

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

Councillor Cuthbertson stated an issue had been brought to his attention whereby a lone lady driver was exiting a privately owned car park and an Enforcement Officer stepped out in front of her car to wave her down and detain her vehicle. The Councillor asked if the contractor has the authority to do this and sought clarification.

The Chair, Councillor Brown asked Councillor Cuthbertson to pass the details of the incident to the relevant officer.

E069/22 DfI Roads Proposal to Mid Ulster District Council – 20 mph on Tullagh View, Cookstown

Members noted previously circulated report which advised of proposals from DfI Roads to introduce a 20mph on Tullagh View, Cookstown.

E070/22 Building Control Workload

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

E071/22 Entertainment Licensing Applications

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

E072/22 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.

E073/22 The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 – Phase 2

Members noted previously circulated report which advised of changes to the liquor licencing laws in Northern Ireland by virtue of the Licensing and Registration of Clubs (Amendment) Act (NI) 2021, some of which will have implications for Entertainment Licensing.

E074/22 Entertainment Licensing Legislation

Members noted previously circulated report which provided update on the review of Entertainment Licensing legislation.

E075/22 Public/Bank Holiday Working Arrangements for 2022/23

Members noted previously circulated report which outlined the proposed public/bank holiday working arrangements for Environmental Services for the period 1st April 2022 to 31st March 2023.

E076/22 Tullyvar Joint Committee Update

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

Live broadcast ended at 7.32 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan 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 E077/22 to E088/22.

Matters for Decision

- E077/22 Entertainment Licensing
- E078/22 Energy Contract Renewal – Delegated Authority Approval
- E079/22 Property Services 2022/23 Funding Pressures
- E080/22 Frameworks for the Purchase of Refuse/Recycling Products
- E081/22 Contract for the Collection, Treatment and Recycling/Recovery of Road Sweepings from Recycling Centres
- E082/22 Contract for collection and processing of bio-waste
- E083/22 Town Shared Space Project - Coalisland

Matters for Information

- E084/22 Environment Committee Confidential Minutes of meeting held on 8 February 2022
- E085/22 Magherafelt Recycling Centre and Waste Transfer Station
- E086/22 Capital Framework – ICT Contracts Update
- E087/22 Capital Framework – IST Contracts Update
- E088/22 Capital Projects – Scoping Contracts Update

E089/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 10.30 pm

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

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

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

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.