

Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Monday 8 January 2024 in Council Offices, Burn Road, Cookstown and by virtual means

Members Present

Councillor Cuthbertson, Chair

Councillors J Burton, J Buchanan, Cahoon, Kelly, Groogan, Mallaghan*, Martin*, McAleer, McElvogue, McGuigan, McNamee, Milne* (7.14 pm), Robinson, Varsani* (7.08 pm)

Officers in Attendance

Mrs Campbell, Strategic Director of Environment (SD: Env)

Mr Lowry, Head of Technical Services (HoTS)

Mr McAdoo, Assistant Director of Environmental Services (AD: ES)

Mr Scullion, Assistant Director of Property Services (AD: PS)

Miss Thompson, Committee and Member 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 Cuthbertson welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Cuthbertson 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.

E001/24 Notice of Recording

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

E002/24 Apologies

None.

E003/24 Declarations of Interest

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

E004/24 Chair's Business

None.

Matters for Decision

E005/24 Environmental Services Proposed Scale of Charges for 2024/25

The Assistant Director of Environmental Services (AD: ES) presented previously circulated report which sought approval for a proposed scale of charges in relation to Environmental Services for the period 1st April 2024 to 31st March 2025.

The Chair, Councillor Cuthbertson expressed some concern in relation to the price of a black bin compared to a blue or brown bin. The Chair stated he understood that Council wants to encourage recycling but highlighted that Council only collects a second blue or brown bin at a cost and does not collect a second black bin. The Councillor felt that in theory Council is penalising someone who may have to replace their black bin and asked if that was fair as no one was buying a second black bin to set out for collection.

The AD: ES advised that Council will collect two blue bins free of charge from a property in line with policy and that the charge only applies to the collection of a second brown bin. In relation to the black bin it was advised that, in certain circumstances, a second black bin will be collected for those with larger households or those with medical needs and highlighted that the cost of all the bins is inclusive of delivery.

The Chair, Councillor Cuthbertson stated that he understood the need for a second black bin in some circumstances but felt those households were being penalised due to the higher cost for buying a second black bin compared to a blue or brown bin.

Councillor McGuigan referred to disposal of residual waste and that the cost for this is up to £198 per tonne (£165 +VAT) and that the last time he saw a figure for this it was around £100 per tonne. The Councillor asked if there was any information or checks carried out on how well the black bin is being used or if there was material being disposed of that could be put in the blue or brown bin. The Councillor stated that there is a need to reduce black bin waste as much as possible if the cost to dispose of it is £198 per tonne.

The AD: ES stated there is no doubt that there is material being disposed of in the black bin that could be recycled and that there is an ongoing piece of work to encourage recycling. The AD: ES stated there are some checks carried out but that

these are limited and highlighted that this Council sends the least material to landfill. In respect of charge of £165 (ex. VAT) per tonne for residual waste, the AD: ES highlighted that this is for commercial waste disposal at recycling centres and that it is not proposed to increase this charge from what it was last year.

Councillor Cahoon referred to increase in consumer price index of 4.6% and the proposal to round this up to 5%. The Councillor asked if the rounding up was totally necessary as rates had already increased last year.

Councillor Varsani joined the meeting at 7.08 pm.

The AD: ES advised that the consumer price index figure at the time of writing the report was 4.6% and that the rationale was that the nearest percentage increase was 5%.

The Chair, Councillor Cuthbertson stated that there was a significant increase to the rates last year and that businesses feel that this along with increased commercial waste charges is a double hit to them. Councillor Cuthbertson felt that Council is pricing itself out of commercial waste collection and that businesses are increasingly using private firms for the collection of this waste.

The AD: ES highlighted that charges were increased by 8% last year and that whilst there are a number of private operators collecting commercial waste in the District, Council still has a significant number of commercial customers (approx. 350-400).

Councillor McNamee proposed the recommendation and stated that any percentage increase should be kept to the lower side of the consumer price index figure next year.

Councillor McGuigan seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council that the proposed scale of charges as outlined in report be approved for 2024/25.

E006/24 Street Naming and Property Numbering

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

Site off Bellshill Road, Castledawson

Proposed by Councillor McGuigan
Seconded by Councillor Kelly and

Resolved That it be recommended to Council to name development off Bellshill Road, Castledawson as Cottage Close.

Site off Glen Road, Maghera

Proposed by Councillor McGuigan
Seconded by Councillor Kelly and

Resolved That it be recommended to Council to name development off Glen Road, Maghera as Cushowen.

E007/24 Entertainment Licensing Committee Protocol

The Assistant Director of Property Services (AD: PS) presented previously circulated report which sought approval on the process to consider an Entertainment Licence taken to Committee for decision.

Councillor Milne joined the meeting at 7.14 pm.

Councillor McNamee proposed the recommendation and that the key point is that a decision will be taken in closed session.

The Chair, Councillor Cuthbertson referred to the same point in that a decision will be taken without speakers present but that they can be present for the discussion. Councillor Cuthbertson asked for some clarity in that when the speakers leave the meeting and the committee moves to a decision if there can be any further discussions at that stage or just a proposal taken. The Councillor also referred to the last time this procedure was used there was an issue in relation to the information provided to the Committee and that he felt all relevant certificates ie. electrical, fire safety etc should be provided to Members within the report.

The AD: PS stated that section 3.3 of the report outlines the process and states that a decision will be taken in restricted session without speakers present. The AD: PS stated that at that point the representatives will already have heard the nature of the discussions and that the Committee will take a decision in their absence and that it is not anticipated that there would be any more debate. In relation to certifications, the AD: PS stated that these are sought by officers as part of the application process and that they can be provided, with redactions, within Members meeting packs. The AD: PS highlighted that it is up to officers to decide whether the certificates provided are valid and that this will be reflected in the report as is the case at the moment.

The Chair, Councillor Cuthbertson stated that there is a lot of reference made to the certificates during discussion of an application and that this information should be included going forward.

Councillor McGuigan seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council to approve the process as detailed in section 3.0 of report to hear Entertainment Licence applications taken to the Environment Committee for consideration.

E008/24 Maghera Public Realm Contract Award - Delegated Authority Request

The Assistant Director of Property Services (AD: PS) presented previously circulated report which sought to approve delegated powers for the award of an IST Capital Contract for the Maghera Public Realm Scheme, if required.

Councillor McGuigan proposed the recommendation as he felt it is important, given the tight timeframe, that there are no delays.

The Chair, Councillor Cuthbertson stated he hoped the public realm works would run more smoothly than previous public realm schemes in Mid Ulster.

Councillor Kelly seconded Councillor McGuigan's proposal.

Resolved That it be recommended to Council that authority is delegated to the February 2024 Environment Committee to approve the award of IST contract for Maghera Public Realm scheme, in the event it is not possible to bring a tender report for the IST appointment to the January 2024 Council meeting.

E009/24 Bus Shelters Update

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

The Chair, Councillor Cuthbertson thanked the officer for getting the policy up and running as it now seemed to be working more smoothly in recent months. Councillor Cuthbertson also welcomed the bus shelter for Moygashel.

Proposed by Councillor McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council that –

- Bus shelter applications listed under 3.4 in report are recommended for approval and to move from stage 5.
- Bus shelter applications listed under 3.7 in report are recommended for approval to installation this month.
- Bus shelter applications listed under 3.8 in report are recommended for rejection this month.
- Bus shelter applications listed under 3.9 in report are recommended for withdrawal this month.

Matters for Information

E010/24 Environment Committee minutes of meeting held on 4 December 2023

Members noted minutes of Environment Committee held on 4 December 2023.

E011/24 National Tree Week 2023

Members noted previously circulated report which provided update on a number of community engagement events that took place during National Tree Week 2023.

E012/24 All-Ireland Pollinator Plan

Members noted previously circulated report which provided update on Council involvement in the All-Ireland Pollinator Plan.

E013/24 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Annual Report for 2022/23

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Annual Report for 2022/23.

E014/24 Building Control Workload

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

E015/24 Entertainment Licensing Applications

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

E016/24 Dual Language Signage Survey Correction

Members noted previously circulated report which advised on the correction to an error with the result of a survey for Rossmore Road, Dungannon and which was reported to Environment Committee on 12 September 2023.

Councillor McElvogue stated there seemed to be some confusion in relation to this and proposed that the road be re-surveyed.

The Chair, Councillor Cuthbertson advised that another survey cannot take place for 12 months and that the request needs to come from a resident on that road.

Councillor McElvogue asked that because of the confusion if the road could be re-surveyed sooner.

The Assistant Director of Property Services (AD: PS) stated that the report outlines the explanation for the correction but that the policy is clear and that a re-survey could not be undertaken until after 12 months from the date of refusal.

Councillor Robinson stated that mistakes can happen and asked if lessons have been learnt and procedures put in place to ensure this situation would not arise again.

Councillor McAleer stated that the request was first submitted on 23 May 2023 and therefore a re-survey could take place after 23 May 2024.

The Chair, Councillor Cuthbertson asked if a re-survey can take place 12 months after the date of request or date of refusal.

The AD: PS stated that a request to re-survey can be made after 12 months from the date the Environment Committee refused it. The AD: PS stated that there have been lessons learnt from this and measures have been put in place as outlined at 3.5 of the report in order to avoid a repeat occurrence.

Councillor Varsani highlighted some confusion in relation to the dates the application for Rossmore Road was presented to Committee and asked if there was an explanation.

The AD: PS stated that the report references the September Committee but that there is also reference to December and that he would check and advise in relation to the dates presented.

Live broadcast ended at 7.32 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Robinson 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 E017/24 to E023/24.

Matters for Decision

E017/24 Application for Memorial Bench on Council Property
E018/24 Off Street Car Parking Enforcement Contract and Pay on Foot Pilot Update
E019/24 Tender report for the appointment of Vehicle Suppliers

Matters for Information

- E020/24 Environment Committee Confidential Minutes of meeting held on 4 December 2023
- E021/24 Capital Framework – ICT Contracts Update
- E022/24 Capital Framework – IST Contracts Update
- E023/24 Capital Projects – Scoping Contracts Update

E024/24 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.07 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