

**Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Tuesday 10 November 2020 in Council Offices, Ballyronan Road, Magherafelt and by virtual means**

<b>Members Present</b>	Councillor S McGuigan, Chair  Councillors Brown*, Buchanan*, Burton*, Cuthbertson, Glasgow, Graham, S McAleer*, McFlynn*, B McGuigan*, McNamee*, Milne*, Wilson*
<b>Officers in Attendance</b>	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services** Mrs McClements, Head of Environmental Health** Mr McCreesh, Acting Chief Executive** Mr Scullion, Head of Property Services** Mr Wilkinson, Head of Building Control** Miss Thompson, Democratic Services Officer
<b>Others in Attendance</b>	Councillors Clarke* (7.13 pm) and Gildernew* (7.09 pm)

\* Denotes members and members of the public present in remote attendance

\*\* Denotes Officers 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 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.*

**E232/20 Apologies**

Head of Environmental Services.

**E233/20 Declarations of Interest**

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

Councillor Burton declared an interest in Agenda Item 23 – Contract Extension: PPE/Workwear Supplier as a family member worked for the company.

Councillor McFlynn declared an interest in Agenda Item 8 – Live Here Love Here Small Grants Scheme 2020 and Agenda Item 16 – Completion of Mid Ulster is Growing from Home Project as a member of Loup Women’s Group.

Councillor Graham declared an interest in Agenda Item 23 – Contract Extension: PPE/Workwear Supplier as a family member worked for the company.

**E234/20 Chair's Business**

None.

**E235/20 Deputation – Tree Maintenance Campaign**

The Chair, Councillor S McGuigan advised that this deputation would now be deferred to the December Environment Committee.

**Matters for Decision**

**E236/20 DfI Roads Proposal to Mid Ulster District Council - Proposed 40MPH Speed Limit – Kilmascally Road, Killycanavan Road and Ardboe Road, Ardboe**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 40MPH speed limit – Kilmascally Road, Killycanavan Road and Ardboe Road, Ardboe.

Councillor N McAleer stated that there had been quite a bit of development in the area over the years and speed was a concern of residents and that the national speed limit was no longer appropriate. The Councillor welcomed the proposal being brought forward and proposed the recommendation.

Councillor McFlynn seconded Councillor McAleer's proposal.

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40MPH speed limit – Kilmascally Road, Killycanavan Road and Ardboe Road, Ardboe.

**E237/20 Environmental Services Proposed Scale of Charges for 2021/22**

The Director of Environment and Property presented previously circulated report which sought approval for a proposed scale of charges in relation to Environmental Services for the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022.

Councillor Cuthbertson referred to the small increase for the collection of commercial kerbside waste and stated that it is disappointing that there is any increase as businesses are currently under enough pressure. Councillor Cuthbertson also referred to the disposal of waste oil and asked if there are companies that collect larger quantities of waste oil or if there were places where it can be disposed.

The Director of Environment and Property advised that civic amenity sites can receive waste engine and vegetable oils by weight from commercial users and that smaller quantities of domestic waste oil can also be received ie. Oil from chip pans etc. The Director advised that the company that is involved in the disposal of oils is called Enva and that he could also provide contact details for other companies if the Councillor wanted them.

Councillor B McGuigan stated that whilst there were minimum charges the detail of the report was geared to try to encourage more recycling. The Councillor stated there is a big cost to Council in relation to dealing with waste from the black bin and it is important that Council constantly promotes the recycling message. Councillor B McGuigan proposed the recommendation.

Councillor McFlynn referred to the charge for a second brown bin and asked if this was new.

The Director of Environment and Property advised that this was a new charge which was brought in under the waste collection policy, had been publicly consulted on and was recently brought through committee and approved and will come into effect on 1 April 2021. The Director advised that the aim was to try to encourage the disposal of food waste in the brown bin as opposed to garden waste.

Councillor McFlynn seconded Councillor B McGuigan's proposal.

Councillor Burton referred to someone who wanted to purchase the three bins and asked do they have to purchase 1 black, 1 blue and 1 brown bin or was there the option of, for example, buying two blue bins and a brown bin or some other combination.

The Director of Environment and Property advised that only one black bin will be collected from a property unless it has been agreed due to the family size that a second black bin is required. The Director advised that two blue bins will be collected from a property and that trials of replacing the 240 litre blue bin with a 360 litre one were being considered. The Director agreed that the blue bin is becoming the critical bin and there was an issue of trying to increase recycling capacity whilst reducing the size of the black bin which is the most expensive bin material to treat, therefore there was the incentive both environmentally and economically to try to move material from the black bin into the blue or brown bin. The Director advised that a number of trials were currently under consideration and would be brought to Committee in due course.

**Resolved** That it be recommended to Council that the proposed scale of charges as outlined in report be approved for 2021/22.

### **E238/20 Bus Shelters Update**

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

Councillor Milne referred to the bus shelter proposal for Knockloughrim which did not meet the criteria of the bus shelter policy in terms of responses to the neighbour notification survey and felt that this request, and any other similar request coming forward in the near future be put on hold until the review of the bus shelter policy has taken place.

The Head of Technical Services advised that a workshop in relation to the review of the Bus Shelter Policy will take place on 24 November and if Members were agreeable then the request for Knockloughrim, and any other similar requests, will be put on hold until the policy has been reviewed.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Burton and

- Resolved** That it be recommended to Council –
- i. To move the following applications from stage 5 of the application process:
    - Glendavagh Road, Crilly, Aughnacloy
    - Church Street, Cookstown
    - Whitebridge Road, Ballygawley
  - ii. To install the following bus shelters as they have met all the criteria in the Bus Shelter Policy (Section 1.2, Point 4):
    - Culnady Village
    - Thornhill Road
    - Kileenan, Kildress GAC
    - Clonoe Crossroads
  - iii. That the request for bus shelter at Knockloughrim be put on hold until Bus Shelter Policy has been reviewed. This will apply to any other request coming forward until the review of policy has taken place in which the required 67% of completed replies being in favour of a bus shelter has not been met.

#### **E239/20 Live Here Love Here Small Grants Scheme 2020**

The Head of Environmental Health presented previously circulated report which provided update on the Mid Ulster District Council Live Here Love Here programme and sought approval for funding to continue for 2021/22.

Councillor Cuthbertson stated he did not have a problem supporting the Scheme but asked that given the financial constraints Council is under would it have to consider contributing lesser funding to this and other organisations which it currently supports.

The Director of Public Health and Infrastructure stated that these were the calls that will have to be made going forward and if there is a pressure on budgets then all issues will need to be reviewed. The Director advised that the Scheme under consideration tonight has helped to deliver some excellent projects locally and that it was a matter for Members consideration. The Director advised that if there are pressures at a later date then all decisions can be reviewed.

Councillor Cuthbertson stated that the report was seeking commitment of £21,000 from Council and that the Director advised that this can be reviewed if required. Councillor Cuthbertson asked that, if agreed, does the payment be made straight away or is it not made until the end of March.

The Director of Public Health and Infrastructure advised that payment is not necessarily made straight away and that the payment process could be held over until the end of the calendar year.

Proposed by Councillor Graham  
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to approve the continued contribution to funding the Live Here Love Here work at a cost of

£21,000 per annum with 50% being returned to Council through the small grants programme.

**E240/20      Response to the Food Standards Agency's consultation on the Review of the Guidance on vacuum packed chilled food**

The Head of Environmental Health presented previously circulated report which advised of the Food Standards Agency's consultation on the review of the guidance on the safety and shelf life of vacuum and modified atmosphere packed chilled food with respect to non-proteolytic *Clostridium botulinum* – chilled fresh beef, lamb and pork.

Proposed by Councillor Glasgow  
Seconded by Councillor Graham and

**Resolved**      That it be recommended to Council to respond to the Food Standards Agency's consultation on the Review of Guidance on vacuum packed chilled food as outlined at appendix 1 of the report. Draft response to be submitted in advance of the deadline of 11 November 2020 and confirmed following ratification at November Council meeting.

**E241/20      EU Exit**

The Head of Environmental Health presented previously circulated report which provided an update on EU Exit from an Environmental Health food and consumer goods perspective.

Councillor Wilson referred to the report which advises of the offer of funding for an officer up until March 2021 and stated that if Council employs a full time officer it will be an ongoing cost.

The Head of Environmental Health advised that the officer would only be in place for the same length of time as the funding.

Councillor Wilson stated that Council would therefore only be employing a part time officer.

The Head of Environmental Health advised that Council would be employing a full time officer but on a temporary basis.

Councillor Wilson stated that he felt it would be difficult to get someone for such a short period.

Councillor McFlynn stated that Mid Ulster is known for its agri foods and asked if exports will be checked as well and where this will happen. Councillor McFlynn welcomed the offer of funding but stated she would worry about what will happen after March and if Council will be able to employ an officer more permanently as this will be ongoing work.

The Head of Environmental Health advised that the OPSS funding is for non food products. The officer referred to the report and in respect of the importation of food stated that there is a lot still to be decided upon but that checks are more likely to be

at ports. In relation to exports, then the businesses which Council has responsibility for within Mid Ulster, can sign export certificates for or support DAERA are the businesses which officers will continue to work with to try to provide as much advice and guidance as possible. The Head of Environmental Health advised that again there is a lot undecided in relation to exports but that officers will support businesses as best it can.

Councillor McFlynn proposed the report recommendation.

Councillor B McGuigan stated that it is important to support local businesses as no one really knows at the moment how everything will pan out. Councillor B McGuigan seconded Councillor McFlynn's proposal.

**Resolved** That it be recommended to Council to accept the OPSS offer of funding to be used to recruit an additional Environmental Health staff resource.

### **Matters for Information**

#### **E242/20 Minutes of Environment Committee held on 13 October 2020**

Members noted minutes of Environment Committee held on 13 October 2020.

#### **E243/20 KNIB Cleaner Neighbourhoods Survey/Report**

Members noted previously circulated report which provided the results of the Cleaner Neighbourhoods Survey/Report.

#### **E244/20 Tullyvar Joint Committee Update**

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

#### **E245/20 Recycling Centre Opening Hours**

Members noted previously circulated report which provided an update on temporary closure dates and changes to opening hours at three Household Waste Recycling Centres (Tier D).

Councillor Milne welcomed the decision to open Ballymacombs Recycling Centre on a Saturday.

#### **E246/20 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2020**

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 Report for Quarter 1 of 2020/21 from April to June 2020.

## **E247/20      Completion of the Mid Ulster is Growing from Home Project**

Members noted previously circulated report which provided update on the completion of Council's 'Mid Ulster is Growing from Home' project and highlighted the results of the end of summer virtual show held as part of the project.

Councillor B McGuigan stated that this had been a very successful project which involved people using their own garden space or community allotments to grow produce. The Councillor referred to the report and the intention to apply for funding to allow this project to continue and felt this will be a good project to carry on with in the future.

## **E248/20      Landlord Registration**

Members noted previously circulated report which advised of the proposal by the Department for Communities to transfer the function of Landlord Registration to Councils.

## **E249/20      Building Control Workload**

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

## **E250/20      Entertainment Licensing Applications**

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

## **E251/20      Dual Language Signage Surveys**

Members noted previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests.

Councillor Cuthbertson stated that there were two further controversial requests within the report this month – one in which no one responded to the survey and the other for Cadian Road in which 51% responded in favour of the request and signage is therefore being erected. Councillor Cuthbertson highlighted that the policy states that more than 51% of the completed replies should indicate they are in favour of the erection of dual language signage. Councillor Cuthbertson stated he raised issue whenever the policy was brought in and a number of times since that the threshold for completed surveys was not right. The Councillor stated that in the case of Cadian Road 28 replied in favour while 27 replied not in favour and as such this would cause a split of opinion on that particular road and unnecessary division. Councillor Cuthbertson stated that the policy needed to be reviewed as it was farcical to allow it to continue as it stands.

Councillor Graham also referred to Cadian Road in which 159 surveys were issued and only 55 valid returns were submitted. The Councillor stated that Cadian Road is a mixed area and no further division should be caused as English was striving to be cross community orientated. Councillor Graham stated that it was also her understanding that the policy states that more than 51% of the completed replies

should indicate that they are in favour of the erection of dual language signage and in this case the signage is being erected with only 51%, Councillor Graham stated she felt this was not right and needed to be looked at again. Councillor Graham also referred to the request at Lovedale in which 20 surveys were sent out and none were returned. The Councillor stated that the policy in its current format doesn't work and needs to be looked at again, Councillor Graham referred to the money being wasted on dual language signage which she felt could be used in better ways.

Councillor Wilson stated he supported the comments of Councillors Cuthbertson and Graham and that at last month's meeting he had asked for the policy to be reviewed. Councillor Wilson referred to the request at Lovedale in which no responses were received to the survey and felt there was the opportunity to look at what had gone wrong in relation to this request with a report being brought back to the next Committee meeting.

Councillor Glasgow concurred with the previous comments made and stated that there needed to be a report brought back in relation to Lovedale as this was the second time a survey had been issued and no responses were returned. Councillor Glasgow referred to discussion at last month's meeting in relation to review of the policy and stated that he felt that as this was now the second occurrence a review of the policy should be undertaken as a matter of urgency. Councillor Glasgow stated that there is a cost associated with undertaking a survey as depicted in another report related to Derry Road later in the agenda and highlighted that Council is a public body and will have to justify expenditure to its ratepayers. Councillor Glasgow proposed that the policy on Dual Language signage be brought back for review as a matter of urgency.

Councillor McNamee stated it was disappointing to hear Unionist Councillors once again attacking the Irish Language, the Councillor stated that the policy has been in place for a number of years and has been working well and felt that it would be better for Unionist Councillors to condemn the attacks made to dual language signage on an ongoing basis. Councillor McNamee agreed that it was disappointing that some surveys had no responses returned and that this should be monitored but in the long term the policy should remain as it is as it is working well and is not a waste of money as residents are happy that they can have the Irish language on signage in their community. Councillor McNamee proposed that the policy in relation to Dual Language signage remains as is and stated that this matter should not have to come under attack every month as it is Council policy.

Councillor N McAleer concurred with Councillor McNamee's comments and stated that there were only a very small number of roads in which no responses had been received to surveys compared with the number of requests put in. Councillor N McAleer seconded Councillor McNamee's proposal.

The Chair, Councillor S McGuigan stated it was disappointing and didn't auger well for the future. The Chair stated he was aware of people within the Unionist community who are fluent Irish speakers and that he did not understand the need to negate the issue as it did not serve any purpose. The Chair stated there were two proposals – one from Councillor McNamee to keep the policy as is and a proposal from the Unionist Councillors which focused on the 51% issue and surveys not being responded to.

Councillor Cuthbertson proposed that a stop be put to the signages mentioned and ask for a review of the Dual Language Signage policy. Councillor Cuthbertson stated that this agenda item used to be listed under matters for decision but because a previous Chair of Committee got tired of him proposing that the signage did not proceed due to costs the item was moved to matters for information. Councillor Cuthbertson stated that he felt there would no doubt be further attempts to silence the minority on the committee and on the Council.

Councillor Burton referred to Councillor McNamee's comments about disappointment and stated that this worked both ways. The Councillor stated she was a public representative and was here to represent everyone, Councillor Burton stated that that she had attended meetings in English and there was a group which was trying to work across the community and trying to get everyone involved. Councillor Burton stated that she was aware that Protestants in the English area are getting involved and supporting local initiatives and that Councillor McNamee's comments were hitting strongly out at the Unionist community. Councillor Burton stated that some members of the public believed there is a political agenda and referred to the requests coming in to Council which are clearly duplications of the one letter. The Councillor stated it was equally disappointing for Unionist Councillors who are trying to serve everyone all of the time that we are here tonight discussing this matter. Councillor Burton referred to earlier discussion regarding funding the Live Here Love Here Scheme and that everyone works together on these projects and stated that she felt it was time for everyone to have a bit of maturity on this matter also.

Councillor Wilson stated that he had no issue with any language and had no problem condemning signage being damaged but that he did feel strongly that when a language is being used as a Trojan horse then it becomes an issue.

Councillor Glasgow seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against – 7

The Chair, Councillor S McGuigan used his casting vote and therefore declared Councillor Cuthbertson's proposal lost.

### **E252/20      Dual Language Signage Requests**

Members noted previously circulated report which advised of requests for Dual Language Signage from residents on streets/roads in the District.

### **E253/20      Dual Language Signage – Derry Road**

Members noted previously circulated report which advised of the costs of administering the dual language signage application for Derry Road as well as associated costs in relation to the application.

Councillor Glasgow thanked officers for bringing the report back and that it was the first time Members had seen costings associated with the surveys. The Councillor

stated that it was disappointing that £90 had been wasted and felt that the public will look at this and ask questions.

Councillor Graham also thanked the officer for the report and highlighted that this was a cheaper survey than some others and that costs do vary. Councillor Graham asked if the Dual Language Policy is up for review in February/March of next year.

The Director of Public Health and Infrastructure advised that the policy will be brought before the Committee when it is up for review.

*Live broadcast ended at 7.58 pm.*

## **Local Government (NI) Act 2014 - Confidential Business**

Proposed by Councillor Graham  
Seconded by Councillor McFlynn 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 E254/20 to E262/20.

### **Matters for Decision**

E254/20 Contract Extension: PPE/Workwear Supplier  
E255/20 Tender report for Quarry aggregates and Bitmac products  
E256/20 Contracts for collection and recycling of tyres and WEEE/batteries  
E257/20 Coalisland Public Realm – Utility Companies

### **Matters for Information**

E258/20 Confidential Minutes of Environment Committee held on 13 October 2020  
E259/20 Vehicle Replacements – Price Increase  
E260/20 Capital Framework – ICT Contracts Update  
E261/20 Capital Framework – IST Contracts Update  
E262/20 Capital Projects – Scoping Contracts Update

## **E263/20 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.12 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.