

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 March 2021 in Council Offices, Ballyronan Road,
Magherafelt and by virtual means**

Members Present	Councillor S McGuigan, Chair Councillors Brown*, Buchanan*, Burton*, Cuthbertson, Glasgow*, N McAleer*, S McAleer*, McFlynn*, B McGuigan*, McNamee*, Milne*, Totten*, Wilson*
Officers in Attendance	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services** Mr McAdoo, Head of Environmental Services** Mrs McClements, Head of Environmental Health** Mr Scullion, Head of Property Services** Mr Wilkinson, Head of Building Control** Miss Thompson, Democratic Services Officer
Others in Attendance	Councillor Cuddy*, Gildernew*, Councillor McLean*, Councillor McKinney*

* 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.

E060/21 Apologies

Councillor O'Neill.

E061/21 Declarations of Interest

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

Councillor Burton declared an interest in agenda item 24 – Appointment of Mid Ulster – Ageing Well Contract.

E062/21 Chair's Business

Councillor Burton advised she had been contacted by the Unit Manager for St John Ambulance at Clogher who is seeking Council help and support for a lock up facility

in the area. The Councillor asked that officers progress this matter as soon as possible.

The Director of Environment and Property agreed to progress this.

Councillor S McAleer referred to the high amount of littering along roadsides and in particular mentioned the dual carriageway from Ballygawley which joins the M1. The Councillor stated this littering consists of fast food packaging, plastic bottles, cans, and cardboard cups and that so much of this type of waste could be taken home for recycling. Councillor S McAleer stated that clear up of such rubbish along the roadside puts people at risk and that members of the community could not go on to a 70mph road to undertake such a clean up. The Councillor stated that the littering is along either side of the road and not in the laybys which are maintained by Council and asked how Council can discourage such behaviour.

Councillor Cuthbertson stated he supported Councillor McAleer's comments and that he had also noticed the problem recently as well. Councillor Cuthbertson felt it is down to enforcement and the only way people will start to get the message is when Council can publicise that it has prosecuted people for such offences. The Councillor stated that littering takes place everywhere and highlighted a large amount of littering in trees and shrubbery at Tesco car park in Dungannon.

Councillor B McGuigan stated that littering is an issue right across the District and referred to the recent meetings held to discuss littering and dog fouling. The Councillor stated that officers have a job of work in relation to these issues and felt that Members should wait until a report comes back to Committee to see the direction of travel being proposed.

The Director of Public Health and Infrastructure stated that officers are aware of the issues and that recent working group discussions with Members had been very useful. The Director advised that officers are working through the issues that were raised and that a draft action plan will be brought to the next meeting of Committee for consideration.

Councillor Burton agreed with Councillor McAleer's comments and stated that littering is a significant issue along this stretch of road which could cause an accident. The Councillor suggested a potential deterrent may be for fast food retailers to print the number plate of the vehicle collecting the food on to the bag the food is in. Councillor Burton also spoke in relation to the littering of glass bottles which when broken can cause glass splinters in the feet of animals.

The Director of Public Health and Infrastructure advised that officers were in discussions with high volume hot food outlets on this particular issue to consider the use of such controls. The Director stated that Council takes littering very seriously as it costs the ratepayer in excess of £1.7 million each year to deliver the street cleansing services across the District which could be reduced if there was less litter deposited.

Councillor Glasgow stated he had received a number of complaints in relation to the quality of the bin collection service carried out yesterday in a small area outside of Cookstown. The Councillor stated the complaints related to bins being left on their side over the white line on the Drum Road. Councillor Glasgow stated that residents

are committed to helping to improve the service and recognise the work of the bin collectors but that when they pay £25 for a bin they don't want it abused. The Councillors stated that residents leave their bins out in good faith and that officers need to look at the quality of service being provided.

The Director of Environment and Property agreed to look into this matter.

Councillor McNamee asked officers to carry out an inspection of the public realm scheme in Cookstown and to record the defects. The Councillor referred to utilities working in the town and that damage has been caused to the public realm and that he wanted to ensure that those responsible are held accountable for the damage and that the public realm scheme does not run into disrepair.

The Director of Public Health and Infrastructure stated there have been problems in the past with utilities doing work at public realm schemes and that officers would undertake a survey in Cookstown.

Matters for Decision

E063/21 Proposed Kerbside Recycling Trial Project

The Head of Environmental Services presented previously circulated report which sought approval to undertake a kerbside refuse/recycling trial based on an increased capacity for recyclables alongside a reduced capacity for residual waste.

Councillor Milne asked how long the trial will run for.

The Head of Environmental Services advised that the trial will run for at least six months to a year in order to assess seasonality fluctuations.

Councillor Cuthbertson stated he noted this was a trial but felt there could be a number of problems. The Councillor referred to those who have purchased their bin privately and there could be a perception that the Council will take the bin from them. Councillor Cuthbertson also spoke in relation to situations when people will have extra waste and that this will just be held over until the next collection time and will therefore not reduce the amount being disposed of. The Councillor stated he was not against the trial but asked if any consideration had been given to starting a new housing development with the new system.

The Head of Environmental Services stated that the trial will include a mix of old and new housing and public and private housing.

The Director of Environment and Property stated that the purpose of running the trial on an existing route is that there is existing data for those routes and comparisons can then be taken from before and after the trial. The Director stated that anyone visiting the waste transfer stations can see the amount of material coming from the black bin which is able to go into the blue bin. The Director stated there are both economic and environmental benefits in the approach being proposed in that the blue bin capacity is being increased and will give householders the ability to recycle more, black bin capacity is being reduced marginally but that overall capacity is being increased. The Director highlighted it costs twice as much to process black

bin material than blue bin material and felt the proposal is a prudent approach which will give the Committee information to make future decisions.

Councillor Brown stated that if a household relies on the 240l bin then reducing the capacity will make things harder for these households and asked if this has been taken into account and if there is an option to opt out of the trial.

The Head of Environmental Services stated that for the purposes of the trial, Council will honour any pre-existing arrangements and approved second bin collections.

Councillor B McGuigan proposed the recommendation and that there was a need to encourage people to use their blue and brown bin.

Councillor McFlynn seconded Councillor B McGuigan's proposal but felt Councillor Brown's comments in relation to larger families who rely on the 240l bin were relevant. The Councillor asked if there was any merit in keeping the 240l black bin and potentially reducing how often it is collected.

The Head of Environmental Services stated this is another option however it is felt that collecting a smaller bin will be more acceptable.

Councillor Glasgow asked if the £20k cost is solely for the 500 houses in the trial. The Councillor also felt that communication from Council will be vital going forward as it is important to have the public on board with what is being implemented. Councillor Glasgow stated he would have some concerns in relation to those people with medical needs and require two black bins and asked would these people get two smaller bins or remain with the two 240l bins and asked if this has been taken into consideration.

The Director of Environment and Property stated that this has been taken into consideration and those with a medical condition and have been provided with a second 240l black bin will retain this.

Councillor Burton stated she agreed with Councillor Glasgow's comments in relation to the black bin capacity for those with medical needs. The Councillor asked if officers are content with how brown bins are being used as she felt that this service should be promoted.

The Director of Environment and Property stated that officers want to continue to promote the brown bin which is for food and garden waste and that work will continue with the marketing and communications team to keep the message in the public domain.

Councillor Glasgow asked if the costings outlined in the report were specific to the trial.

The Head of Environmental Services advised that the £27k is the cost of the bins for the trial.

Resolved That it be recommended to Council to undertake a kerbside refuse/recycling trial based on an increased capacity for recyclables alongside a reduced capacity for residual waste to approximately 500 households in Magherafelt.

E064/21 Fees for Entertainment Licences

The Head of Building Control presented previously circulated report which advised on a Determination issued by the Department of Communities in relation to Fees for Entertainment Licences.

Councillor Cuthbertson stated this report was welcome news and a sensible approach. The Councillor stated that as part of Council's rate setting process he had asked if this would be a rates pressure on the Council but that the announcement had come from the Executive a short time later advising it would meet any shortfall. Councillor Cuthbertson proposed the report recommendation.

Councillor McNamee seconded Councillor Cuthbertson's proposal stating this was excellent news.

Resolved That it be recommended to Council to agree to the reduction in fees for the renewal of Entertainment Licences as detailed in the Determination issued by the Department for Communities for the Financial Year 2021/22 as set out at appendix 1 to report.

E065/21 Northern Ireland Housing Executive (NIHE) Draft Cavity Wall Action Plan

The Head of Building Control presented previously circulated report which outlined Council's response to consultation on the NIHE Draft Cavity Wall Insulation Action Plan.

Councillor McNamee referred to the 1000s of homes sold by NIHE to the public that may now have defective wall insulation and asked if it is within the consultation that these homes will be advised of the issues.

The Head of Building Control stated that the consultation dealt with the NIHE stock and did not include houses that had been sold to the public.

The Chair, Councillor S McGuigan referred to single walled properties and asked if the consultation considered these type of properties.

The Head of Building Control advised that this has been highlighted in the Council response as the consultation does not address the issue of single wall properties.

Councillor Cuthbertson stated he welcomed the action plan as it is an important issue and he was sure every Councillor is contacted in relation to damp walls in houses and that something needs to be done to make houses liveable. The Councillor referred to NIHE houses which were sold privately and that no advice was previously given to those houses in relation to the removal of asbestos. Councillor Cuthbertson stated it is important that advice is given to those who have purchased NIHE properties.

The Director of Public Health and Infrastructure stated that the Councillors comments were noted and that the issues raised would be included in the response.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to respond to the NIHE consultation on Draft Cavity Wall Action Plan as set out at appendix 2 of report including commentary in relation to NIHE properties now in private ownership being advised of defects to insulation.

E066/21 Review of Policy on Street Naming and Numbering

The Head of Building Control presented previously circulated report which advised on the review of the Policy on Street Naming and Numbering.

Councillor McNamee proposed the report recommendation and stated that it is important that when renaming a street the public are informed of issues such as changing bank account details, mortgages, driving licence etc.

Councillor Cuthbertson referred to the issues of changing address and advised of a situation which had been brought to his attention in that if a person changes address for a second time with a GP practice and this is outside the catchment area then that person will be struck off the practice list. The Councillor stated this should also be highlighted to the public.

In response to Councillor Cuthbertson's question it was advised that renaming a street will still require 100% agreement.

Councillor B McGuigan seconded Councillor McNamee's proposal and stated that this is a robust policy but that it is important that issues regarding the renaming of a street are flagged up to the residents.

Councillor Wilson stated it is vitally important to highlight to residents what the consequences of changing a road/street name are. The Councillor stated that when a request to change a name is put out to consultation there should be information included pointing out the issues ie. changing bank account details, mortgages etc.

The Chair, Councillor S McGuigan asked if this information was being provided at present.

The Head of Building Control advised that information had not been provided to date but that so far there have been no successful outcomes to requests to rename a street/road. The officer advised that information relating to what the renaming of a street entails can be provided going forward.

Resolved That it be recommended to Council agree the points raised within the Review of the Policy for Street Naming and Numbering as set out at appendix 2 of report.

E067/21 Bus Shelters Update

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

Further to the report the Head of Technical Services advised that the bus shelters at Killeenan Road, Cookstown, Glebe Court, Dungannon and Thornhill Road/Agharan Road, Pomeroy had now been installed.

Councillor N McAleer referred to bus shelter for Stewartstown and advised that at a meeting with DfI last week they had indicated that Council could proceed with installing the bus shelter. The Councillor asked if this is the case and if a date could be provided as to when works will commence.

The Head of Property Services advised that the location for the bus shelter has been confirmed and work in relation to preparing the base for the shelter can take place. The officer advised that delivery of the bus shelter is expected week commencing 12 April.

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

- Resolved** That it be recommended to Council to progress the “On Hold” applications on the Bus Shelter Register following approval of the revised Bus Shelter Procedures -
- Main Street, Benburb
 - Tullyhogue village
 - St Colmans Park, Moortown
 - Cappagh village
 - Whitebridge, Ballygawley
 - Innishrush Village
 - Annaghnaboe Road, Clonoe
 - Bellaghy (2 no)
 - Knockloughrim Village
 - Meenagh Park, Coalisland
 - Eglisish View, Ballinderry

E068/21 Bus Shelters Procedural Guide

The Head of Technical Services presented previously circulated report which sought approval for the Council’s Procedural Guide for Installations of Bus Shelters within the District.

Proposed by Councillor S McAleer
Seconded by Councillor Buchanan and

- Resolved** That it be recommended to Council to approve the Bus Shelter Procedural Guide and survey documentation as detailed at appendices 1 and 2 of report.

**E069/21 DAERA – Valuing Nature – A Biodiversity Strategy for NI to 2020 -
Report on the implementation of the NI Biodiversity Strategy**

The Head of Technical Services presented previously circulated report which advised of a request from DAERA on progress made by Local Authorities on the promotion and conservation of biodiversity through the Local Biodiversity Plan process. This feeds into the Northern Ireland Biodiversity Strategy which is a requirement under the Wildlife and Natural Environment Act 2011 (the WANE Act).

Councillor S McAleer spoke in relation to incident at Knockmany last weekend in which over 100 bikers arrived and took up all the parking spaces. The Councillor advised that 40 bikers were also counted going over Queen Aine's burial site, they then proceeded to go through the forest destroying nature and fauna along the way and that this was not acceptable. Councillor McAleer stated the local community are annoyed with this activity and the effects on the environment and nature and stated she was also concerned as the area is being slowly destroyed.

The Head of Technical Services stated he took the Councillor's comments and concerns on board and would ask the Biodiversity Officer to look at the site to assess what damage has been done. It was advised that the Biodiversity Officer will also liaise with the Parks team on the issues raised as well.

Councillor Burton stated she agreed with Councillor S McAleer's comments and that it was a disgrace that this has happened at Knockmany. The Councillor referred to the number of walkers at the moment due to Covid and that this is causing a lot of litter and parking issues, the Councillor stated that there was also a lot of concern at the state of rural roads leading to forests etc due to increased volumes of traffic visiting these sites. Councillor Burton felt that Council has some work to do on these issues as there is frustration in relation to the amount of litter at these sites which is often left to local people to clear up. The Councillor stated that Council wants to encourage biodiversity and maintain the peace and tranquillity of these areas but that it needs to take on board and deal with the issues being raised.

The Head of Technical Services stated that he will raise the issues with the Biodiversity Officer and highlighted that going forward consideration may need to be given to projects and whether they will require additional car parking.

Councillor Cuthbertson stated he had also received a number of calls in relation to issues at Knockmany and asked what role Council has at Knockmany and who issues should be reported to.

The Director of Public Health and Infrastructure stated it was probably best to raise issues with the Parks dept. and that concerns raised tonight would be forwarded to the Director of Leisure and Outdoor Recreation.

Councillor Burton stated that she understood there is a meeting with Forestry this week and that issues should be raised at this meeting. The Councillor also spoke in relation to broken trees on Cullenfad Road and overhanging branches on Glenhoy Road which are both owned by Forestry.

Resolved That it be recommended to Council to respond to the consultation from DAERA as set out at appendix 2 of report. Draft response to be submitted in advance of the deadline of 25 March 2021 and confirmed following ratification at March Council meeting.

E070/21 Department of Health - Draft Mental Health Strategy

The Director of Public Health and Infrastructure presented previously circulated report which advised on the Department of Health Consultation on the Draft Mental Health Strategy 2021-2031 and sought approval for Council response.

Councillor Graham stated that she had attended the meeting with the Mental Health Champion which she felt was very worthwhile and would propose the report recommendation.

Councillor Burton suggested that the Director of Public Health and Infrastructure liaise with the Policy Officer from Nilga before the Council response is sent. The Councillor advised that Nilga had also met in relation to this issue and had been asked to submit their five priority issues and that she wanted to feed into the Strategy the issues regarding transition from a young person to adult as safeguards were required to be built in. Councillor Burton also highlighted that the Mid Ulster area is covered by both the Northern and Southern Health Trusts and that she felt that there is a difference in the way each Trust deals with Council and that this causes issues as well. The Councillor also stated that representatives from the Southern Health Trust are not always at the table and involved in discussions which is detrimental to the Dungannon town area and wider Clogher Valley.

The Chair, Councillor S McGuigan stated he would agree with Councillor Burton's comments in relation to the Health Trusts and at times there seemed to be a disparity in how both Trusts operate and that the weakest response was often from the Southern Trust. The Chair stated that the issues regarding transition from young person to adult were important and that Council should continue to argue for that.

The Director of Public Health and Infrastructure advised that the transition issue was raised with the Mental Health Commissioner yesterday and that the Commissioner stated they were aware of the matter and are specifically addressing it with health trusts at this time but that Council would reinforce their concerns. The Director stated that issues in relation to the differences between Trusts was also discussed with the Mental Health Commissioner yesterday who took on board the comments raised.

Councillor Burton seconded Councillor Graham's proposal.

Councillor Wilson stated this is Council's response document and whilst he appreciated Councillor Burton's comments in relation to liaising with Nilga he felt that they may have their own views just as Council can have their own views. The Councillor stated that the response should also include commentary as to the need for mental health champions in industry and that Council would encourage this.

The Director of Public Health and Infrastructure agreed to reflect the point raised by Councillor Wilson. The Director also advised that the Community Planning Officer

was heavily involved in preparing the response document and that the Nilga view should already be reflected.

Resolved That it be recommended to Council to approve the Council response to the Department of Health Draft Mental Health Strategy 2021-2031 as set out at appendix 1 of report with reinforcement of issues relating to transition of young person to adult, the differences between Health Trusts and the need for mental health champions in industry.

Matters for Information

E071/21 Minutes of Environment Committee held on 9 February 2021

Members noted minutes of Environment Committee held on 9 February 2021.

Councillor Cuthbertson asked if the issues at Coalisland Recycling Centre had been resolved. The Councillor referred to grass cuttings having to be lifted up into the container.

The Head of Environmental Services advised that bin lifters for blue and black bin compacters had been removed from the site for modification however these will be back on site by the end of the week. The officer advised that the green waste compacters do not have bin lifts and there are no plans to change these compacters.

Councillor Cuthbertson stated it is difficult for some people to have to lift green waste up into the compacter.

E072/21 Public/Bank Holiday Working Arrangements for 2021/22

Members noted previously circulated report which set out the proposed public/bank holiday working arrangements for Environmental Services for the period 1 April 2021 to 31 March 2022.

E073/21 Tullyvar Joint Committee Update

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

E074/21 Building Control Workload

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

E075/21 Entertainment Licensing Applications

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

E076/21 Product Safety Update Following EU Exit

Members noted previously circulated report which provided an update on work carried out by the Environmental Health Department, in association with the Office of Product Safety and Standards (OPSS), from a safety perspective for consumer goods.

E077/21 MUDC Health and Wellbeing Programmes

Members noted previously circulated report which provided update on the current programmes available to residents through the Environmental Health Department's Health and Wellbeing Team.

Councillor Cuthbertson asked if a resident cannot make contact remotely if a house visit will be made.

The Head of Environmental Health stated that each case is taken on its own merits and house visits will be undertaken if the situation arises and that officers will adhere to all health and safety guidance when making such visits.

E078/21 Live Here Love Here Awards Event

Members noted previously circulated report which advised of a Live Here Love Here virtual event to celebrate volunteer successes.

Live broadcast ended at 8.20 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Cuthbertson
Seconded by Councillor Milne 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 E079/21 to E089/21.

Matters for Decision

- E079/21 Full Business Case (FBC) for the Development of Waste Management Infrastructure for Kerbside Collected Recyclates
- E080/21 Tender for Grave Digging & Associated Works
- E081/21 Review of Policy on Dual Language Nameplate Signage
- E082/21 Entertainment Licensing
- E083/21 Appointment of Mid Ulster - Ageing Well Contract
- E084/21 Public Analyst Services for the 11 District Councils

Matters for Information

- E085/21 Confidential Minutes of Environment Committee held on 9 February 2021
- E086/21 Capital Framework – ICT Contracts Update

E087/21	Capital Framework – IST Contracts Update
E088/21	Capital Projects – Scoping Contracts Update
E089/21	Any Other Business

E090/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.45 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.