

Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Tuesday 12 January 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present Councillor S McGuigan, Chair

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

* 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.

The Chair, Councillor S McGuigan stated that this was the first Environment Committee of 2021 and that it remains a difficult period for many, the Chair stated he hoped and prayed for better times ahead.

E001/21 Apologies

None.

E002/21 Declarations of Interest

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

E003/21 Chair's Business

Councillor McNamee referred to the future of cemetery provision for Cookstown and that Cabin Wood on the outskirts of Cookstown is the preferred site for a new cemetery. Councillor McNamee stated that future cemetery provision needs to be discussed sooner rather than later as the matter will take thought and preparation on

a number of issues, for example, planning, finance, access and the site running parallel to the route of Cookstown bypass. Councillor McNamee requested that a Cookstown DEA meeting be arranged to discuss new cemetery provision for Cookstown.

The Director of Environment and Property stated that officers have had some discussion on the matter and advised that there is still capacity at Forthill and it is intended to develop the current site to its full capacity. The Director referred to some of the work undertaken by the legacy Council in relation to a new cemetery and that he would be happy to facilitate a meeting with Cookstown DEA Members to discuss the matter.

Matters for Decision

E004/21 Results of a regional survey relating to the nutritional content of cheesecakes available from restaurants in Northern Ireland

The Head of Environmental Health presented previously circulated report which advised of the results of a regional survey, which the Environmental Health department participated in, relating to the nutritional content of cheesecake available from restaurants and hotels in Northern Ireland. The survey was undertaken in 2019.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to note the content of the report, and to continue to support the work of the Environmental Health Department in relation to any future initiatives undertaken in the area of nutritional content of foods, aimed at providing individuals with information and choice to improve dietary health.

E005/21 Clean Air Strategy for Northern Ireland - A Public Discussion Document November 2020

The Head of Environmental Health presented previously circulated report which advised on the Clean Air Strategy for Northern Ireland; A Public Discussion Document November 2020. It was advised that the Department of Agriculture, Environment and Rural Affairs (DAERA) launched this discussion document in advance of developing the first Clean Air Strategy for Northern Ireland.

The Head of Environmental Health drew attention to draft response to consultation question 17 which relates to whether there should be a ban to the general public of unseasoned wood in Northern Ireland retail outlets. The officer advised that the draft Council response states that there should be a ban introduced in line with the rest of the UK and Ireland however she was aware that this may not be the view of Members and asked for their comments.

Councillor Glasgow referred to draft response to question 19 of consultation in relation to whether it was felt that the process in place to address ammonia emissions in Northern Ireland is appropriate. Councillor Glasgow stated he welcomed the wording of the response in relation to this question as Mid Ulster is a

rural Council that has farming as one of its biggest industries. The Councillor referred to the previous changing of thresholds in relation to ammonia which resulted in agricultural applications becoming stuck in the planning system, Councillor Glasgow stated that whilst this has since moved on he felt that any drastic measures in relation to ammonia should take into account the possible consequences within the District ie. Within the agri food sector. Councillor Glasgow again stated he welcomed the wording of the response in relation to this question and that there should be emphasis that current practices should continue to be looked at.

The Head of Environmental Health clarified whether Councillor Glasgow would like current practices to continue to be looked at to reduce ammonia from farming practices.

Councillor Glasgow stated he had no issue with practices being looked at but was aware of the approach of SES in the past.

Councillor Wilson referred to people who sell logs to retailers and asked if that practice is affected by the response to question 17.

The Head of Environmental Health advised that this practice would be affected by the draft response set out.

Councillor Wilson stated there are a number of people who make a living out of fallen trees and cutting them for logs and that he felt that there needs to be some education as to what unseasoned wood is. Councillor Wilson stated that whilst he felt that a ban on the sale of unseasoned wood is a good idea this ultimately would affect some people's livelihoods and that the wording of this response could be changed.

The Head of Environmental Health stated that the response could be amended to reflect that the small scale sale of unseasoned wood is permitted.

Councillor Wilson referred to smokeless fuels which he stated are more expensive and would be a struggle for some people to buy and felt that there should be some sort of incentive to switch to the purchase of smokeless fuels.

Councillor Cuthbertson referred to the draft response to question 15 in which Council are agreeing to a ban on the sale to the general public of smoky/bituminous/household coal in Northern Ireland. Councillor Cuthbertson felt that this required more thought as there are 3 importers of coal in the District that he was aware of who were major employers and also whilst there was a Gas to the West project this was not available to the majority of houses in rural areas. Councillor Cuthbertson stated that he did not feel that Council should be agreeing to a ban on the sale of household coal.

The Head of Environmental Health stated that the response focussed on smoky/poorer quality coal and that there is a quality aspect which will help to reduce sulphur levels which come from burning coal.

Councillor Cuthbertson agreed with Councillor Wilson's comments that smokeless fuels are more expensive and stated that this may not be such an issue in bigger towns and cities where there is a gas supply but that he would still be against encouraging a ban on household coal.

The Head of Environmental Health stated that the response could be amended to reflect that in rural areas the ban should not be imposed.

Councillor Cuthbertson stated this would be helpful and referred to the coal importers within Mid Ulster and that there should be consultation with them as well.

The Head of Environmental Health advised she would make the amendments to the draft response as per discussion tonight.

Proposed by Councillor McNamee
Seconded by Councillor Glasgow and

Resolved That it be recommended to Council to submit response to the Clean Air Strategy for Northern Ireland: A Public Discussion document as outlined in appendix 1 of report with amendments to be incorporated as per discussion above. Response to be returned to DAERA by the closing date of 15 February 2021.

E006/21 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding the naming of new streets within residential housing developments within Mid Ulster.

Site off Killyman Road, Dungannon

Councillor Cuthbertson stated he did not feel any of the names put forward by the developer were great but proposed that the development be named Killycush Court.

Councillor B McGuigan seconded Councillor Cuthbertson's proposal.

Resolved That it be recommended to Council to name development off Killyman Road, Dungannon as Killycush Court.

E007/21 Renaming and Renumbering Existing Streets

The Head of Building Control presented previously circulated report which advised of a request for the Renaming and Renumbering of an existing street/road and subsequently to seek approval to undertake the surveys of all applicable residents on the street/road in question.

Councillor McNamee asked if the surveys returned need to be 100% in favour.

The Head of Building Control advised that current policy states that all residents on the electoral register for the street/road in question need to be in agreement to the change of name.

Councillor McNamee asked if there were any implications in that the legacy Council had previously erected signage with the change of road name.

The Head of Building Control advised that whilst a road nameplate was previously erected the change of road name was never progressed officially and that

information on the Pointer system still referred to the stretch of road as off the Stewartstown Road and not Moss Road.

Councillor Wilson stated that people may not be fully aware of what needs to take place if there is agreement that the road name be changed ie. Deeds of houses, mortgages, utilities etc would need to be changed. The Councillor stated he would have some concern just to put the matter out to survey without some sort of explanation on the implications.

The Head of Building Control stated that is why 100% agreement is required for the change to be made. The officer further advised that he had met with one of the residents on the road and that they were aware of the issues surrounding a road name change but that an explanation of the implications of agreeing to a name change can be detailed on the correspondence being sent to residents.

Proposed by Councillor McNamee
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to proceed with the Street Naming Survey for the renaming of the relevant portion of Stewartstown Road, Coalisland to all applicable occupiers of each property as listed on the Electoral Register of the road in question, in accordance with the Policy for Street Naming and Numbering. Additional detail and explanation on the implications on a road name change to be included with the survey.

E008/21 Bus Shelters Update

The Head of Technical Services presented previously circulated report which provided an update on current bus shelter status and stated that it is hoped that the revised procedural guide will be brought to the February Environment Committee.

Councillor Burton referred to bus shelter at Jordan Engineering and asked if the only hold up in relation to this bus shelter is that officers are awaiting a response from statutory agencies. The Councillor stated that it is good to have the site relocated away from businesses and that the bus is currently stopping at the proposed site but that with the recent weather it would be good to have the bus shelter on site.

The Head of Technical Services advised he would follow up with the statutory agencies to get the responses required to move forward.

Councillor B McGuigan commended staff on the work involved with reviewing the bus shelter policy and liaising with other agencies. The Councillor stated that for a long time there was difficulty in getting bus shelter approvals but that things have moved on leaps and bounds and there was now better focus and direction. Councillor B McGuigan also referred to the positive meeting yesterday in relation to the review of procedural guide for bus shelters. Councillor B McGuigan proposed the report recommendation.

Councillor Cuthbertson seconded Councillor B McGuigan's proposal.

Resolved That it be recommended to Council to put “On Hold” of the following from the Bus Shelter Register as they have not met the criteria in the Bus Shelter Policy (Section 1.2, Point 4):

- Main Street, Benburb
- Tullyhogue village
- St Colmans Park, Moortown
- Cappagh village
- Whitebridge, Ballygawley

E009/21 Consultation on Preventing Harm & Empowering Recovery: - A Strategic Framework to Tackle the Harm from Substance Use

The Director of Public Health and Infrastructure presented previously circulated report which advised of Council’s draft response to the Health Development Policy Branch in the Department of Health (DoH) Consultation on Preventing Harm & Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use.

Councillor B McGuigan stated he was happy to propose the response and that there had been a lot of good work had gone into the document and response. The Councillor stated he was very interested to hear that Mid Ulster Community Plan contained a commitment to the Planet Youth model and would like to see this model progressed.

Councillor Milne seconded Councillor B McGuigan’s proposal.

Resolved That it be recommended to Council to respond to the Department of Health consultation on Preventing Harm and Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use as set out at appendix 2 of report. Response to be submitted by 5 February 2021.

E010/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Extension to 40mph Speed Limit – Cloghog Road, Clonoe, Coalisland

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed extension to 40mph Speed Limit at Cloghog Road, Clonoe, Coalisland.

Proposed by Councillor O’Neill
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Extension to 40mph Speed Limit at Cloghog Road, Clonoe, Coalisland.

E011/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Reduction to 30mph – Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed reduction to 30mph at Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown.

Proposed by Councillor O'Neill
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed reduction to 30mph at Turnaface Road, Muff Road, Churchtown Road and Claggan Road, Cookstown.

Matters for Information

E012/21 Minutes of Environment Committee held on 8 December 2020

Members noted minutes of Environment Committee held on 8 December 2020.

Councillor Cuthbertson asked for an update in relation to defibrillator provision and whether those previously agreed to be sited were now in place.

The Director of Public Health and Infrastructure advised that a working group was set up after the last Council meeting to take forward this piece of work and that work is ongoing on the matter. The Director stated he would seek to provide an update to the next Environment Committee.

E013/21 Update on Houses in Multiplication (HMOs)

Members noted previously circulated report which provided update on the regulation of HMOs carried out on behalf of Mid Ulster District Council in the 19/20 year, following the transfer of the function to Councils on 1st April 2019.

E014/21 10-year anniversary of the Food Hygiene Rating Scheme

Members noted previously circulated report which highlighted the 10 year anniversary of the Food Hygiene Rating Scheme.

E015/21 Building Control Workload

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

E016/21 Entertainment Licensing Applications

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

E017/21 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.

E018/21 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 again this month a survey had been requested and then no one had responded to that survey. The Councillor stated this was now happening month on month at a time when departments are stretched, Councillor Cuthbertson stated that this process was a waste of resources and a waste of staff time and proposed that requests for Dual Language surveys be put on hold until after a review of the policy has taken place.

Councillor B McGuigan proposed that the policy in relation to Dual Language Signage remains as is.

Councillor McNamee seconded Councillor B McGuigan's proposal.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against – 9

The Chair, Councillor S McGuigan declared Councillor Cuthbertson's proposal lost.

Resolved That it be recommended to Council that the policy in relation to Dual Language Signage remains as is.

E019/21 NILAS Annual Report 2019/20

Members noted previously circulated report which advised of the content of the Northern Ireland Landfill Allowance Scheme (NILAS) Annual Report for 2019/20 as published by NIEA on 26 November 2020.

E020/21 Bin Ovation

Members noted presented previously circulated report which provided update on the usage of the Bin Ovation App and Report It Function.

Live broadcast ended at 7.42 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Buchanan 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 E021/21 to E030/21.

Matters for Decision

- E021/21 Updated Tender report for the appointment of Contractors to a framework for Construction works
- E022/21 Town/Village awards and Seasonal Planting Arrangements 2021
- E023/21 Contract for provision of Waste Related Consultancy Services

Matters for Information

- E024/21 Confidential Minutes of Environment Committee held on 8 December 2020
- E025/21 To update members on changes to Affordable Warmth Scheme in response to Covid -19
- E026/21 Energy Performance of Buildings Regulations
- E027/21 Capital Framework – ICT Contracts Update
- E028/21 Capital Framework – IST Contracts Update
- E029/21 Capital Projects – Scoping Contracts Update
- E030/21 Report on Improvements at Fivemiletown Recycling Centre

E031/21 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.