

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Monday 2 July 2018 in Council Offices, Burn Road, Cookstown**

Members Present	Councillor Reid, Chair Councillors Buchanan, Burton, Cuthbertson, Gillespie, Glasgow, Kearney, McFlynn, McGinley, B McGuigan (7.04 pm), S McGuigan, McNamee, Mulligan, O'Neill, M Quinn, Totten
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 Ms McNally, Council Solicitor Mrs Patterson, Principal Environmental Health Officer Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services Officer
Others in Attendance	Objectors and Applicant – Application for the Grant of a Provisional Amusement Permit for 21 Irish Street, Dungannon Councillor Monteith

The meeting commenced at 7.02 pm

E207/18 Apologies

None.

E208/18 Declarations of Interest

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

E209/18 Chair's Business

The Chair, Councillor Reid referred to signage at Mallon Villas, Draperstown which was erected at Easter. The Chair advised that this signage had since been changed to Dual Language signage and asked how this situation had come about, what the cost the signs were and what the additional cost of then changing to Dual Language signage was.

The Director of Environment and Property advised he would bring report on the matter to September Environment Committee.

Matters for Decision

E210/18 Dfl Roads Proposals to Mid Ulster District Council – Ferndale, Clogher

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 20mph Speed Limit at Ferndale, Clogher.

Councillor Cuthbertson stated he was happy with the proposal but that no indication had been given by Dfl Roads at a recent meeting of any proposals for 20mph speed limits except for outside schools.

The Director of Environment and Property stated he was aware of a number of 20 mph speed limits which were not outside schools.

Councillor B McGuigan entered the meeting at 7.04 pm.

Proposed by Councillor McFlynn
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 20mph speed limit at Ferndale, Clogher.

E211/18 Dfl Roads Proposals to Mid Ulster District Council – Gracefield Road and Ballymaguigan Road, Magherafelt

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 30mph Speed Limit at Gracefield Road and Ballymaguigan Road, Magherafelt.

Proposed by Councillor McFlynn
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 30mph speed limit at Gracefield road and Ballymaguigan Road, Magherafelt.

E212/18 Dfl Roads Proposals to Mid Ulster District Council – Toome By Pass

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting at Any Time Restriction on Toome By Pass.

Proposed by Councillor McFlynn
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting at Any Time Restriction on Toome By Pass.

E213/18 Proposal to develop a new Local Government Resilience Model

The Director of Public Health and Infrastructure presented previously circulated report which sought agreement to endorse a new local government model for delivery of the civil contingencies function.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to note the content of the report and agree the establishment of a single employer for delivery of the Local Government Resilience Model subject to no current or planned cost being attributed to Mid Ulster District Council as a result of these arrangements.

E214/18 Dual Language Signage Request

The Head of Building Control presented previously circulated report which advised of request for Dual Language Signage from residents on streets/roads in the District.

Proposed by Councillor McNamee
Seconded by Councillor O'Neill and

Resolved That it be recommended to Council to proceed to survey Clover Hill, Moy following request made for Dual Language Signage.

E215/18 Dual Language Survey Signage

The Head of Building Control presented 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 McNamee proposed the recommendation as per report.

The Director of Public Health and Infrastructure advised that format of Dual Language Road Signage had been discussed at June Council meeting in which it was proposed to hold a meeting to discuss signage templates. The Director suggested that erection of signage being agreed tonight be held until there was agreement in relation to format of signage.

Councillor McGinley stated that it was his understanding that the request made at the Council meeting was for a one off meeting or workshop to discuss format of signage with officers including Irish Language Officer. Councillor McGinley stated it was fair enough to await the outcome of this meeting/workshop before erecting signage agreed tonight and would second Councillor McNamee's proposal on that basis.

Councillor B McGuigan stated that the request at the Council meeting had been for a one off meeting with the Irish Language Officer and this meeting was important to discuss format and font being used on Dual Language Signage.

Councillor Cuthbertson proposed that Council do not proceed with the erection of Dual Language Signage.

Councillor Glasgow referred to discussion at last month's committee meeting in which it had been agreed that those being surveyed would be given the option of receiving Council's decision either by letter or by accessing Council website. The Councillor advised that on reading Council policy appended to report it advised that Council's decision would be published on Council website with no mention of option of receiving a letter.

The Director of Public Health and Infrastructure advised that the surveys before Members tonight had been completed under the old Policy.

The Head of Building Control advised that the survey letter had been amended to provide the option of how the person responding wanted to be made aware of Council's decision. Council Policy in relation to Dual Language Signage would be amended going forward.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal not to erect Dual Language Signage –

For – 5
Against – 10

Members voted on Councillor McNamee's proposal to agree the application of Dual Language Signage as per report. Erection of signage on hold pending outcome of meeting to discuss format of signage –

For – 10
Against - 5

- Resolved** That it be recommended to Council -
- To agree the application of Dual Language Nameplates in Irish for –
 - Cleneyarde, Cookstown
 - Eglisk Park, Cookstown
 - Tullyreavy Road, Cookstown
 - To hold erection of this signage until outcome of meeting to discuss format of Dual Language Signage.

Councillor Burton stated that this matter had been discussed at last month's meeting in which it had been advised that emergency services had been contacted in relation to format of signage. Councillor Burton asked what the change to the signage is proposed to be.

Councillor B McGuigan stated that a clearer font was required for the signage as the Italic font being used was difficult to read.

In response to Councillor Cuthbertson's comments the Director of Public Health and Infrastructure advised that Council will liaise with relevant agencies prior to the

meeting with Irish Language Officer and Members where the options can be considered.

Councillor McGinley clarified that there was no suggestion of a new template but that there were concerns with the format of the existing template which required to be addressed in order to make it legible for all users.

E216/18 Affordable Warmth Scheme – Service Level Agreement and Update

The Head of Environmental Health presented previously circulated report which provided update on the performance of the Affordable Warmth Scheme in 2017/2018 and on the level of funding confirmed by DfC for Affordable Warmth Scheme for 2018/19 year. The report also sought approval to sign a revised Service Level Agreement with the Department for Communities (DfC) dated June 2018 Version 4 for the Affordable Warmth Scheme.

The Head of Environmental Health advised that further to the report she had received correspondence today which advised that an enhanced role would be given to Environmental Health Staff and that the target number of surveys to be carried out had been raised from 220 to 337. The Head of Environmental Health advised that funding was adequate to cover the increased number of surveys and requested permission to amend the Service Level Agreement to include the increased number of surveys.

The Chair, Councillor Reid stated this was a good news story and he was happy with the proposed amendment.

In response to Councillor McFlynn's question the Head of Environmental Health advised that for this year, Council will receive a set amount of funding and there was capacity within this funding for the increased number of surveys to be carried out.

Councillor Burton felt that Council should promote the Affordable Warmth Scheme throughout the District.

The Head of Environmental Health advised that the Affordable Warmth Scheme is based on a geographical area and that staff will work through addresses in that area. The Officer advised that Council are not allowed to advertise for applications and that only 20% self referrals are allowed.

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to note the content of the report and approve the Service Level Agreement between the Department for Communities and Mid Ulster District Council as outlined at appendix 1 to report subject to amendment in relation to number of surveys being increased to 337.

E217/18 The Roads Miscellaneous Provisions Act (NI) 2010 – Draperstown Busking Festival

The Head of Environmental Health presented previously circulated report which sought approval for a Road Closure Order to be made for the Draperstown Busking Festival and Community Fun Day on 26 August 2018 subject to information being received in relation to traffic management plan and public liability insurance.

Councillor B McGuigan proposed the recommendation as per the report and referred to the pressure being put on community groups in having to obtain a traffic management plan for road closures and the cost associated with this.

The Chair, Councillor Reid asked if there was a way in which information could be put out to groups to make them aware of the requirements if a Road Closure Order is required for their event.

The Head of Environmental Health stated this had been raised at the last meeting and that she had since liaised with the Community Development department who have advised they are working with groups to make them aware of the legislative requirements. The Head of Environmental Health stated that as this was the first year of the legislation it would be more problematic but should improve through time.

Councillor McNamee stated he would raise the Committee's concerns again at the Development Committee and that as Community Development possess a database of community groups in the District they should ensure that all are made aware of legislative requirements for Road Closure Orders.

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve a Road Closure Order for Draperstown Busking Festival and Community Fun Day. In order to facilitate the event, there will be temporary prohibition of vehicular access to St Patrick's Street, Draperstown from 1 pm to 10 pm on Sunday 26 August 2018. Subject to confirmation of appropriate documentation.

E218/18 Consultation on Draft NIFRS Fire Safety Guide for Caravan Site Operators

The Head of Environmental Health presented previously circulated report which considered Council's response to Northern Ireland Fire and Rescue Service's consultation on "A Fire Safety Guide for Caravan Site Operators – Information on Complying with Fire Safety Law in Northern Ireland".

Councillor B McGuigan stated it was important that Travellers sites were included within the fire safety guide for caravan sites and referred to a fire at a Travellers site in Dublin last year in which some people had lost their lives.

Proposed by Councillor B McGuigan
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to agree the content of the draft response as set out at appendix 3 of the report and forward same to Northern Ireland Fire and Rescue Service. Correspondence from Department of Infrastructure set out at appendix 4 of the report noted.

E219/18 Grounds Maintenance of Roundabouts within Mid Ulster

The Head of Property Services presented previously circulated report which advised of the grounds maintenance provision of roundabouts in Mid Ulster in relation to Council's grounds maintenance delivery standards.

Further to the report and appendix 2 of report the Head of Property Services advised that, after review, settlements at Bush and Creagh would be included within list of grounds maintenance priority settlements in which Council will aspire to maintain grass verges within town and village 30mph limits where these are in the confines of the public road. Bush has a population of 484 and Creagh a population of 308.

Councillor Glasgow referred to Castledawson Roundabout in which a footbridge has been proposed as part of A6 works. The Councillor stated that in order to accommodate this bridge the design of the roundabout will be very steep and difficult to maintain.

The Director of Environment and Property advised that the footbridge at Castledawson Roundabout is part of dualling works by DfI Roads, he stated that DfI Roads have requested that Council enter into a maintenance agreement for this roundabout upon its completion. The Director advised that Council did previously maintain Castledawson Roundabout.

Councillor Glasgow stated that this was a major roundabout in the District but that Council should not be solely responsible for its maintenance and that DfI Roads should also contribute.

Councillor Cuthbertson welcomed Bush now being included on list of settlements to be maintained, the Councillor also referred to Tamnamore which he believed had a population of over 300 in total however due to the split in Council boundaries some of this population went to Armagh, Banbridge and Craigavon Borough Council. Councillor Cuthbertson stated that Tamnamore Roundabout was a gateway from the East to the District and that off slips at Tamnamore Road, Ballynakelly Road and Washingbay Road should be included within maintenance schedules.

In response to Councillor McGinley's question the Director of Environment and Property advised that Council has no statutory responsibility to carry out grounds maintenance within the confines of a public road and that all verges are the responsibility of DfI Roads. The Director also reminded Members that DfI Roads had withdrawn funding to Council for maintenance of verges in 2015.

Councillor McGinley asked if a precedent would be set in maintaining additional roundabouts.

Councillor Mulligan referred to Ballygawley roundabout which he felt was the responsibility of DfI Roads or contractor to maintain. The Councillor advised that a strip of grass at this roundabout is cut to maintain to visibility splays but that the rest

of the roundabout is an eyesore. Councillor Mulligan stated that as maintenance of this roundabout is not Council responsibility Council should not get involved.

The Chair, Councillor Reid stated he did not think Council should be taking over the responsibility of DfI Roads and that roundabouts should be designed with hessian and stone in order that future maintenance would be low.

Councillor Burton felt that Members would be inundated with callers if Council do not carry out some maintenance at roundabouts, the Councillor also referred to roundabout off A4 at Eglishe which was not included within report. Councillor Burton felt that it would be remiss of Council just to leave roundabouts as an eyesore but that pressure should be put on DfI Roads to carry out their duties as Council budgets were also tight.

The Chair, Councillor Reid advised that Council do maintain 12 of the 20 roundabouts in the District and that if Members receive complaints regarding roundabouts that these should be directed to DfI Roads.

Councillor Burton stated that as Council were trying to improve their tourism product throughout the District it should maintain roundabouts to show that a level of care is being taken within the area.

Councillor Glasgow proposed that a delegation meet with DfI Roads to discuss maintenance of roundabouts.

Councillor McGinley stated that Council wants to attract people to the area and that he lives in an area with no roundabouts but could list areas where verges are not cut. The Councillor stated that Members would like all grass to be cut but that Council does not have a budget for this and asked if Council would be liable if there was an accident.

Councillor Cuthbertson proposed that maintenance at Tamnamore Roundabout be included within settlement policy or roundabout policy.

Councillor Mulligan left the meeting at 7.53 pm.

The Director of Environment and Property stated it was for Members to decide if they wanted to enter into an agreement with DfI Roads. The Director stated that Council maintain numerous picnic sites within the District which are not in Council ownership and that if policy is applied consistently Council can do this but he would caution against picking one roundabout over another otherwise Council could be left open. The Director advised that Council can carry out grass cutting for amenity reasons whilst DfI Roads have a responsibility to ensure safe passage of traffic and will normally only cut grass for that reason.

Councillor McGinley felt that if maintenance was carried out at one area and not another Council would be left open. The Councillor also referred to greater sponsorship of roundabouts and asked what DfI Roads were bringing to the table as they just seemed to be dumping everything on Council.

Councillor Cuthbertson stated that Tamnamore Roundabout was a gateway to Mid Ulster from the East and should be maintained.

The Head of Property Services stated that Tamnamore Roundabout did not meet criteria under settlement policy and was excluded from roundabout policy as it was not seen as a gateway.

Councillor McGinley proposed that Council continue maintenance of roundabouts as per current policy but that the inclusion of Tamnamore Roundabout and any other roundabout be explored for future. It was further proposed that Council meet with DfI Roads to progress negotiation of a maintenance agreement with Council and that sponsorship opportunities of roundabouts be maximised.

Councillor B McGuigan seconded Councillor McGinley's proposal.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Councillor Cuthbertson again stated that Tamnamore Roundabout was a gateway to the District and referred to current development of site in Coalisland for Lake Torrent racetrack which is predicted to bring high number of visitors to the area. The Councillor stated that Tamnamore Roundabout was already carrying approximately 20,000 vehicles per day.

The Director of Environment and Property stated that he took the point of the Member in relation to the volume of traffic using Tamnamore Roundabout but reiterated that Tamnamore did not meet current policy requirements for settlements or roundabouts.

Councillor Burton left the meeting at 8.02 pm.

Members voted on Councillor McGinley's proposal –

For – 11
Against – 0

Members voted on Councillor Cuthbertson's proposal –

For – 2
Against - 11

- Resolved** That it be recommended to Council to –
- Continue maintenance of roundabouts as per current policy and explore inclusion of Tamnamore Roundabout and any other roundabout for future.
 - Organise meeting with DfI Roads to discuss maintenance agreement with Council.
 - Maximise sponsorship opportunities of roundabouts.

Councillor McFlynn asked for update in relation to maintenance of old cemeteries.

The Head of Property Services advised that maintenance of old cemeteries would continue until the end of September which was the end of the notice period. After this a further report will be brought back to committee on way forward.

In response to the Chair's comments the Head of Property Services advised that issues regarding grass cutting contract have been addressed.

Matters for Information

E220/18 Minutes of Environment Committee held on Tuesday 12 June 2018

Members noted minutes of Environment Committee held on Tuesday 12 June 2018.

E221/18 Big Spring Clean

Members noted previously circulated report which provided update on the Annual Big Spring Clean Campaign and clean up activities.

E222/18 Building Control Workload

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

Councillor Cuthbertson asked if Northern Ireland Water Waste Water Treatment Works fell under Council control.

The Head of Building Control advised that the type of premises the Councillor spoke of fell under Crown buildings control.

Councillor Cuthbertson stated he was aware that there was a new waste water treatment works planned for Dungannon and that there were rumours that the contractor being used was the same contractor who had built a similar plant in Cork with which there had been major problems. The Councillor asked if there was any way of finding out who the contractor is for the works in Dungannon.

The Head of Building Control advised he was not aware of the planned works but would endeavour to find out more information.

E223/18 Entertainment Licensing Applications

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

E224/18 Food Service Plan 2018/19

Members noted previously circulated report which outlined Environmental Health's Food Service Plan for 2018/19 in accordance with FSA requirements.

E225/18 Northern Ireland Waste Composition Study Results

Members noted previously circulated report which set out the results of a study analysing the composition of kerbside collected household waste in Northern Ireland compiled from a two phase fieldwork campaign.

E226/18 Recycling Education and Environmental Awareness

Members noted previously circulated report which provided update on the ongoing Recycling for Schools Education Programme and Environmental Awareness initiatives carried out over the previous six months.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
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 E227/18 to E234/18.

Matters for Decision

- E227/18 Application for the Grant of a Provisional Amusement Permit for 21 Irish Street, Dungannon
- E228/18 Tender report for the appointment of Vehicle Suppliers
- E229/18 HMO Regulation and Transfer to Local Councils
- E230/18 Service Level Agreement for Provision of Structural Engineering Services

Matters for Information

- E231/18 Confidential Minutes of Environment Committee held on Tuesday 12 June 2018
- E232/18 Construction of Waste Transfer Station Drumcoo – Capital Works Update
- E233/18 Capital Projects Update
- E234/18 Award of Residual Waste Contract – Update

E235/18 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.55 pm.

CHAIR _____

DATE _____