



25 July 2019

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon at Mid Ulster District Council, Council Offices, Circular Road, DUNGANNON, BT71 6DT on Thursday, 25 July 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
3. Chair's Business

Matters for Decision

- | | | |
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| 4. | Council minutes of meeting held on 27 June 2019 | 5 - 28 |
| 5. | Environment Committee minutes of meeting held on 1 July 2019 | 29 - 38 |
| 6. | Planning committee minutes of meeting held on 2 July 2019 | 39 - 56 |
| 7. | Development Committee minutes of meeting held on 3 July 2019 | 57 - 70 |
| 8. | Policy and Resources committee minutes of meeting held on 4 July 2019 | 71 - 76 |
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| 10. | Request for Civic Recognition | 81 - 88 |
| 11. | Chair of Mid Ulster Policing and Community Safety Partnership 2019-20 | 89 - 90 |
| 12. | Delegated Authority to Chief Executive on Matters – Period of Recess (August 2019) | 91 - 94 |
| 13. | Response to NILGOSC Consultation – Circular 05/2019 – Funding Strategy Statement | 95 - 106 |

14. Response to Housing Executive Chronic Homelessness Action Plan 107 - 118

Matters for Information

- 15 Correspondence 119 - 138
16 Consultations notified to Mid Ulster District Council 139 - 142

Notice of Motions

- 17 Councillor Wilson to move
*"That this Council rescind the decision taken at the council meeting on the 27 June 2019 regarding the telephone on the Dergenagh Road, Dungannon.
Item 13 on the Agenda 3.5 Correspondence from BT
Following representations from the Simpson Grant Association, local residents and other groups in the Dergenagh area, we request that the council withdraws the previous objection to the adoption of a telephone kiosk by the above group and support their proposal to restore it as a community asset with a defibrillator and community information point."*
- 18 Councillor Cuthbertson to move
"That Mid Ulster District Council regrets the decision of Government to enforce abortion legislation without prior consultation with the elected Members of the Northern Ireland Assembly and the electorate of Northern Ireland."
- 19 Councillor McGinley to move
"This council condemns the recent sectarian displays at many local bonfires, and calls on the PSNI to fully investigate all theft, criminal damage and hate crimes which took place.
Encourages all those involved in this illegal behaviour to desist, and begin to engage with the positive community engagement set out in Mid Ulster's recently adopted Policy 'Community Events on Council Land.'"
- 20 Councillor McLean to move
"That Mid-Ulster District Council is strongly opposed to the recent decision by Westminster to enforce same sex marriage legislation in Northern Ireland come October and therefore calls upon this council to write to the Prime Minister urging an immediate withdrawal of this current decision."
- 21 Councillor Quinn to move
"This Council:
- recognises the unique ability of people living in Northern Ireland to hold citizenship of Britain, Ireland or both, as a result of the Good Friday Agreement;*
 - welcomes the announcement from An Taoiseach, Leo Varadkar TD and the Irish Government of their intent to hold a Referendum on the right of all Irish Citizens to take*

part in the election of Uachtarán na hÉireann, the President of Ireland; and

- believes that this is an important opportunity to expand the democratic participation of people across Northern Ireland in the election of the Irish Head of State.”*

Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

22. Council Confidential minutes of meeting held on 27 June 2019
23. Environment Committee confidential minutes of meeting held on 1 July 2019
24. Planning confidential committee minutes of meeting held on 2 July 2019
25. Development Committee confidential minutes of meeting held on 3 July 2019
26. Policy and Resources confidential committee minutes of meeting held on 4 July 2019
27. Development of Ann Street – Agreement re Shared Access

Matters for Information

28. Update on Matters Delegated to Chief Executive - period of 2019 Local Election

**Minutes of Meeting of Mid Ulster District Council held on Thursday 27 June 2019
in the Council Offices, Circular Road, Dungannon**

Chair Councillor Kearney (7.37pm)

Members Present Councillors Ashton, Bell, Black, Brown, Buchanan, Burton, Clarke, Colvin, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gildernew, Graham, Hughes, Kerr, McAleer, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, D McPeake, S McPeake, Milne (7.37pm), Molloy, Monteith, Mullen, O'Neill, Quinn, Totten and Wilson

Officers in Attendance Mr A Tohill, Chief Executive
Ms Campbell, Director of Leisure & Outdoor Recreation
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment & Property
Mr Kelso, Director of Public Health & Infrastructure
Mr McCreesh, Director of Business & Communities
Ms Mezza, Head of Marketing & Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs Forde, Member Support Officer

Others in Attendance Deputation – DfI Roads Western Division

Mr David McKinley	Acting Divisional Roads Manager (Western)
Mr Neil Bratton	Section Engineer
Mr Gerry Hackett	Section Engineer

The meeting commenced at 7 pm

The Deputy Chair, Councillor Cuthbertson chaired the meeting and advised that the Chair, Councillor Kearney was representing Council at another event and would arrive in due course.

C100/19 Apologies

Councillors Corry, Glasgow, Mallaghan and Robinson

C101/19 Declarations of Interest

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

C102/19a Chair's Business

The Deputy Chair Councillor Cuthbertson advised that some matters of Chair's business would be deferred until Councillor Kearney arrived.

Councillor McAleer spoke of an email received from the Royal College of Occupational Therapist's (RCOT) and advised that they had developed a manifesto and had called on support for their profession and outlined how they could contribute to Community Planning. Councillor McAleer requested that they be invited to a future committee meeting to present.

Resolved That Council invite the Royal College of Occupational Therapist's (RCOT) to present to the Environment Committee

Councillor McLean suggested that the Chair of Council write to those within the Mid Ulster District who had been recipients on the recent Queen's Birthday honours.

The Deputy Chair, Councillor Cuthbertson advised that the matter would be brought to the Chair's attention.

Councillor Burton highlighted that she had recently been contacted by a member of the public who had tried to book a sports facility but had been unable to confirm the booking as the officer was out of the office but had not left notification on their email. She requested that staff are reminded to action 'out of office' on the email system.

The Deputy Chair, Councillor Cuthbertson stated that officers would consider the matter.

C103/19 Deputation – DFI Roads Western Division

The Deputy Chair, Councillor Cuthbertson welcomed representatives of DfI Roads, Western Division to the meeting. Mr McKinley introduced Mr Bratton and Mr Hackett. Mr McKinley presented the DFI Roads Western Division report Spring 2019.

He highlighted a number of issues in the report in particular the Cookstown bypass and advised that the Department would continue to develop the scheme with a view to publishing and consulting on the draft Statutory Orders and Environmental Impact Assessment Report in 2020 but stressed that delivery of the project following any possible public enquiry would be dependent on successful completion of statutory processes and the availability of funding for construction.

The Deputy Chair, Councillor Cuthbertson thanked DFI for the presentation and also for the recent works carried out at Bush crossroads. He also asked for some guidance on the Dungannon bypass and highlighted that he would like to see resurfacing completed on Trewmount Road and Killyman Road.

In response the Mr McKinley stated that they were doing their utmost to complete works on Trewmount Road but there was constraints. He stated that the Dungannon Bypass was being considered together with other issues on the A29 transportation study.

Regarding the resurfacing of Killyman Road, Mr Hackett stated that utilities such as gas had a maintenance period but negotiations were ongoing to buy out liability and it was hoped to have a scheme commencing in August.

He stated that Trewmount Road was included in programmed works but there was competing time scales but it was hoped to commence the beginning of July. Councillor Wilson thanked the local office for their ongoing help and stated that patching by utilities was a major issue and highlighted that Cookstown was like a patchwork quilt and asked if something could be done. He welcomed the Fairhill Scheme requesting a time frame and also requested that the traffic management at Orritor Road junction be reviewed as there was a safety issue and asked if, at the traffic lights a right hand light could be introduced.

In response Mr McKinley stated that patching by utilities was a huge issue and assured Members that inspections take place but resources were limited. He said he would report back on the time scale in relation to the Fairhill project and stated that the Orritor Road junction was being monitored.

Councillor Wilson emphasised that the Orritor Road junction was a priority and that a right hand light even for 20 seconds would help.

Councillor McNamee speaking of the Cookstown Bypass asked what budget was in place for the next 12 years and stated that he would like to see a detailed timetable of the process up to 2020. He highlighted Council's City Growth Deal and stated that the bypass was a priority mentioning that Holy Trinity would have a new school, there was new developments that the town was gridlocked and a bypass was essential.

In response Mr McKinley advised that unfortunately the current budget was £800k thus less than that of last year for the proposed Cookstown bypass and it was aimed budget permitting to publish orders by 2020. He stated DfI wanted to deliver on the project and acknowledged its need.

Councillor Molloy spoke of the A29 and expressed appreciation on engagement highlighting the bad bends on the Dungannon side and the increasing/decreasing speed limits ranging from 30 – 60 miles per hour. He highlighted also the number of accidents stating that a bypass would be welcome and the Moy would benefit as the flow of traffic was excessive.

Councillor Cuddy spoke of the difficulty in travelling through the district and stated that the Cookstown bypass would bring benefits but a Dungannon bypass was also essential. He stated that it was frustrating that year on year the matter was raised but there was no movement.

Councillor Monteith shared Councillor Cuddy's frustration stating that it was the same story every year and a genuine commitment to get things moving was required. He made mention of the area plan and the fact that a Dungannon bypass route should be included and stressed that there was no point bypassing Dungannon to bottleneck Moy. He stated that the reducing speed limit indicator display does have a positive impact and should be made permanent.

Councillor Monteith requested that a meeting be organised with DfI Roads to progress the Dungannon bypass.

Councillor McLean expressed his parties appreciation for the sterling work carried out by DFI Roads.

Councillor McFlynn highlighted speed at schools and stated she was aware of a few 'near misses' recently and stated that speed at schools should be reduced to 20mph and should be top of the agenda.

Councillor Quinn left the meeting at 7.32 pm

The Deputy Chair, Councillor Cuthbertson stated that a meeting should be held in the near future to progress the Dungannon bypass. In response Mr McKinley agreed to this stating that the frustrations expressed are province wide but emphasised that there was a reluctance to take money off other budgets to initiate schemes that there was currently no funding for as experience has demonstrated that years pass and initial works have to be repeated.

Resolved That Council arrange a meeting with DFI Roads to discuss proposals for a Dungannon bypass.

Councillor Quinn returned to the meeting at 7.37 pm

Matters for Decision

C104/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Council meeting held on Monday 15 April 2019

Proposed by Councillor S McGuigan
Seconded by Councillor Wilson

Resolved That the Minutes of the Meeting of the Council held on Monday 15 April 2019 (C080/19 – C091/19 and C099/19) transacted in Open Business having been printed and circulated, having been printed and circulated were considered and adopted.

C105/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Annual General Council meeting held on Monday 20 May 2019

Proposed by Councillor B McGuigan
Seconded by Councillor Molloy

Resolved That the Minutes of the Meeting of the Annual General Council held on Monday 20 May (ACI/19 – AC10/19) transacted in Open Business having been printed and circulated, having been printed and circulated were considered and adopted.

Councillors Milne and Kearney entered the meeting at 7.37 pm

The Chair, Councillor Kearney now chaired the meeting and the meeting returned to Chair's business.

C102/19a Chair's Business (resumed)

The Chair, Councillor Kearney advised he had been at an event in Portglenone and invited all to attend the European festival.

The Chair, Councillor Kearney spoke of the death of Ivan Cooper a former MP for the area and a member of the Civil Rights Movement and the SDLP, he conveyed sympathy to his family.

The Chair, Councillor Kearney sent congratulations to Donaghmore village who had been awarded Ireland's best kept village and to St Colm's School in Draperstown who had won best school award.

The Chair, Councillor Kearney also made mention of the European election count held at Meadowbank and advised that the Chief Electoral Officer, Virginia McVeigh had commended the venue and the assistance provided by the Council staff.

Councillor Wilson highlighted the news of the closure of Hilton Meats in Cookstown and the shock this had been to the workforce and the local community. He stated that apparently the workforce knew nothing until the 30 days' notice had been issued and advised that 55 out of 89 workers would not qualify for redundancy. He stated that as Chair of the Development Committee he would propose that Council make contact with the company and a cross party delegation to meet with them to endeavour to safeguard jobs, or request training for alternative employment.

Councillor D McPeake left the meeting at 7.41 pm

Councillor McNamee seconded the proposal and stated Sinn Féin had met with them and expressed major concerns for the family involved and stated that many workers were not in a union.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That Council seek a meeting with Foyle Meats regarding closure of Cookstown site. Cross party delegation of Cookstown DEA members to attend.

C106/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Planning Committee meeting held on Tuesday 4 June 2019

Councillor McLean expressed concern regarding the length of the last planning committee. He stated that the DUP team appreciate there is business to attend to but there is a duty of care to individuals particularly those travelling home so late and asked how Council would stand if something happened. He also stated that he appreciated it was possibly an exception to the rule but said that Council should be mindful.

In response the Chair, Councillor Kearney said it had been two months since the previous meeting.

Councillor McKinney stated it was a good example that Council are prepared to do the work rather than put applications back.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney

Resolved That the Minutes of the Meeting of the Planning Committee held on Tuesday 4 June 2019 (P054/19 – P062/19 and P070/19) transacted in “Open Business” having been printed and circulated, having been printed and circulated were considered and adopted.

C107/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 6 June 2019

Councillor McPeake drew attention to *PR100/19 Lease and Licence of Lands situated at Glenone Wood, Portglenone from DAERA/Forest Service* and stated that the Director of Outdoor Recreation had organised a meeting for July and thus the matter should be deferred until following that.

Councillor Elattar requested a changed to the minute that it be amended to read, *“Councillor Elattar advised that the Council were responsible for the maintenance of the forest and walking trail.”*

Resolved That

- (i) Lease and Licence of Lands situated at Glenone Wood, Portglenone from DAERA/Forest Service be deferred until the meeting with Forest Service takes place in July; and
- (ii) the minute be amended to read, “Councillor Elattar advised that the Council were responsible for the maintenance of the forest and walking trail.”

Proposed by Councillor S McGuigan
Seconded by Councillor McKinney

Resolved That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 6 June 2019 (PR093/19 – PR108/19 and PR115/19) transacted in “Open Business” having been printed and circulated, subject to the foregoing, were considered and adopted.

C108/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 11 June 2019

Councillor McFlynn drew attention to minute reference *E109/19 Chair’s Business* regarding the NIHE no longer attending the Travellers Working Group. She highlighted

that sites identified were now deemed unsuitable and stated that Council had owned the Traad site for over 20 years and proposed that Council work with the local community with a view to developing the site and bring a report to a future committee.

Councillor McGinley seconded the proposal stating that the site had great potential and all possibilities should be explored as it should be a jewel in the Mid Ulster's crown.

Proposed by Councillor McFlynn
Seconded by Councillor McGinley and

Resolved That Council engage with the local community and bring forward a paper regarding the development of Traad site

Councillor Wilson referred to the withdrawal of the NIHE from the working group and stated that accommodation was their remit and Council should be expressing its disappointment at their decision and request them to reconsider.

Councillor McGinley seconded the proposal reiterating that the NIHE should reconsider their decision.

Proposed by Councillor Wilson
Seconded by Councillor McGinley and

Resolved That Council write a letter to the NIHE expressing concern at their withdrawal from Travellers Working Group and request that they reconsider the decision.

Councillor McGinley referred to item E119/19 Street Naming and Property Numbering the site off Aghareany Road, Donaghmore which recommended that the site be known as Aghareany Court. Councillor McGinley said having spoken with the developer it had been hoped that the development would be named Ferry Park Gardens and proposed that this be so.

The Chair, Councillor Kearney suggested the matter be referred back to committee.

In response Councillor McGinley said the decision was before the Council for ratification and it was in order that it could be changed.

The Chief Executive advised that the name could be changed subject to it complying with Council policy.

Councillor Graham stated that there was a similar named development in Castlecaulfield and thus Aghareany Court had been recommended to avoid confusion.

The Chief Executive stated it would not be unusual for developments in separate towns and villages to have the same name as long as the name complied with policy.

Councillor McGinley on a point of clarification asked if the name which had been listed on the officer's report would have been subject to the criteria of the policy.

The Chief Executive clarified that it would have been checked before being included in the Officers report.

Resolved That the name of the Development off Aghareany Road, Donaghmore be known as Ferny Park Gardens

Councillor McNamee drew attention to *E118/19 Dual Language Signage* stating that he had asked for a detailed report regarding damage and costs. He stated that the report outlined there was 62 signs damaged from April 2018 to 2019 and costs incurred had been approximately £10k and that he was aware of more damages since then. He stated that this was clearly an attack on the community and called on all Members to condemn the criminal damage. He expressed concern that the PSNI at a recent PCSP meeting had not appeared to be fully aware of the extent of the problem. He proposed that Council seek a meeting with the PSNI to discuss the matter and that the perpetrators should be apprehended.

In response to question put as to whether the request should be made through the Environment Committee or the Council the Chief Executive advised it was normal practice that such requests come direct from Council.

Councillor S McPeake seconded the proposal for a meeting stating that one sign had been damaged nine times and thus he could not understand the PSNI stating there were no hotspots. He was emphatic that Council must communicate the seriousness of the issue as one sign had been re-erected three times and been damaged within 8 hours.

Proposed by Councillor McNamee
Seconded by Councillor S McPeake and

Resolved That Council write to PSNI to seek a meeting regarding to discuss criminal damage to dual language sign plates.

Councillor Burton drew attention to E109/19 Chair's business provision of public toilets at Clogher.

Councillor Burton spoke at length following meetings in the community concerning the issues faced by the playgroup and the use of the public toilets. Councillor Burton stated that to permit the playgroup to move on with its plans she would propose that Council confirm to the Clogher Valley Playgroup that public access to the toilets will close and a service level agreement be explored for alternative public convenience facilities.

Councillor McAleer supported this stating that she had asked for alternative facilities to be explored to allow the play group to move on with its plans.

The Chair, Councillor Kearney stated that the matter was to be brought back to environment.

Councillor Burton stated that the playgroup needed the confirmation as soon as possible to allow them to move on with plans.

Councillor Graham concurred.

Proposed by Councillor Burton
Seconded by Councillor McAleer and

Resolved That Council confirm to the Clogher Valley Playgroup that public access to the toilets will close and a service level agreement be explored for alternative public convenience facilities.

Proposed by Councillor Wilson
Seconded by Councillor McAleer

Resolved That the Minutes of the Meeting of the Environment Committee meeting held on Tuesday 11 June 2019 (E107/19 – E136/19 and E144/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

C109/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 13 June 2019

Declaration of Interest: Councillor McNamee declared an interest in D093/19 Community Development Report Sports Capital Grants: Na Fianna Runners

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That the Minutes of the Meeting of the Development Committee meeting held on Thursday 13 June 2019 (D089/19 – D107/19 and D113/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

C110/19 Conference, Seminars & Training Report

The Head of Democratic Services sought approval for the undernoted for attendance of Councillors and Council Officers as outlined in the report, the payment of attendance fees and associated costs as incurred.

(i) Member Approvals

- **National Association of Councillors – Regeneration of Towns & Villages**

The Royal Clifton Hotel, Southport – 28th – 30th June 2019
Cost – Delegated Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils, travel and subsistence

- **La Touche Legacy in association with Greystones Archaeological and Historical Society – 6th Festival of History – 31st La Touche Legacy Weekend “Ireland Through the Turbulent 30’s”**

Greystones Golf Club, Whitshed Road, Greystones –
Friday 13th to Saturday 14th September 2019

Cost: €100 per delegate which includes all documentation, lunch and seminar dinner on Saturday 14th September, accommodation, travel and subsistence.

- **NILGA Regional Training Programme – Leadership Programme Accredited Course**

Commencing November 2019

Location – various

Cost dependent on participant numbers approximately £350 - £500 + travel and subsistence (detailed costs listed in Appendix)

Councillor Wilson nominated Councillor Glasgow to attend.

Councillor Doris expressed a wish to attend and asked if the places were being allocated by d'hondt.

Councillor Ashton stated it was her understanding that if a Councillor wished to attend a conference they could do so.

The Chair, Councillor Kearney stated that d'hondt had been used last term regarding the Local Planning Leadership Programme as a limited number of places had been allocated. In response it was clarified that currently the spaces on the leadership programme were not limited.

- **NILGA Regional Training Programme – Local Planning Leadership Programme**

In correspondence received from NILGA states that they are seeking two core nominations from each Council

Commencing September 2019

Location: Antrim Civic Centre

Cost dependent on participant numbers £1000 - £1255 + travel and subsistence (detailed costs listed in Appendix A)

- **NILGA Regional Masterclasses, Network Events, Compliance Sessions and Workshops**

As per attached programme

Costs travel and subsistence

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance
EcCoWell Benefits of Dark Sky Awareness Conference	13/05/19	1	Dublin	Accommodation & Travel

Proposed by Councillor McGinley
Seconded by Councillor McNamee

Resolved That the attendance of Members and Officers, the payment of attendance fees and associated costs as incurred be approved, as required for attendees.

C111/19 Civic Recognition Requests

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated council policy, as detailed within the report.

Councillor M Quinn advised on the correct spelling of Dion Di Maio.

Councillor Oneill advised that Councillor Doris' name should be added to the nomination for Coalisland Athletic.

Proposed by Councillor Cuddy
Seconded by Councillor Oneill

Resolved That subject to the foregoing, approval be given to submitted requests for civic recognition as outlined in the report.

Matters for Information

C112/19 Correspondence to Council

Members noted previously circulated report providing correspondence received for the attention of Council as outlined:

- Ards & North Down – UK First National Memorial to all Emergency Services
- Northern Ireland Office – Recruitment to NIPB members
- Education Authority – Strategic Area Plan
- Mid & East Antrim Borough Council – Holiday Hunger Motion
- BT – Notification of a request to Adopt a Kiosk
- Department for Business, Energy and Industrial Strategy
- Belfast City Council
- Seafarers UK
- Newry, Mourne & Down DC

Councillor Cuthbertson drew attention to correspondence received from BT regarding the adoption of a telephone kiosk at 87 Dergenagh Road, Dungannon, BT70 1TW. He stated that he was aware that the Planning Department had received previous notification regarding the kiosk and 'listing' status was being sought. The Councillor reminded Members that following intervention from Council the telephone kiosk at the Bush, Dungannon had been retained as an active payphone and stated he did not feel community groups adopting kiosks was the best route of travel.

Proposed by Councillor Cuthbertson

Seconded by Councillor Burton and

Resolved That Council should respond to the BT stating that an active payphone remain in place

Councillor Ashton welcomed the correspondence received from Newry Mourne and Down regarding the NI Air Ambulance and stated she was still working on bringing forward ways to support the work and expressed delight that Councillor Walker had successfully moved the motion.

C113/19 Consultations Notified to Mid Ulster District Council

Members noted the previously circulated report.

Councillor Cuthbertson drew attention to the Department of Health and Social Care, England - on behalf of UK Government and devolved administrations - Proposal to introduce mandatory fortification of flour with folic acid and stated that Council should make a response.

Resolved That Council prepare a response to Department of Health and Social Care, England - on behalf of UK Government and devolved administrations - Proposal to introduce mandatory fortification of flour with folic acid

Councillor Ashton left the meeting at 8.16 pm

Councillor McGinley requested that Council prepared a response to the undernoted consultations:

- Department for the Economy - Minerals & Petroleum Department - Petroleum Licence Application PLA1/16 EHA Exploration Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- Department for the Economy – Minerals & Petroleum Department - Petroleum Licence Application PLA2/16 Tamboran Resources (UK) Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- Department for Infrastructure Planning Group - New Draft Model Licence conditions 2019 for caravan sites
- NILGOSC - Funding Strategy Statement - Circular 05/2019
- Northern Ireland Housing Executive (NIHE) - Chronic Homelessness Action Plan

Councillor Monteith concurred and requested that an all Member meeting be organised as soon as possible to submit the consultation with regards to the NIHE Chronic Homelessness Action Plan

Councillor McGinley suggested that the Housing Forum should take a lead and that all Members should be invited to a meeting.

*Proposed by councillor McGinley
Seconded by Councillor Monteith and*

Resolved *That Council prepare responses to undemoted consultations.*

- (i) Department for the Economy - Minerals & Petroleum Department - Petroleum Licence Application PLA1/16 EHA Exploration Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- (ii) Department for the Economy – Minerals & Petroleum Department - Petroleum Licence Application PLA2/16 Tamboran Resources (UK) Ltd - *Council to request an extension to closing date and if not granted submit a robust response*
- (iii) Department for Infrastructure Planning Group - New Draft Model Licence conditions 2019 for caravan sites
- (iv) NILGOSC - Funding Strategy Statement - Circular 05/2019
- (v) Northern Ireland Housing Executive (NIHE) - Chronic Homelessness Action Plan – an all Member meeting to be organised to prepare the response.

Councillor Burton left the meeting at 8.20pm

Councillor Cuthbertson left the meeting at 8.20pm

C114/19 Notice of Motion

Councillor Quinn moving the motion stated that although many had differences of opinion it was safe to say that all unite over the love of animals and have stories of family pets.

Councillor Ashton returned to the meeting at 8.21pm

Councillor M Quinn spoke of his family cat, called ‘Cat’ and how pets were cherished family members. He stated like many others he had been deeply affected by the recent events of cruelty to animals mentioning the attack on a puppy in Lurgan, acid thrown at a dog in Belfast resulting in it having to be put down, the story of foxes being fed to dogs in England and then the most recent attack on a family dog in Coalisland when it had been thrown into the Canal and only for the dedication of Council dog wardens Brian Mills and Lisa Marsh who went beyond the call of duty to rescue the dog there may have been a very different outcome. He commended the officers suggesting that they should perhaps receive additional flexi hours to reflect their brave acts. He spoke of the suspended sentences effectively meaning perpetrators were getting away with a slap on the wrist and then maybe crossing the border and getting another pet. He emphasised that animal shelters had no way of checking if people had convictions concerning past offences on animals and in working with the RSPCA it was apparent that a cross border UK wide animal abuse register was needed. He stated that people should also have to declare to potential employers if they had such an offence against them and stated that people who harm animals should not be permitted to own one again. He stated that more than lip service was required and that the collapse of Stormont had led to the collapse of legislation on this matter.

Councillor Quinn moved the motion as undernoted:

“This Council condemns animal cruelty in all forms; notes the effective framework currently in place for punishing offenders and imposing appropriate sentences which serve as a deterrent to others; recognises the work of the USPCA in challenging cruel behaviour toward animals as well as supporting rehoming initiatives for those animals that have suffered abuse or neglect; further notes with concern that there is no central register of those convicted of animal cruelty offences and; resolves to write to the Permanent Secretary of the Department of Justice, and the British and Irish Governments to raise these concerns and propose a central all-island register for animal abusers.”

Councillor Hughes seconded the motion stating it was a no brainer and shared how in liaising with an animal welfare officer in another Council she had learned of 16 dogs being seized and within a few weeks of the judgement the person had got more dogs. Councillor Hughes also commended the officers aforementioned and supported Councillor Quinn’s remarks.

Councillor Doris stated that Sinn Féin supported the motion and spoke of the vile story regarding the pet in Coalisland and stated that such people who carry out evil acts deserve to be punished and commended all who assisted in the rescue.

Councillor Kerr supported the motion advising that his cousin owned the dog attacked and spoke of her distress, the regard with which she is held in the community and how people carrying out such attacks are obviously disturbed. He commended Councillor Quinn on the motion and thanked the officers for their intervention which saved the dog’s life.

Councillor Milne stated that he fully supported the motion and spoke also of the responsibility to follow up on dog fouling. He also stated that it is well known dogs have been disappearing and mistreated and people should not allow their dogs to roam freely and said that Council needs to step up to the mark.

Councillor Wilson said that Northern Ireland is renowned for its compassion and understanding of animals with almost half of all households sharing their homes with at least one pet and that is why so many are sickened by the all-too-regular reports of animal cruelty.

Councillor Wilson stated that as far as he was concerned anyone who deliberately goes out to inflict barbaric suffering on any animal simply cannot be trusted with pets in the future and posed the question that if they can perpetrate suffering on an animal, then what could they do to their fellow human beings? He highlighted the fact that Northern Ireland has the toughest penalties for animal cruelty anywhere in the UK or Ireland, including taking the lead with introducing a new maximum sentence of five years’ imprisonment but that it is a matter of huge regret that it is not forcefully applied. He stated that far too many cases which have been labelled as horrific but for which only lenient sentences have been handed down and this has led to sickening scenes of some of the worst offenders walking free from court laughing and jeering. He also

expressed regret that despite there being thousands of animal welfare cases opened across Northern Ireland every year only a small number are pursued to prosecution, and an even smaller number see successful convictions. He said there is a strong case to improve the information currently collated and stored regarding those found guilty of inflicting suffering on animals. Given the varying levels of responsibility allocated to local enforcement bodies such as the Department of Justice, the PSNI and indeed Councils, it is essential that they are able to quickly and effectively share the conviction data amongst themselves and the wider public. In addition he said he believed the collation and accurate storage of conviction data would allow non-statutory bodies such as local animal welfare charities to more confidently make decisions such as re-homing. He stated that the Ulster Unionist Party therefore supports the creation of a central register of people convicted of animal cruelty offences.

Councillor Quinn thanked Members for their support and advised that he had started a petition for the register also. He said that the register is vital and that the SDLP were bringing the motion to all Councils seeking support.

The Chair, Councillor Kearney declared the motion carried.

Councillor McAleer left the meeting at 8.32 pm

C115/19 Notice of Motion

Councillor Wilson spoke of people using public transport to travel from Cookstown have to go to Magherafelt first then take another bus to Antrim hospital and highlighted that it sometimes takes a whole day having to use the current bus services. Councillor Wilson moved the motion as

“That this Council seek an urgent meeting with Translink to discuss their continued refusal to provide a stop to facilitate passengers wishing to visit Antrim Hospital.

Such a stop could be located at the roundabout on the M2 adjacent to the Hospital and would be used solely by the Translink 212 Service.”

Councillor McKinney seconded the motion.

Councillor McLean stated they would support the motion as a lot of people were using public transport and more would if it was available.

Councillor Milne advised that approximately six years ago former Councillor Kate McEldowney had got up a petition and intensive negotiations had taken place all to no avail as express bus passengers complained about an extra stop. Councillor Milne also stated that Council should meet with the Northern Trust as they were an obstruction in the past.

Councillor Kearney stated that the motion only requested a meeting with Translink. Councillor Milne stated that with a new run opening Council had a good argument as the motion stands.

The Chair Councillor Kearney put the motion to the meeting.

All Agreed

The Chair Councillor Kearney declared the motion carried.

C116/19 Notice of Motion

Councillor Elattar referred to the motion she wished to move as undernoted:

“That this Council commends the #FDANODELAY campaign and recognises that people living in hostels and other temporary/emergency accommodation across our society are homeless and deserve to be legally recognised as such by having Full Duty Applicant status awarded. This Council calls on the NIHE Chief Executive to respond outlining what measures the NIHE will now take to accurately audit the extent of the problem regarding homeless people who are not recognised as such and what steps will be taken to remedy these oversights.”

Councillor Elattar referred to ‘The Homeless Not Voiceless Campaign’ - launched their Full Duty Applicant - No Delay initiative - in December 2018 at which time it called on the NIHE to exercise its duty and immediately award FDA status to everyone in emergency accommodation, such as hostels and homeless shelters. The Councillor stated that through surveying in homeless hostels it was discovered that a group of homeless people, living in homeless shelters were being denied FDA status by NIHE. Councillor Elattar highlighted that as a result of this many experience avoidable harm mainly because they are invisible in NIHE statistics and spoke of the growing evidence that being homeless in itself creates vulnerability including in health and educational outcomes. She advised that the NIHE in July 2018 had stated there were only 18 people in hostels who did not have FDA status yet a survey carried in in the same period in Simon Community Hostels showed that there were 78 without FDA status.

Councillor Elattar emphasised that people should receive their assessment and their FDA points immediately they are accepted into homeless hostels as it is only then that they will be treated as a priority for housing. Councillor Elattar in closing stressed that the right to a home is a fundamental human right and that Council should ensure that vulnerable homeless people receive Councils full support on this issue.

Councillor McGinley seconded the motion and advised that he worked with homeless young people and adults and that when you scratch the surface there are big concerns. He spoke also of the hidden homeless, the homeless are not just those who have to sleep in shop doorways, there are people ‘sofa surfing’ as they have nowhere to go and it is difficult then to break the cycle as if you have no address it impacts on benefits and job applications processes.

Councillor McKinney stated that the issue of homelessness can affect anyone in society and that it was not always down to addiction problems or for a lack of trying by people as some would tend to suggest, he highlighted the proposed closure of the factory in Cookstown and asked the question, where might these people be in 60 days? Councillor McKinney spoke of the host of reasons which leads to homelessness such

as family breakdowns, financial problems, institutional experiences, disputes with previous landlords or people suffering poor mental health. He spoke also of the people placed in temporary accommodation and the large amount of monies spent on it which in fact did not tackle the actual problem. Councillor McKinney stated his party would be keen for the NIHE to reveal the full extent of the problem regarding homeless people who are not recognised as such. If the problem does come down to the scope of the current FDA, then it does need to change. Councillor McKinney commended Councillor Elattar on moving the motion but reminded her that if her party cared about the crisis of homelessness, then they'd be back into the Assembly to ensure Ministers were in place.

Councillor Monteith commended Councillor Elattar on presenting the motion and emphasised that every opportunity should be taken to raise the plight of the homeless. He referred to earlier references to Ivan Cooper who had been a civil rights activist and said it was desperate that after 56 years homelessness is still a major issue. Councillor Monteith stated that people were falling between two stools and thus left in limbo, he spoke of people living in temporary accommodation for maybe 12 – 24 months which had a desperate impact. He stressed there was no strategy to deal with this and spoke of the scourge of landlordism and the total disregard for tenants' rights highlighting that there was no come back on raising rents. Councillor Monteith spoke of legislation in Scotland and the 26 counties. He shared the story of one family who were forced to leave their home and move into temporary accommodation then six months later were offered the same house back again with the NIHE paying the rent. He spoke of those struggling and emphasised that their issues should be championed as there were solutions but Council needed to challenge decision makers. In closing he voiced that when it was operational the Stormont Executive had rejected legislation on three occasions.

Councillor Elattar thanked Councillors for their support emphasising that the plight of the homeless is very real. She thanked Councillor McKinney for his comments but stated that the suggestion that the motion was moved to score political points was distasteful.

The Chair Councillor Kearney put the motion to the meeting.

All Agreed

The Chair Councillor Kearney declared the motion carried.

C117/19 Notice of Motion

Councillor Cuddy referred to the motion he wished to move as undernoted:

"We believe it is important to mark the 75th Anniversary of VE day. There was a WWII American fighter plane that crashed killing the pilot near President Grants ancestral home just a few days before the end of World War II. We propose that this Council work with the local Historical Society to mark the crash site and hold an event or events to acknowledge the contribution of troops from the USA who were billeted in the Mid Ulster area

for a period of time during the build up to the D-day landings that eventually brought an end to World War II.”

Councillor Cuddy spoke of the thousands of Americans who came to the area in preparation of the D Day landings. He spoke of the great stories told of this time and the amazing part the Americans played in local history. Councillor Cuddy stated that many Americans would be visiting the area and that there was an opportunity to work with the Killeeshil Historical Society and spoke of the pilot who crashlanded not far from US President Grants Homestead. Councillor Cuddy stated that Council should have an event and mark the site of accident and have an occasion for the visiting Americans to come to the district.

Councillor Graham seconded the motion and stated that it was her understanding the pilot came from Georgia and that the Killeeshil Historical Society had been in touch with the family of the pilot who was known to have flown on raids over Germany some 35 times. The Councillor also made mention of the Slieve Gallion crash and stated that it was good for Council to mark the events.

Councillor McFlynn stated that the SDLP welcomed the motion coming as it does on the 75th anniversary of VE Day. The Councillor stated that it was proper that the momentous occasion which marked the defeat of Nazi Germany and the signing of the Act of Surrender at 2.14 on 7th May 1945 is marked. Councillor McFlynn said it was only fitting that Council should acknowledge the part played by the allies and in particular USA, remarking that in the local council area there are reminders of the arrival of American troops such as memories of the tragic death of 13 young pilots in plane crashes over Slieve Gallion. In the commemorations Councillor McFlynn stated that the great care the troops received at Springhill house Money more should be remembered appropriately.

The Chair Councillor Kearney stated that the spirit of the motion incorporated the whole district.

The Chair, Councillor Kearney put the motion to a vote

FOR	16
AGAINST	0
ABSTAINED	17

The Chair, Councillor Kearney declared the motion carried.

Motion carried

Councillor Graham left the meeting at 8.56 pm

C118/19 Notice of Motion

Councillor D McPeake referred to the motion he wished to move as undernoted:

“That this Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include;

- Welfare Reform: Mitigations on a Cliff Edge*
- Cliff Edge Coalition NI*
- NIAO: Welfare Reforms in NI*

It calls on all parties to support the need to continue Welfare Mitigations beyond March 2020 and further; Calls on DfC to take all steps necessary to ensure the Mitigations scheme will continue to help the most vulnerable in our community.”

Councillor D McPeake moved the aforementioned motion highlighting that in November 2015 Sinn Féin had sought and secured an agreement with other political parties in the Stormont Assembly for a mitigation package from Executive funds to offset some of the worst aspects of the British Government’s imposition of welfare cuts. In addition a number of changes to the administration of Universal Credit was also secured including fortnightly payments as opposed to monthly, split household payments, the ability to have housing costs paid directly to the landlord and a reduction in the highest level of sanction.

The £585 million package did not defeat the malignant Tory agenda of welfare cuts but it did significantly reduce the punitive impact here which has been highlighted in separate reports from the Auditor General, the Cliff Edge Coalition and also from the Department for Communities which have demonstrated just how beneficial the mitigation package has been in terms of protecting the most vulnerable in society. He further advised that the reports have shown how almost 35,000 tenants here do not pay Bedroom Tax as a result of the mitigations and how families have been protected from the Benefit Cap and how many others have benefitted from a range of other supplementary payments.

Councillor D McPeake stated that there should be no doubt about the opposition that is faced from the British Treasury regarding the mitigation package and spoke of how the British Treasury are opposed and are insisting that mitigation top ups under the Cost of Work allowance should be taxable thus taking money off people on low incomes. He stressed this was unacceptable and that the stand-off over that element has led to a substantial part of the underspend identified in the Auditor General’s report. He said that the Cliff Edge Coalition are to be commended for not only their detailed report but also for the ongoing work they continue to do in highlighting the likely impact of the mitigations coming to end and the new challenges many are facing particularly in terms of Universal Credit. He advised that the financial package of mitigation measures is in place until 2020 and Sinn Féin is committed to seeking agreement with the other parties to commit to a second round of mitigations from that date and that they would continue to oppose the welfare cuts agenda in its entirety as it was clearly not fit for purpose and should be scrapped completely. He was emphatic in that protecting the most vulnerable would remain the key objective whether that is by mitigating it where possible or opposing the entire Tory welfare cuts agenda. Councillor McPeake said that the party remains concerned that the cumulative impact of the Universal Credit roll

out, the ongoing benefit rate freeze, the introduction of the Personal Independence Payment (PIP) the time limiting of contributions based ESA and the potential end of the mitigation package would drive people deeper into poverty and would have far reaching consequences, particularly for those who are sick, disabled and/or vulnerable.

It was noted that the recent report by the UN Special Rapporteur into extreme poverty supports these concerns and is a demining indictment on the impact of the Tory government's austerity and welfare cuts agenda and should serve as a wakeup call for everyone. He stated that protecting the most vulnerable in society is a crucial duty of any administration and that Sinn Féin would continue to oppose the British Government policies of welfare cuts while also providing as much help as possible for those impacted by the Tory assault on the benefits system. He said that what is needed is a unified front to challenge the Tory government's austerity agenda. He advised that inter party and departmental discussions were ongoing but given the departmental review conclusion that mitigations can be continued beyond March 2020 within the existing legislation, Sinn Féin believes the basis exists for cross party agreement on a second phase of mitigations and as part of this would call on the Department for Communities to DfC to take all steps necessary to ensure the Mitigations Scheme will continue to help the most vulnerable in the community.

Councillor S McPeake seconded the motion.

Councillor Brown stated that he had no issue with the motion but was somewhat surprised as at a recent welfare event in Belfast facts had been outlined and appropriate advice was available for an incoming Minister and it was clear that any legislation in place ends on 31 March 2020, and if there is no amendments there would be no payments as it is a devolved matter. He stated that if the Sinn Féin party was concerned they should call on the assembly to get up and running so that the matters could be addressed in the correct forum and stressed that Stormont needed to return with no conditions.

Councillor Monteith stated he welcomed motions that would help people and stressed that the system was a throwback to Victorian times and was a punitive, cold, and difficult to navigate system and what is happening was wrong. He stated that every day more and more reports from charities speaking of the impact of the system are released and he stated that it was nothing to do with reform but it was the British Government stripping the most vulnerable of society, he told of how when the bill was voted on in Westminster that they cheered, cheered on the poverty it would inflict. He stated that the whole system was wrong on so many levels, that the mitigation system is half-baked and thousands of people brought over to the new system mitigation was not there for them. Councillor Monteith advised that anyone from 6 March 2018 who lost their job, became disabled, needed to move to new home were brought across to Universal Credit with no mitigation. He stated that the system was designed by the Tories and brought to the North of Ireland by the two main parties in Stormont.

Councillor Quinn concurred that mitigation was not worth a lot and the results experienced was the price paid when the two main parties at Stormont handed Welfare Reform back to Westminster. He stated that bedroom tax was being paid by some families. He said that a return to Stormont and effective power sharing was a method of having the matter discussed in a proper setting.

Councillor Quinn proposed the undernoted amendment.

“That this Council welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigations do not continue beyond March 2020. These reports include;

- Welfare Reform: Mitigations on a Cliff Edge*
- Cliff Edge Coalition NI*
- NIAO: Welfare Reforms in NI*

Acknowledges that, in spite of assurances to the contrary, vulnerable claimants are currently being forced to pay the Bedroom Tax; calls on all parties to work together to establish an inclusive power sharing Executive that can continue the welfare mitigation package beyond March 2020 and; calls on the Department for Communities to take all steps necessary to ensure the mitigation scheme will continue to support the most vulnerable in our community.

Councillor McFlynn seconded the amendment and a copy was distributed to Members.

Councillor Colvin stated that a lot of the points he would raise had been covered and stated that a lot of people are suffering and asking “why we do not have an assembly up and running?” He said he did not wish to score points the motion was fine but the parties needed to get back to Stormont as that was what was being heard on the ground.

Councillor Kerr concurred with Councillor Monteith and stated it was amazing the amount of money the Tories can spend on wars in the Middle East, the companies that escaped paying taxes and the money found for the sizable payment to DUP to gain their support in Westminster.

Councillor Black stated that the money delivered by the DUP had benefitted everyone in Northern Ireland.

Councillor Milne spoke on the deal that Stormont had negotiated and stated if it had not of been done there would have been no come back.

Councillor Kearney called for a vote on the amendment.

For 15

Against 0

Councillor D McPeake accepted the amendment and stated that Members should bear in mind there was all party talks taking place with regard to the Assembly.

The Chair Councillor Kearney put the motion to the vote and all agreed.

The Chair, Councillor Kearney declared the motion carried.

The press and public left the meeting at 9.14 pm.

Items restricted in accordance with Section 42, Part 1 of Local Government (NI) Act 2014 – Confidential Business

Resolved That items C118/19 – C131/19 be taken as confidential business.

Matters for Decision

- (i) Council Meeting of Confidential Minutes of Meeting held on 15 April 2019
- (ii) Special Environment Committee Confidential Minutes of Meeting held on 16 April 2019
- (iii) Planning Committee Confidential Minutes of Meeting held on 4 June 2019
- (iv) Policy & Resources Committee Confidential Minutes of Meeting held on 6 June 2019
- (v) Environment Committee Confidential Minutes of Meeting held on 11 June 2019
- (vi) Development Committee Confidential Minutes of Meeting held on 13 June 2019
- (vii) Audit Committee Confidential Minutes of Meeting held on 18 June 2019
- (viii) Document for Sealing: Deed of Surrender between The Woodland Trust and Mid Ulster District Council in triplicate
- (ix) Document for Sealing: Deed of Dedication in respect of lands at Ballymacombs, Loughsholin, Country Londonderry between Mid Ulster District Council (1), The Woodland Trust (2) and The Big Lottery Fund (3) in triplicate
- (x) Document for Sealing: 20 Year Lease for lands situated at Glenone Wood, Portglenone between The Department of Agriculture Environment and Rural Affairs and Mid Ulster District Council in duplicate
- (xi) Document for Sealing: Coalisland Public Realm – Fox Building & Engineering Ltd
- (xii) Document for Sealing: Davagh Dark Skies Visitor Centre – Lowry Building & Civil Engineering Ltd
- (xiii) Document for Sealing: Dungannon Leisure Centre Repairs – R J McKelvey Ltd
- (xiv) Document for Sealing: Maghera Public Realm Design Team – RPS Ireland Ltd

C133/19 Duration of Meeting

The meeting was called for 7pm and ended at 9.25 pm

Chair _____

Date _____

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Monday 1 July 2019 in Council Offices, Ballyronan Road, Magherafelt**

Members Present

Councillor Buchanan, Chair

Councillors Brown, Burton, Cuthbertson, Glasgow (7.08 pm), Graham, McAleer, McFlynn, McGinley (7.03 pm), B McGuigan, S 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

The meeting commenced at 7.00 pm

E145/19 Apologies

None.

E146/19 Declarations of Interest

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

Councillor S McGuigan declared an interest in Agenda Item 19 – Entertainment Licensing Applications (Killeeshil Community Centre) and Agenda Item 31 – Capital Projects Update (Villages Programme).

Councillor McAleer declared an interest in Agenda Item 31 – Capital Projects Update (Knockmany Forest).

E147/19 Chair's Business

None.

Matters for Decision

E148/19 DfI Roads Proposal to Mid Ulster District Council – Proposed Provision of a Disabled Persons’ Parking Bay at High Street, Moneymore

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a Disabled Persons’ Parking Bay at High Street, Moneymore.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of a Disabled Persons’ Parking Bay at High Street, Moneymore.

E149/19 DfI Roads Proposal to Mid Ulster District Council – Proposed Provision of a Disabled Persons’ Parking Bay at King William III Crescent, Maghera

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a Disabled Persons’ Parking Bay at King William III Crescent, Maghera.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of a Disabled Persons’ Parking Bay at King William III Crescent, Maghera.

E150/19 DfI Roads Proposal to Mid Ulster District Council – Proposed Provision of a Disabled Persons’ Parking Bay at Stewart Avenue, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of a Disabled Persons’ Parking Bay at Stewart Avenue, Cookstown.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of a Disabled Persons’ Parking Bay at Stewart Avenue, Cookstown.

E151/19 The Roads Miscellaneous Provisions Act (NI) 2010

The Head of Environmental Health presented previously circulated report which sought determination on a road closure application in connection with a special event that is being held in August 2019.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to agree to the issue of a Road Closure Order as specified under the Roads Miscellaneous Provisions Act (NI) 2010 for Draperstown Busking Festival and Community Fun Day on Saturday 24 and Sunday 25 August 2019. The Order is to temporarily restrict all vehicular traffic using St. Patrick's Street, Draperstown from its junction with Cahore Terrace to its junction with Cahore Road at the following times –
- Saturday 24 August 2019 between the hours of 19.00 and 00.00
 - Sunday 25 August 2019 between the hours of 13.00 and 22.00
- Subject to no objections being received during the consultation process and DfI consent being granted.

E152/19 Revised Design Guide for Traveller sites and the revised Model Licence Conditions for Caravan Sites

The Head of Environmental Health presented previously circulated report which sought Members views on the revised Design Guide for Traveller Sites and the revised Model Licence Conditions for Caravan Sites. The Head of Environmental Health advised that further to the report, a regional officer meeting had taken place and that some amendments were proposed to the Council draft response to Model Licence Conditions for Caravan Sites. The officer requested that amendments be made to this consultation in line with the regional response.

Councillor McGinley entered the meeting at 7.03 pm during presentation of above report.

Following request from Member, the Director of Public Health and Infrastructure advised that amendments to the response would be forwarded to Members. The Director further advised that the Design Guide for Travellers Sites could be discussed at the Traveller Working Group on Tuesday night.

Proposed by Councillor B McGuigan
Seconded by Councillor McFlynn and

- Resolved** That it be recommended to Council to approve the draft responses to –
- The Design Guide for Travellers Sites (as circulated at appendix 3 of report)
 - Model Licence Conditions 2019 (as circulated at appendix 6 of report and subject to amendments to be circulated)

Matters for Information

E153/19 Minutes of Environment Committee held on 11 June 2019

Members noted minutes of Environment Committee held on 11 June 2019.

E154/19 Big Spring Clean 2019

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

Councillor McFlynn commended the community groups that came out and took part in clean ups, the Councillor stated that the problem with litter seemed to be endless and it would be good if communities could continue with clean up initiatives.

Councillor B McGuigan also commended the groups involved with clean ups and that more and more groups are becoming involved every year with the support of Council. Councillor B McGuigan stated that the clean ups make a significant difference however this does not last for long and it was a shame on those who throw litter out along the side of the road.

Councillor McGinley referred to litter pick along the Loughshore and stated that litter was a problem that affected all communities and was being caused by all age groups.

Councillor Glasgow entered the meeting at 7.08 pm.

Councillor McFlynn suggested a Schools poster competition highlighting the problem of litter, the Councillor stated that a similar competition regarding dog fouling had been effective.

Councillor Burton stated it was excellent that so many residents get involved with clean ups and felt that this was partly to do with the support Council gives to initiatives such as Ulster in Bloom in which several villages across the District are currently competing. Councillor Burton also referred to the Champion of Champions competition in which a village is competing against large towns and cities and appealed for all the support that can be given to the village is given. The Councillor also thanked Council officers who work tirelessly to support villages and groups.

The Chair, Councillor Buchanan stated that Council and communities work well together in relation to clean up initiatives and competitions.

Councillor O'Neill thanked officers who provide support and equipment for clean ups.

Councillor Milne asked how many people had been convicted for littering offences.

The Chair, Councillor Buchanan stated there was a paper relating to dog fouling and litter coming up later in the meeting.

E155/19 Tullyvar Joint Committee Update

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

E156/19 Council Dual Language Signage Damage

Members noted previously circulated report which provided update on the ongoing repairs and costs associated with damage to Council Dual Language Signage since April 2018.

Councillor McNamee referred to the request to meet with Police in relation to damage to Dual Language signage and asked when this meeting would take place. Councillor McNamee stated that a complete list of damage to Dual Language signage was required from when erection of this signage commenced. The Councillor stated that it was disappointing that damage to Dual Language signage was continuing and that it needed to stop and felt that a statement from the Unionist side of Council that such damage was wrong and should not be happening would go a long way.

Councillor Cuthbertson stated that tonight's report was detailed however it was a pity that Members had to wait such a long time for a report to be brought forward regarding how much it cost to erect Dual Language signage. The Councillor referred to the meeting called with the Police and stated that a report detailing damage to all signage should be brought to this meeting including vandalism at Drumcoo Bowling Green. Councillor Cuthbertson referred to the cost related to damage to Dual Language signage and proposed that until the meeting takes place with Police and proper tendering is carried out that no further Dual Language signage should be erected.

Councillor Brown seconded Councillor Cuthbertson's proposal.

The Chair, Councillor Buchanan asked if there was any counter proposal.

Councillor McNamee proposed that Council continue to erect Dual Language signage in line with Council policy.

Councillor McGinley asked if a counter proposal was needed and that Members should vote on Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against - 9

Councillor Cuthbertson questioned whether damage to other Council property didn't matter.

Councillor Burton asked how often other road signage was assessed and that there was a large number of signs damaged.

The Chair, Councillor Buchanan advised that a further report in relation to damage to English signage would be brought before Committee in September.

Councillor McNamee stated that the meeting with Police was requested to discuss damage to Dual Language signage solely. The Councillor stated that a Member can raise issues relating to damage/vandalism to property through the PCSP or request an additional meeting with Police.

The Director of Environment and Property stated he would advise of date for meeting with Police to discuss damage to Dual Language signage.

Councillor Cuthbertson stated he had already raised issues of damage/vandalism at PCSP.

E157/19 Disposal/Sale of Assets – Fleet and Plant

Members noted previously circulated report which detailed the disposal/sale of surplus fleet, plant and other miscellaneous items from Mid Ulster District Council.

E158/19 Review of the Delivery Mechanism of the Affordable Warmth Scheme

Members noted previously circulated report which detailed the report received from Business Consultancy Services on the review of the delivery mechanism of the Affordable Warmth Scheme produced in December 2018 and presented to Council management on March 2019. The report also provided update on the funding available from the Department for Communities for delivery of Council's role in Affordable Warmth Scheme for 2019/20.

The Director of Public Health and Infrastructure referred to reduced funding package for delivery of Council's role in the Affordable Warmth Scheme which would impact on the service delivery of the scheme.

Councillor Wilson expressed his disappointment at the reduced funding to the Affordable Warmth Scheme which he stated would impact the most vulnerable in the community. The Councillor referred to the Warmer Home packs and suggested that due to the reduced funding for the Affordable Warmth Scheme some consideration be given to including other elements within the warmer home packs.

The Director of Public Health and Infrastructure stated it was hoped that distribution of the Warmer Home packs would continue and that the reduced funding package related to the Affordable Warmth Scheme.

Councillor McGinley stated that a lot of people benefitted from the Affordable Warmth Scheme and that Council should send a letter expressing its disappointment at the reduced funding package for the Scheme and that any additional resources that can be made available to the Scheme should be made available.

Councillor Burton stated that Clogher Valley had one of the highest populations of elderly people in the District and that all possible should be done to ensure funding is available for the Affordable Warmth Scheme.

Councillor S McGuigan referred to the report by Business Consultancy Services on the Review of the Delivery Mechanism of the Affordable Warmth Scheme as appended to report and the difficulty in establishing value for money due to commercial confidentiality.

The Director of Public Health and Infrastructure stated that a letter would be sent to the Permanent Secretary expressing Council's disappointment at the reduced funding for the Affordable Warmth Scheme and that additional resources should be made available.

In response to Councillor McFlynn's question the Director of Public Health and Infrastructure advised that as the funding for the Scheme is to be reduced the number of referrals will also be reduced.

Councillor Milne asked if there was a criteria for selection to the Affordable Warmth Scheme.

The Head of Environmental Health advised that the Affordable Warmth Scheme is a targeted scheme to geographical areas, those outside the target area would not be eligible for the Scheme however some self-referrals can be accepted for high priority cases.

E159/19 Animal Welfare

Members noted previously circulated report which provided an update on the levels of activity in the Animal Welfare function within Mid Ulster District Council area and beyond over the last financial year.

Councillor Burton referred to recent incident in which Council officers saved a dog from the Canal in Coalisland and stated that the officers involved should be commended for their actions. Councillor Burton stated that instances of animal cruelty appeared to be on the increase and that Council needed to work closely with other agencies and the media.

Councillor Milne referred to case a number of months ago involving horses, the Councillor advised that the animal welfare officer and DAERA staff were in attendance at the time and that a horse had to be put down. Councillor Milne advised that the horse was still lying in the river and that no one department will take responsibility for the removal of the horse, the Councillor stated that there was a need to find solutions for the removal of animals.

The Head of Environmental Health advised that she was aware of the case and that a horse had to be put down however due to the type of ground and health and safety concerns for staff at the time the horse was not able to be relocated prior to being put down.

Councillor Milne stated that the farmer who owned the land on which the horse was lying was willing to take responsibility for its removal but was told he could not do so.

The Head of Environmental Health advised that it would have been DAERA who decided this.

Councillor Milne felt that the whole situation seemed to fall under a lot of bureaucracy.

The Director of Public Health and Infrastructure stated that a meeting would be arranged with DAERA as it appeared to be unsatisfactory how the matter being spoken about was left.

Councillor Burton referred to similar situation involving horses in Clogher some years ago, the Councillor stated there was a lot of red tape involved in these type of cases and that the matter being talked about should be followed up. The Councillor also referred to the hazard of dead animals in a watercourse.

Councillor McAleer referred to incident at the weekend and commended staff who removed a deer from the side of the road today.

Councillor Glasgow stated there appeared to be a double standard in that if a farmer puts an animal down they would be taken to Court if the animal was not removed. The Councillor stated there were some cases that can be sorted out whilst other cases were having the goalposts moved.

The Director of Public Health and Infrastructure advised that officers would follow up with all relevant agencies to seek a resolution to matters discussed.

E160/19 Sunbed Test Purchasing Exercise

Members noted previously circulated report which advised of the outcome of a sunbed test purchase exercise which was carried out on Saturday 9 March 2019 under the Sunbeds Act (Northern Ireland) 2011.

E161/19 Dog Fouling and Litter

Members noted previously circulated report which outlined issues of littering and dog fouling in the District and the steps that the Environmental Health Service have taken in response to these.

Councillor Milne referred to earlier comments in relation to communities who take part in clean ups but stated there was a responsibility on Council to take to task those who drop litter. Councillor Milne asked if any convictions had been taken against those who were issued with Fixed Penalty Notices.

The Head of Environmental Health stated that when a Fixed Penalty Notice is issued there is an option to pay the fine, the officer advised that in the majority of cases the fine is paid and therefore no further action is taken however if the fine is not paid Council can proceed with further legal action.

Councillor Burton referred to pilot scheme in Aughnacloy regarding dog fouling and asked if it was felt the scheme had been successful and would be rolled out to further locations.

The Head of Environmental Health stated that the pilot scheme had taken place in Aughnacloy and Castledawson, the officer advised that she had been involved in early morning and late evening patrols in Aughnacloy in which the opportunity was

taken to speak with dog owners and give out dog bags. The officer advised that no instances of dog fouling had been found during the patrols and that during discussions with dog owners it was apparent that people were reluctant to come forward with information even though it was advised this could be done anonymously.

Councillor Cuthbertson referred to request at last month's meeting in relation to increasing the number of staff who can issue Fixed Penalty Notices.

The Director of Public Health and Infrastructure advised that there were some statistics within tonight's report and a further report regarding staffing would be brought to September Environment Committee.

Councillor O'Neill referred to recently held run in Coalisland in which part of the route was along the Canal, the Councillor stated that participants were advised to dispose of their empty bottles etc in the bins however Councillor O'Neill stated a number of bins and seating had been removed along the Canal.

The Director of Environment and Property stated he would raise the Councillors concerns with the Head of Parks.

Councillor Wilson referred to dogs that are off the lead and that it can be difficult to prosecute in those circumstances however Council should be doing all it can to lessen the problem of dog fouling.

The Head of Environmental Health advised that legislation states that a dog has to be under control but this does not necessarily mean on a lead. The officer advised that if dogs are let out and are straying they are clearly not under control and advised that people should come forward with detailed information of such occurrences.

E162/19 Building Control Workload

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

E163/19 Entertainment Licensing Applications

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

In response to question from Councillor Cuthbertson the Head of Building Control advised that the application received for 38 Trewmount Road was a first time application however he was aware of other issues relating to planning regarding the application.

Councillor Cuthbertson stated that there was no planning permission for the premises at 38 Trewmount Road, Dungannon.

E164/19 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.

E165/19 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. Where more than 51% of occupiers that respond indicate that they are in favour of the erection of Dual Language Signage, nameplates will be erected.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee 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 E166/19 to E175/19.

Matters for Decision

- E166/19 General Power of Competence Update
- E167/19 Tender report for the appointment of Vehicle Suppliers
- E168/19 Public Toilet Provision – Dungannon and Clogher
- E169/19 Environmental Revitalisation Improvement Scheme to
Railway Park, Dungannon
- E170/19 Connecting Pomeroy – ICT Appointment
- E171/19 Increased ICT fees for Seamus Heaney Trails

Matters for Information

- E172/19 Confidential Minutes of Special Environment Committee
held on 16 April 2019
- E173/19 Confidential Minutes of Environment Committee held on
11 June 2019
- E174/19 Entertainment Licensing Update
- E175/19 Capital Projects Update

E176/19 Duration of Meeting

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

CHAIR _____

DATE _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 2 July 2019 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Robinson, Chair

Councillors Bell, Black, Brown, Clarke, Colvin, Cuthbertson, Gildernew, Kearney, McKinney, D McPeake, S McPeake, Mullen, Quinn

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Ms McNally, Council Solicitor
Mrs Grogan, Democratic Services Officer

Others in Attendance

Applicant Speakers

LA09/2017/1452/F Richella Rooney
LA09/2017/1452/F Councillor McGinley
LA09/2018/0176/F Councillor B McGuigan
LA09/2018/0176/F Councillor B McGuigan
LA09/2018/0398/O Chris Cassidy

The meeting commenced at 7.03 pm

In the absence of the Chair, Councillor Mallaghan, the Vice-Chair Councillor Robinson took the Chair.

P071/19 Apologies

Councillors Glasgow and Mallaghan.

P072/19 Declarations of Interest

None.

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

P073/19 Chair's Business

The Planning Manager referred to the published Draft Guide on Travellers' Human Rights and advised that he had represented the Council and after careful consideration it was his opinion, there wasn't much guidance on how to proceed on the laying out of travellers' sites and how this can be achieved. He advised that a draft letter had been formalised to indicate that the design guide was not achievable.

The Planning Manager referred to two wind farms, one of which was Doraville Wind Farm and said that a response had been issued by the Head of Development Management opposing the windfarm stating that it would have a detrimental effect on the Mid Ulster area, even though it was in the Fermanagh and Omagh Council area. He advised that Mid Ulster would be representing their own area in the Planning Appeal process.

He referred to the second wind farm at Corlacky Road, Swatragh and advised that Mid Ulster District Council doesn't have any involvement regarding this one and it was a matter for the Department. He advised that if any member had any concerns they could raise issues on their own initiative and not on behalf of the Council.

The Planning Manager referred to Planning Statistics from last year up to April 2019. He said that he was disappointed to see that Mid Ulster had fallen behind on decision making from 14 weeks to 16.9 weeks but this was down to a resourcing issue and these are now being addressed. He said that he was pleased to say that Mid Ulster were still away ahead of other Councils with only Belfast and Newry, Mourne and Down being marginally ahead of us. He did raise concern regarding applications being down by 80 but felt that this was more to do with uncertainty concerning Brexit and people being cautious.

Referring to major developments, the Planning Manager advised that there were 17 recorded this year, which was down one from 18 the previous year, but compared to other Councils this was a positive outcome.

In relation to approval rates, Mid Ulster achieved 98.4% which was exceptional and one of the reasons for this was the processing times which helps people and give further time looking at applications. Mid Ulster Council managed to issue 1413 decisions to applicants and were 2nd highest on performance.

He said that there were no concerns regarding enforcement as targets were being met and was happy with performance to date.

The Planning Manager referred to a previous query from Councillor Cuthbertson regarding the retention of a telephone box at Dergenagh Road and advised that the Council would be keen to keep the box.

Councillor Cuthbertson advised that he had referred to the telephone box at Bovean Cottages at the Planning meeting and that the one at Dergenagh Road was raised at the full Council meeting.

The Planning Manager said that he had received a response back today from the Historical Buildings department indicating that a Preservation Notice be served for 6 months at telephone box at Dergenagh Road.

Councillor Cuthbertson advised that he had raised the issue of both telephone boxes and said that he had liaised with the Head of Development Plan & Enforcement to get them listed.

The Planning Manager said that there seemed to be some confusion and would prefer to seek clarification from Councillor Cuthbertson to make sure the right telephone box was referred to.

Councillor McKinney said that he wished to object to the retention of the telephone box at Dergenagh as it was all algae and that the community wished for it to be removed to make way for a site for a defibrillator.

The Planning Manager advised that this wasn't the arena for this type of discussion regarding an installation site for a defibrillator and because of the confusion regarding the 2 telephone boxes, he felt that a proper report be brought back for clarification. He said that it was up to the local community to decide on a way forward regarding the site for the defibrillator and not the remit of the Planning Department.

Proposed by Councillor S McPeake
Seconded by Councillor Gildernew and

Resolved That the Planning Manager bring back a report on way forward regarding retention of the aforementioned telephone boxes.

Councillor S McPeake felt that a press release should be issued to the public to highlight the successful statistics produced by Mid Ulster District Council Planning Department.

The Planning Manager sought approval to raise 2 issues under Confidential Business.

Proposed by Councillor Gildernew
Seconded by Councillor Colvin and

Resolved That the Planning Manager be given permission to raise 2 issues under Confidential Business.

Councillor Cuthbertson referring to Councillor McKinney's objection to the telephone box at Dergenagh Road advised that the Council owns a property 150m down the road and felt that a community hub with a park was a proper place for the defibrillator.

The Planning Manager advised that the Council does not have the responsibility for the site for the defibrillator or the telephone box but only responsible for the issuing of the response.

The Council Solicitor said that it would be advisable for members to wait until a full report was collated by the Planning department and presented to Committee in order to ensure there was no confusion and that all the relevant considerations were considered in relation to both telephone boxes mentioned.

Matters for Decision

The Planning Manager referred to the below applications which were on the agenda for determination. The Chair sought approval to have the following applications deferred/withdrawn from tonight's meeting schedule for an office meeting –
Agenda Item 4.3 – LA09/2017/0642/F – Dwelling approx. 10m NE of 5 Glenville Terrace, Upperlands for Alan and Brian Paul – (Deferred)

Agenda Item 4.4 – LA09/2017/1452/F – Storage extension to the rear of building at 12 William Street, Cookstown for Andrew McConnell (Deferred)

Agenda Item 4.5 – LA09/2018/0290/F – Retention of agricultural livestock building. 190m NW of 66 Annagher Road, Dungannon for Cathal Nugent (Deferred)

Agenda Item 4.6 - LA09/2018/0592/F - Off site car parking facilities to accommodate 385 cars to service the lake Torrent Motorsport Facility at land adjacent to A45 Service Station, 212 Ballynakilly Road, Dungannon for BDJ Management Ltd (Withdrawn)

Agenda Item 4.7 – LA09/2018/1569/F – 40 two storey houses with landscaping and associated site works (amendment to part of development approved under H/2006/0494/F and H/2013/0066/F) at lands to the SW of 12, 14, 15, 16 and 18 Woodland Grove, Draperstown for Augusta Homes (Deferred)

Agenda Item 4.8 – LA09/2019/0017/O – Dwelling and garage 100m SW of 48 Tirgan Road, Carnose, Moneymore for P O'Neill and C Hall (Deferred)

Agenda Item 4.13 – LA09/2019/0334/F – One year permission for temporary dwelling at 24 Derryveen Crescent, Granville, Dungannon for Mr Ronnie Smyth (Deferred)

Agenda Item 4.14 - LA09/2019/0380/O Dwelling and domestic garage/store at 130m NW of 27 Tirnaskea Road, Pomeroy for the personal rep of Clare Quinn (Deferred)

Agenda Item 4.17 – LA09/2019/0527/O – Infill dwelling opposite 15 Ballymaguigan Road, Magherafelt for Eugene Murphy (Withdrawn)

Agenda Item 4.18 – LA09/2019/0530/O – Infill dwelling adjacent to 19 Ballymaguigan Road, Magherafelt for Eugene Murphy (Withdrawn)

Agenda Item 5.8 - LA09/2018/0925/O - Dwelling and domestic garage 50m SW of 27 Letteran Road, Moneymore for Desmond Bell (Withdrawn)

Proposed Councillor Clarke
Seconded Councillor Bell and

Resolved That the planning applications listed above be deferred/withdrawn from tonight's meeting.

P074/19 Planning Applications for Determination

LA09/2016/1231/F Housing development consisting of 21 dwellings and private waste water treatment plant at lands immediately N of Chestnut Grove, Dungannon Road, Aughnacloy for Barrack Hill Quarries

Members considered previously circulated report on planning application LA09/2016/1231/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved That planning application LA09/2016/1231/F be approved subject to conditions as per the officer's report.

LA09/2017/0339/O Light industrial development including site works and new access, adjacent and SW of 32 Coalisland Road, Lurganboy, Dungannon for M Clarke

Members considered previously circulated report on planning application LA09/2016/0339/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Clarke and

Resolved That planning application LA09/2017/0339/O be approved subject to conditions as per the officer's report.

LA09/2017/0642/F Dwelling approx. 10m NE of 5 Glenville Terrace, Upperlands for Alan and Brian Paul

Ms McCullagh (SPO) presented a report on planning application LA09/2017/0642/F advising that it was recommended for refusal.

Councillor McKinney said that this application would merit a site visit as this site was over 100 years old and an opportunity for members to see for themselves issues as the river was not far way.

The Planning Manager stated that sometimes maps submitted were not fully accurate and based on maps by the applicant this may be the case and would've been helpful if a Flood Risk Assessment was presented.

In response to a query, Ms McCullagh (SPO) advised that a Flood Risk Assessment was requested from the applicant but was never received.

The Planning Manager stated that every chance was given to the applicant to submit a Flood Risk Assessment to the Rivers Agency but would not be opposed to giving them one last chance to do so.

Councillor Bell enquired on whether the Applicant was aware of this or not.

Ms McCullagh (SPO) advised that the Applicant was contacted last September to see if he would submit something and to date nothing has been received.

In response to Councillor S McPeake's query on whether the submission of Flood Risk Assessment would guarantee the site being approved, Ms McCullagh (SPO) stated that this was the only reason for refusal of this application.

Councillor S McPeake said that it may be beneficial to giving the applicant another chance and request robustly that a Flood Risk Assessment be submitted or else the application would not be considered otherwise.

In response to Councillor McKinney's query, the Planning Manager advised that it was the applicants who submit the Flood Risk Assessment and also up to them to submit the relevant information required.

Proposed by Councillor Bell
Seconded by Councillor McKinney and

Resolved That planning application LA09/2017/0642/F be deferred for 1 month for submission of additional information.

LA09/2017/1452/F Storage extension to the rear of building at 12 William Street Cookstown for Andrew McConnell

Ms McCullagh (SPO) presented a report on planning application LA09/2017/0642/F advising that it was recommended for refusal.

The Chair advised that a request to speak against the application had been received and invited Ms Rooney to address the committee.

Ms Rooney advised that her family resided at No. 14 and referred to the proposed storage extension to the rear of the applicant's building and advised that previous circulated photographs showed previous extension works which created a long building which runs adjacent to the back of her house casting a dark shadow to the rear of their garden and to other neighbouring residents' gardens. She said that the new build proposed to have its gable wall to the line which was right at the bottom of the garden.

She said that if the application was approved, this would result in a huge negative financial impact on her dwelling as her husband spent a lot of time and money renovating the house to make it the perfect family home to raise their family. She also stated the stress of the whole situation was having a major impact on the family due to possibility of taking away from them a basic lifestyle what they are used to.

She referred to the photo which showed a good example of the shadow overcasting the garden and house as it was a similar size of building the applicant proposes to build on their site. She said it was also important to note that the building would be closer to the back of her house than it was to other residential houses as they were

proposing to bring the two-storey building right over to the green line which was indicated in the photo.

Ms Rooney reiterated the drastic effect that this extension would have on her family life and asked that the Committee take a sympathetic view to their situation.

The Council Solicitor asked members to remember that matters such as loss of property value are not material considerations and cannot form part of the decision making process in this application. However, other issues raised such as loss of amenity are material to the planning merits.

The Chair advised that a request to speak had been received from Councillor McGinley and invited him to address the committee.

Councillor McGinley thanked the Chair for the opportunity to speak and advised members that he wasn't here tonight to speak in favour or against the application. He said that he accepted the concerns that residents have and that it was his understanding that the Planners liaised with the applicant but that he didn't want to enter into any discussions regarding a consideration. He said that he had been contacted by the applicant seeking a deferral to see if anything can be achieved.

The Planning Manager advised that he made it crystal clear to the applicant on concerns which were evident, advising him on a way forward but he chose not to adhere to them. He said that the Head of Development Management had also tried to intervene advising him on a possible way forward as the Planning Department were all for trying to give people a chance but he wasn't interested.

Councillor Bell felt that if the applicant was willing to seek a deferral then he must be willing to compromise.

Councillor S McPeake felt if the Planning Manager liaised with the applicant and made it abundantly clear that things had to adhere to then this could have a positive outcome for everyone concerned.

The Planning Manager asked the members if he was authorised by the committee to issue a refusal if nothing has been forthcoming in one month.

Councillor Colvin agreed that it may be worthwhile deferring the application for one month to see if progress can be made.

Proposed by Councillor S McPeake
Seconded by Councillor Colvin and

Resolved That application LA09/2017/1452/F be deferred for 1 month for the submission of a substantial design amendment otherwise it would be brought back to Committee with the same recommendation for refusal.

LA09/2018/0290/F Retention of agricultural livestock building, 190m NW of 66 Aghnagar Road, Dungannon for Mr Cathal Nugent

Application deferred for 1 month due to incorrect address on Committee Agenda.

Application to be brought back to next committee meeting for consideration.

LA09/2018/0592/F Off site car parking facilities to accommodate 385 cars to service the lake Torrent Motorsport Facility at land adjacent to A45 Service Station, 212 Ballynakilly Road, Dungannon for BDJ Management Ltd

Application agreed to be withdrawn earlier in the meeting.

LA09/2018/1569/F 40 two storey houses with landscaping and associated site works (Amendment to part of development approved under H/2006/0494/F and H/2013/0066/F) at lands to the SW of 12,14,15,16 and 18 Woodland Grove, Draperstown for Augusta Homes

Application deferred earlier in the meeting to allow time for consultation with DfI Roads.

LA09/2019/0017/O Dwelling and garage 100m SW of 48 Tirgan Road, Carncose, Moneymore for P O'Neill and C Hall

Deferred earlier in the meeting for an Office meeting.

LA09/2019/0276/RM Chalet house at site to rear of Nos 93 and 93a Granville Road, Dungannon for Mr Kevin McVeigh

Members considered previously circulated report on planning application LA09/2019/0276/RM which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Colvin and

Resolved That planning application LA09/2019/0276/RM/F be approved subject to conditions as per the officer's report.

LA09/2019/0279/F Change of use from hot food outlet to amusement/gaming venue at 12 Union Road, Magherafelt for MDD Leisure (NI) Ltd

Members considered previously circulated report on planning application LA09/2019/0279/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0279/F be approved subject to conditions as per the officer's report.

LA09/2019/0312/F Single storey extension to rear of existing dwelling at 51 Main Street, Benburb for Richard and Claire Burton

Members considered previously circulated report on planning application LA09/2019/0312/F which had a recommendation for approval.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0312/F be approved subject to conditions as per the officer's report.

LA09/2019/0314/LBC Single storey extension to rear of existing dwelling at 51 Main Street, Benburb for Richard and Claire Burton

Members considered previously circulated report on planning application LA09/2019/0314/LBC which had a recommendation for approval.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0314/LBC be approved subject to conditions as per the officer's report.

LA09/2019/0334/F One year permission for temporary dwelling at 24 Derryveen Crescent, Granville, Dungannon for Mr Ronnie Smyth

Deferred earlier in the meeting for an office meeting.

LA09/2019/0380/O Dwelling and domestic garage/store at 130m NW of 27 Tirnaskea Road, Pomeroy for the personal rep of Clare Quinn

Invalid planning application and waiting on necessary information from Agent to make it valid.

LA09/2019/0465/F New access to 25 Tullyheran Road, Maghera for Ms Kathleen Madden

Members considered previously circulated report on planning application LA09/2019/0465/F which had a recommendation for approval.

Proposed by Councillor Kearney
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2019/0465/F be approved subject to conditions as per the officer's report.

LA09/2019/0495/F Alterations to existing dwelling, 2 storey extension to SE Gable and alterations to site entrance at Annaghmore Road, Coalisland for Mr John Joe Canavan

Members considered previously circulated report on planning application LA09/2019/0495/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Colvin and

Resolved That planning application LA09/2019/0495/F be approved subject to conditions as per the officer's report.

LA09/2019/0527/O Infill dwelling opposite 15 Ballymaguigan Road, Magherafelt for Eugene Murphy

Application has been withdrawn earlier in the meeting.

LA09/2019/0530/O Infill dwelling adjacent to 19 Ballymaguigan Road, Magherafelt for Eugene Murphy

Application has been withdrawn earlier in the meeting.

LA09/2017/0086/F Extension to machine hire and repair business, for storage of agricultural machinery, opposite 17 Moveagh Road, Cookstown for McCord Machinery

Members considered previously circulated report on planning application LA09/2017/086/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2017/086/F be approved subject to conditions as per the officer's report.

LA09/2017/1082/F Retention of existing commercial shed and yard at 30a Derrygonigan Road, Cookstown for Mr Sean McCullagh

Ms McCullagh (SPO) presented a report on planning application LA09/2017/1082/F advising that it was recommended for refusal.

Proposed by Councillor Cuthbertson
Seconded by Councillor Colvin and

Resolved That planning application LA09/2017/1082/F be refused.

LA09/2017/1101/O Dwelling and domestic garage/store on a farm at approx. 165m SW of 73 Ballyscullion Road, Bellaghy for Mr Gavin Breslin

Members considered previously circulated report on planning application LA09/2017/1101/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2017/1101/O be approved subject to conditions as per the officer's report.

LA09/2017/1149/O Dwelling and domestic garage/store on a farm at approx. 50m S of 20 Gortahurk Road, Brackaghlistlea, Draperstown for Mr Peter Kelly

Members considered previously circulated report on planning application LA09/2017/1149/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Clarke and

Resolved That planning application LA09/2017/1149/O be approved subject to conditions as per the officer's report.

LA09/2017/1284/O Dwelling and garage approx. 160m NW of 35 Mullaghmarget Road, Aghakinsallagh, Glebe, Dungannon for Padraig Donnelly

Members considered previously circulated report on planning application LA09/2017/1284/O which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Clarke and

Resolved That planning application LA09/2017/1284/O be approved subject to conditions as per the officer's report.

LA09/2018/0176/F Retrospective shed for the storage of boats and working of nets, to the rear of 140 Kilmascally Road, Dungannon for Martin O'Neill

Mr Marrion (SPO) presented a report on planning application LA09/2018/0176/F advising that it was recommended for refusal.

The Chair advised that a request to speak had been received in favour of the application and invited Councillor B McGuigan to address the committee.

Councillor B McGuigan stated that the applicant was a licenced fisherman and only one of 20 fishermen operational in Mid Ulster and inherited his fishing licence from his

father and his father before him. He said that the shed was a short distance from the lough and that Planning Officers agreed that there was a need for the shed accepting as appropriate the design and location.

He said as there was no policy to accommodate fishermen for a boat shed, it was unfair as farmers can have a shed for farming as outlined in CTY12 "Development in the Countryside" to include Forestry and agricultural sectors etc. He said that there was a dire need for this shed and the planning department were content with the location as it can integrate into the surroundings and adheres to PPS4 and does not harm the character of the area. He asked that the committee take into consideration that less than 20 fishermen operate in Mid Ulster and that it was up to the Council to look at solutions to help our fishermen as they are the Custodians of the Lough. Councillor B McGuigan concluded by saying that the shed was a necessity and not a luxury and asked that the committee take into consideration his comments before refusing the application.

Councillor Quinn said that he knew the family well and they were a long-established fishing family, but had noted that in the Area Plan there was a policy for the provision of a dwelling for a fisherman but no policy for sheds. He felt that if strict conditions were placed on the application that this could be considered for approval.

Councillor Cuthbertson advised that this application was previously raised and from memory a discussion ensued about the activity relating to the proposed shed as it wouldn't be used solely for fishing matters and enquired how far the lough was from the shed.

Mr Marrion advised that the distance from the proposed shed to the lough was half a mile.

The Planning Manager said that there were issues which were factually incorrect as there weren't just 20 fishing licences in Mid Ulster and the reason for taking the policy forward taking into consideration sheds etc. He said that if the Area Plan was in place and was statutory that this could be approved if there were no objections to the application, but we do have objections and colleagues within the Department do not want to proceed resulting in a public enquiry process.

He said that Officers can not make policy up on the hoof as this was a statutory process and there was a need to be careful. He stated that there was a recognition in Mid Ulster there was a need for a shed for fishermen but that this has been disputed and whilst this could be argued, there has been evidence that lorries has been parked at the house. He stated that a lot of disputes happen to people and on inspection he felt that this was one of the cleanest fishing sheds that he had ever seen. He felt that we could try and weaken the consequence of the agricultural policy as it was quite complex and we can see in this instance the person has a fishing licence and they do fish and this makes the whole situation quite tricky, resulting in an Officer not being able to make a decision on the information we have got and cannot twist policy with something that it was not.

The Planning Manager advised that he was fuming when he found out that the applicant had approached the Press raising the spotlight on the Council, resulting in the proper consideration for the policy being made into a discussion.

He said that if there were any special circumstances which could be taken into account that this could be considered as there was an onus on the Council to not treat people differently.

Councillor Quinn said that the applicant was a fisherman with a long heritage line, operating for a long while at a prime location and felt that this application should be considered for approval only on the basis of strict conditions being adhered to regarding the parked lorries and if not then overturn the approval.

The Council Solicitor reminded the committee that there needs to be clear reasons to overturn the recommendation on what would be exceptional circumstances. She said there was an onus on the Council to make ensure the policy tests have been met and if not, outline planning reasons why it should be treated as an exception and if after all that, the Committee is still minded to approve then conditions would need to be carefully considered.

Councillor McGinley said that the applicant had held the licence for 12 years plus and in terms of the lorry being parked at the site, the applicant had indicated that he was selling the lorry to concentrate solely on his fishing employment and would be willing to meet any conditions laid out.

The Planning Manager enquired if there were any exceptional circumstances not submitted previously to the committee which should be taken into consideration as at the moment nothing jumps out to convince him otherwise.

Mr Cassidy said that when he was asked to open the shed for the Planning Officer there were 3 boats and nets inside which indicates that this shed was being used for fishing purposes.

The Planning Manager advised that the Mr Cassidy indicated that there were exceptional circumstances and advised the committee that there were 3 options as follows for members to consider:

- 1) Refuse the Officer's recommendation, with the Applicant having the right to Planning Appeal
- 2) Approve application with strict conditions attached to avoid the lorry situation for fishing or farming
- 3) Defer the application to give the applicant the opportunity to submit further information to clarify what is actually going on at the site and what he wishes the committee to consider

Councillor Bell stated that fishing on Lough Neagh was a dying art and that this was something right across Mid Ulster and wouldn't like to see it evaporate into thin air and would like to encourage more people to fish. He said that there could be an argument that these were special conditions.

Councillor McKinney said that he would be happy to agree to a deferral as he felt that fishermen were being hard done by and not being treated the same way as Farmers were. He said that one way of seeing if the lorry was being moved was to look at the grass and weeds around the lorry to see if they had been disturbed.

Proposed by Councillor McKinney
Seconded by Councillor Gildernew and

To defer the application until further consideration is made available.

Councillor Cuthbertson said that it's the same month after month when a list was presented, rather than going for the officer recommendation, it is brought back for an office meeting and deferred time and time again. He said that he attended the legal training on HMO's and that the solicitor advised that Councillors were being required to provide the affidavits for judicial review proceedings. If people are unhappy with the decision they can either challenge us by way of judicial review or the applicant can proceed to planning appeal process.

Councillor Gildernew advised that members were not saying that they were going to approve the application but only deferring it until further considerations are made.

Councillor Quinn asked what the special circumstances referred to? A local fisherman putting down a shed on his own area?

The Planning Manager said that there was nothing in the policy to describe what a special circumstance was. He said that the applicant needed to come clean and that it was up to the committee to decide.

He said that what we clearly have was a battle between 2 political parties and an applicant running to the press, but it's the planning committee which makes the decision and not the press. He said that he agreed that Councillor Cuthbertson was right in his thinking that we are making policy on the hoof and some of what has been said tonight regarding the applicant running to the press saying that this would cause considerable hardship was not the right process.

The Council Solicitor said that any exceptional or special circumstances would need to be exceptional to the applicant and this application. Members needed to exercise caution as this could set a precedent for future cases and leave this Council exposed to challenge.

Resolved That planning application LA09/2018/0176/F be deferred for further consideration.

**LA09/2018/0398/O Dwelling and garage 30m NE of 8a Rogully Road,
Ballyrogully, Moneymore for Thomas McVey**

Ms McCullagh presented a report on planning application LA09/2018/0398/O advising that it was recommended for refusal.

The Chair advised that a request to speak in support of the application had been received and invited Mr Cassidy to address the committee.

Mr Cassidy advised that this was a full working farm which was in existence for over 60 years and policy states that this site should be located elsewhere on the farm. He said that the farm had increased in size to having a herd of 161 cows and when money becomes available there was an ambition to expand the business.

He said that the farm was passed to another son and that the only land being made available for a house for the applicant and his family was at the site proposed. He said that due to health and safety dangers of farming and agricultural machinery it was an ample site to rear his family.

He said that the new house would not be prominent and would integrate into the cluster and would request that approval be granted so as to allow a young family man to live and work on the farm he was reared.

The Planning Manager said that the policy was somewhat right and visually lined to the farm as it is. He said that all the fields could be visually lined and all the fields had access to the road and suggested that Mr Cassidy's client withdraws this application and work out another site more appropriate.

Mr Cassidy advised that the applicant had no involvement in the farm and preferred not to be in close proximity due to health and safety concerns relating to his family.

Councillor McKinney said that where the existing said was, there was a possibility for an infill and could understand the concerns where the farmer was coming from as it is important regarding the grazing cattle and health and safety concerns for his family.

The Planning Manager said that he felt that the applicant needed to compromise and a reasonable argument would be that he goes across the road away from the farmyard to allow room for the farm to expand.

Councillor Cuthbertson asked if there would be any merit in holding the application for a week to give the applicant an opportunity to withdraw it.

The Planning Manager advised that an opportunity was given previously.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That planning application LA09/2018/0398/O be refused.

LA09/2018/0925/O Dwelling and domestic garage 50m SW of 27 Letteran Road, Moneymore for Desmond Bell

Application agreed to be withdrawn earlier in the meeting.

Matters for Information

P075/19 Minutes of Planning Committee held on 4 June 2019

Members noted minutes of Planning Committee held on 4 June 2019.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Bell
Seconded by Councillor Colvin 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 P076/19 to P081/19.

Matters for Decision

P076/19 Receive LDP Retail and Leisure Study
P077/19 Receive Consultation Response on Monaghan County Council
Draft Climate Change Adaptation Strategy

Matters for Information

P078/19 Confidential Minutes of Planning Committee held on 4 June 2019
P079/19 Enforcement Cases Opened
P080/19 Enforcement Cases Closed
P081/19 Any other Business

P082/19 Duration of Meeting

The Meeting commenced at 7.03 pm and concluded at 9 pm.

Chair _____

Date _____



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 2nd July 2019

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.7	Defer to further consider Roads issues submitted by objector.	Members to note
4.11 & 4.12	Amended drawings received that confirm no change to the existing windows to the front of the dwelling	Members to note

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Wednesday 3 July 2019 in the Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor Wilson, Chair

Councillors Ashton, Black, Clarke, Corry, Doris, Elattar,
Hughes, Kerr, McNamee, Molloy and Monteith

**Officers in
Attendance**

Mrs Campbell, Director of Leisure and Outdoor Recreation
Mr McCreesh, Director of Business and Communities
Mr Brown, Head of Tourism
Mr Hill, Head of Parks
Ms Linney, Head of Community Development
Mr McCance, Head of Culture and Arts
Ms McKeown, Head of Economic Development
Mr McShane, Acting Head of Leisure
Mrs Forde, Member Support Officer

The meeting commenced at 7.00 pm.

D114/19 Apologies

Councillor Burton, attending an event as current NILGA President
Councillors Cuddy, Kearney and Milne

D115/19 Declaration of Interests

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

D116/19 Chair's Business

The Chair, Councillor Wilson reminded Members that following a notice of motion carried at the Council meeting on 27 June 2019 it had been agreed that Council would explore the possibility of VE Day commemorations in the District. The Chair requested that a paper be presented to the September meeting of the Development Committee.

Resolved That it be recommended to the Council to present a paper to the September committee regarding VE Day Commemorations in the District.

Matters for Decision

D117/19 Community Development Report

The Head of Community Development presented previously circulated report and provided an update on the following:

Declaration of Interest: Councillor McNamee declared an interest in Father Rocks, Cookstown

- **Rolling Grant Awards – Good Relations and Local Community Festivals**

Proposed by Councillor Clarke
Seconded by Councillor Doris and

Resolved That it be recommended to the Council to approve the Rolling Grant Awards - Good Relations and Local Community Festivals as per grant recommendations in Appendix 1 of the report to a value of £13,545.

- **Peace IV Partnership**

Declaration of Interest: The Chair, Councillor Wilson and Councillor Ashton declared an interest as Members of the Peace IV partnership.

The Head of Community Development drew attention to appendix 1 tabled at the meeting detailing the grant recommendations totalling £169,774 noting that Positive Steps application had been withdrawn.

Proposed by Councillor McNamee
Seconded by Councillor Doris

Resolved That it be recommended to the Council to approve the Peace IV Partnership Grant Awards as listed and continue with the Peace grant programme, to promote and keep open the application process to September for potential projects.

- **Housing Working Group**

Members noted the Housing Working Group Minutes.

- **Community Development Update**

Members noted Community Development Update.

D118/19 Economic Development Report

The Head of Economic Development presented previously circulated report which provided an update on the following:

Declaration of Interest – Councillors Ashton, Molloy and Monteith declared an interest in Dungannon Regeneration Partnership as Council representatives.

- **Dungannon Regeneration Partnership Proposal**

Councillor McNamee drew attention to the proposal outlined in the report and sought officers' opinion on the proposal and how it sits with the rest of the towns across the district.

Councillor Kerr raised the issue of Donaghmore and other such villages regarding provision of off street car parking. In response the Chair Councillor Wilson advised he would take the issue under Chairs Business.

Councillor Ashton questioned the proposal in terms of the significant cost to Council and the fact that the Department for Communities funding appeared to be off the table. The Councillor suggested that officers should go back to DRP and seek further clarifications.

Councillor Monteith concurred with Councillor Ashton as did Councillor Molloy who suggested that following Officers findings perhaps DRP should make a presentation to the committee in due course.

The Chair Councillor Wilson summarised the comments that Officers review the proposal with Dungannon Regeneration Partnership and have discussions with Department for Communities and report back to the Development Committee following which DRP could make a presentation to the Committee, if required.

Proposed by Councillor Ashton
Seconded by Councillor Monteith and

Resolved That it be recommended to the Council that Officers review the proposal with Dungannon Regeneration Partnership and have discussions with Department for Communities and report back to the Development Committee following which DRP could make a presentation to the Committee, if required.

- **Mid Ulster Skills Forum/Skills Action Plan 2018-21**

Proposed by Councillor McNamee
Seconded by Councillor Kerr

Resolved That it be recommended to the Council to grant approval to:

- (i) Invest NI Collaborative Growth Programme
Submission of an application form to Invest NI and allocate match funding of 50% (up to £25,000) out of existing Local Economic Development budget for a detailed Scoping Study (Phase 1) into future 'industry/education engagement' products and services. If the study produces a positive outcome, this may lead to further funding opportunities.

Proposed by Councillor Molloy
Seconded by Councillor Kerr

- (ii) Mid Ulster Jobs Fair

Funding of up to £8,000 out of the existing Local Economic Development budget to hold a Mid Ulster Jobs Fair in Cookstown during Enterprise week (November 2019) in partnership with the Mid Ulster Skills Forum, Department for Communities and Network Personnel.

Proposed by Councillor Clarke
Seconded by Councillor McNamee

(iii) Careers Attractiveness Initiative

Funding of up to £20,000 out of the existing Local Economic Development budget to appoint a suitably qualified company to create appropriate content including storyboards and videos etc. to showcase the attractiveness of jobs/careers in key priority sectors within Mid Ulster.

• **Mid Ulster Business Excellence Awards 2019 Proposal**

Councillor Ashton drew attention to the detail of the venue sponsorship packages and highlighted that the pre-event news coverage was detailed as Larne Times, Carrick Times and Ballymena Times and asked why local papers were not involved. In response the Head of Economic Development stated it was her understanding that the Awards venue was Corrick House and that it would appear the newspaper coverage aforementioned was a typographical error on behalf of the organisers not Council.

The Chair, Councillor Wilson stated that it was his view that Council supports efforts to promote local businesses and acknowledges business achievements through the Civic Awards process.

Councillor Monteith stated that clarity was needed regarding the newspaper coverage as he understood one of the titles mentioned in the proposal was closing. He expressed some concerns about how the Business Awards would be promoted in that particular part of the district, and indicated there was a need for Mid Ulster Council to receive value for money.

In response the Head of Economic Development said that JPI Media were doing some work in the Clogher Valley area to promote the Business Awards such as having coverage on the local radio station, visiting local businesses, promotional activities at the Omagh and Clogher Valley Shows etc.

Councillor McNamee proposed that Council should sponsor an Award Category this year and carry out a comprehensive review for next year.

In response to a Member's question, the Head of Economic Development advised that Council had sponsored the "SME Business of the Year" award category last year.

Proposed by Councillor McNamee
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that

- (i) approval be granted to Mid Ulster District Council sponsoring the Mid Ulster Business Awards in 2019/20 at Category Sponsorship £1,750 + Vat (SME Business of the Year Award Category); and
- (ii) a comprehensive review of Council sponsorship of the event be completed prior to the 2020/2021 event.

- **Review of Northern Ireland Non-Domestic Rating System -**

The Chair, Councillor Wilson advised that a paper had been requested for committee but on reflection it was a sizable document which was beyond the remit of just the Development Committee but would cover all of Council. The Chair said much consideration was needed and as such he would propose that an all Member workshop/briefing session be held in the near future.

Councillor Monteith stated he would second the proposal as long as the response is completed in time. He stated such issues highlights the need for committees in August.

The Director of Business and Communities advised that it was a complex piece of work which impacted Councils income capacity and thus any response should be well prepared and thought through as Council would have to stand over it. He clarified that Council was aware that a consultation process was due to open in July 2019 but no further details are available at this time. He advised that Council's Head of Economic Development had written to the Department of Finance to raise objections and that it was scandalous that the Department is considering opening a consultation process at a time when many local authorities were in recess.

Proposed by Councillor Wilson
Seconded by Councillor Monteith

Resolved That it be recommended to the Council that an all Member workshop be held to discuss Council's response to the Review of the Northern Ireland Non- Domestic Rating System.

It was noted that Mid Ulster District Council has registered its interest in the forthcoming stakeholder engagement sessions. If any interested member wishes to register to attend, they can do so by emailing ratingpolicy@cfg@finance-ni.gov.uk

- **Business Eye Article on Mid Ulster**

Members noted Business Eye Article on Mid Ulster (June 2019).

- **Magherafelt Town Centre Forum Minutes**

Members noted Magherafelt Town Centre Forum Minutes (10 April 2019).

- **Coalisland Town Centre Forum Minutes**

Members noted Coalisland Town Centre Forum Minutes (11 April 2019).

- **Cookstown Town Centre Forum Minutes**

Members noted Cookstown Town Centre Forum Minutes (10 April 2019).

- **Full Fibre Northern Ireland (FFNI)**

Proposed by Councillor McNamee
Seconded by Councillor Clarke

Resolved That it be recommended to the Council that approval be granted to:

- (i) Note receipt of the Full Fibre NI Consortium Agreement with Newry Mourne and Down District Council and associated letter of offer and grant agreement from the Department of Culture, Media and Sport (DCMS) and that approval to accept and seal the documents will be sought from Council's Policy & Resources Committee and Council Meeting in July 2019.
- (ii) Director of Business & Communities (or his nominee) represent Mid Ulster District Council on the FFNI Steering Group, the body responsible for strategic oversight of the programme.
- (iii) Economic Strategies Manager and Head of IT represent Mid Ulster District Council on the FFNI Operational Group to oversee operational programme delivery and participation in the procurement exercises undertaken by Newry, Mourne and Down District Council, on behalf of the Consortium to deploy the funding.

D119/19 NI Rural Development Programme 2014-2020 – Village Renewal Scheme – Update on Village Projects in Group 7

Declaration of Interest: Councillors Wilson and Clarke declared an interest in NI Rural Development Programme 2014-2020

The Head of Economic Development presented previously circulated report to provide members with an update on the Village Renewal Scheme.

Proposed by Councillor Molloy
Seconded by Councillor Black

Resolved That it be recommended to the Council that approval be given to:

- (i) Recommendation to progress projects and reallocate underspend to date, and any further underspend in subsequent procurement processes, to the six remaining villages as undernoted, which have not been allocated funding.
 - Knockloughrim/Curran
 - Tamlaght, Culnady and Innishrush
 - Dunnamore, gortacladdy, Killeenan
 - Ballymaguigan/Creagh
 - Washingbay/Killeen
 - Tullyhogue/Tullywiggan/Donaghey

- (ii) Provision of 25% match funding from Council (£60,000) being sought at the Policy and Resources Committee in September 2019.

D120/19 Lough Neagh Partnership Core Funding 2019/20

The Head of Tourism drew attention to the previously circulated report and sought approval for annual contribution for year 2019/20 to the core running costs associated with Lough Neagh Partnership (LNP) in the delivery of marketing tourism, recreational, environmental and heritage activities on Lough Neagh (LN) and the shoreline on behalf of Mid Ulster District Council.

Proposed by Councillor Clarke
Seconded by Councillor Corry

Resolved That it be recommended to the Council that approval be given to:

- (i) Mid Ulster District Council funding Lough Neagh Partnership £22,000 as requested subject to funding being secured from all five Councils on the shores of Lough Neagh.
- (ii) Lough Neagh Partnership submitting a quarterly update to MUDC.

D121/19 Learning Journey to The Midlands for 40 Tourism Cluster Group Members and Lead Officers

The Head of Tourism drew attention to the previously circulated report to inform Council of plans to develop a one-day Learning Journey to the Midlands on Wednesday 25th September with Tourism Cluster Business members (40 people) and tourism staff. Cost per person £15.00 to help cover admissions and coach costs.

Proposed by Councillor Doris
Seconded by Councillor Monteith

Resolved That it be recommended to the Council that approval be given to the Council supporting the Midlands Learning Journey proposal.

D122/19 Sperrins Sculptures

The Head of Tourism drew attention to the previously circulated report to seek Members approval for additional funding for the Sperrins Sculptures Trail.

Proposed by Councillor Sean
Seconded by Councillor McNamee

Resolved That it be recommended to the Council that approval be given to the increase Councils' potential contribution by £8,633 to progress to the next stage of design with the preparation of an artists' brief for the Sperrins Sculpture Trail project. (Both Derry and Strabane and

Fermanagh and Omagh Councils have obtained approval for the potential additional funds as detailed in this report).

D123/19 Tourism Skills Programme

The Head of Tourism drew attention to the previously circulated report and sought approval for the delivery of a bespoke tailored training and mentoring skills programme to the Tourism sector across Mid Ulster.

Proposed by Councillor Doris
Seconded by Councillor Corry

Resolved That it be recommended to the Council to approve the proposal and agree to deliver the Tourism Training Skills Programme with an option to deliver a phase 2 in 2020/2021.

D124/19 Trade & Consumer Platforms 2019-2020

The Head of Tourism drew attention to the previously circulated report which sets out the plans for Mid Ulster to promote and profile the Mid Ulster tourism product, key themes and cluster experiences to consumers and the travel trade worldwide who are planning to holiday in Ireland.

Proposed by Councillor Clarke
Seconded by Councillor Doris

Resolved That it be recommended to the Council that representatives from Tourism attend and promote Mid Ulster Council key themes and tourism product at these events and capitalise on all FOC opportunities, including branding and Taste the Island.

D125/19 GOGA#2 Project Plan (2021-2024)

The Acting Head of Leisure drew attention to the previously circulated report to inform members about the GOGA (Get Out Get Active) 2 Project Plan (2021 – 2024). Live Active NI is a community interest company established by Disability Sport NI to bring the benefits of active recreation to everyone in the community, with a particular focus on under-represented groups. Mid Ulster District Council has been highlighted as a potential partner due to the lack of previous funding by the Spirit of 2012 and its geographical mix of both rural and urban and its area.

Councillor Monteith spoke of a meeting between Sperrinview Special Needs School and Members at which time they had raised items for consideration to accommodate inclusion of people with special needs in activities. He highlighted that many of the suggestions had been easy non cost initiatives and proposed that officers meet with representatives of special needs schools and groups to promote inclusion.

Proposed by Councillor Monteith
Seconded by Councillor Molloy

Resolved That it be recommended to the Council to

- (i) agree in principle to support the GOGA#2 proposal with more detail to be presented to committee if the funding application submitted by Disability Sport NI is successful and an offer of support is received.
- (ii) meet with representative of Special Needs Schools/Groups to see how the programme could be developed to promote inclusion of people with Special Needs.

D126/19 Sports Representative Grants

The Acting Head of Leisure drew attention to the previously circulated report to present to members the proposed community grant allocations for the range of Sports Representative Grant – Team and Individuals.

Proposed by Councillor McNamee
Seconded by Councillor Kerr

Resolved That it be recommended to the Council to agree the Sport Grant Allocations.

D127/19 JC Decaux Advertising Licence Agreement at Railway Park

The Head of Parks drew attention to the previously circulated report to ask for consideration to extend billboard advertising rental contract with current provider JC Decaux at Railway Park, Dungannon.

Councillor Monteith stated that the billboards were an eyesore as was the area surrounding and they were used as an excuse not to maintain the area. He stated that the money received from them should be used to provide activities in Railway Park and he had an issue that this was not the case. He was emphatic that the area was not maintained to a satisfactory standard and this had been the case for years, he said the Council was neglecting this area, that the billboard was an eyesore and the grass hadn't even been trimmed.

Councillor Molloy proposed that the Head of Parks investigate investment in the area to upgrade it, he concurred that the grass was an eyesore and suggested that even if Meadow flowers were planted it would improve the appearance.

The Head of Parks acknowledged that Members had pointed out that there is a maintenance issue and that Council hoped to address it. He stated that the development of the new path is nearer to the Ballygawley Road side of the park and advised Members that the budgets were reliant on the income from the billboards in the current financial year.

Proposed by Councillor Molloy
Seconded by Councillor Doris

Resolved That it be recommended to the Council that

- (i) approval be given to extending the current Licence Agreement for one year under the current terms and conditions;
- (ii) Officers explore investment for the maintenance and upgrade of the area of the bill boards.

D128/19 Knockmany Forest and Washingbay Capital Projects Revised Letter of Offer Sport NI

The Head of Parks drew attention to the previously circulated report and sought approval to accept revised Letter of Offer from Sport NI in relation to additional funding for Knockmany Forest and Washingbay Capital Projects.

Councillor Doris advised that she had been approached by users of the Washingbay facility who had highlighted that the public conveniences are closed when the centre is closed and sought an extension to the opening hours to accommodate park users. In response the Head of Parks advised that there was a service level agreement with the Community Centre and extended access to the public conveniences could be explored.

Proposed by Councillor Doris
Seconded by Councillor Clarke

Resolved That it be recommended to the Council that approval be given to:

- (i) Accept the terms and conditions associated to the revised Letter of Offer and to manage the programme of works as agreed in conjunction with Sports NI and associated stakeholders.
- (ii) Additional funding package from Sport NI for the Knockmany Project and increase the IST contract Value from £261,796.84 to £304,386.64 + 10% contingency sum resulting
- (iii) Additional funding package from Sport NI for the Washingbay Wetlands Park Project and increase the IST contract Value from £229,415.10 to £237,612.10 + 10% contingency sum resulting in upper limit of potential spend of £261,373.31 for construction scheme delivery costs excluding VAT.
- (iv) Existing IST contracts being extended to cover this additional spend.
- (v) The extension of the opening hours of the public conveniences at the site to be discussed with the Community Centre.

Matters for Information

D129/19 Minutes of Development Committee held on 13 June 2019

Members noted Minutes of Development Committee held on 13 June 2019.

Councillor Ashton sought an update on the barbeque area of Dungannon Park. In response the Head of Parks stated that there was a request for an upgrade and costings were being sought.

D130/19 Leisure Services Update

Members noted Leisure Services Update.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Ashton

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 D131/19 to D134/19.

D135/19 Duration of Meeting

The meeting was called for 7 pm and concluded at 7.37 pm

CHAIR _____

DATE _____

Development Committee 3rd July 2019 - Community Development Report
PEACE IV Partnership Meeting -Grant Recommendations

The PEACE IV grants phase 4 programme closed on 31st May 2019, there were six grant applications received as detailed below:

Grants	Theme	Grants overview	Grant Award Amount Up to
Castlecaulfield Horticultural Society: Getting Caulfield Buzzing	SSS	To offer a range of activities and opportunities for people of all ages, backgrounds and ability in Castlecaulfield. To decrease levels of social isolation and learn new skills – more opportunity to socialise and meet people in the community building.	£25,000
Dungannon Enterprise Centre: Project LEAD	BPR	Develop capacity building to support increased cohesion through the development of leadership and social entrepreneurial skills for 16 women from across all communities reflective of the diverse range of community and voluntary groups.	£40,320
Gaslight Media Trust: Project 'JustUs Training the Trainer Prog'	BPR	Gaslight Media Trust will deliver a training programme to Youth Educator Practitioners currently working with young people in youth work settings across Mid Ulster. The programme addresses identity and diversity and good relations issues with a view to broadening young people's perspectives.	£13,016
NIRWN: Project #selfie	BPR	To develop and empower women of Mid Ulster to contribute to the community development and community cohesion of their area. The project will support women to build confidence and develop relationships at individual and group level so that they can be enabled to voice their own concerns and those of their area	£41,438
Rural Action: SMART Schools – new thinking for Rural Schools	BPR	Smart Schools is an Innovative Pilot Programme designed to facilitate new thinking towards the sustainability of small rural schools across the Mid Ulster District Council. 9 rural schools will be targeted to come together across the district and will look specifically at a sustainable schools model.	£50,000
Positive Steps	BPR	Application withdrawn; potential to work with the group for a potential resubmission	
Total value of Grants			£169,774

Proposal - It was agreed to continue with the Peace grant programme and continue to promote and keep open the application process to September for potential projects. Officers to continue to support groups access grant funding where possible.

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 July 2019 in the Council Offices, Ballyronan Road, Magherafelt

Members Present	Councillor Molloy, Chair Councillors Buchanan, Colvin, Doris, Elattar (7.04 pm), Forde, Gildernew, Hughes, McFlynn, S McGuigan, McKinney, McLean (7.25 pm), S McPeake, Totten
Officers in Attendance	Mr A Tohill, Chief Executive Mrs Campbell, Director of Leisure and Outdoor Recreation Mrs Canavan, Director of Organisational Development Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Ms McNally, Council Solicitor Mr Moffett, Head of Democratic Services Mr O'Hagan, Head of IT Mr JJ Tohill, Director of Finance Miss Thompson, Democratic Services Officer
Others in Attendance	Agenda Item 4 – Northern Ireland Human Rights Commission Les Allamby, Chief Commissioner Eddie Rooney, Commissioner

The meeting commenced at 7.01 pm.

PR116/19 Apologies

Councillors Ashton and Quinn.

PR117/19 Declaration of Interest

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

Councillors Buchanan, Forde and Gildernew declared an interest in Agenda Item 6 – RDP Co-Operation Projects.

PR118/19 Chair's Business

None.

PR119/19 Deputation – Northern Ireland Human Rights Commission

The Chair welcomed representatives from Northern Ireland Human Rights Commission and invited them to make their presentation.

Mr Allamby stated that the Human Rights Commission are involved in community engagement days several times a year and prior to tonight's meeting they had met with Neighbourhood Police officers, had visited the Superstars Café in Cookstown and had met with STEP.

Councillor Elattar entered the meeting at 7.04 pm.

Mr Allamby continued with his presentation which focused on how the Commission was formed, its powers and functions, their strategic priorities and the current research, investigations and legal cases being undertaken by the Commission.

Councillor McLean entered the meeting at 7.25 pm.

The Chair, Councillor Molloy commented on the worthwhile engagements the Commission had been involved with today and opened the floor to Members questions.

Councillor S McPeake stated that the Human Rights Commission had an important remit but he was not sure how effective they were and it was good to hear an outline of their work. Councillor McPeake referred to minority language rights and asked what the Human Rights Commission does in terms of this, he stated that this Council does have a Language policy but that not all Councils have this.

Councillor S McGuigan referred to the range of issues being faced by ex-prisoners and stated that some of these issues have been brought to the attention of the Human Rights Commission but that they were not progressed.

Mr Allamby stated there was a framework convention and treaty bodies on minority languages and that there should be recognition of cultures. Mr Allamby stated there should be statutory protection that deals with Irish Language and Ulster Scots and that the Human Rights Commission have made a number of public statements in this regard. Mr Allamby stated that the Human Rights Commission have also done work on parades and flags and emblems.

Mr Allamby stated that if there had been instances in which someone felt the Human Rights Commission had not responded satisfactorily to issues brought to them they were happy to look at the matter again.

Councillor McKinney referred to this Council's logo which had Irish first and then English and no Ulster Scots. The Councillor also referred to road signage which part of the community felt was being imposed on them and asked what the position was on this.

Mr Allamby stated that the minority have rights and protections and still have the right to express their objection and that democratically signage should be inclusive of all. Mr Allamby highlighted that the Mid Ulster District has a minority ethnic population which goes beyond English, Irish and Ulster Scots.

Councillor McFlynn asked if the Human Rights Commission had any remit in relation to zero hours contracts or minimum hours contracts.

Mr Allamby stated that there are potentially some human rights issues at play with zero/minimum hours contracts but is more likely to be an employment legislation issue.

In response to Councillor Colvin's question Mr Allamby stated that the Commission has worked and engaged with all political parties in the past and will continue to do so in the future.

Councillor Colvin welcomed the opportunity to meet with the Human Rights Commission to discuss Irish Language and Ulster Scots, the Councillor stated he also welcomed that the Commission was addressing religious prosecution. Councillor Colvin referred to Abortion and stated he was proud that there was still some control on this issue in Northern Ireland.

Councillor Molloy thanked the Human Rights Commission for their attendance at tonight's meeting following which they withdrew from the meeting at 7.48 pm.

Matters for Decision

PR120/19 Request to Illuminate Council Property - July 2019

The Head of Democratic Services presented previously circulated report which considered requests to light up/illuminate Council's designated properties.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to approve the requests to light up Ranfurly House & Visitor Centre, Dungannon and Burnavon Arts & Cultural Centre, Cookstown from 2-8 September 2019 for Organ Donation Week and all designated properties on 21 November 2019 for World Pancreatic Cancer Day.

PR121/19 RDP Co-operation projects: International Appalachian Trail and Infrastructure Developments on Lough Neagh and its Waterways

The Director of Leisure and Outdoor Recreation presented previously circulated report which sought approval to take forward applications for Rural Development Programme funding under the Local Action Groups Co-Operation Scheme in which Council will act as lead partner with Mid Ulster Rural Development Partnership (the LAG) as co-applicant. The applications will relate to –

- The International Appalachian Trail – Ulster Section and,
- Infrastructure Developments on Lough Neagh and its Waterways.

Proposed by Councillor S McPeake
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to progress RDP Co-Operation Scheme funding applications on the International Appalachian Trail and Infrastructure Developments on Lough Neagh and its Waterways with Council acting as lead partner with Mid Ulster Rural Development Partnership as co-applicant. Council to provide match funding for the projects as detailed in the report and below –
International Appalachian Trail – £12,875
Infrastructure Developments on Lough Neagh and its Waterways - £38,500

The Director of Leisure and Outdoor Recreation left the meeting at 7.52 pm.

PR122/19 Full Fibre Northern Ireland Consortium (FFNI) Programme – Consortium Agreement

The Council Solicitor presented previously circulated report which sought approval for the Council to enter into a Consortium Agreement in respect of the Full Fibre Northern Ireland Consortium (FFNI) Programme with other Councils within the Consortium as listed within the report.

Councillor McKinney asked how the grant would be spent and what areas would benefit from the fund.

The Council Solicitor advised that the funding would improve fibre connectivity through the Council area.

Councillor S McPeake stated he was aware there were routes identified through Cookstown, Dungannon and Magherafelt and asked how far off these routes improved connectivity could be achieved.

The Head of IT advised that the primary design of the scheme is to connect public sector buildings and that surrounding buildings will potentially be able to gain from this through their own supplier. The officer advised that the scheme will bring added speed to the NI network and help to reduce operating costs. Members were further advised that there were draft maps of routes which are subject to review and finalisation.

Proposed by Councillor Colvin
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to enter into a Consortium Agreement in respect of the Full Fibre Northern Ireland Consortium (FFNI) Programme with the other Councils identified at section 2.2 of report along with the terms set out in Appendix A of report.

PR123/19 Release of Burden on Non-Council owned Land

The Council Solicitor presented previously circulated report which sought approval to release a burden registered against non-Council owned lands situated at 5 Sixtowns Road, Draperstown and registered in Land Registry under Folio 16991, County Londonderry.

Proposed by Councillor McLean
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to agree to release the burden registered against the lands registered in Land Registry under Folio 16991, County Londonderry and that the Council enters into any agreement or deed as appropriate to effect said release.

Matters for Information

PR124/19 Minutes of Policy and Resources Committee held on Thursday 6 June 2019

Members noted Minutes of Policy and Resources Committee held on Thursday 6 June 2019.

PR125/19 Corporate Plan 2020-2023: Timetable

Members noted previously circulated report which detailed the draft timetable for the development of the Council's new Corporate Plan 2020-2023.

P126/19 Organisational Development Service Improvement Plan 2019-2020

Members noted previously circulated report which detailed Organisational Development Service Improvement Plan for 2019-2020.

P127/19 Democratic Services Service Improvement Plan 2019-2020

Members noted previously circulated report which detailed Democratic Services Service Improvement Plan for 2019-2020.

P128/19 IT Service Improvement Plan 2019-2020

Members noted previously circulated report which detailed IT Service Improvement Plan for 2019-2020.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Buchanan
Seconded by Councillor S McGuigan 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 PR129/19 to PR139/19.

Matters for Decision

PR129/19 Staffing Matters for Decision
PR130/19 Weekend Street Cleansing Review Project
PR131/19 Environmental Services – Supervision of Weekend Work
PR132/19 Estates Strategy
PR133/19 Tender Award: Appointment of Newspaper/Newspaper Group to carry weekly planning advertisements
PR134/19 Seamus Heaney HomePlace Trails Projects: Rural Development Programme 2014-2020 – Lease and Purchase of various Lands
PR135/19 Development Opportunity
PR136/19 Development Site – Dungannon

Matters for Information

PR137/19 Confidential Minutes of Policy and Resources Committee held on Thursday 6 June 2019
PR138/19 Staffing Matters for Information
PR139/19 Contracts and DAC

PR140/19 Duration of Meeting

The commenced at 7pm and concluded at 9.25 pm.

Chair _____

Date _____

Report on	Conferences, Seminars & Training
Date of Meeting	25 July 2019
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Eileen Forde, Member Support Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2019-20 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	Approval for Consideration of Attendance by Elected Members There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix A to this report is sought.
3.2	Officer Approvals There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix B to this report is sought.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications Financial: Costs to be set against Members 2019/20 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member

	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix A Member Conferences, Seminars & Training Appendix B Officers Approvals

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NILGA - Changing Places: <i>Planning, Place-shaping and Place-making in Northern Ireland</i>	Tuesday 8 October 2019 9.30 am – 4.00 pm	Killyhevlin Hotel Enniskillen	Travel and subsistence	

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Agenda NI Social Media Belfast	Thursday 5 September 8.30am – 3.30 pm	Titanic, Belfast	Fee: £230 + vat travel and subsistence	
Agenda NI - NI Procurement Conference	Wednesday 11 September 2019 8.30 am – 3.15pm	La Mon Belfast	Fee £210 + vat, travel and subsistence	

Appendix B

Retrospective Approval Sought

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Independent Examination of Local Devlpt Plan	25/6/19	1	Merthyr Tydfil Wales	No
NI Planning Conference – Delivering Quality Affordable Housing	26/6/19	4	Lisburn	yes

Future Approval

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Conveyancing Conference	14/10/19	1	Templepatrick	Yes

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 25 July 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's <i>Civic Honour and Receptions Policy</i> .				
2.0	Background				
2.1	The policy was reviewed and subsequently agreed at April 2018 Council. All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.				
2.2	<p><u>Recognition</u></p> <ul style="list-style-type: none">Civic Honour: recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr></table>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition
Have won first place at a competition in their relevant field at the highest level of competition					
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition					
Representing their country at International, European, All-Ireland or National level at the highest level					
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition					

		Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition
2.3		<p><u>Processing the Request</u></p> <ul style="list-style-type: none"> Reviewed against the policy/criteria Reviewed to identify if recognition provided for similar achievement within 3 years prior to this Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception Requests not meeting criteria will be recommended to Council to receive letter from Council Chair
2.4		Appendix A to this report sets out those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.
3.0	Main Report	
3.1	Implementation of the policy facilitates the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members.	
3.2		
	Recognition requests received from members since the last meeting of council have been categorised, details of which are set out within appendix A to this report.	
4.0	Other Considerations	
4.1	Financial, Human Resources & Risk Implications	
	Financial: not applicable	
	Human: not applicable	
	Risk Management: not applicable	
4.2	Screening & Impact Assessments	
	Equality & Good Relations Implications: not applicable	
	Rural Needs Implications: not applicable	
5.0	Recommendation(s)	

5.1	That consideration be given to approving request for civic recognition requests
6.0	Documents Attached & References
	Appendix A – Civic Recognitions Recommended for Approval

Appendix A: July 2019 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
None				

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
St Colms High School, Draperstown	TES Schools Awards 2019 Sustainable School	Cllr Elattar	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: sports team won the GAA Gerry Brown School Cup (Danske Bank) Competition Date: 22/2/18
Michael Conroy	Danske Bank Irish News Player of the Year - Football Player of the Year	Cllr Molloy	<ul style="list-style-type: none"> Attained an outstanding achievement award 	For: N/A Date: N/A
Rachel McKenna	Dance World Cup – SNSV Senior Solo Song & Dance Bronze Medal	Cllr Quinn Cllr Kerr	<ul style="list-style-type: none"> Representing Country at World Level 	For: N/A Date: N/A
Tyrone Under 20's	2019 Ulster GAA Football U20 Champions	Cllr Kerr	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For Tyrone Under 17s All Ireland Win 28.9.17 Tyrone Seniors Ulster 27.7.17

Ballinascreen GAC Under 14 Ladies	Division 8 John West Féile Peile na nÓg All Ireland Champion Cup Winners	Cllr Elattar	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Aghaloo O'Neills GAC Under 14 Girls	Division 7 John West Féile Peile na nÓg All Ireland Champion Shield Winners	Cllr Gildernew	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Eglis St Patricks Tyrone Under 14 girls	Division 5 John West Féile Peile na nÓg All Ireland Champion Cup Winners	Cllr Gildernew	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Galbally Pearses Girls Under 14	Division 6 John West Féile Peile na nÓg All Ireland Champion shield Winners	Cllr Oneill Cllr Doris Cllr Kerr	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Jason Booth	Holstein Northern Ireland Herd Competition Junior Section Best Junior Cow (First Place)	Cllr Glasgow Cllr Colvin	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Richard Charles	Holstein Northern Ireland Herd Competition Junior Section Best Small Herd Award	Cllr Glasgow	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
William Bolton	Holstein Northern Ireland	Cllr Glasgow	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A

	Herd Competition Senior Section Best Junior Cow and Best 70T Cow			
Malcolm McLean	Holstein Northern Ireland Annual Herd Inspection Competition Cream of the Crop	Cllr Glasgow Cllr Colvin	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Michael Watters	Athletics Ireland All Ireland Age Group Championship Gold Medal in Long Jump	Cllr Kearney	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A

Other: Letter from Council Chair

Where it is deemed that conditions/criteria have not been met for a civic reception, civic award or chair & deputy chair reception a letter from the Council Chair is recommended. This may also be in instances where recipients have previously received a reception or award for the same or similar achievement.

Proposed Recipient	Achievement	Submitted by
Ardboe O'Donovan Rossa GAC	Tyrone League Division 1 Og Sport	Cllr Kerr
Moortown St Malachys GAC Under 14 Ladies	Tyrone League Division 2 Champions	Cllr Kerr
Donahgmore GAC	Tyrone Under 14 County Champion	Cllr Kerr

	Tyrone Féile	
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Report on	Chair of Mid Ulster Policing and Community Safety Partnership 2019-20
Date of Meeting	Thursday 25 th July 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	Claire Linney Michael McCrory

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To agree and confirm the appointment of the Chair for Mid Ulster Policing and Community Safety Partnership (PCSP) to hold the position until Council's AGM in 2020.
2.0	Background
2.1	<p>In accordance with the Justice (Northern Ireland) Act 2011, Part 3, Schedule 1, Section 10, (the Act) for each PCSP <i>there shall be a Chair appointed by the Council from among the political members.</i></p> <p>10 (1) For each PCSP there shall be:</p> <p>(a) <i>a chair appointed by the council from among the political members; and</i></p> <p>(b) <i>a vice-chair elected by the independent members from among such members.</i></p> <p>(2) <i>In appointing to the office of chair, the council shall ensure that, so far as practicable—</i></p> <p>(a) <i>a person is appointed to that office for a term of 12 months at a time or, where that period is shorter than 18 months, for a period ending with the reconstitution date next following that person's appointment;</i></p> <p>(b) <i>That office is held in turn by each of the four largest parties represented on the council immediately after the last local general election.</i></p> <p>In considering the Act, the Council is required to appoint a Chair to hold the office to be held in turn by each of the four largest parties represented on the council immediately after the last Local Election, this being May 2019.</p>
3.0	Main Report
3.1	With reference to 2.1 (above) members should give consideration to the appointment of a political member from amongst the council's PCSP membership to serve as Chair for the period 2019-2020, in line with Part 3, Schedule 1 of the Justice (Northern Ireland) Act 2011.
3.2	The council's current PCSP membership, as appointed at the AGM on 20 th May 2019, is:

	<table><tr><td>Cllr Cathal Mallaghan, SF</td><td>Cllr John McNamee, SF</td><td>Cllr Brian McGuigan, SF</td></tr><tr><td>Cllr Dominic Molloy, SF</td><td>Cllr Seán McPeake, SF</td><td>Cllr Frances Burton, DUP</td></tr><tr><td>Cllr Clement Cuthbertson, DUP</td><td>Cllr Anne Forde, DUP</td><td>Cllr Denise Mullan, SDLP</td></tr><tr><td>Cllr Derek McKinney, UUP</td><td></td><td></td></tr></table>	Cllr Cathal Mallaghan, SF	Cllr John McNamee, SF	Cllr Brian McGuigan, SF	Cllr Dominic Molloy, SF	Cllr Seán McPeake, SF	Cllr Frances Burton, DUP	Cllr Clement Cuthbertson, DUP	Cllr Anne Forde, DUP	Cllr Denise Mullan, SDLP	Cllr Derek McKinney, UUP		
Cllr Cathal Mallaghan, SF	Cllr John McNamee, SF	Cllr Brian McGuigan, SF											
Cllr Dominic Molloy, SF	Cllr Seán McPeake, SF	Cllr Frances Burton, DUP											
Cllr Clement Cuthbertson, DUP	Cllr Anne Forde, DUP	Cllr Denise Mullan, SDLP											
Cllr Derek McKinney, UUP													
4.0	Other Considerations												
4.1	Financial, Human Resources & Risk Implications												
	Financial: None												
	Human: None												
	Risk Management: None												
4.2	Screening & Impact Assessments												
	Equality & Good Relations Implications: None												
	Rural Needs Implications: None												
5.0	Recommendation(s)												
5.1	That Council considers the appointment of a Councillor from amongst the political members of the Mid Ulster District Policing & Community Safety Partnership to serve as Chair for 2019-2020												
6.0	Documents Attached & References												
	Reference: Justice (Northern Ireland) Act 2011, Part 3, Schedule 1, Section 10												

Report on	Delegated Authority to Chief Executive on Matters – Period of Recess (August 2019)
Date of Meeting	Thursday 25 th July, 2019
Reporting Officer	A Tohill, Chief Executive
Contact Officer	A Tohill, Chief Executive

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To seek approval from Mid Ulster District Council for the Chief Executive to be delegated authority to take a number of decisions during the period of summer recess in August 2019.
2.0	Background
2.1	The Council previously resolved that no meeting be held in August, agreeing to go into recess following the Planning Committee meeting on Tues 3 rd August 2019. To facilitate the continued delivery of necessary council business delegated authority is being sought some matters identified as requiring a decision over this period.
3.0	Main Report
3.1	To facilitate the continued delivery of council business authority on a number of key decisions is being requested to be delegated to the Chief Executive for the period Friday 26 th July to Wednesday 25 th September.
3.2	Section 7 of the Local Government Act (Northern Ireland) 2014 provides that a council may arrange for the discharge of any of its functions by (a) a committee, sub-committee or an officer of the council, or (b) by any other
3.3	In light of Section 7 of the Act, delegated authority is being sought for the Chief Executive to make a series of decisions in the absence of committee and council meetings from Tuesday 16 th April to Wednesday 26 th June. Appendix A to the this report details those specific issues and areas which will require a decision throughout the period of Tuesday 16 th April and Wednesday 26 th June been identified by Departments. Decisions identified.
3.4	Sec. 7 of the Act further confirms a number of functions which cannot be delegated and as such decisions on same can only be exercised by the Council. These functions extend to: <ul style="list-style-type: none"> (i) Making a district rate under the Rates (Northern Ireland) Order 1977 (ii) Making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring and amount determined

	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That the Council considers and provides delegated authority to the Chief Executive on the issues as identified within this report during the period of Council recess.
6.0	Documents Attached & References
	Reference: Local Government Act (Northern Ireland) 2014, Section 7

Report on	Response to NILGOSC Consultation – Circular 05/2019 – Funding Strategy Statement
Date of Meeting	Thursday 25 th July 2019
Reporting Officer	Director of Finance
Contact Officer	Director of Finance

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To provide Members with a draft response to NILGOC's consultation exercise in relation to its Funding Strategy Statement, which was notified to Council at its June 2019 meeting.
2.0	Background
2.1	NILGOSC, under cover of Circular 05/2019 dated 3 June 2019 (attached), sought Council's views in relation to its draft Funding Strategy Statement, which it is required to prepare, maintain and publish under Regulation 64 of The Local Government Pension Scheme Regulations (Northern Ireland) 2014 (the Regulations).
2.2	NILGOSC advised that the current Funding Strategy Statement was published in September 2016 and is currently due for review as part of the 2019 triennial valuation process. NILGOSC also advised that it has taken advice from the Scheme actuary, Aon Hewitt, on its funding strategy and has identified a number of proposed changes on which it is seeking Council's view.
2.3	Responses to the consultation are due by 31 st July 2019.
3.0	Main Report
3.1	<p>Regulation 64(4) of the Regulations requires NILGOSC, in preparing, maintaining and reviewing the statement, to have regard to:</p> <ul style="list-style-type: none"> (a) the guidance set out in the document published in October 2012 by CIPFA, the Chartered Institute of Public Finance and Accountancy and called "Preparing and Maintaining a Funding Strategy Statement in the Local Government Pension Scheme 2012"; and (b) the statement of investment principles published by the Committee under regulation 10 (statement of investment principles) of the 2000 Regulations.

3.2	The officers' review of the draft Funding Strategy Statement and their consideration of the specific questions posed by NILGOSC in Annex 1 to Circular 05/2019 considered both these documents.
3.3	The officers' review of the Funding Strategy Statement found that, with one minor exception, the proposed Funding Strategy Statement was closely aligned to the requirements specified in CIPFA's "Preparing and Maintaining a Funding Strategy Statement in the Local Government Pension Scheme 2012". The single potential anomaly has been referred to CIPFA for consideration (see proposed response to question 4 in Annex 1 to Circular 05/2019).
3.4	The officers have also recommended (see proposed response to question 5 in Annex 1 to Circular 05/2019) that NILGOSC give consideration to including its Statement of Investment Principles as an appendix to the Funding Strategy Statement.
3.5	In so far as the specific questions detailed in Annex 1 to Circular 05/2019 are concerned, the officers have, in the proposed responses recommended to Council for adoption, noted the fact that the matters referred to are highly technical matters regarding disclosure of pension liabilities in district councils' published accounts and that there is a lack of information concerning the financial consequences of the proposals on individual councils.
3.6	<p>In summary, and having had regard to all the information readily available to them, the officers have concluded that NILGOSC's proposals in relation to</p> <ul style="list-style-type: none"> (a) Ending the tracking of employers' notional assets within the Main group with effect from 1 April 2019; (b) Re-balancing of the overall fund assets where assets are required for individual employer calculations; and (c) Extending death-in-service pooling to death-in-service spouse pensions and ill-health risks across all employers in the Fund <p>should be recommended to Council as acceptable.</p>
3.7	The recommended responses to the specific questions posed by the consultation exercise are detailed at Appendix 2 to this report.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial:</p> <p>Assumed to be immaterial – no detailed financial information or analysis presented.</p>
	Human:

	N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	<p>That Members consider the above and recommend to Council that it</p> <ul style="list-style-type: none"> (a) Accept the officers' proposed answers to the specific questions posed by NILGOSC in Annex 1 to Circular 05/2019; and (b) Authorise the Chief Executive to submit the answers to NILGOSC in the prescribed format under cover of an appropriately worded covering letter by the closing date of 31st July 2019.
6.0	Documents Attached & References
6.1	NILGOSC Circular 05/2019 dated 3 June 2019
6.2	Proposed responses to questions posed by NILGOSC in Annex 1 to Circular 05/2019



To: Chief Executives
Pension Contacts

At: All Employing Authorities

Circular 05/2019
03 June 2019

Dear Colleague

NILGOSC's Funding Strategy Statement

Under the Local Government Pension Scheme Regulations (Northern Ireland) 2014, NILGOSC is required to prepare, maintain and publish a Funding Strategy Statement (FSS) which sets out the framework for the funding of all pension liabilities. The regulations also require that the FSS and any subsequent changes to it must be agreed following consultation with relevant stakeholders.

The current Funding Strategy Statement was published in September 2016 and is currently due for review as part of the 2019 triennial valuation process. NILGOSC has taken advice from the Scheme actuary, Aon Hewitt, on its funding strategy and has identified a number of proposed changes on which it is seeking your views.

The key changes are set out in the following paragraphs, with a set of consultation questions included in Annex 1 to this letter. NILGOSC would welcome your views, preferably by way of response to the questions attached in Annex 1, on the proposed changes together with any further suggestions on the FSS by 31 July 2019. The revised FSS is attached in Annex 2 to this letter.

This note distinguishes between employers who are inside or outside the Main group for the purposes of allocating Fund assets and setting contribution rates. Following the covenant exercise conducted late 2018, all those employers assessed by NILGOSC as having a weak covenant and employers who have closed the Scheme or whose participation in the Scheme is believed to be of limited duration will have been advised of their status outside the Main group. All other employers should assume they remain within the Main group.

Proposed Changes for the Main Employer Group

Since 2004, assets held within the Fund have been notionally allocated to employers in the Main group and "tracked" individually between triennial actuarial valuations, based on the contributions paid by the employer, overall fund returns and estimated benefits paid in respect of each employer's membership.

No account has been taken of this notional allocation when setting employer contributions to the Fund, rather all the employers in the Main group share a common contribution rate although the notional asset allocation has been used in any inter-valuation calculations

carried out by the Fund Actuary, such as assessments of any deficit payable when an employer exits the Fund, or leaves the Main group. The notional asset allocation is also used for annual employer accounting under FRS102 or IAS19.

The notional, individual asset allocation coupled with a common contribution rate based on the overall fund performance has resulted in a divergence of the individual employer tracked assets relative to their liabilities to the extent that the employer experience differs from the average performance for the overall fund i.e. some in a deficit and others in a surplus position. The Scheme Actuary has indicated that the current position is not consistent with the principles of 'grouping' in a 'pooled fund' and this treatment is not sustainable over the longer term.

To correct this the Funding Strategy Statement proposes an end to the tracking of employers' notional assets within the Main group with effect from 1 April 2019.

This means that no notional asset allocation will be made to employers in the group at each triennial valuation. Where calculations require an individual employer funding position, the Fund Actuary will assume a notional asset share such that all employers have the same funding level (i.e. proportion of assets relative to their liabilities) as the Main group as a whole.

This change will require a 're-balancing' of the overall fund assets where assets are required for individual employer calculations. For employers whose individually tracked assets relative to their liabilities are currently less than the average in the Main employer group, the re-balancing will represent an immediate improvement or "step-up" to their notional asset allocation, and vice versa for those employers whose individually tracked assets relative to their liabilities are currently higher than the group average. Employers who report their pension costs under IAS19 or FRS102 will see this step change in their accounting balance sheet position from year ends on or after 31 March 2020.

Employers should expect a change in the accounting balance sheet position in the year following a triennial valuation however the extent of this change could be significant for some employers after the proposed 're-balancing' exercise. Narrative will be provided by the Actuary to employers to explain the movement for post March 2020 annual accounting purposes.

The contributions for employers in the Main group will continue to be based upon the overall average position for the group as a whole at the valuation. There is no proposed change to this approach in the 2019 Funding Strategy Statement.

Employers outside the Main Group

For those employers outside the Main group there are no changes proposed as regards individual asset allocation and setting of individual contribution rates. These will continue to be determined by the Scheme Actuary.

Proposed Changes for All Employers

The other key change to the strategy is the proposed pooling of death-in-service benefits for survivors and ill-health risks across all employers in the Fund. This can be viewed as a form of insurance within the Fund. It means that at each valuation the Actuary will calculate how ill-health retirement experience has compared to the assumptions made and the cost (or saving) from this experience will be shared across all employers in proportion to their pensionable pay. This sharing of risk covers all employers in the Fund (i.e. both those in the Main Employer Group and those outside of this Group) and will be effective from 1 April 2019.

This is an extension of the current approach to "pooling" death-in-service lump sum costs across all employers and is intended to help protect smaller employers from the significant additional funding costs and resulting deficits that can result from these events.

Employer experience will be monitored with respect to expected fund average and if an employer has significantly worse experience than expected they may be removed from this pooling arrangement.

Further Proposed Amendments

There are some further amendments to the Funding strategy Statement which fall into three broad categories:

- Amendments to clarify the approach to setting employer contribution rates in a fund surplus scenario
- Amendments required to reflect changes to the Statement of Investment Principles since the last Funding Strategy Statement was published
- Amendments to the narrative to simplify or provide clarity around the more technical aspects of the Funding Strategy Statement

Next Steps

I should be grateful if you would submit your response to this consultative exercise by 31 July 2019 in order that any comments can be considered by the Committee in advance of it agreeing the final version of the document. A copy of the draft Funding Strategy Statement is attached to this letter and can also be accessed through NILGOSC's website www.nilgosc.org.uk.

Responses are welcomed in electronic or hard copy although an electronic version would be appreciated to assist with the collation of responses. Please submit your response to the Finance Manager using the contact details below:

Email: maria.bowers@nilgosc.org.uk

Post: Maria Bowers
NILGOSC
Templeton House
411 Holywood Road
Belfast BT4 2LP

Telephone: 0345 3197 320

I look forward to hearing from you however if you do have any queries, please do not hesitate to contact me 0345 3197 320 or by email maria.bowers@nilgosc.org.uk

Yours sincerely



Maria Bowers
Finance Manager
Enc

Annex 1
Consultation Questions

1. Do you agree with the proposal to end to the tracking of employers' notional assets within the Main group with effect from 1 April 2019?

2. Do you agree with the re-balancing of the overall fund assets where assets are required for individual employer calculations?

3. Do you agree with extending death-in-service pooling to death-in-service spouse pensions and ill-health risks across all employers in the Fund?

4. Are there any further changes you would wish to see to the Funding Strategy Statement?

5. Are there any other comments you wish to make on the Funding Strategy Statement?

Thank you for your time in participating in the consultation process for NILGOSC's Funding Strategy Statement. Employing authorities have an important part to play in the formulation and development of NILGOSCs overall funding strategy and your views will be taken into account by the Committee in agreeing the final version of the Funding Strategy Statement.

Annex 1

Consultation Questions

1. Do you agree with the proposal to end to the tracking of employers' notional assets within the Main group with effect from 1 April 2019?

Council appreciates that the tracking of employers' notional assets within the Main group originated as a consequence of the withdrawal of the exemption permitted (to organisations that, despite participating in multi-employer pension schemes with non-segregated assets, have a funding agreement in place to eliminate scheme deficits) under FRS17 to the requirement to disclose pension scheme deficits when FRS 102 became effective.

Council also recalls that the introduction of the requirements of FRS 102 in an effort to ensure that the defined benefit pension scheme liabilities were adequately disclosed in district council accounts was problematic and is of the opinion that it has not contributed to a better understanding of an individual district council's pension scheme liabilities.

Consequently, notwithstanding that the disaggregation of non-segregated assets and the estimation of scheme liabilities are complex matters, Council is content to accept the Actuary's assertion that the current accounting arrangements are neither appropriate nor sustainable.

Council, however, is not qualified to offer a better alternative to the proposed ending of the tracking of employers' notional assets.

2. Do you agree with the re-balancing of the overall fund assets where assets are required for individual employer calculations?

As stated above, Council is not an expert in accounting for pension scheme liabilities.

Council is not qualified to debate the technical aspects of either Pension Fund accounting or the quantification and disclosure of employer scheme surpluses or deficits.

However, Council does note that it would seem unlikely that the proposed assumption, i.e. that all employers within the Main group will have the same funding level (i.e. proportion of assets relative to their liabilities) as the Main group as a whole, is reasonable.

Council bases this view on the fact that different employers within the Main group are, as a consequent of previous decisions in relation to how accessible early and other forms of retirement were to former employees, e.g. at the time of local government reform, likely to have materially different scheme liabilities.

However, given the Actuary's view that the current accounting arrangements are neither appropriate nor sustainable, and no alternative course of action has been proposed, Council accepts that 're-balancing' of the overall fund assets is necessary for individual employer calculations.

Notwithstanding Council's concurrence with the proposal to 're-balance' the overall fund assets, Council is concerned about the potential impact that such rebalancing may have on the quantification of the secondary contributions (capital costs), which form part of each district council's overall contribution to the Fund.

That said, Council's concern in relation to the potential impact of re-balancing overall fund assets on capital costs is mitigated, albeit to an unquantifiable extent, by its understanding that the Fund's solvency has improved significantly since the original quantification of the capital costs currently payable. As such, Council is hopeful that the capital costs currently payable will reduce significantly, if not completely.

In summary, Council is more concerned with the financial cost of maintaining the Fund than with accounting entries that may be necessary to ensure that its accounts comply with FRS 102 and give a true and fair view.

3. Do you agree with extending death-in-service pooling to death-in-service spouse pensions and ill-health risks across all employers in the Fund?

Although Council is mindful of the extra costs that agreeing to the extension of pooling to include death-in-service spouse pensions and ill-health risks across all employers in the Fund could bring, it is also cognisant of the fact that employers outside the Main group have already satisfied the Fund's eligibility criteria either on their own merits or as a consequence of benefitting from another employer's guarantee.

Council is also mindful of the fact that extension of pooling should reduce the potential for the costs of these matters forcing an employer outside the Main group to become insolvent and therefore reduce the ultimate negative consequences for all remaining employers of the insolvent employer's liabilities becoming orphaned.

In the absence of detailed information about the potential estimated costs of the extension of pooling and the associated impact on the primary contributions payable by employers in the Main group, Council concludes that, on balance, it is likely that the extension of pooling will not impact materially on the contributions paid by employers in the Main group.

Accordingly, Council is prepared to agree with extending death-in-service pooling to death-in-service spouse pensions and ill-health risks across all employers in the Fund.

4. Are there any further changes you would wish to see to the Funding Strategy Statement?

Council suggests that NILGOSC considers whether an additional point be included immediately after paragraph 5.2.11 (potentially numbered 5.2.12) to include "NILGOSC shall review the valuation process as set out in its terms of reference" (assumed) – reference should be made to the last bullet point on page 13 of CIPFA's "Preparing and Maintaining a Funding Strategy Statement in the LGPS 2016 edition"

Council also considers that consideration be given to including NILGOSC's Statement of Investment Principles as an appendix to the Funding Strategy Statement.

5. Are there any other comments you wish to make on the Funding Strategy Statement?

Council is pleased to note that the draft Funding Strategy Statement is closely aligned to the guidance published by CIPFA in its "Preparing and Maintaining a Funding Strategy Statement in the LGPS 2016 edition".

Thank you for your time in participating in the consultation process for NILGOSC's Funding Strategy Statement. Employing authorities have an important part to play in the formulation and development of NILGOSCs overall funding strategy and your views will be taken into account by the Committee in agreeing the final version of the Funding Strategy Statement.

Report on	Response to Housing Executive Chronic Homelessness Action Plan
Date of Meeting	25 th July 2019
Reporting Officer	Adrian McCreesh Director of Business & Communities
Contact Officer	Claire Linney Head of Community Development Helen Gormley, Mid Ulster Community Planning

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	<p>On 27th February 2019, the Northern Ireland Housing Executive commenced its consultation on the 'Chronic Homelessness Action Plan'. The consultation will run until 2ndth August 2019. The purpose of this Paper is to consider a draft Response to the Action Plan.</p> <p>Council meeting on 25th June 2019, it was agreed that Council would prepare a response to this consultation.</p>
2.0	Background
2.1	<p>Housing Executive has developed an action plan that addresses the needs of the Northern Ireland population experiencing chronic homelessness, and the proposal has been developed within the following context:</p> <p>Chronic Homelessness has been defined in The Homelessness Strategy 2017-22 as a 'group of individuals with very pronounced and complex support needs who find it difficult to exit from homelessness' e.g. mental and physical health issues, addictions, legal and justice issues and suffer discrimination. People experiencing chronic homelessness tend to struggle with sustaining a permanent housing tenancy or a temporary accommodation placement.</p> <p>The Plan covers a 3-year period from 2019 to 2022. It has 10 objectives that focuses on addressing the wider issues of chronic homelessness rather than focussing only on the specific issues of rough sleeping and street activity.</p> <p>In delivering the action plan, input and support is required from a range of stakeholders across the statutory, voluntary and community sectors. The Housing</p>

	<p>Executive will employ new ways of working internally on a range of actions from the plan, while others cross departmental and interagency initiatives will require joint working by stakeholders.</p> <p>The Chronic Homelessness Action Plan will incorporate the actions of the Homelessness Strategy. The plan aims to:</p> <ul style="list-style-type: none"> ○ Improve the measurement and understanding of the scale of the problem of chronic homelessness and establish a baseline ○ Promote early intervention and prevention of chronic homelessness ○ Provide a rapid response to chronic homelessness to ensure interventions are effective and well targeted ○ Promote a cross departmental and interagency approach to addressing the problem of chronic homelessness. <p>7 Criteria has been identified to determine if an individual is experiencing chronic homelessness. Criteria include:</p> <ul style="list-style-type: none"> ○ An individual with more than one episode of homelessness in the last 12 months (constant breakdown of tenancies). ○ An individual with multiple placements/exclusions from temporary accommodation. ○ An individual with mental health problems. ○ An individual with addictions e.g. drug user or alcohol addictions. ○ An individual that has engaged in street activity, including rough sleeping, street drinking, begging. ○ An individual prone to violence - risk to self, to others or from others. ○ An individual who has encountered the criminal justice system.
3.0	Main Report
3.1	<p>Mid Ulster District Council agrees that, in the context of reducing chronic homelessness, it is imperative that there is improved understanding of the causes and complexities surrounding chronic homelessness, and the scale to which it exists. Ensuring early, effective and efficient interventions by all relevant agencies is essential to make certain that anyone who falls into chronic homelessness is quickly provided with sustainable housing and appropriate support to permanently end their homelessness.</p> <p>Council would state that a plan and strategy needs to address chronic homelessness in its widest sense. It is not just areas that have evidence of high levels of rough sleeping on the street, as in many rural areas this is not the position but exists in a more disguised manner as many homeless people are relying on</p>

	<p>friends and families to provide accommodation in houses that are already at full capacity, causing further stress to other family units.</p> <p>Whilst there is a body of information that indicates chronic homelessness is associated with people who suffer with a range of complex support needs, there are further associated issues, and for Mid Ulster in particular it is the inability of tenants to pay rents (these are beyond reasonable levels). Homelessness caused by affordability of rental properties is becoming a major issue, and leading to chronic homeless particularly in the Dungannon town area with extortionate rent prices and expedient increases being imposed on tenants renting within the sector, resulting in immense suffering by residents who are enduring such rises on restricted or decreasing income levels.</p> <p>A number of proposals have been attached that require consideration – Any plan or strategy to address homelessness must be with an adequate budget and finances to make a difference. Homelessness through affordability needs to be addressed as often this leads to chronic homelessness – review of rental markets and potential rent control interventions where required. - review of the LHA to ensure it is adequate to meet rental need. -Housing allocation to provide for support needs and wider community engagement. - Flexible solutions for housing supply through an integrated approach. - Welfare reform impact review on the need for continued support</p> <p>The draft Response from Council is attached as Appendix A.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Council to consider and approve the attached consultation response.

6.0	Documents Attached & References
6.1	Appendix A – Draft response from Council to Housing Executive

Appendix 1



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

16rd July 2019

Helen Hicks (Homelessness Policy & Strategy)
Housing Executive
1st Floor South
9 Laynon Place
Belfast
BT1 3LZ

Dear Ms Hicks

Ref: Consultation on Housing Executive Chronic Homelessness Action Plan

Mid Ulster District Council would like to take this opportunity to put forward views, opinions and concerns in relation to the proposed Housing Executive Chronic Homelessness Action Plan.

Specific views and concerns that Council has identified are set out in detail in the attached 'Response' document attached.

Yours sincerely

Adrian McCreesh
Director of Business and Communities

Mid Ulster District Council response to

Public Consultation – Chronic Homelessness Action Plan

Proposals for the first Chronic Homelessness Action Plan that will align with

the Homelessness Strategy from April 2019 to March 2022

Mid Ulster District Council welcomes the commitment from the Northern Ireland Housing Executive and Department for Communities in seeking to address the chronic homelessness issue in Northern Ireland, and areas most in need.

It is the understanding of Council that the Housing Executive has developed an action plan that addresses the needs of the Northern Ireland population experiencing chronic homelessness, and the proposal has been developed within the following context:

- Chronic Homelessness has been defined in The Homelessness Strategy 2017-22 as a 'group of individuals with very pronounced and complex support needs who find it difficult to exit from homelessness' e.g. mental and physical health issues, addictions, legal and justice issues and suffer discrimination. People experiencing chronic homelessness tend to struggle with sustaining a permanent housing tenancy or a temporary accommodation placement.

Data

Below are some statistics that must be taken into consideration in the process of planning for future service provision and in ensuring that any future strategy and plan is targeted at the areas most in need.

- Mid Ulster District Council area represents a population of 146,427 (June 2017) people across 1,714km² i.e. 14% of the regional landmass. Mid Ulster's population *grew* by 18.7% between 2001 and 2013 against the regional average of 8.3%, making Mid Ulster the **fastest growing** of the new 11 council areas, this trend is projected to continue with population climbing to **165,000** by 2030). This has resulted in additional pressure on housing provision and resultant homelessness in general.
- In 2017/18, **770** individuals **presented** as homeless in Mid Ulster. **468** awarded Full Duty Applicant Status and **103** households placed in temporary accommodation.

- The **running total** of Mid Ulster Full Duty Homeless Applicants on NIHE waiting list at 31 March 2018 was **644**.
- Mid Ulster area is considered as having the **third highest** number of chronic homeless people across all districts. Housing Executive Area Office for Mid Ulster estimated (on a specific date) that **39** of their homeless applicants were experiencing chronic homelessness based on 1-6 of the new proposed assessing criteria.
- Northern Ireland Housing Applicants 2017/18 included **1,723** applicants, **1,044** living in housing stress and **319** allocations. Only **18.5%** of Mid Ulster applicants received a housing allocation.
- **306** rural applicants were living in housing stress in 2017/18.
- Mid Ulster has **5,463** NIHE and Social Housing properties. This is the **second lowest** across all districts.
- Currently there are 23 registered housing associations in Northern Ireland. **10** of the associations currently own stock in the Mid Ulster District Council area.
- NIHE Projected Housing Demand for 2018-2023 is **700** units.
- Largest number of Mid Ulster Housing Benefit Claimants live in the **private sector**. At March 2018, there were **4,244** private Housing Benefit Claimants.
- Ulster University research showed weekly rental values for a semi- detached house in Mid Ulster to be **£121.38**. Research of the current rental market would show a previously Executive property is in the region of £600 - £650 per month (Estate agents as of July 2019).
- Mid Ulster District Council is spread across **four** Broad Rental Market Areas including: Lough Neagh Upper, Lough Neagh Lower, South and South West. The current rate for Mid Ulster and Dungannon in particular is very different from the areas that it is incorporated with and results in skewing the rental values.

Rationale for Chronic Homelessness Action Plan

Mid Ulster District Council agrees that, in the context of reducing chronic homelessness, it is imperative that there is improved understanding of the causes and complexities surrounding chronic homelessness, and the scale to which it exists. Ensuring early, effective and efficient interventions by all relevant agencies is essential to make certain that anyone who falls into chronic homelessness is quickly

provided with sustainable housing and appropriate support to permanently end their homelessness.

Mid Ulster District Council welcomes the cross-departmental 'Chronic Homelessness Action Plan', however significant amendments must be made to take on board the following points raised.

Responses to Chronic Homelessness Action Plan

Whilst much has been brought to pass through the delivery of various housing strategies in targeting homelessness, an integrated approach is required in responding to chronic homelessness across the region. Northern Ireland social housing sector is currently facing a major housing challenge with housing stress and homelessness figures at their highest level. In March 2019, 19,629 housing applicants were considered homeless in Northern Ireland, of which 3,943 were on the waiting list for more than 5 years. Council believes that the Housing Executive and Department for Communities in the development of the Action Plan, needs full resourcing to ensure that it can effectively tackle homelessness.

Even though Mid Ulster may look to have a low level of rough sleeping, it does have the third highest number of chronic homeless people across all districts (this is evidenced by figures provided by NIHE District Offices). Whilst many homeless people are not presenting on the streets they are relying on friends and families to provide accommodation which is in houses that are already at full capacity, causing further stress to other family units.

On 31 March 2018, Mid Ulster had a running total of 644 Full Duty Homeless Applicants on NIHE waiting list. NIHE research estimates that 5-10% of the homeless population suffer chronic homelessness. These levels of homelessness/ chronic homelessness are unacceptable, and as the Housing Executive and Department for Communities has referenced, there is a need for robust action. The plan needs to be appropriately resourced to achieve outcomes and key policy changes made to support delivery.

Whilst there is a body of information that indicates chronic homelessness is associated with people who suffer with a range of complex support needs, there are further associated issues, and for Mid Ulster in particular the inability of tenants to pay rents (these are beyond reasonable levels). Homelessness caused by affordability of rental properties is becoming a major issue, particularly in the Dungannon town area. Extortionate rent prices and exponential increases are being imposed on tenants renting within the sector, resulting in immense suffering by

residents who are enduring such rises on restricted or decreasing income levels. In some areas rents are in excess of £650 per month for five person three bedroom houses. Many tenants are being faced with shortfalls of up to £60 per week between rental charge and housing benefit payable. Other people on varying income levels are competing for a small number of properties and paying in the region of £150 per week. Consequently, to the affordability issues many tenants are experiencing recurring homelessness.

Council along with its community planning partners identified housing as a key priority for Mid Ulster. One of the proposed actions due to the above situation was to review the potential for rental cap or rent pressure zones, where tenants are experiencing homeless due to affordability. The voluntary landlord scheme has not worked. There is regular feedback on landlords hiking rents without notice, evicting people, not providing any rental security and not looking after their properties. At each supporting community estates walk, issues are raised about properties not being kept in decent condition and people paying unrealistic rents to live in these conditions without other options.

Local Housing Allowance (LHA) must be reviewed to take account of variations in rent charges within Broad Rental Market Areas. Council recommend that rental market areas be re-defined to reflect actual rental charges across all areas. Recognition is also given on the impact of LHA on the number of new social homes being built.

Housing Associations need to ensure they are charging rents based on the Local Housing Allowance levels. Situations arise where there is need for investment to build homes, and this is being funded by charging higher rents causing people to become homeless and increasing the issue of social pressure on need.

For people experiencing prolonged and serial homelessness, housing affordability barriers are often compounded by issues of poor mental health, addictions, social exclusion and financial stability. Against this background many individuals/families are leading unstable and chaotic lifestyles by living in unsuitable B&B, hostel, emergency and temporary accommodation in areas of which are unfamiliar and away from family support, to which they are dependent. There are instances where families and children are being placed in unsuitable temporary accommodation. Furthermore, social housing providers are making housing allocations without consideration of support needs for the individual/families which often worsens their situation and exacerbates their dependencies resulting in recurring temporary placements and serial housing failure. Council are of the opinion that changes must be made to the Housing Selection Scheme to enable mixed housing allocations that take account of family togetherness, community cohesion, and access to transport

services, education and employment with the view of providing an integrated holistic approach to long term housing sustainability.

It is fundamental that the Chronic Homeless Action Plan is delivered through a multifaceted approach involving statutory, voluntary and community sectors to ensure that people experiencing chronic homelessness are provided with appropriate permanent housing in their areas of choice along with tailored support to meet their individual needs. It is imperative that the NIHE, Housing Associations and partner agencies be committed to eradicating the homeless problem by investing the necessary resources so that the causes of the repeat homelessness becomes known, and appropriate action taken to ensure individuals/households have access to settled, affordable and suitable housing in their areas of choice. Models include buying up single properties in areas where there is stock coming to the market rather than relying on large developments Council recommend legislative changes be made to place Statutory Duty on relevant agencies to cooperate in an interdepartmental approach in providing the required resources, housing and support mix for people who are threatened or already experiencing homelessness.

Northern Ireland is experiencing a significant shortage in the provision of Social and Affordable Housing. NIHE estimate that 700 new housing units are required in Mid Ulster between 2018-2023. It is clear from the Social Housing Programme, that housebuilding is not keeping up with housing demand resulting in rising housing stress, homelessness and chronic homelessness figures. New ways for increasing the supply of social housing and alleviating homelessness must be prioritised. Council recommend the following action:

- purchase of land and development of mixed housing types by the Housing Executive;
- widening the offering of 'Affordable Housing' by Housing Associations, enabling citizens the opportunity to avoid rental market pressures and accessing low cost home ownership;
- upscaling purchases of new and existing housing from the open market by social housing providers.
- enforcement of policy on new build private developments to ensure delivery of social and affordable housing at appropriate rate based on housing need;
- clearance schemes to see demolition and rebuild of older social housing schemes to prevent high levels of housing unfitness.

Further consideration must be given to future sales of social housing stock. Council are of the view that in the interest of equality for all, the current 'Right to Buy Scheme' be amended to 'Buy Back Scheme' where purchasers are obliged to sell the property back to social housing landlords in the event of disposing. This change will ensure that tenants can avail of low cost ownership, and housing stock ending up in social housing provision through NIHE or Housing Associations.

Criteria identified for assessing chronic homelessness should be amended in line with the following comments:

- An individual with more than one episode of homelessness in the last 12 months – this should be mandatory
- An individual with multiple placements/exclusions from temporary accommodation – this should be mandatory

Recommend additional criteria:

- Individuals who have recurring homelessness due to affordability of rent– rent rises are causing problems for tenants
- Individuals who have been released from hospital or institutions
- Individuals/Families who are victims of crime

Welfare reforms will have a major effect on the level of chronic homelessness across the region. With the changing benefits system, through the roll out of universal credit and bedroom tax, adverse effects will be experienced by low income individuals/families living in social and private rented housing. The four year benefits freeze for people living in private rented accommodation will undoubtedly result in tenants falling behind in rent payments, increased evictions and homelessness. Mid Ulster Housing Benefit figures 2018, show the largest number (4,244) of claimants are people living in properties belonging to the private sector. Affordability issues will also be experienced by people living in the social housing sector as a consequence of benefits cuts. Benefit reductions are further complicated by the end of bedroom tax mitigations in 2020 and the size criteria for tenants living in social housing. Council are of the opinion that the new size criteria will have a negative impact on family dynamics, communities and wider regeneration. Furthermore, they are alarmed for the worsening homelessness crisis in Mid Ulster giving the current levels of housing stress and homelessness. Council recommended the following: Current Bedroom tax mitigations be retained beyond 2020; further consideration giving to family needs when determining housing need using size criteria for bedroom tax; and NIHE, DfC and Social Housing Providers be prepared with appropriate solutions to respond to the escalation in the homelessness crisis.

Evidence is showing that there is a correlation between poverty and being able to afford the basic provisions in life such as housing and security, particularly for people with families and depression and in situations suicide. This is evidenced from charities on the ground and some of the statutory agencies working with people in crisis.

Conclusion and Recommendations

If Chronic Homelessness is to be properly addressed, there are a number of areas that require serious consideration, as summarised -

- Criteria identified for assessing chronic homelessness be amended to remove criteria 1 and 2, as these are viewed as mandatory. Additional criteria should be included taking account of affordability, individuals leaving hospital or institutions, and victims of crime.
- Action Plan to include identified outcomes over the plan period 2019-22.
- Increased provision of 'Affordable' homes with a decent standard of income for all. This is a priority for the Mid Ulster area.
- Housing Associations to upscale their offering to include provision of 'Affordable Housing' in areas of identified need.
- Appropriate resourcing of the Chronic Homelessness Action Plan by the Housing Executive, Department for Communities and Partner Organisations to achieve outcomes and key policy changes made to support delivery.
- Statutory Duty to be placed on relevant agencies to cooperate in an interdepartmental approach in providing the required resources, housing and support mix for people who are threatened or already experiencing homelessness.
- Review the potential for rental cap and pressure zone areas for rental markets causing homelessness.
- Local Housing Allowance be reviewed to take account of variations in rent charges within Broad Rental Market Areas. New Rental Markets Areas to be re-defined.
- Housing Selection Scheme be amended to enable mixed housing allocations that take account of family togetherness, community cohesion, access to transport services, education and employment.
- Identify new ways for increasing the supply of social and affordable housing. Suggested ways include: purchase of land and development by Housing Executive, expand offering of 'Affordable Housing' by Housing Associations, increased purchases of new and existing housing from the open market, enforcement of policy on new build private developments to ensure delivery of social and affordable housing, and clearance schemes to see demolition and rebuild of older social housing schemes.
- 'Right to Buy Scheme' to be amended to 'Buy Back Scheme'
- Flexible models to include buying individual properties in areas where there is stock coming to market rather than relying on large developments.
- Retain current Bedroom Tax mitigations beyond 2020. Housing Executive, Department for Communities and Social Housing Providers be prepared with appropriate solutions to respond to the escalation in homelessness crisis resulting from Welfare Reforms.

Report on	Correspondence to Council – July 2019
Date of Meeting	Thurs 25 th July, 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Office of the Taoiseach, Irish Government</p> <p>The Assistant Private Secretary to the Taoiseach has corresponded with the Council to acknowledge receipt of correspondence sent to the L Varadkar, Taoiseach, Irish Government giving notification that the council had carried the following motion;</p> <p><i>This Council supports the family of Aidan McAnespie, shot dead by the British Army in February 1988, in establishing all the facts surrounding his death. To that end we undertake to write to the Dublin Government calling for them to release the Crowley report undertaken in the aftermath of his death</i></p> <p>Correspondence attached as Appendix A.</p>
3.2	<p>Correspondence from the Northern Ireland Human Rights Commission (NIHRC)</p> <p>The Chief Commissioner of the NI Human Rights Commission has corresponded with Cllr Molloy, Chair of Policy & Resources Committee following their presentation to July committee. Appendix B.</p>

3.3	<p>Correspondence from the Department of Justice</p> <p>The Permanent Secretary, Peter May has corresponded with the Council to advise that the Home Office have introduced a Domestic Abuse Bill to Parliament on 16 July. Following engagement with the Department it will provide for a new domestic abuse office in Northern Ireland and some other supplementary provisions.</p> <p>Correspondence attached as Appendix C</p>
3.4	<p>Correspondence from the Department of Communities</p> <p>The Permanent Secretary, Tracy Meharg has corresponded with Council in response to concerns expressed regarding the Northern Ireland Local Government Code of Conduct. The letter outlines detail on the current position of the Councillors' Code and advises that the Department is in the initial phases of instigation a review of local government legislation.</p> <p>Correspondence attached as Appendix D</p>
3.5	<p>Correspondence from Derry City & Strabane District Council</p> <p>The Chief Executive, John Kelpie has corresponded with Council seeking support for a motion carried in relation to a declaration of a Climate Emergency.</p> <p>Correspondence attached as Appendix E</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References

	Appendix A: Office of the Taoiseach, Government of Ireland
	Appendix B: Northern Ireland Human Right Commission
	Appendix C Department of Justice
	Appendix D Department for Communities
	Appendix E Derry City & Strabane District Council



Oifig an Taoisigh
Office of the Taoiseach

24th April 2019

Cllr. Seán McPeake
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Dear Cllr. McPeake,

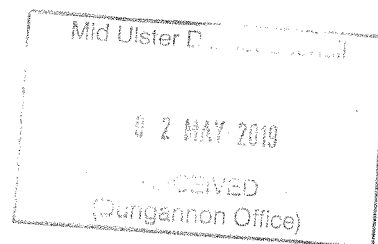
I wish to acknowledge receipt of your letter to the Taoiseach, Leo Varadkar
T.D. dated 16th April 2019.

A copy of your correspondence has been forwarded to the Tánaiste and Minister
for Foreign Affairs & Trade, Simon Coveney T.D., for attention.

Yours sincerely,

Mary Timmins
Assistant Private Secretary to the Taoiseach

Telephone: 01-6194000
E-mail: taoiseach@taoiseach.gov.ie





NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

9th July 2019

Councillor Dominic Molloy
Chair of Policy & Resources Committee
Mid-Ulster District Council
c/o Philip Moffett
Head of Democratic Services
Dungannon Office
Circular Road
Dungannon
BT71 6DT

Email: Philip.moffett@midulstercouncil.org

Dear

Dominic,

I am writing to thank you for facilitating the recent engagement with the policy and resources committee of the Council.

The day had been spent meeting PSNI staff locally, the Superstars Café in Cookstown and a number of community and voluntary organisations in a roundtable facilitated by STEP.

The Superstars café – a social enterprise staffed by adults with learning disabilities and difficulties was very impressive. The Chair wanted to pass on their appreciation of the support of the Council in offering Burnavon Theatre as a venue for the Superstars annual review production.

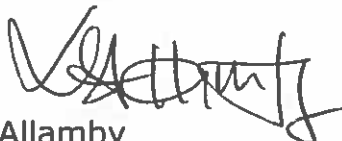
I was also impressed with the vibrancy of the voluntary sector and the breadth and depth of issues being pursued. Many were outside the purview of the Council for example social security, including the introduction of Universal Credit, and access to interpreting services within GP practices. Nonetheless, others fell within the Council's remit albeit working alongside other statutory agencies, for example the poor quality of private rental sector accommodation and environmental health issues. I was particularly impressed with the ability of local community organisations to highlight both the individual impact and the wider underlying systemic issues underpinning problems – the wide shortage of social housing and rules which allow landlords to continue to recover significant

housing benefit monies while offering sub-standard accommodation posing potential environmental health risks.

The vibrancy of the sector and its organisations locally is, I am sure, a testament to the support provided by councils and other funders.

Thanks again for facilitating the meeting, which was much appreciated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Les Allamby', written over a horizontal line.

Les Allamby
Chief Commissioner

FROM THE PERMANENT SECRETARY**Peter May**

Rm B5.10, Castle Buildings
Stormont Estate
BELFAST BT4 3SG
Tel: 028 9052 2992
email: peter.may@justice-ni.x.gsi.gov.uk

16 July 2019

DOMESTIC ABUSE BILL INTRODUCTION

I am writing to inform you that the Home Office today introduced a Domestic Abuse Bill to Parliament following engagement with this Department, this provides for a new domestic abuse offence in Northern Ireland and some other supplementary provisions. While the preference would be to legislate through the Northern Ireland Assembly, if that was possible, the inclusion of Northern Ireland provisions in the Bill will ensure that victims and survivors continue to be supported and protected.

The Northern Ireland provisions will reflect the vast majority of those contained in a former draft Northern Ireland Bill (the policy intent of which had been agreed by the Northern Ireland Executive and Ministers), albeit restructured. In their response to their domestic abuse consultation published in January the UK Government undertook to consider further the need for a statutory aggravating factor that would apply in domestic abuse-related cases in England and Wales; pending the conclusion of that work, the Bill does not include such a provision for Northern Ireland. If necessary, it would be the Department of Justice's intention to bring this forward on the return of the Assembly.

It is anticipated that the main stages of the Bill will take place in the House of Commons in autumn 2019, with the Lords stages following into early 2020. Subject to Parliamentary approval, the Bill is expected to receive Royal Assent by Easter 2020.

The Bill and explanatory notes can be accessed at

<https://services.parliament.uk/Bills/2017-19/domesticabuse.html>. A Fact Sheet on the

Northern Ireland domestic abuse provisions can be found at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817430/Fact_Sheet_-_Domestic_Abuse_Northern_Ireland.Rev2.pdf.

FROM THE PERMANENT SECRETARY

Peter May

A brief overview of the key Northern Ireland domestic abuse provisions is attached at **Annex A**, for ease of reference.

For further information please contact Veronica Holland on 028 90 520534 or veronica.holland@justice-ni.x.gsi.gov.uk.

Yours sincerely



PETER MAY

Peter May

ANNEX A

NORTHERN IRELAND DOMESTIC ABUSE BILL PROVISIONS

- The Bill's provisions will make it an offence in Northern Ireland for an individual to engage in a **course of abusive behaviour** against someone who they are "personally connected" to.
- Two people are **personally connected** if they are, or have been, married or in a civil partnership or they live together (or have lived together) as if they were married or in a civil partnership. Two people would also be personally connected if they are, or have been, in an intimate personal relationship with each other or are family members.
- The offence will cover behaviour that is abusive because it is controlling or **coercive** or amounts to **psychological, emotional or financial abuse** of the other person.
- Abusive behaviour will also include behaviour that is **physically violent, threatening or intimidating**.
- Abuse against a child by a person who has **parental responsibility** for that child is **excluded** from the scope of the offence, but an offence may be committed where a person makes use of a third party (including their child) to abuse another person.
- The offence will otherwise apply to both adults and those under 18.
- The provisions will apply where the **behaviour is intentional, or reckless**, as to its effect.
- **Harm would not have to be caused**, rather an offence will be committed where a reasonable person would consider the behaviour likely to cause harm.
- A **defence** may be that the **behaviour in the particular circumstances** of the case is deemed to be **reasonable** (for example, to ensure the safety of a spouse with dementia).
- An **aggravation** will apply to the domestic abuse offence where a child is involved – where they **see, hear or are present or they are used to abuse the connected person** – enabling the sentencing to be increased up to the maximum available.
- **Extra-territorial jurisdiction** will apply, meaning that abusive behaviour committed abroad may be brought within the remit of the domestic abuse offence to further protect victims.
- **Alternative offences** are available where a person is not convicted of the domestic abuse offence (under harassment legislation).
- The Bill provides for a range of measures associated with the offence in Northern Ireland, to reduce the potential for an individual to be further **victimised** during criminal proceedings, including:
 - the **personal relationship** between two individuals being taken as **established** unless it is challenged;

FROM THE PERMANENT SECRETARY

Peter May

- **prohibiting cross-examination** of a victim **by the accused**;
 - **automatic eligibility for consideration of special measures** (for example, giving evidence via a video link or behind a screen); and
 - providing that the **accused cannot ask for trial by jury** (for the case to be taken to Crown Court) in summary proceedings.
- The maximum sentence available will be **12 months imprisonment on conviction in a magistrates' court** and **14 years imprisonment on conviction in the Crown Court**. A fine may also be imposed.
 - **Guidance** will be issued around the investigation of the offence.



Department for

Communities

www.communities-ni.gov.uk

From: Tracy Meharg
Permanent Secretary

Level 9
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

Telephone: 028 90 823301
E-mail: tracy.meharg@communities-ni.gov.uk
Our Ref: PSC 0789.19
Date: 19 July 2019

Mr Anthony Tohill
Chief Executive
Cookstown Office
Burn Roan
Cookstown
BT80 8DT

Via email: anthony.tohill@midulstercouncil.org

Dear Anthony,

NORTHERN IRELAND LOCAL GOVERNMENT CODE OF CONDUCT

Thank you for your letter of 21 May 2019 regarding those letters of protest submitted to you by some of your councillors.

I have received a number of similar letters from other councils. As you know, councillors are required to sign a Declaration of Acceptance of Office where they agree that they have read and will abide by the Councillors' Code.

The letters of protest advised Chief Executives, that members considered that:

- they should not have to confirm that they have read and agree to abide by a Code which has been reviewed and to which there are recommendations for change awaiting approval by the Department for Communities;
- they are, in effect, being asked to give consent to complying with rules which central Government has already accepted as being outdated; and
- the NI Local Government Commissioner for Standards has not engaged meaningfully and constructively with the National Association of Councillors on how their office conducts its operations.

The latter issue is a matter for the NI Local Government Commissioner for Standards, however, the issues about the Code of Conduct are for my Department to deal with. I met with the Commissioner recently and she advised that she would address the issues raised in the letters submitted to Chief Executives regarding her Office.

I thought it might be helpful if I provided an update on a revised Code.

Review of the current Councillors' Code

The current Councillors' Code which was approved by the Assembly on 27th May 2014, was introduced as part of the Ethical Standards Framework under the new governance arrangements introduced by the Local Government Act (Northern Ireland) 2014 (the 2014 Act).

Following concerns raised by some councillors regarding Part 8 of the Councillors' Code (decision-making), the then Minister of the Environment appointed an independent Review Working Group, to consider those concerns and, in addition, to consider the (then recent) changes made to the Principles set out in the MLA Code of Conduct with a view to identifying whether Part 3 (Principles) of the current Councillors' Code should be amended in line with the MLA Code.

The independent Review Group conducted information gathering events from November 2015 to April 2016 and heard the concerns put forward by interested parties. The Review Group submitted its report to the then Minister who agreed that a revised Councillors' Code, amended in line with the Review Group's recommendations, should be issued for consultation.

The revised Councillors' Code was issued for consultation together with a copy of the Review Group's Report from 21 December 2016 to 28 February 2017. The consultation document advised that, while it sought views on the revised Councillors' Code, comments on points raised by the Review Group as "Emerging Issues" (i.e. Training, Advice to Councillors and Procedures) which were outside of the Review Group's remit would be considered by the Department as part of any future review of the Ethical Standards Framework in councils.

In summary, the changes proposed by the consultation were for the Councillors' Code to reflect the changes made to the MLA Code regarding the Principles of Conduct and for clarification to be given on when the rules on decision-making in Part 8 of the Code should apply i.e.

- that Rules 8.1(a) to (h) would apply to all council decisions, and
- that Rules 8.1(i) to (l) would apply, in addition to Rules 8.1(a) to (h), to quasi-judicial decisions (e.g. planning and licensing etc.), decisions on making appointments and the awarding of contracts.

The current position

The Department has collated the responses to the consultation and has prepared a Departmental Response to the submitted comments. These will be put forward for consideration by the Minister for Communities, when appointed.

I can understand that, having consulted on proposals for a revised Councillors' Code, there would have been an expectation within local government that this would have been brought forward as soon as possible after the close of the consultation. However, the Department cannot progress the revised Code at this time. Section 53 of the 2014 Act states that the Department must not issue a revised Councillors' Code unless it has been laid in draft before, and approved by, the Assembly (sub-section (7) of

section 53). The current Councillors' Code, which was approved by the Northern Ireland Assembly on 27 May 2014, will therefore continue to apply.

I acknowledge that councillors have some concerns about certain aspects of the Councillors' Code. At a recent meeting of the Central-Local Government Political Forum (28 June 2019), Forum members raised a number of issues with Louise Warde Hunter, Deputy Secretary of the Department's Housing, Urban Regeneration and Local Government Group and a useful discussion followed. I would like this dialogue to continue and have asked my officials to liaise with the National Association of Councillors and the Northern Ireland Local Government Association so that they can air any concerns councillors may have regarding the Councillors' Code.

Way forward

The Department is in the early stages of conducting a 3 year review and evaluation programme of local government legislation. The first year will consider council governance arrangements, and the wider review of the Ethical Standards Framework will form part of this work. The Department has established a Working Group of council officers and Departmental officials as part of the initial phase of this work to scope out any issues which have arisen from the practical application of the 2014 Act. Following this, the Department will engage with councillors, local government representative bodies and other key stakeholders to seek views on the current legislative framework. The recommendations that the Code of Conduct Review Group made on 'Emerging Issues' in their April 2016 report, will be considered during the wider review of the Ethical Standards Framework in councils and the Department will seek the valuable insights that councillors, councils and local government representative bodies can provide. The Department's intention, in carrying out the review, is to put recommendations to an incoming Minister, for consideration, at the earliest opportunity.

In the interim we are keen to share the progress of this review with councils and councillors on an ongoing basis through positive engagement with the local government sector.

I hope this information clarifies the standing of the current Councillors' Code and the Department's intention to work with councils to bring forward suitable policies which complement the work of councils.

Councillors may also wish to view the information and guidance available from the Local Government Commissioner for Standards (the Commissioner):

- guidance on the Councillors' Code,
- information on how it deals with complaints that a councillor may have breached the Councillors' Code,
- the procedures to be followed, and
- information leaflets about the service which the Commissioner's Office provides.

Advice is also available through "The [Guidance on the Use of Social Media](#)", produced by the Commissioner and the "[Conflicts of Interests – A Good Practice Guide](#)", produced by the Northern Ireland Audit Office. In addition DFI Planning Policy Division

has produced "[Guidance on the application of the Councillors' Code of Conduct with regard to Planning matters](#)".

I would be grateful if you could bring the content of this letter to the attention of your councillors for their information. A copy of this letter has also been sent to the Local Government Commissioner for Standards, the Northern Ireland Local Government Association and the National Association of Councillors – NI Region.

I do hope you find this helpful. If you require any further information my officials would be happy to assist: Julie Broadway julie.broadway@communities-ni.gov.uk (Tel: 028 9082 3349) or Mylene Ferguson mylene.ferguson@communities-ni.gov.uk (Tel: 028 9082 3350).

Yours sincerely,

Tracy Meharg

TRACY MEHARG
PERMANENT SECRETARY



Department for
Communities
www.communities-ni.gov.uk

From: Tracy Meharg
Permanent Secretary

Level 9
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

Telephone: 028 90 823301
E-mail: tracy.meharg@communities-ni.gov.uk
Our Ref: PSC 0789.19
Date: 1 July 2019

Mr Anthony Tohill
Chief Executive
Cookstown Office
Burn Roan
Cookstown
BT80 8DT

Via email: anthony.tohill@midulstercouncil.org

Dear *Anthony*

NORTHERN IRELAND LOCAL GOVERNMENT CODE OF CONDUCT

Thank you for your letter of 21 May 2019 regarding those letters of protest submitted by some of your councillors.

I have received a number of similar letters from other councils. As you know, councillors are required to sign a Declaration of Acceptance of Office where they agree that they have read and will abide by the Councillors' Code.

The letters of protest advised Chief Executives, that members considered that:

- that they should not have to confirm that they have read and agree to abide by a Code which has been reviewed and to which there are recommendations for change awaiting approval by the Department for Communities;
- they are, in effect, being asked to give consent to complying with rules which central Government has already accepted as being outdated; and
- the NI Local Government Commissioner for Standards has not engaged meaningfully and constructively with the National Association of Councillors on how their office conducts its operations.

The latter issue is a matter for the NI Local Government Commissioner for Standards, however, the issues about the Code of Conduct are for my Department to deal with. I have met with the Commissioner who has advised that she will address the issues raised in the letters submitted to Chief Executives regarding her Office.

I thought it might be helpful if I provided an update on a revised Code.

The current Councillors' Code

The current Councillors' Code which was approved by the Assembly on 27th May 2014, was introduced as part of the Ethical Standards Framework under the new governance arrangements introduced by the Local Government Act (Northern Ireland) 2014 (the 2014 Act).

Review of the current Councillors' Code

Following concerns raised by some councillors regarding Part 8 of the Councillors' Code (decision-making), the then Minister for the Environment appointed an independent Review Working Group, to consider those concerns and, in addition, to consider the (then recent) changes made to the Principles set out in the MLA Code of Conduct with a view to identifying whether Part 3 (Principles) of the current Councillors' Code should be amended in line with the MLA Code.

The independent Review Group conducted information gathering events from November 2015 to April 2016 and heard the concerns put forward by interested parties. The Review Group submitted its report to the then Minister who agreed for a revised Councillors' Code, in line with the Review Group's recommendations, to be issued for consultation.

A revised Councillors' Code was issued for consultation and was accompanied by a copy of the Review Group's Report. The consultation document advised that while it sought views on the revised Councillors' Code, comments on points raised by the Review Group as "Emerging Issues" (i.e. Training, Advice to Councillors and Procedures) which were outside of the Review Group's remit would be considered by the Department as part of any future review of the Ethical Standards Framework in councils.

In summary, the changes proposed by the consultation were for the Councillors' Code to reflect the changes made to the MLA Code regarding the Principles of Conduct and to clarify that rules 8.1(a) to (h) would apply to all council decisions and that Rules 8.1(i) to (l) would apply, in addition to rules 8.1(a) to (h) to quasi-judicial decisions (e.g. planning and licensing etc.), decisions on making appointments and the awarding of contracts.

The current position

The Department has collated the responses to the consultation and has prepared a Departmental Response to the submitted comments. These will be put forward for consideration by the Minister for Communities, when appointed.

Section 53 of the 2014 Act, under which the current Councillors' Code was approved by the Assembly, states that the Department must not issue a revised Councillors' Code unless a draft of the revised Councillors' Code has been laid before, and approved by the Assembly (paragraph (7) of section 53). Until such time when the Assembly is sitting, the Department is not in a position to take this matter any further

The current Councillors' Code, which was approved by the Northern Ireland Assembly on 27 May 2014, continues to apply.

The Local Government Commissioner for Standards (the Commissioner) has produced:

- guidance on the Councillors' Code,
- information on how it deals with complaints that a councillor may have breached the Councillors' Code,
- the procedures to be followed, and
- information leaflets about the service which the Commissioner's Office provides.

Councillors may also wish to make themselves familiar with the [Guidance on the Use of Social Media](#), produced by the Commissioner and the [Conflicts of Interests – A Good Practice Guide](#), produced by the Northern Ireland Audit Office. In addition DFI Planning Policy Division has produced [Guidance on the application of the Councillors' Code of Conduct with regard to Planning matters](#).

Way forward

The Department is in the initial phase of instigating a review of local government legislation which will cover the governance, ethical and financial arrangements of councils. The recommendations of the Review Working Group report, together with the comments submitted regarding that report, will form the basis of the wider review of the Ethical Standards Framework in councils. The Department will conduct this review seeking the valuable insights that councillors, councils and local government representative bodies may provide.

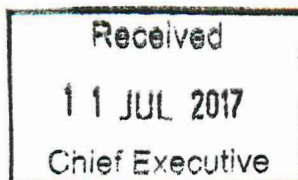
I would be grateful if you could bring the content of this letter to the attention of your respective councils for their information. A copy of this letter has also been sent to the Local Government Commissioner for Standards, the Northern Ireland Local Government Association and the National Association of Councillors – NI Region.

I do hope you find this helpful. If you require any further information my officials would be happy to assist: Julie Broadway julie.broadway@communities-ni.gov.uk (Tel: 028 9082 3349) or Mylene Ferguson mylene.ferguson@communities-ni.gov.uk (Tel: 028 9082 3350).

Yours sincerely,



**TRACY MEHARG
PERMANENT SECRETARY**



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSraitha Báin
Derry Cittie & Strabane
Destrack Council

Our Ref: TJ

9 July 2019

Mr Anthony Tohill
Chief Executive
Mid Ulster District Council
Circular Road, Dungannon
BT71 6DT

Dear Mr Tohill

At a Meeting of Derry City and Strabane District Council held on 27 June 2019, the following Motion was unanimously passed:

Council notes the recent IPCC (Intergovernmental Panel on Climate Change) report on the impact of climate breakdown and agrees that drastic measures must be taken to mitigate the risks.

Council requests an urgent report assessing the impact of the activities of Derry and Strabane Council on greenhouse gas emissions. Council must aim for Derry and Strabane to move away entirely from fossil fuels and towards renewable energy sources.

Council congratulates the Extinction Rebellion movement and other activists who have recently protested here and across the world to highlight the threat of climate catastrophe. Council supports the global climate strike set for September 20th next.

Council urges other local Councils to follow suit and also declare a Climate Emergency.

Council recognises that trains are the cleanest means of mass transportation available to us. Council calls for and will campaign for the completion of Phase Three of the promised upgrade of the Derry-Coleraine line.

Council agrees to establish a multi-agency team across the council area including government departments, political parties and other relevant agencies to ensure that tackling the causes of climate change is an immediate priority.

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

**John Kelpie MEng., CEng., MStructE.,
MIEI**

Chief Executive
Derry City and Strabane District Council

+44 (0) 2871 253 253
chiefexecutive@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

I would appreciate your consideration in this important matter and would be grateful for a response in relation thereto by 15 July 2019, prior to the next meeting of Derry City and Strabane District Council.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Kelpie', with a large, stylized initial 'J'.

John Kelpie
Chief Executive

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	25 July 2019
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Corporate Policy and Equality Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Communities (DfC)	Definition of Affordable Housing	The DfC has published a consultation paper entitled "Definition of Affordable Housing" to inform its engagement on proposals for a revised definition of affordable housing for Northern Ireland. The aim is to agree a new definition that can be applied consistently in legislation, policy, local plans and in practice.	13 September 2019	Planning
	Link to Consultation	Consultation document and Rural Impact Assessment - https://www.communities-ni.gov.uk/consultations/definition-affordable-housing Draft EQIA - https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-equality-definition-of-affordable-housing.pdf		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Agriculture, Environment & Rural Affairs (DAERA)	Options for Basic Payment Scheme Entitlement Unit Values post 2019	DAERA is undertaking a stakeholder engagement exercise to seek views on options for Basic Payment Scheme (BPS) entitlement unit values post 2019. The BPS provides direct support to farmers under Pillar 1 of the Common	30 September 2019	

		Agricultural Policy. This follows a stakeholder engagement exercise last year on a possible high-level framework for agricultural policy in Northern Ireland following the UK's exit from the EU.		
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/options-basic-payment-scheme-entitlement-unit-values-post-2019		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			

