



24 January 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, 24 January 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Apologies
2. Chair's Business
3. Declarations of Interest
4. Deputation - South West College, Northern Regional College and the Education Authority

### Matters for Decision

- |     |  |         |
|-----|--|---------|
| 5.  | Council minutes of meeting held on 13 December 2018                      | 5 - 16  |
| 6.  | Planning Committee minutes of meeting held on 7 January 2019             | 17 - 40 |
| 7.  | Environment Committee minutes of meeting held on 8 January 2019          | 41 - 48 |
| 8.  | Policy and Resources Committee minutes of meeting held on 9 January 2019 | 49 - 52 |
| 9.  | Development Committee minutes of meeting held on 10 January 2019         | 53 - 66 |
| 10. | Conference, Seminar and Training Report                                  | 67 - 74 |
| 11. | Requests for Civic Recognition   | 75 - 80 |

### Matters for Information

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- 14 Notification of Changes to Committee Membership and  
Position of Responsibility

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#### Notice of Motions

- 15 Cllr Wilson to move -

*"That this Council acknowledges the importance of and contribution to the economy made by our town centres; reaffirms our commitment to develop and support town centre businesses, both with direct engagement and with general town centre activities to aid footfall; and recognises the need for rate reform and, in doing so, backs the call from Retail NI for "radical change" in relation to town centres."*

- 16 Councillor B McGuigan to move -

*"This Council opposes plans to develop a goldmine and processing plant (LA10/2017/1249/F) in the Sperrins and wider region. Given the serious health and environmental risks involved, this council is opposed to the use of cyanide for mining purposes, which also contravenes the European Parliament resolution of 27 April 2017 on the implementation of the Mining Waste Directive (2006/21/EC)."*

- 17 Cllr Ashton to move -

*"That this Council acknowledges the great work of the NI Air Ambulance. This life saving service has had to be deployed 33 times to the Mid Ulster area during the first 10 months in 2018; And that this Council recognises the significant public fundraising efforts to keep the NI Air Ambulance operational and contribute 1/11 (£181,818) of the running costs of the NI Air Ambulance which currently is 2 Million pounds annually; And furthermore this Council writes to the other 10 Councils urging them to match Mid Ulster District Councils Commitment."*

**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

18. Council confidential minutes of meeting held on 13 December 2018
19. Planning Committee confidential minutes of meeting held on 7 January 2019
20. Environment Committee confidential minutes of meeting held on 8 January 2019

21. Policy and Resources Committee confidential minutes of meeting held on 9 January 2019
22. Development Committee confidential minutes of meeting held on 10 January 2019
23. Somme Park, Killyman Play Park Lease Agreement
24. Coalisland Public Realm - Contract Award
25. Heaney Trails Interpretation
26. Davagh Forest Outdoor Experience (Phase 2) – Capital Project
27. Villages Programme, Group 3 – Capital Project

Matters for Information

28. Document for Sealing - Conveyance between Mid Ulster District Council and Robert Thomas Ferguson in relation to lands situated at Coagh Road, Stewartstown



**Minutes of Meeting of Mid Ulster District Council held on Thursday 13 December 2018 in the Council Offices, Circular Road, Dungannon**

**Chair:** Councillor S McPeake

**Members Present:** Councillors Ashton, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, McLean, McNamee, D McPeake, Milne, Monteith, Mullen, Mulligan, O'Neill (7.04pm), Reid, Robinson, G Shiels, Totten and Wilson

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Ms Campbell, Director of Leisure & Outdoor Recreation  
Mr Cassells, Director of Environment & Property  
Mr Kelso, Director of Public Health & Infrastructure  
Mr A 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

The meeting commenced at 7 pm

**C284/18 Apologies**

Councillor Gildernew, Mallaghan, S McGuigan, McKinney, Molloy, M Quinn, T Quinn, and J Shiels

**C285/18 Declarations of Interest**

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

**C286/18 Chair's Business**

The Chair Councillor McPeake welcomed the two co-opted Councillors Donal McPeake and Ian Milne to the meeting. The Chair extended best wishes to the two outgoing Members Peter Bateson and Niamh Milne and thanked them for their service to the Council.

**C287/18 Receive and Consider Minutes of matters transacted on "Open Business" at the Council meeting held on Thursday 22 November 2018**

Proposed by Councillor McNamee  
Seconded by Councillor McGinley and

**Resolved** That the Minutes of the Meeting of the Council held on Thursday 22 November 2018 (C258/18 – C271/18 and (C283/18) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

**C288/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Monday 3 December 2018**

Proposed by Councillor B McGuigan  
Seconded by Councillor Reid and

**Resolved** That the Minutes of the Meeting of the Environment Committee held on Monday 3 December 2018 (E342 – E354/18 and E362/18-E363/18) transacted in “Open Business” having been printed and circulated, were considered and adopted.

*Councillor J O'Neill entered the meeting at 7.04pm*

**C289/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 4 December 2018**

Proposed by Councillor Bell  
Seconded by Councillor Clarke and

**Resolved** Amendment to the minute at PL151/18, application LA09/2018/0518/O Residential development of approx. 48 dwellings, access, amenity space, landscaping and ancillary site works at lands W of Forthglen and adjacent to 130 & 130A Orritor Road and including access on to Tullagh Road, Cookstown for JAMDAC Developments. The minute to read '*Councillor Bell stated that phase 2 lands in this instance were being hamstrung due to lack of development in phase one lands.*'

Proposed by Councillor Clarke  
Seconded by Councillor Kearney and

**Resolved** That the Minutes of the Meeting of the Planning Committee held on Tuesday 4 December 2018 (P148/18-P152/18 and P162/18-P163/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C290/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Wednesday 5 December 2018**

Proposed by Councillor McNamee  
Seconded by Councillor McFlynn and

**Resolved** That the Minutes of the Meeting of the Development Committee held on Wednesday 5 December 2018 (D226/18-D234/18 and D239/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C291/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 6 December 2018**

Proposed by Councillor Totten  
Seconded by Councillor McLean and

**Resolved** That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 6 December 2018 (PR243/18 – PR251/18 and PR265/18-PR266/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C292/18 Conferences, Seminars and Training – Attendance by Members**

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) Conference & Seminars – Attendance by Members**

**NILGA Performance Improvement for Transforming Councils: Cllrs**

- Antrim Civic Centre
- Monday 28 January 2019 10.30am - 1pm
- Conference fee: nil, travel & subsistence only

**(ii) Officer Approvals**

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee
VAT Conference for Local Authorities	27/02/19	1	London	Yes
<b>Retrospective</b>				
Regeneration NI Conference	29/11/18	1	Belfast	No
NI Leadership and Governance Conference	27/11/18	1	Lisburn	Yes

Proposed by Councillor McGinley  
Seconded by Councillor J O'Neill and

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

### **C293/18 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.

Proposed by Councillor McGinley  
Seconded by Councillor Burton and

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

### **C294/18 Response to Northern Ireland Ambulance Service Health and Social Care Trust's Consultation and EQIA on the Introduction of a Proposed New Clinical Response Model**

The Director of Public Health and Infrastructure presented previously circulated report which considered Council's response to the Northern Ireland Ambulance Service (NIAS) consultation and EQIA on Introduction of the Proposed New Clinical Response Model.

Councillor Wilson stated that the proposed model would not improve arrival/response times for the district. He also expressed concern that the NIAS appeared to be 'putting all the eggs in one basket' with the centre at Desertcreat and was emphatic that whilst he would be supportive of the proposed centre if it was not happening refurbishment of the existing estate was required.

In response, the Director of Public Health and Infrastructure stated that the proposal was for a maintenance and service depot.

Councillor Monteith stated that whilst the proposal to enhance provision to keep the NIAS fleet on the road is to be welcomed his concern would be that everything would be moved to the Desertcreat site and that it needed to be written into the response that Council would not tolerate services such as the South Tyrone Ambulance base being moved. He was emphatic that whilst provision at Desertcreat for maintenance was to be welcomed it must not take the place of service in the communities.

Councillor McLean concurred and stated that in previous consultations it was stated that the site at South Tyrone and Mid Ulster Hospitals (Magherafelt) were best placed to serve communities and whilst he would not be against the proposal for Desertcreat, other services must remain.

In summary the proposed response to include the undernoted comments:

- Whilst Members welcome the site at Desertcreat it must not be detrimental to the existing NIAS estate and services operating from South Tyrone Hospital site and Mid Ulster site at Magherafelt;



- Whilst there are changes to the service Mid Ulster area response times are not improving;
- NIAS and NIFRS need to develop closer working relationships resulting from the number of callouts to both services.

**Resolved** That the draft response to the Northern Ireland Ambulance Service consultation and EQIA on Introduction of the Proposed New Clinical Response Model as circulated at appendix to report, including aforementioned comments, be approved

## **Matters for Information**

### **C295/18 Consultations Notified to Mid Ulster District Council**

Members noted previously circulated report on consultations notified to Mid Ulster District Council since the last meeting of the Council.

*Councillor Monteith declared an interest in Curriculum Sports Programme as a Board of Governor at local primary school.*

*Councillors Burton and Reid declared an interest in Cookstown, Dungannon and Magherafelt Community Transport*

### **C296/18 Correspondence to Council – December 2018**

Members noted previously circulated report which provided update on correspondence received for the attention of Council.

The Chair, Councillor McPeake drew attention to the letter received from Ards and North Down Borough Council in relation to a motion passed relating to the impact of financial cuts introduced since 2015 on the provision of community transport. He stated that he would support the request as at recent events he had attended in the community people were expressing concern about the reduction to the service which was impacting areas such as Hospice day care because there was such difficulty in getting a regularised service due to cuts. The Chair proposed that community transport organisations be invited to present to a committee in order that Council may endeavour to address the issue.

Councillor Monteith seconded the proposal highlighting that Councillor G Shiels had raised this through Council and a number of groups had contacted him regarding lack of services. He stressed that community transport was a vital facility and Council needed to do all in its power to address the issues.

Councillor Monteith drew attention to the letter received from Newry, Mourne and Down District Council regarding the withdrawal of the Curriculum Sports Programme. He stated that the Department of Education was relying on the goodwill of sports clubs to take up the slack and that the funding had just been withdrawn there was no scaling back or efforts to seek alternatives and that it was reprobate step by the Department.

Councillor Burton advised that when attending community transport meetings it was repeatedly reported that the demand for the service was growing and the only time people ceased using it was when they passed away. The Councillor advised that the community transport staff were at the 'cold face' repeatedly dealing with people who are utterly frustrated that they have no access to the service on which they solely rely. Councillor Burton stressed that as well as meeting with local providers Council needed to also meet with the Department as Mid Ulster was a vast rural area with a large elderly population and without the service many of the districts vulnerable people were left sitting alone.

Councillor Kearney concurred with Councillor Monteith in relation to the cuts to the Curriculum Sports Programme advising that 20 GAA coaches were losing their jobs on the mouth of Christmas and that similar numbers of IFA coaches had the same fate. He stated that rural schools in particular were badly affected by the decision and supported the call for Council to write to the Permanent Secretary regarding the matter.

Councillor Reid concurred with previous speakers and suggested that as well as an individual Council response the 11 Chief Executives needed to raise the matter as the impact of the cuts were felt across all areas.

Councillor G Shiels said that there was little or none departmental organisation stating that whilst the Department of Infrastructure was responsible for rural transport there needed to be 'cross departmental pollination and co-operation' for a way forward to be determined.

Councillor McLean stated that funding was not the only issue facing community transport providers as there was also the issue brought about by changes to driving licencing legislation requirements, which also impacted on the ability to produce income by private hire to churches etc. He stated that it may be beneficial for Council to meet with providers then meet with funders.

Councillor Reid reiterated that there should be a collective approach on Community Transport issues.

Councillor Wilson stated that in relation to rural transport and the curriculum sports programme Councils should act collectively through NILGA, as to meet with relevant departments as individuals it is easier to be 'palmed off.'

The Chair Councillor McPeake stated that the matters should be brought to the attention of NILGA for a collective approach but Council should still write to Permanent Secretaries.

**Resolved** That the undernoted actions be taken

- Providers of Community Transport be invited to present to relevant committee regarding the impact of funding cuts and driving licence changes on services;
- Council write to the Permanent Secretary of the Department of Infrastructure regarding the impacts of driving license changes and funding cuts on community transport;

- Council writes to the Permanent Secretary of the Department for Education expressing outrage at the cuts to the Curriculum Sports Programme; and
- That NILGA be requested to seek an 11 Council approach to both the cuts to the Curriculum Sports Programme and the aforementioned impacts on Community Transport.

## **C297/18 Notice of Motion**

Councillor G Shiels referred to the motion he wished to move as undernoted:

*“That Mid Ulster District Council develops an intensive lobbying campaign to convince the Department for Infrastructure of the urgent necessity to construct high capacity bypasses at Dungannon and Cookstown and of course Moneymore. In its entirety this scheme would be tiny compared to works done and scheduled for the A5 & A6. If implemented this proposal would allow a linkage between the M1 & M2 creating a 100 mile ring road taking in Belfast and bringing Mid Ulster in from the cold. The great danger is that with the ultimate and imminent completion of the A6 renovations, Mid Ulster sandwiched between two super roads, faces being bypassed by investment, industry, tourism etc., etc., unless steps are taken to provide this Sperrins super highway. Further that Council requests Officers to undertake research, majoring on economic, social and environmental hazards and benefits, expanding on work already done arguing for the Cookstown bypass.”*

Councillor G Shiels moved the motion stating that;

“All the talk in the world of special trade areas or economic initiatives means nothing without good roads infrastructure. The Economic Fulcrum of any administrative area, especially one the size of Mid Ulster, is the roads infrastructure. The massively successful engineering story of Mid Ulster is intoxicating, but unfortunately the hangover is about to kick in. For hangover read, ‘the inertia and listlessness’ brought about by year on year stagnation of traffic, the slow but inexorable strangulation of the business and economic prosperity of Mid Ulster and untold damage caused to the health and wellbeing of subsequent generations of vulnerable young people and the elderly, being forced to inhale toxic fumes from vehicles stuck in traffic gridlock.

Isn’t it a contradiction that laws exist to protect individuals from being exposed to the effects of cigarette smoke in all of our public places, whilst the ultimate public space, the open air of our streets and towns, is subject to contamination akin to the ‘Smog Soup’ I remember seeing on old black and white TV’s during the 60’s. We are all culpable, as motorists, to some extent of corporate guilt. There is no point looking for the cure for there isn’t one, if a cure did exist we’d have already found it. There might though be a remedy. The remedy is to provide a Sperrins Super highway, a route 66, via proper bypasses at Cookstown, Dungannon and Moneymore and through that create a 100 Mile ring road in the centre of Northern Ireland channelling and equalising traffic.

It is imperative that the engineering, manufacturing industry in Mid Ulster can speedily source raw materials and equally important that the finished article, with added value can find an easy route to market. Movement of goods isn’t easy, industry is being strangled yet Magherafelt with its bypass is about to take off and conceivably leave Cookstown, Dungannon and Moneymore high and dry. When the A6 is complete from Londonderry

to the M2, we in Mid Ulster will be trying to attract tourists and coax them to come into the South West through Mid Ulster but motorists won't relish the thought of leaving a modern highway to sit in a traffic jam in Cookstown, Dungannon or Moneymore. My language attempts to paint a picture of a linkage between the M1 & M2 creating a 100 mile ring road taking in Belfast and bringing Mid Ulster in from the cold. This Sperrins super highway, Route 66 if you like. The A29 is the longest 'A' road in Northern Ireland, other than the meandering coastal A2. The journey from Portrush to Armagh after which the A29 ceases to be trunk is a distance of some 66 miles. So it's not slogans, but packaging. It is important that individuals can easily identify with the main thrust of the argument, so that collectively they too can become persuaders. This is where small short easily remembered key phrases are important. I suppose the verbal shorthand is – Soundbites. There really is an ongoing piece of work which the officers are best suited and qualified to undertake. That is to consult manufacturers, business leaders, tourism and communities to outline a campaign. Officers should not be starved of resources if there is a need to hire in experts to construct a document following a community plan type structure or maybe we could use the model of the community plan. This cannot be a political hot potato but each and every council member should have full access to progress update and to make representations on behalf of the community.

Defeatists, not in this Chamber I'm sure, will say, 'It will never happen.' However never is a long time, and yes, some might say we are like Don Quixote tilting at windmills. I say if the windmill is there, let's tilt away. The latest news on a Cookstown bypass and the initiative at the former Tyrone Brick site are grist to the wheel and fill me with optimism. I remember a Stormont Minister telling me when I bemoaned the fact that traffic was at a standstill in Magherafelt, 'Yes George I realise that Magherafelt could benefit from a bypass, but you must keep asking and making the arguments.'

So that's what we must do, keep asking ad nauseam. I have a soft spot for old Quizote I think he was no soft man and like Robert the Bruce's spider he kept trying and trying again. That's what we must do, try and try again, but meanwhile shout it from the rooftops."

Councillor Wilson seconded the motion emphasising that Councillor G Shiels was right in the fact that if the A5 and A 6 proceed Mid Ulster is stuck in the middle. He stated that Cookstown was starved of Invest NI land and part of the old area plan is that the East Distributor route be opened up to development land.

Councillor McNamee concurred with the sentiments stating that Council should lobby through MPs and MLAs and reflected that Chris Hazzard former Minister had provided £600k prior to the collapse of the NI Assembly, then the money was being sent to other schemes until Council had pressurised the Department and won the case. He further advised that the latest update on the Cookstown bypass scheme was that the Permanent Secretary had updated Michelle O'Neill MLA in that he had completed the termination to appoint Consultants which would lead to the publication of the environmental statement and draft vesting orders in 2020. He then emphasised that Council needed to hold responsible persons to the timetable and continue to lobby for Dungannon and Moneymore.

Councillor McFlynn stated that the SDLP welcomed the motion and concurred with previous speakers saying that the district had a major food engineering sector and the proposed bypass would enhance the economy of the major towns bringing improved safety for pedestrians highlighting the Magherafelt Bypass as an example. Councillor McFlynn stated that currently Moneymore and Dungannon were gridlocked both in the mornings and evenings and stated that Council had the opportunity to work towards a City Deal with partner Councils and asked if the suggested bypasses could be developed as part of this.

Councillor McGinley concurred stating that the project was aspirational as Department of Infrastructure roads was dealing with for example potholes significant investment is needed for such a scheme. He emphasised that Mid Ulster needed to link in with all routes and suggested that the route be named Route 32 as opposed to Route 66!

Councillor Cuthbertson welcomed the motion but referred to a motion moved in June regarding a bypass for Dungannon and sought an update.

The Chief Executive referred to Standing Order 19.14 and advised that permission of Council was required for any person who is not a member of the Council to address the meeting whilst a motion was under discussion.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Monteith

That the Chief Executive be permitted to provide an update regarding motion moved in June 2018 regarding a Dungannon Bypass.

The Chief Executive advised that the Planning Manager had initiated discussions on route options for a Dungannon Bypass and had drafted sketches accordingly. He further referred to the Transport Plans Project Board and advised that he sat on the board and advocated strongly in regard to the motion carried in June as the A29 corridor was crucial to the economy. The Chief Executive also referred to the Health Trusts remarks at the November meeting of Council stating how important it was to advocate for roads as good roads networks.

The Chief Executive advised that Council and its partners although in early stages would continue to lobby in relation to this. He also stated that in relation to securing the advancement of the Cookstown Bypass a cross party delegation to the Department had proven to be most effective and assured Members they would receive regular updates as and when information became available.

Councillor Monteith referred to discussion regarding the A29 and stated when the motion was moved at Council both himself and Councillor Gildernew had expressed concern about traffic congestion being pushed back to the Moy. He said he welcomed the motion moved by Councillor G Shiels and suggested a one-off workshop to look at all 'A' roads in the District and further suggested that Officers furnish Members with a report updating on progress since June. He reiterated the call for a workshop stating that Council and its Members put the 'shoulder to the wheel'.

The Chief Executive stated that the Planning Manager should be included in the aforementioned workshop as it would be useful to have his expertise. He further stated that they were roads issues and there was statutory procedures to follow but that a report could be brought to a workshop then Council could charter an action plan on the way forward.

Councillor Cuddy stated that the Planning Manager had a lot of knowledge on the scheme for a bypass in Dungannon over the years and stated that in a city deal strategic projects were identified then brought to Westminster and emphasised that a good strategic project was required that areas were not lobbying against each other. He emphasised that Mid Ulster had to be seen to mean business and send the message out that they were not prepared to take the scrapings. He stressed that all parties needed to buy in.

The Chair, Councillor McPeake concluded that there was agreement for a workshop.

**Resolved** That a workshop be organised to discuss A Class roads and routes for bypasses in the district.

The Chief Executive advised that reports on the City Deal would be brought through the Development Committee but emphasised that activity was still at a foundational high level economic analysis of the area and highlighted that the district had 25% of the population and one third of businesses from Northern Ireland were based in the district. He advised that efforts to engage key stakeholders were ongoing and emphasised that it was new territory for Council but to date all parties were very encouraging.

The Chair Councillor McPeake called upon Councillor G Shiels to reply to comment to close debate on the motion.

Councillor G Shiels stated that his late mother had used the saying, "*if you look after the heel and toe, the rest of the shoe will shine itself*" and stressed that Council must be correct in its terminology and lobby for bypasses not through passes.

The Chair Councillor McPeake stated as all parties had concurred the motion was carried.

*The press and public left the meeting at 7.52 pm*

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

Proposed by Councillor McGinley  
Seconded by Councillor Kearney and

**Resolved:** That items C298/18 – C304/18 be taken as confidential business.

#### **Matters for Decision**

- (i) Council Meeting Confidential Minutes of Meeting held on 22 November 2018
- (ii) Audit Committee Confidential Minutes of Meeting held on 27 November 2018
- (iii) Environment Committee Confidential Minutes of Meeting held on 3 December 2018
- (iv) Planning Committee Confidential Minutes of Meeting held on 4 December 2018
- (v) Development Committee Confidential Minutes of Meeting held on 5 December 2018
- (vi) Policy & Resources Committee Confidential Minutes of Meeting held on 6 December 2018

**Documents for Sealing**

- (i) Document for Sealing: Lease of lands at Knockmany Forest between the Department of Agriculture, Environment and Rural Affairs and Mid Ulster District Council

**C305/18      Duration of Meeting**

The Chair, Councillor McPeake wished everyone a happy and peaceful Christmas.

The meeting was called for 7 pm and ended at 7.57 pm

Chair \_\_\_\_\_

Date \_\_\_\_\_





**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Monday 7 January 2019 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Glasgow, Chair

Councillors Bell, Clarke, Colvin, Cuthbertson, Gildernew, Kearney, McAleer, McEldowney, McKinney, D McPeake, S McPeake, Robinson, J Shiels

**Officers in Attendance**

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

**Others in Attendance**

Councillors B McGuigan

**Applicant Speakers**

LA09/2017/0126/F	Gavin Smyth
LA09/2017/0126/F	Dermot Monaghan
	Michael Murphy
LA09/2017/1004/O	Toirleach Gourley
LA09/2017/1149/O	Chris Cassidy
LA09/2017/1447/F	Gavin McGill
LA09/2018/0414/F	Thomas Beattie
LA09/2018/0458/F	Chris Cassidy
LA09/2018/1093/F	Chris Cassidy
LA09/2018/1102/O	Liam Ward
LA09/2018/1156/F	Aidan Kelly
LA09/2018/1258/F	Chris Cassidy
LA09/2018/1293/O	Chris Cassidy
LA09/2017/0998/F	Mary B McKenna
LA09/2017/1241/O	Chris Cassidy
LA09/2017/1244/O	Joe Diamond
LA09/2017/1349/F	Chris Cassidy

The meeting commenced at 7.03 pm.

The absence of the Chair, Councillor Mallaghan, Councillor Glasgow, Deputy Chair took the Chair.

**P001/19      Apologies**

Councillors Mallaghan and Mullen.

**P002/19      Declarations of Interest**

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

**P003/19      Chair's Business**

No issues.

**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 4.6 – LA09/2017/1004/O - Dwelling and garage on a farm at land approx. 320m NW of 180 Caledon Road, Aughnacloy for Mr Adrian Robinson

Agenda Item 4.8 – LA09/2017/1149/O – Dwelling and domestic garage/store approx. 50m S of 20 Gortahurk Road, Brackaghlislea, Draperstown for Mr Peter Kelly

Agenda Item 4.12 - LA09/2018/0458/F – Relocation of recently approved dwelling and garage including site and access at 75m S.W. of 7 Glengomna Road, Draperstown for Mr Joe McGillian

Agenda item 4.14 – LA09/2018/0885/O – Farm dwelling and garage (renewal of approved LA09/2015/0292/O) at 20m SW of 9 Mackenny Road, Cookstown for Mrs Heather Moffett (withdrawn)

Agenda Item 4.15 – LA09/2018/1064/O – Dwelling and garage 230m SW of 7 Newline Road, Cookstown for Mr Oliver Heagney (withdrawn)

Agenda Item 4.16 - LA09/2018/1093/F – Dwelling and domestic garage/store, approx. 70m ESE of 7 Gortinure Road, Tamnymullan, Maghera for Mr Michael McEldowney

Agenda Item 4.21 – LA09/2018/1258/F – 2 Dwelling houses and garages between 39 and 41 Syerla Road, Dungannon for Farasha Properties Ltd

Agenda Item 4.22 – LA09/2018/1293/O – Dwelling and garage 40m N of 210 Shore Road, Ballymaguigan, Magherafelt for Mr Brian Boyle

Proposed by Councillor Bell  
Seconded by Councillor J Shiels and

**Resolved**      That the planning applications listed above be deferred/withdrawn from tonight's list for consideration for an office meeting.

## **P004/19      Planning Applications for Determination**

### **LA09/2016/0470/F   Retention of the change of use of existing industrial buildings from Re-Cycling Storage Facility to a General Engineering use at 111 Ballynakilly Road, Coalisland for Mr James Devlin**

Members considered previously circulated report on planning application LA09/2016/0470/F which had a recommendation for approval.

*Councillor Cuthbertson declared an interest in Planning Application LA09/2016/0470/F and LA09/2016/1223/F.*

It was agreed that applications LA09/2016/0470/F and LA09/2016/1223/F be discussed together.

Councillor Cuthbertson raised concern regarding the two applications and advised that it was proposed to change the use of existing industrial building from a recycling storage facility to a general engineering use and the retention of 3 hard standing areas incidental to the use of the engineering workshop. He felt that this was moving closer to the residential area.

He advised that he attended a play facility at Ballynakilly with Council staff and he observed more than one person using these particular sheds.

The Planning Manager said that there seemed to be some confusion as the Councillor was not liable to make a declaration of interest unless he had a pecuniary interest in the land or was making a representation on a persons behalf.

Councillor Cuthbertson advised that he would be declaring an interest as he was part of the conversations with residents of the area.

Councillor Cuthbertson said that a sign at the playpark advertised Mac Cladding and that he was also aware of someone using it as a store and in relation to the 3 hard standing areas, this committee previously decided that this would bring them closer. He said that although he welcomed all the conditions applied to the workshop, he had concerns that so many businesses operate at the site and the 3 hard standing areas.

Mr Marrion (SPO) took members through the report and concerns raised by the Councillor.

Councillor Cuthbertson stated that he appreciated the clarification from the Case Officer but felt if conditions were put on Mr James Devlin regarding operating hours etc for recycling plant then this should be applied to the others.

The Planning Manager stated that if the Councillor declared an interest or wished to represent someone, he should withdraw to the public gallery or make a request to speak and take the podium.

He said that firstly it's for general engineering use and the plan shows the different units.

Proposed by Councillor S McPeake  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2016/0470/F be approved subject to conditions as per the officer's report.

**LA09/2016/1223/F Retention of 3 hard standing areas incidental to the use of the Engineering Workshop at 111 Ballynakilly Road, Coalisland for Mr James Devlin**

Members considered previously circulated report on planning application LA09/2016/1223/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2016/1223/F be approved subject to conditions as per the officer's report.

**LA09/2017/0122/F Secure Garage for storage of vehicles at 140 Dungannon Road, Ballygawley for Barrack Hill Quarries**

Members considered previously circulated report on planning application LA09/2017/0122/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2017/0122/F be approved subject to conditions as per the officer's report.

**LA09/2017/0126/F Housing Development to include reduction of dwelling units to 37 no. units and alterations to house types from previous lapsed permission ref H/2008/0216/F at site at Magherafelt Road at junction with Drumard Road, Draperstown for Rea Developments**

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2016/0470/F which had a recommendation for approval.

The Chair advised that request to speak had been received, one in favour and one against.

The Chair advised that Mr Murphy and his agent Mr Monaghan were in attendance to speak against the application and asked them to address the committee.

Mr Murphy advised that his reason for objecting to this application was that it would be inappropriate for his business. He said that his business was a hot dip galvanising company which was a proven way to protect steel from corrosion. He continued to say that Sperrin Galvanisers was a very high employer in the area which provided top salaries to manual labourers in the local community. His concern was that there is a high volume of lorries and other heavy type machinery including forklifts, heavy steel noise and hydrochloric acid 24 hours a day. He said that there have been complaints raised in the past from people who were not nearly as close in distance to this new development. He stated that there was a lack of amenity and would not wish to come into conflict with residents. He concluded by saying that he had no issue against the proposed new development but would ask that consideration be given to seeking an alternative site.

The Planning Manager pointed out the land was zoned for housing and asked was the objection about separating distance or was there another issue and asked where he thought the houses should be located on the plan on the overhead presentation.

Mr Monaghan felt that this was not an issue for his client to answer and more about getting a favourable solution which wouldn't impact on his client's business.

The Chair advised that Mr Gavin Smyth was in attendance to speak in favour of the application and asked him to address the committee.

Mr Smyth advised that he was here in support of the case officer's recommendation. He said that the site was consistent with planning protocol and consideration of the site was appropriate. He said that there was no major concerns raised when a noise impact statement was carried out in 2017 relating to traffic coming from the Magherafelt Road and was also supported by Environmental Health findings.

Mr Smyth advised that the objector applied for planning permission in 2017 for an extension to his yard and he didn't see any concerns to residents at that time and felt that the same should be applied here. He said that there were no other concerns raised and advised that all aspects had been considered to include double glazing and a dust and motor impact assessments carried out and most importantly there will be no prejudice to the objector's business.

In response to Councillor McKinney's query, Ms McCullagh (SPO) advised that the area was 1.5 hectares to accommodate 37 houses.

Councillor McKinney said that he was aware of another site approximately the same size which accommodated 20 houses and was quite tight. He said that he lives roughly 2 miles from the site and would be surprised if there wasn't any noise as it travels towards Desertmartin. He advised that he would find it hard to support the application as it was based in an industrial site.

The Planning Manager said that this was put through a public enquiry and was zoned for land and the definition was that it was for a housing site and not an industrial site and would ask that the remark be removed as it was proved that it was not an industrial site.

The Planning Manager enquired what the Objector's objection was, whether it was all its entirety as it would be unsustainable to say that it was not developable. He said that this was complicated and there was a need to be careful with assumptions about residential and development land, but that this doesn't mean to say that committee members cannot have concerns about the impact on neighbouring industry. He said that the case officer had addressed concerns through discussions with Environmental Health with regard to separating distances from work etc and they have come back to say that they are happy that this is adequate.

Councillor S McPeake said that he remained to be convinced and from the proposal and Councillor McKinney comments, he felt that it's unbelievable even to consider approving a development on this site. He said that Sperrin Galvanisers were a huge employer in the area, but with that came the noise and large plume of smoke coming through the area. He stated that it was incredible that IPI were looking over these complaints and if the application is passed tonight, this could leave us open down the line. He said that it was completely ludicrous if this is approved as it goes against all the good practice that this committee has learned.

In response to the Planning Manager's query, Mr Murphy advised that there was no change in operations since the facility became in existence.

The Planning Manager felt that it may be beneficial to defer the application and invite both parties to an office meeting to discuss concerns and see if a favourable can be achieved.

Proposed by Councillor McKinney  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2016/0470/F to be deferred for an office meeting.

**LA09/2017/0431/F Demolition of existing buildings and construction of 42 houses at 137 Mullinahoe Road, Ardboe for Forbes Furniture Group**

Members considered previously circulated report on planning application LA09/2017/0431/F which had a recommendation for approval.

Proposed by Councillor J Shiels  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2017/0431/F be approved subject to conditions as per the officer's report.

**LA09/2017/1004/O Dwelling and Garage on a farm at land approx. 320m NW of 180 Caledon Road, Aughnacloy for Mr Adrian Robinson**

Application agreed to be deferred earlier in the meeting.

**LA09/2017/1007/F 5 Townhouses to rear of 46 Union Place, Dungannon for  
Geno Property Ltd**

Members considered previously circulated report on planning application  
LA09/2017/1007/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2017/1007/F be approved subject to  
conditions as per the officer's report.

**LA09/2017/1149/O Dwelling and domestic garage/store approx 50m S of 20  
Gortahurk Road, Brackaghlistea, Draperstown for Mr Peter  
Kelly**

Application agreed to be deferred for office meeting earlier in meeting.

**LA09/2017/1447/F Residential development of 35 dwelling houses and garages  
at lands immediately N of Nos. 4, 6 and 8 Gallion Heights,  
Magherafelt Road, Moneymore (site access via Gallion  
Heights, Magherafelt Road, Moneymore) for McAlister  
Builders Ltd**

Members considered previously circulated report on planning application  
LA09/2017/1447/F which had a recommendation for approval.

Proposed by Councillor Shiels  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2017/1447/F be approved subject to  
conditions as per the officer's report.

**LA09/2018/0212/F Extension of existing workshop at 135m NE of 11 Derryvale  
Park, Derry Road, Coalisland for Mr Pat O'Neill**

Members considered previously circulated report on planning application  
LA09/2018/0212/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2018/0212/F be approved subject to  
conditions as per the officer's report.

**LA09/2018/0414/F Extension to existing Carmean Quarry at 18 Carmean Road,  
Moneymore for Northstone Materials**

Members considered previously circulated report on planning application  
LA09/2018/0414/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2018/0414/F be approved subject to conditions as per the officer's report.

**LA09/2018/0458/F Relocation of recently approved dwelling and garage including site and access at 75m S.W. of 7 Glengomna Road, Draperstown for Mr Joe McGillian**

Application agreed to be deferred for office meeting earlier in meeting.

**LA09/2018/0733/RM Infill dwelling and garage 30m W of 5a Dergenagh Road, Knockcloughrim for Mr Harold Leacock**

*Councillor McKinney declared an interest in planning application LA09/2018/0733/RM.*

Members considered previously circulated report on planning application LA09/2018/0733/RM which had a recommendation for approval.

Proposed by Councillor J Shiels  
Seconded by Councillor S McPeake

**Resolved** That planning application LA09/2018/0733/RM be approved subject to conditions as per the officer's report.

**LA09/2018/0885/O Farm dwelling and garage (renewal of approved LA09/2015/0292/O) at 20m SW of 9 Mackenny Road, Cookstown for Mrs Heather Moffett**

Application agreed to be withdrawn earlier in the meeting.

**LA09/2018/1064/O Dwelling and garage 230m SW of 7 Newline Road, Cookstown for Mr Oliver Heagney**

Application agreed to be withdrawn earlier in the meeting.

**LA09/2018/1093/F Dwelling and domestic garage/store approx. 70m ESE of 7 Gortinure Road, Tamnymullan, Maghera for Mr Michael McEldowney**

Application agreed to be deferred for office meeting earlier in meeting.

**LA09/2018/1097/F Pedestrian accesses – a stepped access from New Row to school entrance and a level access from Chichester Avenue to school entrance; Installation of automated vehicle barrier on school driveway at 43 New Row, Castledawson for New Row Primary School**



Members considered previously circulated report on planning application LA09/2018/1097/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2018/1097/F be approved subject to conditions as per the officer's report.

**LA09/2018/1099/F Change of use from existing runway to commercial yard at 260m SE of 151 Mullanahoe, Ardboe for Mr Gary Campbell**

Members considered previously circulated report on planning application LA09/2018/1099/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2018/1099/F be approved subject to conditions as per the officer's report.

**LA09/2018/1102/O Site for dwelling approximately 60m S of 91A Aughrim Road, Magherafelt for Edmund Ferguson**

Ms McCullagh (SPO) presented report on planning application LA09/2018/1102/O advising that it was recommended for refusal.

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

Mr Ward advised that planning policy was a subjective matter and that although we weren't the authors of the policy we had some degree of activity to this. He said that the one key aspect is the shed which is on the southern boundary of the site and would integrate with Policy CTY 2a where it can be seen as a suitable proposal for a cluster development.

He asked that fairness be applied as there was similarities with previously approved applications. He said that the infill related to the cluster to the north side and shed to the southern side and space between the shed and the site and would ask Councillors to look at accessing the shed for planning approval.

The Planning Manager said that the planning permission was not granted for the shed which shows that it was an unauthorised building.

Mr Ward advised that the policy does not set a test to see if it was authorised and this type of shed would be approved regardless.

The Planning Manager said that this was why his desk was littered with these kind of things and said that when consideration was given to buildings, they needed to be authorised otherwise there was no clear status. He said that the crossroads has an

orange hall and in an area which could be known as a cluster and because the shed is not authorised significant weight cannot be put to it.

Councillor S McPeake said that given the nature of the cluster he felt that it was stringent to refuse this and that it was not that often there was a clear cut focal point before us like an orange hall and a house at the crossroads.

The Planning Manager felt that there could be an issue of more sheds being built on neighbouring fields if this was the case and said that he would like to focus the committee on the reasons outlined tonight for refusal.

Councillor McKinney said that there was a fine line on whether it was a cluster or not and would be happy to approve the recommendation.

Councillor J Shiels said that he would also be happy to second the recommendation as he knows the road well and said that this was on a large hill and from the other road it cannot be seen in fairness. He said that this application was similar to another in Slaughneil with a focal point.

Councillor Bell said that if the committee was going to use the stringent letter of the law, there were two fields on the right side and that going forward someone coming in would not get an opportunity as the cluster would be confined to the left hand side.

The Planning Manager said that there were some issues which needed to be considered carefully otherwise this could result in unauthorised sheds being built in neighbouring fields.

Councillor Gildernew said that he would have no problem approving this application and without taking into consideration the shed.

The Council Solicitor advised that before a decision can be taken, the report in front of members has to be carefully considered as it outlines the reasons for refusal. She advised that if members were minded to go against the officer recommendation then clear reasons for doing so based on planning considerations need to be provided. She said that it struck her that there appeared to be the suggestion that the word “unlawful” development could be read in to or implied in the relevant policy. However, she said that she didn’t think that would be an appropriate interpretation of policy and it would appear reasonable that the development must be lawful and that this did not appear to be the position in respect of the shed.

Councillor S McPeake suggested that it would be beneficial to have a site meeting so that members can see for themselves and felt that a condition could be implemented to enhance the area through additional planting.

The Planning Manager agreed that a site meeting was a good idea and felt that any interested member should attend so a decision can be made without putting the planners in a situation.

Councillors McKinney and Gildernew withdrew their proposals.

Proposed by Councillor S McPeake  
Seconded by Councillor McAleer

**Resolved:** That planning application LA09/2018/1102/O be deferred for a site meeting.

**LA09/2018/1156/F 2 dwelling houses and garages between 39 and 41 Syerla Road, Dungannon for Farasha Properties Ltd**

Members considered previously circulated report on planning application LA09/2018/1156/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McAleer and

**Resolved** That planning application LA09/2018/1156/F be approved subject to conditions as per the officer's report.

**LA09/2018/1258/F Storage building and infilling of land approx. 110m NE of Portafill International Ltd, Dungannon Business Park, Killyliss for Acrow Formworks NI**

Application agreed to be deferred earlier in the meeting.

The case officer circulated addendum to advise of NIEA determination being carried out.

**LA09/2018/1293/O Dwelling and garage 40m N of 210 Shore Road, Ballymaguigan, Magherafelt for Mr Brian Boyle**

Application agreed to be deferred for office meeting earlier in meeting.

**LA09/2018/1324/F High quality natural stone paving, formal parking bays, carriageway resurfacing, street furniture, landscaping, signage, street lighting, festive lighting and drainage at Main Street, The Square, Dungannon Road, Barrack Street, Lineside, Barrack Square, Stewartstown Road, Station Road and Washingbay Road, Coalisland for Mid Ulster District Council**

*All Members present (Councillors Bell, Clarke, Cuthbertson, Gildernew, Kearney, Mallaghan, McAleer, McEldowney, McKinney, D McPeake, S McPeake, Mullan, Robinson, J Shiels) declared an interest in this application.*

The case officer circulated addendum to advise of letter of objection not being considered within the report.

Members considered previously circulated report on planning application LA09/2018/1324/F which had a recommendation for approval.

Proposed by Councillor J Shiels  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2018/1324/F be approved subject to conditions as per the officer's report.

**LA09/2018/1377/F Conversion of existing building to dwelling with side extension, new lane and associated site works adjacent to 19 Killycolpy Road, Stewartstown for Mr Gary Campbell**

Mr Marrion (SPO) presented report on planning application LA09/2018/1377/F advising that it was recommended for refusal.

Councillor Gildernew enquired what defines it as important whether a shed or stone building as this could be a far reaching effect due to it being an old building but still in tact.

Councillor S McPeake said that in the past conversions were approved and so were old stone buildings and enquired if there was a change to the policy.

The Planning Manager referred to CTY4 policy and said that there was confusion over whether this was a conversion or an old barn. He said that there could be an argument that the proposal was bigger and higher compared to the original building and may not fail the test on principle.

Councillor Gildernew said that with regard to old buildings, there were roofs pitched like this for a long time

Proposed by Councillor S McPeake

To defer until a formal agreement on the design is carried out.

The Planning Manager said that in his view the design and along with the point of principle it didn't fail the test. The planning manager had the design presented to members.

Councillor S McPeake said that if the Planning Manager was of the opinion that the design meets the test he would be happy to approve the application but if he wasn't then we should defer until clarified.

Proposed by Councillor Gildernew

To approve the application as he felt that worse applications have been passed.

Seconded by Councillor McAleer

To approve the application.

The Planning Manager said if the committee were content working towards seeing the application being approved, he would suggest deferring the application for an office meeting to address concerns raised.

Councillor Gildernew withdrew his proposal.

Proposed by Councillor Gildernew  
Seconded by Councillor McAleer and

**Resolved** That planning application LA09/2018/1102/O be deferred for an office meeting.

**LA09/2016/1040/F Retrospective application for the retention of the single storey portal frame shed and associated site works at lands opposite 8 Ballyheifer Road, Magherafelt for Mr Nicky Brown**

Ms McCullagh (SPO) presented report on planning application LA09/2016/1040/F advising that it was recommended for refusal.

Proposed by Councillor Gildernew  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2016/1040/F be refused on grounds stated in the officer's report.

**LA09/2016/1793/F Housing development of 18 detached dwellings, associated site works and landscaping (Onsite WWT plant details included), at lands opposite (SE) of 17-31 Benburb Road, Moy for Chris Traynor**

Members considered previously circulated report on planning application LA09/2016/1793/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2016/1793/F be approved.

**LA09/2017/0968/F Replacement storey and a half dwelling at 10 Minterburn Road, Caledon for Mrs M Murphy**

The Planning Manager advised that planning application LA09/2017/0968/F had been deferred for 1 month.

**LA09/2017/0998/F Retrospective application for top dressing of existing laneway; widening of sight splays at road entrance; widening of chicane, piping approx. 20m of open sheugh at land fronting onto Keerin Road approx. 625m W of 129 Broughderg Road, Omagh for Mr John O'Neill**

*Councillor Clarke declared an interest in planning application LA09/2017/0998/F.*

The case officer circulated addendum to advise of a typing error on page 3 of the report. Application refs should read I/2011/0461/F and LA09/2016/0681/NMC. Members to note 7 late objections received.

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2017/0998/F which had a recommendation for approval.

The Chair advised a request to speak against the application had been received and invited Mrs McKenna to address the committee.

Mrs McKenna advised that this was built without planning permission for a roadway. She said that the first use of the laneway resulted in heavy industrial vehicles carrying turbines to the construction site resulting in this now becoming an industrial laneway rather than an agricultural one. She said that there was an increase of traffic flow on small country roads, increase in noise and dust, health and safety implications, dangers to young people and harm to sensitive peatland with protected designated site, lack of public consultation in local newspapers.

Mrs McKenna stated that this has resulted in the construction of industrial laneway with no planning permission sought which meant that the applicant was making false representation for financial gain regardless of habitat or other items of importance. She said that concerns had been raised relating to the historic context of the site and implications of approving development which would damage the sensitive designated areas and especially the harm to local archaeological features within the site. Concerns regarding damage to areas of sensitive peatlands and peat extractions were also raised. She concluded by saying that the community would not have raised any objections if things had been carried out accordingly.

The Planning Manager said that the application was in front of committee members tonight and that he would have no doubt what Mrs McKenna was saying regarding the accommodation of vehicles. He enquired however, was the objection related to the laneway, the turbine or the laneway with the construction vehicles.

Mrs McKenna said that the objecting was to all as the description of the truth was not accurate as the laneway was being used as an industrial laneway rather than an agricultural one.

*Councillor Cuthbertson declared an interest in application LA09/2017/0998/F as he had been approached by the objectors.*

Proposed by Councillor Robinson  
Seconded by Councillor J Shiels

To accept the officer's recommendation of approval as he said that he listened to the objector and planners tonight and was happy to agree.

Councillor S McPeake said that there was no planning permission sought for the laneway agriculture or otherwise. He said that there was a laneway there previously and it is somewhat confusing without photographic evidence to get a clear picture. He stated that there could have been a permissible laneway there previously.

Proposed by Councillor McPeake

Seconded by Councillor Bell

To defer for a site meeting.

With regard to the laneway increasing in width to 11m, Councillor Robinson advised that agricultural vehicles were increasing in size and it would be understandable if a farmer wishes to get a larger laneway.

The Planning Manager said that if the members were concerned about the visible impact the site may have, it may be beneficial to those interested to arrange a site meeting.

Councillor McPeake agreed that a site meeting would clarify some issues.

The Chair said that he agreed with Councillor Robinson but that it was for the members to decide on the outcome.

The Chair put Councillor McPeake's proposal to the vote:

For	8
Against	5

The Chair put Councillor Robinson's proposal to the vote:

For	5
Against	8

**Resolved** That planning application LA09/2016/1793/F be deferred for a site meeting

In response to Councillor McKinney's concerns, the Planning Manager advised that the application was neither agreed or refused at this stage and spending a little extra time clarifying concerns raised through a deferral would not result in someone losing out but merely an opportunity to save arguments.

Councillor Robinson said that he understood what the Planning Manager was saying but that members had sat here tonight going round and around the same issues and not taking into consideration why things were not addressed at the time and that was why he recommended approving the application.

The Chair advised that the application was neither approved or refused and encouraged members to attend the site meeting so that a final decision can be made at the next meeting.

*The Chair advised that he would have to retire from the Committee meeting for personal reasons and left the meeting at 9.07 pm.*

Proposed by Councillor McPeake  
Seconded by Councillor Bell and

**Resolved** That Councillor Clarke take the Chair.

Councillor Clarke took the Chair.

**LA09/2017/1241/O Site for 2 storey dwelling and domestic garage 30m N of 38 Airfield Road, Toomebridge for Centum NI Ltd**

Ms McCullagh (SPO) presented report on planning application LA09/2017/1241/O advising that it was recommended for refusal.

Proposed by Councillor McKinney  
Seconded by Councillor J Shiels and

**Resolved** That planning application LA09/2017/1241/O be refused.

**LA09/2017/1244/O Site for dwelling and domestic garage 90m W of 16 Derrynoid Lane, Draperstown for Mr Brendan McCullagh**

Ms McCullagh (SPO) presented report on planning application LA09/2017/1244/O advising that it was recommended for refusal.

The Chair advised that a request to speak had been received from Councillor B McGuigan and asked him to address the committee.

Councillor B McGuigan advised that the case officer had made several points regarding other lands owned by the applicant, namely at an outlying farm at Dunmurry Road some 3 – 4 miles away, as noted previously these lands now cannot be accessed by the applicant for a new dwelling due to ownership issues.

A site was previously passed on this farm for the applicant's other son with the permission for all the owners of the lane; this was for one dwelling to serve the lands on this location. The applicant does not own the lane and with the third party owners refusing to give permission to allow additional traffic on the lane to serve another dwelling, this then rules out these lands as an option for the applicant.

The case officer states that in the context of the policy doesn't fulfil the criteria, it would be the opinion that this land at Dunmurry Road should not even be considered, there is no public road frontage to it therefore the applicant cannot gain direct access, all parts of the farm are unsuitable for any further domestic properties.

This application has been lodged so the applicant can have a site on the lands for his other son who also works on the farm, as stated in the case officers report the site chosen is not prominent in the landscape would not result in the creation or addition to



ribbon development due to the existing mature vegetation resulting in a well-integration site on the best available alternative land available to the applicant.

Ms McCullagh (SPO) in response to a query regarding previous planning approval advised that this was 10 years ago and not 8 years ago.

The Planning Manager referred to the integration and said that within the case officer's report it stated that the proposed site didn't integrate.

Councillor B McGuigan advised that it does because there is adequate vegetation and hedges around the site.

Ms McCullagh advised that a degree of integration could be achieved due to the high trees.

The Planning Manager advised there was an issue of visual linkage on the laneway and an argument that this cannot be ignored.

Councillor S McPeake said if the committee can get over the premise that there is a site on the farm can we not get a site that is accessible. He said that to him that this was a site within a farm and was aware of lots of people not being able to get access on a laneway and felt that this application meets the integration purposes and would be supportive of the application.

*Councillor McAleer left the meeting at 9.20 pm.*

The Planning Manager enquired what evidence was being presented to prove that the applicant could not get access on the laneway i.e. legal documentations etc.

Councillor S McPeake said that it would be very difficult to go to a neighbouring house and ask them to provide a letter advising that access was being denied on their laneway.

The Planning Manager asked that the agent provide appropriate legal documentation to indicate that the applicant is being denied access on the laneway so that clarification on concerns are addressed and suggested deferring the application until the submission of additional information.

Proposed by Councillor S McPeake  
Seconded by Councillor Kearney and

**Resolved:** That planning application LA09/2017/1244/O be deferred for submission of additional information.

**LA09/2017/1349/F Animal isolation and farm machinery storage shed  
approx. 120m SE of 37 Rocktown Lane, Knockloughrim  
for Robert Edward Scullion**

Application agreed to be deferred for one month until the Department give consideration to any new information it has received.

**LA09/2017/1494/F Infill dwelling at lands between 125 and 125A Sixtowns Road, Draperstown for Michelle McNamee**

*Councillor Gildernew left the meeting at 9.30 pm.*

Ms McCullagh (SPO) presented report on planning application LA09/2017/1494/F advising that it was recommended for refusal.

Proposed by Councillor Cuthbertson  
Seconded by Councillor J Shiels and

**Resolved** That planning application LA09/2018/1102/O be refused on grounds stated in the officer's report.

**LA09/2018/0233/O Dwelling and detached domestic garage approx 60m NW of 62 Annaghmakeown Road, Dungannon for Connor McGurk**

Members considered previously circulated report on planning application LA09/2018/0233/O which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor D McPeake and

**Resolved** That planning application LA09/2018/0233/O be approved subject to conditions as per the officer's report.

**LA09/2018/0261/O Semi-detached dwelling and alterations to existing dwelling including removal of attached garage at land to side and rear of 45 Lissan Road, Cookstown for Gary McIvor**

Members considered previously circulated report on planning application LA09/2018/0261/O which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2018/0261/O be approved subject to conditions as per the officer's report.

**LA09/2018/0751/F Replacement for foundations and associated works under approval H/2008/0398/RM for alternative site for dwelling and garage in substitution for previous approval at 20m N of 2 Lisgorgan Lane, Upperlands, Maghera for Shane and Katrina Kelly**

Members considered previously circulated report on planning application LA09/2018/0751/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2018/0751/F be approved subject to conditions as per the officer's report.

**LA09/2018/0805/F Dwelling and attic accommodation and integrated garage with loft at 1.2Kw SW of 64 Alderwood Road, Crockacleaveen, Fivemiletown for Markus Fuchsenthale**

Members considered previously circulated report on planning application LA09/2018/0805/F which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2018/0805/F be approved subject to conditions as per the officer's report.

#### **P005/19 Receive Report on Consultation from DfC HED**

The Head of Development Plan and Enforcement presented report to provide members with background and draft response to a consultation by Department of Communities, Historic Environment Division (DoC HED) regarding their consideration to list Telephone Kiosks in our District at:

- Tirkane Post Office, Slaughtneill, Maghera
- 120 Lough Fea Road, Cookstown
- 40 Megargy Road, Magherafelt
- Rockdale Road, The Rock

Councillor Cuthbertson said that this all escalated from the kiosk at the Bush and asked if the Council listed this themselves and if others could be added to the list.

The Planning Manager said that at the second stage of the plan, all villages would be appraised and additional phone kiosks may be identified at that time.

Proposed by Councillor McKinney  
Seconded by Councillor Cuthbertson and

**Resolved** To note the contents of the report and agree that the previously circulated response be issued to DfC HED to support the listing of all four telephone boxes.

#### **Matters for Information**

#### **P006/19 Minutes of Planning Committee held on 4 December 2018**

Members noted minutes of Planning Committee held on 4 December 2018.

Councillor S McPeake asked if there was any update on correspondence received from Jude Henderson from Cleaver Fulton regarding approved permission in March.

The Planning Manager advised the Council is currently seeking legal advice and it is anticipated that a resolution can be achieved this month.

### **Local Government (NI) Act – Confidential Business**

Proposed by Councillor J Shiels

Seconded by Councillor S McPeake 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 P007/19 to P012/19.

#### **Matters for Decision**

P007/19 Receive Report on Previously Approved Application

#### **Matters for Information**

P008/19 Confidential Minutes of Planning Committee held on 4 December 2018

P009/19 Receive Update on Local Development Plan

P010/19 Receive Enforcement Report

P011/19 Enforcement Cases Opened

P012/19 Enforcement Cases Closed

### **P013/19 Duration of Meeting**

The meeting was called for 7 pm and concluded at 22.25 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



## ADDENDUM TO PLANNING COMMITTEE AGENDA

**FOR PLANNING COMMITTEE MEETING ON: 7 Jan 2019**

Additional information has been received on the following items since the agenda was issued.

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.21	Nil EIA determination has been carried out.	Members to note.
4.23	Letter of objection not considered in case officer report	Members to note the attached addendum to the case officers report
5.4	Typing error on page 3 of report, Application refs should read I/2011/0461/F and LA09/2016/0681/NMC.	Members to note.
	7 late objections received	Members to note.

## Item 4.23

Two letters of representation have been received to this application. One from Michael Herron Architects was non-committal, which asked a couple of questions in relation to traffic.

The second letter was a letter of objection from Raymond O'Neill acting as Secretary to the Coalisland Traders Association. He has raised a number of concerns in relation to potential congestion problems following the introduction of a one-way system. In response to this DfI Roads have not raised any concerns in relation to this matter. There is a new bus layby shown on Lineside, which will reduce any traffic congestion that may happen at school times, and a loading bay is to be provided on Main Street to discourage HGV lorries from blocking the carriageway or parking on footpaths when unloading. This will help to ease any current congestion issues.

Mr O'Neill refers to business closures and rates affect which will lead to poverty. However, I have no evidence to prove the proposed works will lead to any business closures. Nor have I any evidence to prove there will be a direct impact on the rates of the District and I attach very little weight to these assertions.

With regards to access for those people with Special Needs a site walkover was undertaken with the Mid Ulster Disability Forum and Shopmobility Mid Ulster. The final design has been agreed with the views of these groups to the forefront to allow better access for those citizens with additional needs.

Having considered the issues raised in these letters the recommendation to approve stands.





**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 8 January 2019 in Council Offices, Ballyronan Road,  
Magherafelt**

**Members Present**

Councillor Wilson, Chair

Councillors Buchanan, Burton, Cuthbertson, Gillespie,  
Glasgow, Kearney, McFlynn, McGinley, B McGuigan,  
S McGuigan, McNamee, O'Neill, M Quinn, Totten

**Officers in  
Attendance**

Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Mr Lowry, Head of Technical Services  
Mr McAdoo, Head of Environmental Services  
Mrs McClements, Head of Environmental Health  
Mr Scullion, Head of Property Services  
Mr Wilkinson, Head of Building Control  
Miss Thompson, Democratic Services Officer

The meeting commenced at 7.00 pm

The Chair, Councillor Wilson paid tribute to Councillor Reid, who had been Chair of Environment Committee and had stepped down from Council for health reasons. Councillor Wilson wished him well for the future and advised that Councillor Colvin had been co-opted to replace Councillor Reid but was unable to attend tonight's meeting.

**E001/19      Apologies**

Councillor Colvin.

**E002/19      Declarations of Interest**

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

**E003/19      Chair's Business**

Councillor Glasgow asked if an update could be given in relation to costings for replacement of Dual Language signage. The Councillor stated that a report had previously been requested but was still outstanding.

The Director of Environment and Property stated that a report on costings would be brought to Committee as soon as possible.

The Director of Public Health and Infrastructure referred to Item E348/18 – Restart a Heart Day 2018 and Mid Ulster Community Resuscitation Update – Action Plan 2018/19 within minutes of Environment Committee held on 3 December 2018 and in particular referenced ....*She stated that the Ambulance Service also advised that they would be happy to maintain and look after the defibrillators.....*

The Director of Public Health and Infrastructure clarified that the Ambulance Service do not maintain defibrillators which are located on third party property.

Councillor Cuthbertson referred to historic graveyards and asked if Council had been in contact with any of the relevant bodies or when this was likely to happen.

The Head of Property Services advised that officers were currently discussing legal agreement to be used in relation to maintenance of historic graveyards and once this was agreed officers would be in contact with the relevant bodies.

## **Matters for Decision**

### **E004/19      2018 Towns and Villages Awards**

The Head of Property Services presented previously circulated report which provided update on successes at the 2018 town and village awards and sought approval for 2019 awards.

Councillor Burton proposed the report recommendation and stated that Caledon are very interested and already have an allotments scheme up and running and have sought a meeting with representatives from Castlecaulfield.

Councillor Gillespie seconded Councillor Burton's proposal.

The Chair, Councillor Wilson stated there appeared to be different standards of dealing with fly posting throughout the District and requested that a report be brought to a future Committee on the matter.

Councillor Burton commended Castlecaulfield and Donaghmore on their successes last year and the work done within the two villages.

- Resolved**      That it be recommended to Council -
- That the following towns/villages be entered into their respective categories for the Ulster in Bloom and Best Kept Awards 2019 – Castlecaulfield, Coalisland, Cookstown, Donaghmore, Dungannon, Maghera, Magherafelt and Tobermore; and that the following settlements also be entered for a trial period of one year, subject to being able to evidence measurable community input on the ground for the awards period – Caledon, Castledawson, Moy and Stewartstown.
  - That Castlecaulfield and Donaghmore be entered into RHS Britain in Bloom 2019 in their respective competition categories.

### **E005/19      Environmental Services Proposed Scale of Charges for 2019/20**

The Head of Environmental Services presented previously circulated report which sought approval for a Scale of Charges in relation to Environmental Services from 1 April 2019 to 31 March 2020.

In response to question from Councillor Glasgow the Head of Environmental Services advised that the charge for collection of bulky household waste was remaining at £5 per three items.

Councillor Glasgow stated that it was positive that this charge was not increasing as it helps to prevent flytipping. The Councillor also stated it was good news that the cost of wheeled bins was not being increased.

Proposed by Councillor Glasgow  
Seconded by Councillor S McGuigan and

**Resolved** That it be recommended to Council to approve the proposed Scale of Charges as outlined in report for the period from 1 April 2019 to 31 March 2020.

**E006/19 Roads Proposals to Mid Ulster District Council – Provision of Disabled Persons’ Parking Bays**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed provision of Disabled Persons’ Parking Bays.

Proposed by Councillor McNamee  
Seconded by Councillor B McGuigan and

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed provision of Disabled Persons’ Parking Bays at Scotch Street, Dungannon, Dunavon Park, Dungannon and Hunters Park, Bellaghy.

**E007/19 Dual Language Signage Surveys**

The Head of Building Control presented previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests.

Councillor McNamee proposed the report recommendations.

Councillor McGinley seconded Councillor McNamee’s proposal.

Councillor Cuthbertson proposed that Council do not proceed with the erection of signage.

Councillor Buchanan seconded Councillor Cuthbertson’s proposal.

Councillor McGinley asked on what grounds Councillor Cuthbertson was making his proposal.

Councillor Buchanan stated that the proposal not to proceed with the erection of signage was being made on the basis of cost.

Councillor McGinley stated that Council had adopted a Dual Language Signage Policy and felt that the counter proposal being made every month was a waste of time.

Members voted on Councillor Cuthbertson's proposal –

For – 4

Against – 10

Members voted on Councillor McNamee's proposal –

For – 10

Against – 4

- Resolved** That it be recommended to Council -
- To agree the application of Dual Language Nameplates in Irish for –
    - Annaghbann, Coalisland
    - Willow Gardens, Dungannon
    - Clover Hill, Moy
    - Springfield Crescent, Dungannon
    - Kirk Avenue, Magherafelt
    - Lower Meadow, Magherafelt
    - Chapel View, Bellaghy
    - Orritor Crescent, Cookstown
    - Broagh Road, Knockloughrim
    - Dunlea Vale, Dungannon
    - The Willows, Dungannon
    - Parknascull, Coalisland
    - Glebe Court, Dungannon
    - Ballygillen Road, Coagh
    - The Glassan, Coagh
    - Killymuck Road, Coagh
  - To note the results of the survey and not approve the application of a Dual Language Nameplate in Irish for Ballynasollus Road, Cookstown and Cloverhill Road, Moneymore.

#### **E008/19 Renaming and Renumbering Existing Streets**

The Head of Building Control presented previously circulated report which advised Members on the result of a survey undertaken on all applicable residents in response to the renaming and renumbering of an existing street request, from Parknascull, Coalisland to School Park, Coalisland.

Proposed by Councillor S McGuigan  
Seconded by Councillor B McGuigan and

- Resolved** That it be recommended to Council not to permit the renaming and renumbering of Parknascull, Coalisland in accordance with the Street Naming and Dual Language Signage – 7.0: Renaming and Renumbering Existing Streets Policy as adopted as the required 100% of surveys in favour was not achieved.

### **E009/19      Street Naming and Property Numbering**

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

Site off Main Road, Moygashel, Dungannon

Proposed by Councillor Cuthbertson  
Seconded by Councillor McGinley and

**Resolved**      That it be recommended to Council to name development off Main Road, Moygashel, Dungannon as Linen Mews.

Site off Killymeal Road, Dungannon

Proposed by Councillor Cuthbertson  
Seconded by Councillor McGinley and

**Resolved**      That it be recommended to Council to name development off Killymeal Road, Dungannon as Sycamore Hill.

### **E010/19      Decision Process for Building Control Applications**

The Head of Building Control presented previously circulated report which advised of the system of processing Full Plan Applications submitted to Building Control Department.

Proposed by Councillor Cuthbertson  
Seconded by Councillor S McGuigan and

**Resolved**      That it be recommended to Council to agree to the procedure of issuing a Rejection Notice in conjunction with a snag list where submitted plans are not in compliance with the Building Regulations.

### **E011/19      Product Safety Incident Management Plan as per PAS 7100: 2018**

The Head of Environmental Health presented previously circulated report which informed the Committee about the new Product Safety Incident Management Plan procedure as per PAS 7100: 2018 (Code of practice on consumer product safety related calls and other corrective actions).

Proposed by Councillor Burton  
Seconded by Councillor McNamee and

**Resolved**      That it be recommended to Council to support the implementation of the proposed Incident Management Plan (IMP) for use by the Environmental Health Department of Mid Ulster District Council as attached at appendix to report. The IMP will be used to support the Environmental Health Department in assisting businesses that are required to manage a product safety incident and will ensure that informed decisions are made and accurate information is collected.

## **E012/19      Dog Fouling across Mid Ulster Council District**

The Head of Environmental Health presented previously circulated report which provided update on actions taken and proposed in response to recent complaints with regard to dog fouling in a number of areas across the District.

Councillor Cuthbertson stated there was no doubt dog fouling was a blight and that he would be supportive of the proposed action taking place but felt that this action would only be effective if people are caught and named and shamed.

Councillor Gillespie agreed with the comments made and stated that there needed to be someone on the ground to catch offenders. The Councillor stated that signage was also needed in Donaghmore.

Councillor B McGuigan stated that bins were required within Draperstown, he felt there was a need to identify common areas for dog walking and that bins should be located along these routes. The Councillor felt it was incumbent on Council to provide bins to encourage dog fouling to be disposed of properly.

Councillor Glasgow stated that dealing with dog fouling was an ongoing battle and spoke of the need for on the spot fines. The Councillor referred to the two trial areas for signage and that if this was found to be successful he suggested that Coagh Playground and Cookstown Cemetery be included in a second phase.

Councillor Kearney referred to Glenone Pathway which opened at Christmas and felt that Council should target areas under its control.

Councillor Burton welcomed the work done and the action being proposed but referred to the limited number of people who had been fined to date, the Councillor felt that Council needed to spend time on this issue and do everything within its power to catch offenders and make an example of those who are caught. Councillor Burton suggested a media blitz in newspapers and on Council social media highlighting the dog fouling problem and advised that Roundlake, Fivemiletown was a hotspot for dog fouling. The Councillor referred to bags which had been given out previously and if it was possible to give these bags out again.

The Chair, Councillor Wilson stated that dog fouling is a blight across the whole District and referred to areas within Cookstown where there is a particular problem.

The Head of Environmental Health stated that enforcement officers carryout regular monitoring but that the behaviour of the public often changes when they can see a Council vehicle in the vicinity and they think they are being watched. The officer stated that dog bags had been given out to all dog walkers the enforcement officers had met during recent monitoring, it was further noted that all dog walkers that had been met already had bags. The Head of Environmental Health stated that dog fouling was a big problem which needed a lot of community work, the officer further stated that reports being made to Council needed to be specific in order for officers to have a good chance of catching the offender.

**Resolved**      That it be recommended to Council to endorse the action taken as outlined in report in dealing with the issue of dog fouling.

## **Matters for Information**

### **E013/19 Minutes of Environment Committee held on 3 December 2018**

Members noted minutes of Environment Committee held on 3 December 2018.

### **E014/19 Disposal/Sale of Assets - Fleet and Plant**

Members noted previously circulated report which advised of the disposal/sale of surplus fleet, plant and equipment from Mid Ulster District Council.

### **E015/19 European Week for Waste Reduction (EWWR)**

Members noted previously circulated report which provided an update on the European Week for Waste Reduction activities in Mid Ulster.

### **E016/19 Annual NIEA Waste Management Statistics and NILAS Reports**

Members noted previously circulated report which informed Members of the content of the NIEA Northern Ireland Local Authority Collected Municipal Waste Management Statistics 2017/18 Annual Report and the Annual Northern Ireland Landfill Allowance Scheme 2017/18 Annual Report as published on 29 November 2018.

### **E017/19 Building Control Workload**

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

### **E018/19 Entertainment Licensing Applications**

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

### **E019/19 Mid Ulster Travellers Working Group Update**

Members noted previously circulated report which provided an update in relation to the Mid Ulster Travellers Working Group meeting held on 15 November 2018.

## **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 E020/19 to E030/19.

**Matters for Decision**

- E020/19 Update in relation to National Fuel Framework Agreement (RM1027) operated by the Crown Commercial Service
- E021/19 Tender report for the appointment a lift servicing contractor
- E022/19 Tender Report for the Digitisation of Building Control Files
- E023/19 Application for the Grant of a Mobile Street Trading Licence
- E024/19 Implementation of Local Government Resilience Resourcing Model
- E025/19 Magherafelt Alleyway Revitalisation – Capital Project
- E026/19 Seamus Heaney Trail Experience – Capital Project
- E027/19 Increased ICT Fees - Davagh Forest Visitor Hub

**Matters for Information**

- E028/19 Confidential Minutes of Environment Committee held on 3 December 2018
- E029/19 Capital Projects Update
- E030/19 Capital Works Update – Final Capping at Magheraglass Landfill

**E031/19 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.40 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Wednesday 9 January 2019 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor McKinney, Chair

Councillors Ashton, Cuddy, Forde, Gildernew, Kearney, S McGuigan, McLean, D McPeake, S McPeake, Molloy, M Quinn, Totten

**Officers in Attendance**

Mr A Tohill, Chief Executive  
Mr Browne, Head of Tourism  
Mr Cassells, Director of Environment and Property  
Mrs Canavan, Director of Organisational Development  
Mr Kelso, Director of Public Health and Infrastructure  
Ms Mezza, Head of Marketing and Communications  
Mr McCance, Head of Culture and Arts  
Mrs McNally, Council Solicitor  
Mr Moffett, Head of Democratic Services  
Mr JJ Tohill, Director of Finance  
Mrs Grogan, Democratic Services Officer

The meeting commenced at 7.02 pm.

**PR001/19 Apologies**

Councillors Buchanan, Doris, and Elattar.

**PR002/19 Declaration of Interest**

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

**PR003/19 Chair's Business**

The Chair, Councillor McKinney welcomed Councillor Donal McPeake to his first Policy and Resources meeting tonight.

**Matters for Decision**

**PR004/19 Elected Member Development Working Group**

The Head of Democratic Services drew attention to the previously circulated report of a meeting of the Elected Member Development Working Group held on Wednesday 28 November 2018.

Councillor Gildernew said that he wanted to thank the Chair of the Working Group and Officers for persisting with the attainment of the Charter, as it was a great achievement.

Proposed by Councillor Gildernew  
Seconded by Councillor S McPeake and

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

- i) The report of the Elected Member Development Steering Group meeting held on Wednesday 28 November 2018.
- ii) Noting that Council has now received Level 1 Charter Status in relation to Elected Member Development from North West Employers
- iii) Considering further the recommendation from the Elected Member Development Steering Group to furnish Members with personalised headed paper in the incoming Council term.

**PR005/19 Draft Accessible Communications Policy**

The Head of Democratic Services drew attention to the previously circulated report and sought approval from the Committee for the Draft Accessible Communications Policy.

Proposed by Councillor S McGuigan  
Seconded by Councillor McKinney and

**Resolved** That it be recommended to the Council to approve the Draft Accessible Communications Policy.

**PR006/19 Marketing & Communications Strategy 2018-2020**

The Head of Communications drew attention to the previously circulated report to outline the aims, objectives and key actions of a proposed new strategic approach to marketing and communications.

In response to Councillor Cuddy's query regarding the requirement of extra resources, the Head of Communications advised that currently there are 5.5 members of staff and it is anticipated that no extra resources would be required.

Proposed by Councillor S McPeake  
Seconded by Councillor S McGuigan and

**Resolved** That it be recommended to the Council to approve the Marketing & Communications Strategy.

**Matters for Information**

**PR007/19 Minutes of Policy and Resources Committee held on Thursday 6 December 2018**

Members noted Minutes of Policy and Resources Committee held on Thursday 6 December 2018.

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

Proposed by Councillor S McGuigan  
Seconded by Councillor S McPeake 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 PR008/19 to PR021/19.

### **Matters for Decision**

- PR008/19 Seamus Heaney HomePlace Trails Project and Davagh Forest Outdoor Experience (Phase II) DAERA Funding Applications
- PR009/19 Proposal from Dungannon Enterprise Centre to Exchange Lands with the Council at Drumcoo, Carland Road, Dungannon
- PR010/19 Village Renewal Scheme: Rural Development Programme 2014-2020 – Lands situated at Upperlands and Pathway at St Lurach's, Maghera
- PR011/19 Tender for the Provision of External Legal Services
- PR012/19 Staffing Matters for Decision
- PR013/19 Redundancy on Grounds of Business Efficiency
- PR014/19 Purchase of Land at Market Square/Feeney's Lane, Dungannon
- PR015/19 Capital Programme 2019/20 – Resource Allocation

### **Matters for Information**

- PR016/19 Confidential Minutes of Policy and Resources Committee held on Thursday 6 December 2018
- PR017/19 Managing Attendance
- PR018/19 Staffing Matters for Information
- PR019/19 Financial Report for 8 Months ended 30 November 2018
- PR020/19 Contracts and DAC
- PR021/19 2019/20 Rate Estimates Update

### **PR022/19 Duration of Meeting**

The meeting commenced at 7pm and concluded at 8.36 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



**Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 10 January 2019 in the Council Offices, Ballyronan Road, Magherafelt**

<b>Members Present</b>	Councillor McNamee, Chair  Councillors Burton (7.03 pm), Clarke, Cuddy, Doris, Forde, McAleer, McEldowney, McFlynn, Milne, Molloy, Monteith (7.06 pm), Mulligan, G Shiels
<b>Officers in Attendance</b>	Mr McCreesh, Director of Business and Communities Mr Browne, 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 Miss Thompson, Committee Services Officer
<b>Others in Attendance</b>	<u>Agenda Item 4 – Caledon Regeneration Partnership</u> Mr Beattie and Ms Mortimor

The meeting commenced at 7.00 pm.

The Chair, Councillor McNamee welcomed Councillor Mulligan to the Development Committee.

**D001/19      Apologies**

Councillor Elattar.

**D002/19      Declaration of Interests**

The Chair reminded members of their responsibility with regard to declarations of interest and advised any declarations could be taken throughout the meeting.

Councillor McEldowney declared an interest in Lough Neagh Partnership.

Councillor McAleer declared an interest in Caledon Regeneration Partnership.

**D003/19      Chair's Business**

None.

## **D004/19      Deputation - Caledon Regeneration Partnership - Caledon Wool Store**

The Chair, Councillor McNamee welcomed representatives from Caledon Regeneration Partnership and invited them to make their presentation.

Mr Beattie thanked the Committee for the opportunity to make a presentation tonight and went on to demonstrate the work done to date in Caledon. Mr Beattie highlighted the need for childcare facilities within Caledon and set out a proposal for the future use of Wool Store and the two adjoining houses on Mill Street as follows -

- The proposed project for the Wool Store will provide a day care facility on the ground floor and part of the first floor of the building with the second floor being converted into a two bedroom apartment.
- The two houses at 1 and 2 Mill Street are in a state of substantial dilapidation and it is proposed to involve a housing association with a view to restoring the properties.

Mr Beattie advised that Caledon Regeneration Partnership have letters of intent from the owners of both properties to transfer them to the Partnership on a 25 year lease, prior to the commencement of any contract for their restoration.

Mr Beattie requested, based on the case outlined, that Council provide funding of £5000 to the project. £3000 of this will complement the Project Viability Grant from the Architectural Heritage Fund and the remainder will go towards the provision of professional support to carry out a survey of Nos. 1 and 2 Mill Street, and the preliminary estimates for their complete restoration.

Ms Mortimor provided information in relation to the population of Caledon along with deprivation statistics for the area. Ms Mortimor also provided detail on Northern Ireland economic activity for July to September 2018. Ms Mortimor stated that the data provided highlighted the urgent need for the provision of a day care facility in Caledon.

*Councillor Burton entered the meeting at 7.03 pm and Councillor Monteith entered the meeting at 7.06 pm during above presentation.*

Councillor McAleer declared an interest in this proposal as she was a Council representative on Caledon Regeneration Partnership, the Councillor stated that having adequate childcare facilities in place were essential to attract people to an area and that Caledon was an area which was community orientated. Councillor McAleer stated she would like to think Council would support the project.

Councillor Mulligan declared an interest in this item as a Council representative on Caledon Regeneration Partnership.

Councillor Burton declared an interest in this item as a Council representative on Caledon Regeneration Partnership. Councillor Burton stated she lived in the area and as a mother of four children knew the importance of having childcare in place,

the Councillor also stated that there is a lot of new housing within the Caledon area which has brought families to the area and similarly would like to think Council could support the project. Councillor Burton stated that the building as it stands is almost derelict and that a contribution from Council towards the project would have a good impact on renovating the building and breathing new life into Caledon.

In response to question from Councillor Milne, Mr Beattie advised that the two dwellings were privately owned and the Wool Store was owned by Caledon Estate. Mr Beattie advised that letters of intent had been received from both the owners to transfer the properties to Caledon Regeneration Partnership on a 25 year lease.

Councillor McFlynn stated that the proposed project will be positive for Caledon and that families need the support of childcare facilities. The Councillor stated she welcomed the proposal being put forward.

Representatives of Caledon Regeneration Partnership were thanked for their presentation following which they withdrew from the meeting at 7.25 pm.

Councillor Mulligan stated that he had earlier declared an interest in this item and asked if this now impeded him from indicating his support of the proposal.

Councillor Monteith stated that the item being discussed was being taken in open business and that the representatives were entitled to stay in the meeting for Member discussion.

The Chair, Councillor McNamee stated that Members may wish to discuss the matter without the representatives in the room.

Councillor Monteith stated that in that instance the item should have been listed under confidential business, the Councillor stated that as this was a public meeting the representatives were entitled to stay for Member discussion.

Councillor Burton stated that she was a Council representative on Caledon Regeneration Partnership.

Councillor Cuddy stated that at the Policy and Resources meeting the previous evening both himself and Councillor Molloy, who are representatives on Dungannon Enterprise Centre, left the room while Members decided upon a matter relating to same.

Councillor McEldowney stated she had earlier declared an interest in Lough Neagh Partnership and if an item came up on the agenda related to this she would abstain from any voting.

Councillor Molloy felt the issue of whether Members should stay or leave during a discussion is something which needed to be tidied up and that a report should be brought back to Policy and Resources Committee on the matter. The Councillor confirmed that he had left the meeting the night before during discussion of item relating to Dungannon Enterprise Centre but that he did not agree that he should

have to have done so. Councillor Molloy stated he was a Council representative on the Enterprise Centre Board but would not vote on matters relating to same.

Councillor McAleer felt there should be something in Standing Orders as she did not think it was right that representatives had to leave a meeting after making their presentation and prior to Member discussion.

Councillor Clarke referred to the leasing of the properties and asked at what point the lease would start and what guarantee there was that the lease would be renewed.

The Director of Business and Communities stated that whilst he was not aware of the specifics related to the leasing of the properties he could confirm that this was a pilot scheme which was for social projects only and not for private gain.

The Chair, Councillor McNamee suggested that going forward no representatives making a presentation should have to leave the room prior to Member discussion taking place.

Councillor Monteith proposed that Council fund the Caledon Wool Store project to the value of £5,000, provided officers could source the funding from within Council's existing community economic development budget.

Councillor Cuddy seconded Councillor Monteith's proposal.

Councillor Burton stated that the project needed Council buy in in order to make it achievable.

The Director of Business and Communities stated that the benefits of the project were obvious and that officers would revisit their existing budgets this year with a view to funding the project.

**Resolved** That it be recommended to Council to financially support Caledon Regeneration Partnership for their Wool Store Project to the value of £5,000 from Council's community economic development budget in 2018/19.

## **Matters for Decision**

### **D005/19 Community Development Report**

The Head of Community Development presented previously circulated report which sought approval for the following –

- **Community Local Festivals Grant and Good Relations Grant**

Proposed by Councillor Doris  
Seconded by Councillor Molloy and



**Resolved** That it be recommended to Council to approve the grant award recommendations listed on appendix 1 of the report – Community Local Festivals (£550) and Good Relations Grant (£4045).

▪ **Peace IV**

Proposed by Councillor Doris  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to proceed to tender for Phase II of the Peace IV Arts Engagement Programme at a budget of £50,000.

▪ **Community Grants Policy**

The Head of Community Development stated that within report it was proposed to amend guidance to include 'Group recipients should not have a membership charge for any person accessing its community provision greater than £100.' The officer stated that this should read £250.

Councillor Monteith asked if the community venue grant could be opened up to sports groups and if so if this would then allow community groups to be applicable to apply to the sports capital fund.

The Head of Community Development advised there was a minor error in the appendix to the report in relation to community venue grant and that the criteria should read community only. The officer advised that consideration was given to include sports groups but as the Member had stated this would then allow community to apply to the sports capital and if both were opened up, with the same budget remaining, the funding would be lessened for both which would negate any impact. It was further advised that the sports capital funding which is used to support the sports small development fund has been opened up for greater activity over the last year which has increased demand and sports groups are valuing this fund up to £1,500.

Councillor Monteith referred to groups receiving funding and that only a small advance is received prior to an event with the rest of the funding being received upon receipts submitted after the event. The Councillor stated that a lot of events will not take place because of this as some groups do not have the adequate cash flow in place.

The Head of Community Development stated that there was potential to look at a phased payment approach going forward.

Councillor Monteith stated that the phased approach to funding would be a good support to groups.

Councillor Cuddy stated that Council have been providing grants for three years and that the number of grants being provided are increasing year on year. Councillor Cuddy stated it was important that grants were reaching all sections of the community and asked if any equality impact had been done in this regard.

The Head of Community Development stated that along with the two main community groupings Council does also work with other minority groupings. The officer stated that no equality monitoring currently takes place but that this can be done if desired.

Councillor Cuddy stated that it was important to filter monies out as widely as possible.

Councillor Molloy felt there was a broad spectrum of groups coming forward seeking grant aid, he stated that not all migrant groups were well constituted at present but those that were had been able to avail of funding for events.

Councillor Monteith stated it was worth looking at indicators and would support a greater push out into communities.

Councillor Burton stated that Council provides a lot of financial support to the community and referred to the presentation of cheques which used to take place which was a good way of getting the message out. The Councillor asked if this cheque presentation still takes place.

The Head of Community Development stated that groups receiving funding used to receive an actual cheque which was a good way of getting the groups to attend a presentation. The officer stated that groups now received their funding through BACS and that by holding a presentation the groups still receive the monies whether they turn up or not.

Councillor Burton felt that those receiving funding should be acknowledging what they are getting from Council.

The Director of Business and Communities stated he agreed with Councillor Burton's comments and that officers will look at and bring back ideas as to how Council can be acknowledged for the funding it provides.

Councillor G Shiels stated it was a mistake to think of funding as being a cost to the ratepayer as there were economic spin offs to providing funding.

Councillor Forde expressed her thanks to the Head of Community Development and officers within the department for their guidance and support through the funding application process.

Proposed by Councillor Doris  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to approve the Community Grants Policy for 2019-2020 and associated grant budget allocations as set out in appendix 3 of report.

- **Mid Ulster General Advice**

Proposed by Councillor Doris  
Seconded by Councillor Forde and

**Resolved** That it be recommended to Council to sign the letter of offer of funding of £9,546.74 from Department for Communities for the provision of additional advice services in Mid Ulster, and to allocate the funding directly for CAMU and monitor provision accordingly.

- **Mid Ulster Housing Working Group**

Councillor Milne proposed that meetings should also be held with MP for the area.

Councillor Doris proposed that the group should be extended to ten Members.

Councillor Milne seconded Councillor Doris' proposal.

Councillor Monteith stated that the proposed working group did not appear to have a time limit or scope of work. The Councillor stated that Council needed to get its own house in order in relation to open space as housing developments in the District were still being passed without the inclusion of open space. Councillor Monteith stated that this was an area in which Council did have some authority but was not acting on it. The Councillor further commented that the group needed to look at legislative rent control. Councillor Monteith stated that representation on the group did not include Department for Communities and felt this should be the case, he further stated that the group will only meet once before upcoming elections.

The Chair, Councillor McNamee stated that, if agreed, the group will be in place and can continue its work into the new Council term. Councillor McNamee suggested that a sub group may be better than a working group.

Proposed by Councillor Molloy  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council to establish a ten Member Mid Ulster Housing Sub Group under Council as per the Terms of Reference set out at appendix 4 of report to include meeting with MP for the area.

- **Community Development Update**

Members noted Community Development update.

Councillor Monteith expressed his thanks to officers for their help in pushing the Southern Trust to undertake an exploratory dig at South Tyrone Hospital which he stated took place this week. The Councillor stated that it was within living memory what had happened at the site of the former workhouse and that recognising the site was of vital importance to the people of Dungannon. Councillor Monteith proposed that Council write to the Southern Trust stating that the site should be preserved and

that proposals for any development on the site cease immediately and provide assurances to the public that no further development will take place.

Councillor Molloy seconded Councillor Monteith's proposal.

**Resolved** That it be recommended to Council to write to Southern Trust stating that the site at South Tyrone Hospital be preserved and that current plans cease for any further development at this location.

Councillor Cuddy felt that it is important to take account of the size of the site and that possibly only part of it needed to be considered.

Councillor G Shiels referred to a paupers graveyard in Magherafelt which is commemorated.

The Director of Business of Communities stated that there was a similar site in Cookstown which is acknowledged by memorial plaque.

**D006/19 Lough Neagh Partnership Heritage Lottery Landscape Programme Year 3**

The Head of Tourism presented previously circulated report which sought approval to issue a Letter of Offer to Lough Neagh Heritage Lottery Landscape Partnership Programme for Year 3 match funding contribution of £36,125. The report also advised of a change in delivery of the access element of the Landscape Conservation Action Plan from Ardboe Walk to Newferry.

Proposed by Councillor Clarke  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council to issue Letter of Offer to Lough Neagh Heritage Lottery Landscape Partnership Programme for Year 3 match funding contribution of £36,125

**D007/19 Sperrins Sculpture Trail: Technical Study Contribution**

The Head of Tourism presented previously circulated report which provided update on the Sperrins Sculpture Trail project and sought approval for uplift in funding for a technical study from £5,556 each to £8,867 (in addition to previously approved £2,500 contribution for a green book economic analysis).

Proposed by Councillor McEldowney  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to Council to approve an increased contribution of £8,867 for the procurement of a technical study for the Sperrins Sculpture Trail project subject to partner contributions as described in report being confirmed.

## **D008/19      Seachtain na Gaelige (Irish Language Week) 2019**

The Head of Culture of Arts presented previously circulated report which sought approval to issue a call for Expressions of Interest from interested groups and individuals seeking to deliver activities and projects designed to encourage and promote use of the Irish Language as part of Seachtain na Gaelige 2019.

Proposed by Councillor McFlynn  
Seconded by Councillor Molloy and

**Resolved**      That it be recommended to Council to approve the call for Expressions of Interest from interested groups and individuals seeking to deliver activities and projects designed to encourage and promote use of the Irish Language as part of Seachtain na Gaelige 2019.

## **D009/19      Economic Development Report**

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

- **Invest NI Collaborative Growth Programme – Mid Ulster Engineering and Advanced Manufacturing Sector**

Proposed by Councillor Burton  
Seconded by Councillor Cuddy and

**Resolved**      That it be recommended to Council to approve a match funding request of £37,500 to be paid as follows; 2019/20 - £15,000, 2020/21 - £15,000 and 2021/22 - £7,500.

- **Irish Central Border Area Network**

Proposed by Councillor Clarke  
Seconded by Councillor Doris and

**Resolved**      That it be recommended to Council to approve release of 2<sup>nd</sup> (and final) 50% payment of £6,250 for 2018/19 to ICBAN.

- **Broadband - £150m Confidence and Supply Funding**

Councillor Clarke asked if it had been confirmed that Fermanagh and Omagh along with Mid Ulster Council would be the first areas to receive funding to improve internet connectivity and broadband speeds.

The Head of Economic Development advised that Council has strongly lobbied the Department for the Economy to prioritise Mid Ulster for broadband funding under the Confidence and Supply deal, as Ofcom has highlighted the area has the second worst broadband provision in Northern Ireland, just behind that of Fermanagh and Omagh. The officer stated that officers will continue to lobby the Department on the issue of prioritisation and have requested NILGA to do likewise.

In response to Councillor Monteith's question the Director of Business and Communities stated that 30mb is the speed Council has been working towards since September 2018.

- **Mid Ulster Digital Seminars**

Members noted report on Mid Ulster Digital Seminars 2018.

- **Global Entrepreneurship Monitor (GEM) Report 2018**

Members noted GEM Report 2018.

- **Mid Ulster Village Spruce Up Scheme – Reserve List**

Members noted Evaluation Report on Mid Ulster Village Spruce Up Scheme – Reserve List.

- **Cookstown Town Centre Forum**

Minutes of Cookstown Town Centre Forum noted.

- **Magherafelt Town Centre Forum**

Minutes of Magherafelt Town Centre Forum noted.

- **Maghera Town Centre Forum**

Minutes of Maghera Town Centre Forum noted.

- **Village Renewal Project**

Members noted progress.

Councillor Clarke stated that the figures in relation to the number of residents of Dunamore were incorrect.

The Director stated that the figures for the village renewal project were based on the NISRA settlement figures but indicated that the matter would be investigated and the Member updated accordingly.

- **Coalisland Public Realm**

Members noted progress.

- **Retail NI**

Councillor Molloy proposed the report recommendation. The Councillor stated that Council do a lot of work with the engineering sector in the District but felt that further work could also be undertaken within the hospitality sector and suggested looking at groupings not covered under Flavour of Tyrone such as craft/artisan producers.

Councillor Monteith seconded Councillor Molloy's recommendation and further supported Councillor Molloy's suggestion in relation to hospitality sector as he stated this sector along with the retail sector had been badly neglected. Councillor Monteith stated that Council has a responsibility to lobby central authorities on their behalf as businesses cannot compete with edge of town centres and enterprise centres.

Councillor Burton stated that Members also needed to consider villages and the businesses therein in any future proposals, and highlighted the positive impact the Village Spruce Up Scheme had made in many rural villages across the district.

The Director of Business and Communities stated that given the nature of what will be discussed at the meeting with Retail NI he suggested that a meeting be arranged which is open to all Councillors.

**Resolved** That it be recommended to Council to agree to the request from Retail NI to meet Members to present their proposals for Town Centres. Meeting to be arranged which is open to all Councillors.

▪ **Caledon Regeneration Partnership**

Members noted earlier presentation and decision regarding Caledon Regeneration Partnership.

**D010/19 Café/Catering Services at Cookstown Leisure Centre and Dungannon Park Pavilion**

The Head of Parks presented previously circulated report which sought approval for the appointment of concession-holders for the Café at Cookstown Leisure Centre and Dungannon Park Pavilion based on a Public Tender exercise.

Proposed by Councillor Molloy  
Seconded by Councillor Burton and

**Resolved** That it be recommended to Council to initiate procurement for the specified café and catering services at Cookstown Leisure Centre and Dungannon Park Pavilion from 1 April 2019 for a contract period of three years to 31 March 2022 with extension for a further 2x1 year periods at the sole discretion of the Council.

**D011/19 Northern Ireland Forest Schools Awards Scheme**

The Head of Parks presented previously circulated report which sought approval to register and engage with Northern Ireland Forest Schools Association (NIFSA) to develop a schools programme in Mid Ulster District Council area for a third year 2019-20.

In response to question from Councillor Doris the Head of Parks stated that the scheme is open to all schools to register.

Proposed by Councillor Doris  
Seconded by Councillor Cuddy and

- Resolved** That it be recommended to Council –
- To register Mid Ulster District Council with Northern Ireland Forest Schools Association and continue with a three year programme to engage local schools and youth groups to embrace local parks and greenspace where feasible across the District.
  - To provide a contribution of £6,000 towards programme support costs (subject to available resources) in 2019/20 budget setting process.

#### **D012/19 Cyclical Replacement of Fitness Equipment Proposals**

The Acting Head of Leisure presented previously circulated report which sought approval for the outline proposal related to the cyclical replacement of fitness equipment as agreed by Council on 25 October 2018.

In response to question from Councillor Milne the Acting Head of Leisure advised it has not been decided what will happen the old equipment coming out of leisure centres.

Councillor Milne stated there were numerous community groups in the area which could utilise the equipment and that discussion was needed as to what will happen to the old equipment.

The Acting Head of Leisure stated that consideration will be given to the future use of equipment being taken out of leisure centres.

Proposed by Councillor Milne  
Seconded by Councillor Doris and

- Resolved** That it be recommended to Council to approve the programme of implementation as follows –
- Year 1 and 2 – Replace spin bikes at Cookstown LC, Dungannon LC and Maghera LC. Install dedicated spin studio at Cookstown LC and Greenvale LC. Purchase new equipment for studio classes and refurbish fitness suites at Dungannon and Cookstown LC.
  - Year 3, 4 and 5 – Refurbish fitness suites at Maghera LC and Greenvale LC. Replace spin bikes at Greenvale LC.
  - Year 6 and 7 – Refurbish fitness suites at Mid Ulster Sports Arena and Meadowbank Sports Arena.



## **Matters for Information**

### **D013/19 Minutes of Development Committee held on Thursday 5 December 2018**

Members noted minutes of Development Committee held on Thursday 5 December 2018.

### **D014/19 Christmas Corporate Events**

Members noted previously circulated report which provided an update on Christmas events which took place within the District.

### **D015/19 The Heart of Ancient Ulster Landscape Partnership Scheme (HoAULP) - Progress Report**

Members noted previously circulated report which provided an update on the Heart of Ancient Ulster Landscape Partnership Scheme.

Councillor Clarke asked if there was any update in relation to Future Search.

The Director of Business and Communities stated that work had been ongoing in relation to getting all Councils on board in order to be in a position to recruit officer to drive forward the Future Search project. The Director advised that Causeway Coast and Glens Council was the last of the four Councils to come on board and that a letter of intent was still awaited. Once this letter is received, recruitment of officer can proceed.

### **D016/19 Tourism Business Engagement Update**

Members noted previously circulated report which provided an update on progress, work and results the Seamus Heaney Cluster have achieved over the last year.

### **D017/19 Mid Ulster District Tourism Development Group**

Members noted previously circulated report which provided minutes of Tourism Development Group meeting held on 11 September 2018 and ratified at Tourism Development meeting on 20 November 2018.

### **D018/19 PARP's (Physical Activity Referral Programme)**

Members noted previously circulated report which provided information on the Physical Activity Referral Programme, formerly known as the GP Referral Programme which is funded by the Public Health Agency (PHA).

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

Proposed by Councillor Forde  
Seconded by Councillor Burton 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 D019/19 and D021/19.

### **Matters for Decision**

D019/19 Purchasing books for resale at Seamus Heaney  
HomePlace  
D020/19 City and Growth Deal

### **Matters for Information**

D021/19 Confidential Minutes of Development Committee held on  
5 December 2018

### **D022/19 Duration of Meeting**

The meeting commenced at 7 pm and concluded at 8.51 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

<b>Report on</b>	Conferences, Seminars & Training
<b>Date of Meeting</b>	24 January 2019
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Eileen Forde, Member Support Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
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.
<b>2.0</b>	<b>Background</b>
2.1	Costs associated will be set against 2018-19 member Conference, Seminar and Training allocations.
<b>3.0</b>	<b>Main Report</b>
3.1	The following are seminar/ conference sessions and member training requests presented for consideration of representation from Mid Ulster District Council.
3.1	<b>Approval for Consideration of Attendance by Elected Members</b>
3.1.1	<b>Conferences &amp; Seminars</b>  <b>Northern Ireland AgriBusiness - ~Beyond Brexit</b> <ul style="list-style-type: none"> <li>• Civic Centre, Craigavon</li> <li>• Friday 8 March 8.30am – 3.30 pm</li> <li>• Cost: £210+Vat, travel and Subsistence</li> </ul> <b>NILGA Elected Member Workshop on Data and Evidence in Community Planning</b> <ul style="list-style-type: none"> <li>• Antrim Civic Centre</li> <li>• Friday 15th February 10.30am – 13.00, Antrim Civic Centre</li> <li>• Cost nil, travel and subsistence</li> </ul>
3.1.2	<b>Member Training Requests</b>  None

3.2	<b>Officer Approvals</b>  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	<b>Other Considerations</b>
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>  Financial: Costs to be set against Members 2018/2019 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member  Human: not applicable  Risk Management: not applicable
4.2	<b>Screening &amp; Impact Assessments</b>  Equality & Good Relations Implications: not applicable  Rural Needs Implications: not applicable
5.0	<b>Recommendation(s)</b>
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	<b>Documents Attached &amp; References</b>
	Appendix A Member Conferences, Seminars & Training Appendix B Officers Approvals

# Save the Date

## Elected Member Workshop on Data and Evidence in Community Planning

### Antrim Civic Centre

**Friday 15<sup>th</sup> February 10.30am – 13.00, Antrim Civic Centre**

NILGA, in association with the Carnegie Trust and NISRA, invites Elected Members to a Workshop on the use of Data and Evidence in Community Planning, which will improve councillors understanding, participation and competence in evidence - based scrutiny and decision making:

- Gathering and using evidence – what it is, how it's done and understanding its importance in impactful decision-making
- Types of evidence to use
- Role of statisticians
- Using the Evidence – reflection on community planning experiences to date
- The councillor role in evidence-based scrutiny and decision making

### Why Attend?

Elected members meaningful participation in community planning is key to delivery of the Community Planning Partnerships vision for their area. This session will focus on increasing elected members understanding and competence around the use of data and evidence in Community Planning. In doing so, elected members will be better equipped in their role in the interests of a more strategic place shaping approach to delivery.

To reserve your place please contact:

Amy McGrath on [office@nilga.org](mailto:office@nilga.org) or call 02890 798972

For further information please contact:

Fiona Douglas on [f.douglas@nilga.org](mailto:f.douglas@nilga.org) or call 02890 798972

# Northern Ireland Agribusiness Conference 2019

## Beyond Brexit

Friday 8th March 2019 • Craigavon Civic Centre, Co. Armagh

*Hosted by*



**Armagh City  
Banbridge  
& Craigavon**  
Borough Council



*Supported by*





# Beyond Brexit

The AgendaNi Northern Ireland Agribusiness Conference 2019 has been specifically scheduled to provide those with a strong interest in the future prospects for farming in Northern Ireland with a unique opportunity to gauge the prospects for the sector moving forward.

A panel of high-profile speakers and respected industry analysts has been gathered to provide their views on the challenges and opportunities that will confront the industry in the post-Brexit era.

Agriculture will be the sector of Northern Ireland's economy most impacted by Brexit. Currently between 70% and 80% of the annual income generated by farmers in this part of the world is generated courtesy of the Single Farm Payment through the EU Common Agricultural Policy (CAP). Once we leave the EU, the CAP will have no bearing on farmers in Northern Ireland. What will replace the CAP and how well will this new support system be funded?

This is only a very small part of the conundrum that will confront agriculture in Northern Ireland as it looks to the future. How will the future budget be shared out among the various regions of the UK? Northern Ireland will have to fight its corner, particularly against the likes of Scotland, when it comes to securing finance.

The recent UK Agriculture Bill focuses on improving soil and water quality, enhancing biodiversity and putting conservation measures front and centre. Will these principles resonate with farmers in Northern Ireland?

Agriculture in Northern Ireland will also be at the heart of the trade dimension to Brexit. Currently over one billion litres of milk are sent south for processing each year. Add to this the millions of livestock crossing the border each year. How will Brexit impact on these trading practices that have a direct bearing on agribusiness?

Join us for what promises to be a tremendously insightful event as agriculture in Northern Ireland shapes up to go 'Beyond Brexit'.

## Key discussion topics

- Brexit and future agricultural policy
- Rural proofing Northern Ireland
- Research and development
- The Food Heartland
- Challenges facing the dairy industry
- Farm quality assurance
- Agriculture, environment and conservation

## Food Heartland Forum

Armagh City, Banbridge and Craigavon Borough Council has identified the agri-food sector as one of its priority growth sectors and has established The Food Heartland Forum – a network of people from all parts of the sector who work together to drive the sector forward. The Forum is developing the sector by highlighting the importance of food and drink competitions and awards, as well as encouraging innovation and entrepreneurship within the agri-food industry throughout the borough.



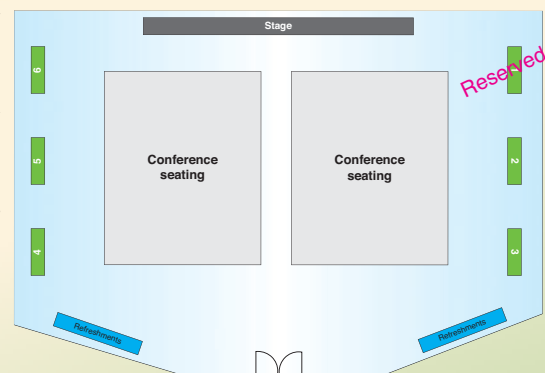
## Exhibition opportunities

There are a number of available exhibition opportunities at this conference. This event is an excellent way for organisations to raise their profile with a key audience of senior decision-makers from across the agri-food sector in Northern Ireland. There are a limited number of high quality exhibition opportunities which will be of interest to companies and organisations with products or services they wish to promote to this key audience.



For further information on how your organisation can benefit, contact **Fiona McCarthy** on +44 (0) 28 9261 9933 or email [fiona.mccarthy@agendani.com](mailto:fiona.mccarthy@agendani.com)

## Exhibition floorplan



## Conference programme

- 0830 Registration and morning coffee
- 0900 Conference chair: **Richard Halleron, Agricultural Journalist**
- Welcome from the **Lord Mayor of Armagh City, Banbridge and Craigavon Borough Councillor Julie Flaherty** and **Eoin Donnelly, Agribusiness Manager, First Trust Bank**
- Overview: Agriculture and food in Northern Ireland**  
**Richard Halleron, Agricultural Journalist**
- The farming perspective from Scotland**  
**Scott Walker, Chief Executive, NFU Scotland**
- Rural proofing Northern Ireland**  
**Professor Sally Shortall, Duke of Northumberland Chair of Rural Economy, Newcastle University**
- The Food Heartland of Northern Ireland: Promoting the local agri-food sector**  
**Roger Wilson, Chief Executive, Armagh City, Banbridge and Craigavon Borough Council**
- Brexit: Potential challenges for agricultural governance across the UK**  
**Dr Mary Dobbs, Agricultural Law Lecturer, Queen's University Belfast**
- Questions & answers / Panel discussion
- 1115 Coffee / networking break
- 1145 **Research and development: Looking to the future**  
**Dr Elizabeth Magowan, Director of Sustainable Agri-Food Sciences Division Agri-Food and Biosciences Institute**
- Farm quality assurance in Northern Ireland**  
**Ian Stevenson, Chief Executive, Livestock and Meat Commission Northern Ireland**
- Future opportunities for the dairy industry**  
**Nick Whelan, Chief Executive, Dale Farm**
- Agriculture: The environment and conservation**  
**John Martin, Nature Matters NI**
- Questions & answers / Panel discussion
- 1300 Conference lunch, exhibition viewing and networking
- 1400 **Panel: How do we survive as an all-island food industry after Brexit?**
- Declan Billington, Chief Executive, John Thompson & Son Ltd**  
**Conall Donnelly, Director, Northern Ireland Meat Exporters Association**  
**Angus Wilson, CEO, Wilson's Country**  
**Mike Johnston, Chief Executive, Dairy Council for Northern Ireland**  
**Speaker TBC**
- 1530 Conference close





I wish to:

- ☐ Reserve \_\_\_\_ places at the Agribusiness Conference  
Delegate fee £210 + VAT @ 20% = £252
- ☐ Receive details of **sponsorship opportunities** at the conference
- ☐ Receive details of **exhibition opportunities** at the conference

#### Delegate details

Name (Mr/Mrs/Miss/Ms/Dr): \_\_\_\_\_

Job title: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

#### Payment options

☐ I enclose a cheque for £ \_\_\_\_\_  
Payable to 'bmf Business Services'

☐ Please invoice me

☐ Please debit my Visa / Mastercard

Card number

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Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_

Expiry date \_\_\_\_\_

Security code \_\_\_\_\_

(Please provide card billing address if different from company address)

#### Cancellations / substitutions

For those unable to attend, a substitute participant may be sent at any time for no additional charge. Alternatively for cancellations received in writing, by fax or email, the following charges will apply:

- More than 14 days before the conference: 25% fee
- Less than 14 days before the conference: 100% fee
- Failure to attend: 100% fee

#### Acknowledgement of registration

Confirmation of registration will be sent to all delegates. Joining instructions will be sent out following receipt of registration details. If you have not received your acknowledgement seven days prior to the start of the conference, please contact at [registration@agendaNi.com](mailto:registration@agendaNi.com) to confirm your booking.

You can unsubscribe from receiving information at any time. Please let us know by emailing [info@agendaNi.com](mailto:info@agendaNi.com) or phoning 028 9261 9933.

## Who should attend?

This conference should be attended by key stakeholders from across the agriculture and food industries, and wider economic sectors in Northern Ireland. This will include:

- Government departments and agencies
- Representative groups in agriculture and food
- Agricultural producers
- Food processing companies
- Economic policy-makers
- Legal and financial advisors
- Consultants advising agri-food industry
- Agricultural and food science educators
- Local government officers and councillors
- NGOs and community organisations
- Rural interest groups
- Academics and researchers

## Benefits of attending conference

Delegates attending the conference will:

- Discuss the impact of Brexit on the farming industry
- Meet with fellow industry professionals
- Understand the challenges & opportunities facing the local agri-food industry
- Gain an in-depth understanding of the strategies for the long-term growth in agri-food
- Get an overview of global agricultural and food security issues

## How to register



Online

[www.agendaNi.com/events](http://www.agendaNi.com/events)



By email

[registration@agendaNi.com](mailto:registration@agendaNi.com)



By telephone

+44 (0)28 9261 9933

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Hay Festival, Wales – Best Practice Visit (SHHP Growth Cluster)	5-6th February 2019	1 – Business Engagement Officer	Wales	Yes
NI Solace Conference	21/2/19	2 x Directors	Templepatrick	Yes
BCNI Fire Safety Conference	7 & 8th February 19	2 x Building Control Officers (1 free)	Armagh	Yes
Sports Safety Conference	29/3/19	2 x Principal EHOs	Garvaghey, Ballygawley	No

<b>Report on</b>	Consideration of Requests for Civic Recognition
<b>Date of Meeting</b>	Thursday 24 January 2019
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

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

1.0	<b>Purpose of Report</b>					
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	<b>Background</b>					
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 &amp; 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><b><u>Recognition</u></b></p> <ul style="list-style-type: none"><li><b>Civic Honour:</b> 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></li><li><b>Civic Reception:</b> 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><tr><td>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</td></tr></table></li></ul>	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
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	<b><u>Processing the Request</u></b> <ul style="list-style-type: none"> <li>Reviewed against the policy/criteria</li> <li>Reviewed to identify if recognition provided for similar achievement within 3 years prior to this</li> <li>Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception</li> <li>Requests not meeting criteria will be recommended to Council to receive letter from Council Chair</li> </ul>
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.
<b>3.0</b>	<b>Main Report</b>
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.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That consideration be given to approving request for civic recognition requests
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A – Civic Recognitions Recommended for Approval

## Appendix A: January 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 Conor's College Clady Under 14's Gaelic Football	Winners of the Danske Bank Gerry Brown Cup Ulster Schools GAA Competition	Cllr Kearney Cllr S Peake	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field at Provincial level</li> </ul>	For: N/A  Date: N/A
St Pius X College Magherafelt  Senior Camogie Team	Ulster Colleges Camogie  Father Davis Cup	Cllr D Totten Cllr D McPeake	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field at Provincial level</li> </ul>	For: St Pius X College Year 10 Football Re Loch an Luir  Date: 13.12.18
Watty Graham's Glen GAC Maghera Ballad Group	Ulster Scor a Nog Champions  Ballad Group	Cllr B McGuigan Cllr Kearney	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field at Provincial level</li> </ul>	For Club Ulster Under 21 Football Champions  Date 23.3.17

Peter McKenna	Fleadh Cheoil na hEireann 2018 All Ireland Champion Uileann Pipes Lively, 15-18 years category	Cllr S McAleer	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For Ulster Uileann Pipes U15  Date: 22.9.16
Coney Family	Ireland's Fittest Family RTE Competition	Cllr M Quinn	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For: N/A  Date: N/A
Wolfe Toes GAC Bellaghy Minor Football Team	fonaCAB Ulster Minor Football Champions Tournament	Cllr I Milne	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field at Provincial level</li> </ul>	For: N/A  Date: N/A
Fintan Bradley	GAA Ulster Hurling All Star	Cllr S McPeake	<ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul>	For: N/A  Date: N/A
Holly Scullion	An Comhdhail Ulster Championships 2018 Under 9 Girls Championship	Cllr Molloy	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field at Provincial level</li> </ul>	For: N/A  Date

#### 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

Keith Clarke	Ran 100 miles backwards to raise money for Charity Cancer Focus	Cllrs S McGuigan and Cllr Gillespie
Anne Marie Collins	Blas na hÉireann Irish Food Awards 2018 Lemon Curd Section Silver Award	Cllr S McPeake





<b>Report on</b>	Consultations notified to Mid Ulster District Council
<b>Date of Meeting</b>	24 January 2019
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
<b>2.0</b>	<b>Background</b>
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.
<b>3.0</b>	<b>Main Report</b>
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members review and note consultations notified to Mid Ulster District Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Details of Current Consultations

## Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern Ireland Courts and Tribunals Service (NICTS)	Proposals to Improve Cost Recovery in Civil Courts	This public consultation by the seeking views on proposals to improve cost recovery in the Civil Courts. These proposals will enable NICTS to move towards a position of full cost recovery.	18 February 2019	
	Link to Consultation	<a href="http://www.justice-ni.gov.uk/consultations">www.justice-ni.gov.uk/consultations</a>		
	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		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
The Department for Communities	Local Government Pension Scheme – Consultation	Dept. for Communities has commenced a consultation on proposals to address the cost-cap floor breach identified in the valuation results. Proposal has been agreed by the Local Govt. Pension Scheme Advisory Board.	15 February 2019	
	Link to Consultation	<a href="http://www.communities-ni.gov.uk/consultations">www.communities-ni.gov.uk/consultations</a>		
	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		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern and Western Regional Assembly	Draft Regional Spatial and Economic Strategy for the	Purpose of the Regional Spatial and Economic Strategy (RSES) is to	8 February 2019	Yes, will be provided to February Planning

	Northern and Western Region (Counties Cavan, Donegal, Galway, Leitrim, Mayo, Monaghan, Roscommon and Sligo).	support the implementation of the National Planning Framework and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the region over a period of between 12 years and 20 years.		Committee for Approval
	Link to Consultation	<a href="http://www.nwra.ie/RSES">www.nwra.ie/RSES</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
The Consumer Council for NI	Forward Work Programme 2019-20	Consultation welcomes views on; whether the correct projects/ strategic goals have been identified; if there are any objections to proposed projects/ strategic goals.	31 January 2019	
	Link to Consultation	<a href="http://www.consumercouncil.org.uk/policy-research/publications/consumer-council-draft-forward-work-programme-201920">http://www.consumercouncil.org.uk/policy-research/publications/consumer-council-draft-forward-work-programme-201920</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
NI Human Rights Commission	Northern Ireland Human Rights Commission Draft Strategic Plan 2019-2022	Consultation seeks comments on the provisional draft of its draft strategic plan for April 2019-March 2022 for consultation.	15 March 2019	

	Link to Consultation	<a href="http://www.nihrc.org/news/detail/ni-human-rights-commission-draft-strategic-plan-2019-2022-consultation">http://www.nihrc.org/news/detail/ni-human-rights-commission-draft-strategic-plan-2019-2022-consultation</a>
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No

<b>Report on</b>	Correspondence to Council - January 2019
<b>Date of Meeting</b>	Thursday 24 <sup>th</sup> January 2019
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	P Moffett, Head of Democratic Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on correspondence received for attention of Council.
<b>2.0</b>	<b>Background</b>
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Correspondence from Department for Communities, Honours List</b></p> <p>The office within the Department for Communities with responsibility for the administration and management of the Honours Process in Northern Ireland has corresponded with the Council with an offer of making available/providing an awareness seminar in the Honours Nomination process. Attached as appendix A.</p>
3.2	<p><b>Correspondence from BT on removal of Payphone (Churchtown)</b></p> <p>BT has corresponded with Council to give notification of its intention to remove a payphone from service at 20 Churchtown Road Junction Turnaface Road Cookstown BT80 9XD. The letter is attached as Appendix B and indicates that it has been involved in a fire, damaging it beyond repair and recommends that it be removed on safety grounds.</p> <p>BT is undertaking a 90 consultation seeking representations from interested parties. They have identified the Council as a consultee. A notice has been placed at the Payphone by BT advising public to submit views within 42 days of the notice placed. Attached as appendix B.</p>
3.3	<p><b>Correspondence from Derry City &amp; Strabane DC – Community Pharmacies</b></p> <p>Derry City &amp; Strabane DC has corresponded with Council giving notice that it passed a motion regarding the sustainability of the Community Pharmacy Network in Northern Ireland. Attached as appendix C.</p>
3.4	<b>Correspondence from Fermanagh &amp; Omagh DC – Community Pharmacies</b>

	Fermanagh & Omagh District Council has corresponded with Council to provide it with correspondence it issued to the Permanent Secretary of the Department of Health regarding the funding of community pharmacies in Northern Ireland. Attached as appendix D.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Council notes and considers, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Department for Communities - Honours Nomination Process Appendix B: BT - Removal of Payphone (Churchtown) Appendix C: Derry City & Strabane District Council - Community Pharmacies Appendix D: Fermanagh & Omagh District Council – Community Pharmacies

## Appendix 1

**From:** Cousins, Robert <[Robert.Cousins@communities-ni.gov.uk](mailto:Robert.Cousins@communities-ni.gov.uk)>

**Sent:** 11 December 2018 14:29

**To:**

**Cc:**

**Subject:** The Honours Process

Dear Chief Executive

During 2018 our team organised two awareness seminars on the Honours nomination process in Ards & North Down Borough Council and Causeway Coast & Glens Borough Council. Attendees included officials and elected members.

The seminars included a presentation on the process and discussion around the following areas:

- The two routes a nomination can take i.e. via the council or the public nomination;
- The tight window of 2 weeks in which nominations are invited in March and September each year and ways around this constraint;
- The process itself which included selection criteria, timelines, types of award and the importance of the quality of citations; and
- Queries on content of citations which must be routed back through councils or in the case of a public nomination through TEO.

We agreed at the time to arrange further individual council seminars / events should there be an interest from councils by March 2019. This note seeks to ascertain the level of interest to carry out further sessions.

If you feel there is such a need in your council I would be grateful if you would contact me at 028 9082 3387 or email

[Robert.Cousins@communities-ni.gov.uk](mailto:Robert.Cousins@communities-ni.gov.uk) by **Friday 11 January 2019**.

Many thanks.

**Robert Cousins | Local Government & Housing Regulation Division | Department for Communities**

Level 4 | Causeway Exchange | 1-7 Bedford Street | Belfast | BT2 7EG

**Contact:** ✉ [robert.cousins@communities-ni.gov.uk](mailto:robert.cousins@communities-ni.gov.uk) | ☎ **Tel:** (028) 9082 3387 | 📠 **DD:** 39387



Planning Department  
Mid Ulster District Council  
Cookstown Office  
Burn Road  
Cookstown  
BT80 8DT

16<sup>th</sup> January 2019

**TIME SENSITIVE DOCUMENT – REPLY REQUIRED**

Our reference: - JB-02886762786

Dear Sir or Madam,

**REMOVAL OF PUBLIC PAYPHONE:**

I am writing to advise you that the kiosk at 20 Churchtown Road Junction Turnaface Road Cookstown BT80 9XD has recently been involved in an incident, a fire, which damaged the kiosk beyond repair and it had to be removed on safety grounds. As a result we have completed an assessment of the area and the need for a payphone at this location. During our assessment we discovered that the payphone has received very low or no use during the past twelve months. Due to the high costs to replace the kiosk, we are proposing not to replace it and permanently cease service at this site.

Our obligation to provide a Universal Service will be maintained, as there are other kiosks within the vicinity. The nearest alternative kiosk is at Lissan Post Office, 120 Lough Fea Road Cookstown. BT80 9QL.

Before we can permanently remove a kiosk we have an obligation to consult with relevant public bodies on the proposed removal. As part of the consultation process it is a requirement that the Council reply in writing to BT after 42 days and within 90-days giving their comments or any objections received from the local community. Further information on the consultation process can be found at:

[http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing\\_callboxes.pdf](http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing_callboxes.pdf)

If you do not reply, it will be taken that the council and interested parties have no objection to the permanent removal of this payphone.

A notice of our proposal has been included with this letter, as you may wish to display this near the site of the recovered kiosk.

If you require any further information or have any queries please do not hesitate to contact me via email at [btpcf@bt.com](mailto:btpcf@bt.com)

Yours faithfully  
Jim Blanch

BT Payphones - Commercial Field Officer





Our Ref: TJ

4 December 2018

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 22 November 2018, the following Motion was unanimously passed:

**This Council notes that the Community Pharmacy network in NI delivers community-based healthcare services and promotes well-being, with around 123,000 people visiting a community pharmacy every day.**

**This Council further notes that in 2015 a report was commissioned by the Department of Health and carried out by Pricewaterhouse Coopers for the financial year 2011/12. That report verified that the total HSC cost of running the community pharmacy service in NI is in the region of £130 million - £136 million annually. Despite this, the community pharmacy network remains underfunded by at least £20million per year.**

**This Council will write to the Secretary of State and the Permanent Secretary in the Department of Health urging that the Department ; Opens further discussions with the representative body Community Pharmacy NI; Urgently introduces an interim rescue package; Introduce changes to the payment arrangements for Chemists to address the issue of 'dispensing at a loss'; Ensures sufficient funding is maintained across the network including rural areas; Delivers a new community pharmacy contract as a matter of urgency.**

**Finally, this Council will write to the other 10 Councils across N.I. asking them to support this resolution.**

I look forward to receiving your response in relation thereto.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Kelpie". The signature is stylized with a large, looping initial "J" and a trailing flourish.

**John Kelpie**  
**Chief Executive**

Your Ref  
Our Ref BH  
Date 15 October 2018  
Email brendan.hegarty@fermanaghomagham.com



Fermanagh & Omagh  
District Council  
Comhairle Ceantair  
Fhear Manach agus na hÓmaí

Brendan Hegarty  
Chief Executive

Mr Richard Pengelly  
Department of Health  
Permanent Secretary  
C5.11, Castle Buildings  
Stormont  
Belfast  
BT4 3SQ

*Richard*  
Dear Mr Pengelly,

## RE: FUNDING CRISIS FOR COMMUNITY PHARMACIES IN NORTHERN IRELAND

The Council has asked that I write to you regarding the funding crisis for Community Pharmacies in NI. As you are aware the Council met with a representative of Community Pharmacy NI, a number of local community pharmacists and a representative from both your own Department and the Health and Social Care Board on Tuesday 9 October 2018 when the seriousness of the current funding position was discussed with the Council. Such are the concerns of the Council that this serious matter was discussed further at Committee meetings of the Council held on 9 and 10 October respectively.

The Council has grave concerns about the present situation and the urgency with which this funding shortfall needs to be addressed. The Council is fully aware of the current crisis in Community Pharmacy provision but is alarmed at the apparent lack of response by your Department. The Council welcomed the opportunity to engage with the representatives from your Department and HSCB at the meeting but got no sense that this very serious matter is going to be addressed urgently and satisfactorily.

The Council believes that a properly funded community pharmacy sector offers significant opportunities to both local communities and the health service. The Council believes that community pharmacy should be front and centre of the transformation programme, should be maximised to work upstream to all early intervention with referral pathways to GPs and other health care professionals and signposting to other sources of community support. The Community Pharmacy network must be properly funded to secure the sustainability of this vital service. It is no longer sustainable to underfund the service and to expect community pharmacists to provide the full range of current services, some of which are currently unfunded.

The potential to shift significant volumes of work from GP practice to community pharmacy was discussed at the meeting but the Council is alarmed that, in the current crisis, this has not been progressed before now. The Council is at a loss to understand why your Department, having carried out two studies into the funding of Community Pharmacies, which highlighted the requirement to inject additional funding into this service, has stalled on

moving forward with a new and appropriately funded community pharmacy contract. It is a matter of grave concern to the Council that your Department continues to dispute the findings of the CoSi review commissioned and published by the Department in November 2017 and has failed to bring forward proposals to properly resource this vital service.

Given the current funding crisis the Council asks that, (a) immediate and urgent action is taken to stabilise the local community pharmacy network through providing an interim rescue package with an adequate funding injection to create stability across the network and, (b) that you facilitate further discussions with CPNI as the representative body and take solid steps towards developing a new, appropriately funded, community pharmacy contract, with new community pharmacy-based services, as a matter of urgency.

Further given the current situation the Council is seeking clarification as to whether the existing policy and changes to the funding of the service have been subject to rural proofing and the Council is seeking a copy of the latest rural proofing assessment.

The Council has heard first hand from local community pharmacists and pharmacy owners how the current situation is having an extremely detrimental impact on them personally and on the services, they provide to the local community. These engagements have only served to confirm the validity of the serious concerns that have been raised with elected representatives by the local community. The Council is of the view that we are currently beyond crisis point with this vital community-based service and calls on your Department to provide an immediate injection of funding and to move swiftly to a new, properly resourced, contract.

As the matter is urgent the Council would welcome a timely response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'B. Hegarty', with a long horizontal line extending to the right.

**Brendan Hegarty**  
**CHIEF EXECUTIVE**



<b>Report on</b>	Notification of Changes to Committee Membership and Position of Responsibility
<b>Date of Meeting</b>	Thursday 24 <sup>th</sup> January, 2019
<b>Reporting Officer</b>	A Tohill, Chief Executive
<b>Contact Officer</b>	P Moffett. Head of Democratic Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform Council of changes made by the Nominating Officer of the Ulster Unionist Party, Cllr Wilson.
<b>2.0</b>	<b>Background</b>
2.1	Following the resignation of Mr K Reid as Councillor on Mid Ulster District Council effective from 31 <sup>st</sup> December 2018 the nominating officer of the Ulster Unionist Party has made some committee changes.
2.2.	Councillor Robert Colvin was returned by the Chief Electoral Officer to the fill vacancy on Mid Ulster District Council within Torrent District Electoral Area. Schedule 1 of the Local Government Act (Northern Ireland) 2014 governs filling of Positions of Responsibility (i.e. Chair/ Deputy Chairs), also referring to when vacancies arise.
2.3	The Nominating Officer for the Ulster Unionist Party informed Party Leaders of changes indicating that same would be come before January Council for Information.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>The following changes have been made by the Ulster Unionist Party Nominating Officer arising from the resignation of the member referenced at 2.1, above.</p> <ul style="list-style-type: none"> <li>• Councillor Colvin has replaced the outgoing member on the committees he was previously a member of – these being Planning and Environment</li> <li>• Councillor Wilson has moved from Development Committee to Environment Committee</li> <li>• Councillor Mulligan has moved from Environment Committee to Development Committee</li> <li>• Councillor Wilson has taken the Chair of Environment Committee for remaining period of 2018-19</li> </ul>
<b>4.0</b>	<b>Other Considerations</b>

<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That members of Council note the contents of this report on changes made by the Nominating Officer of the Ulster Unionist Party on committee membership and a position of responsibility.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	None