

A

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 April 2016 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

Councillors Ashton, Bateson, Burton, Clarke, Cuddy, Cuthbertson, Elattar, Forde, Gillespie, Glasgow, Kearney, Mallaghan, McAleer, McEldowney, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McPeake, Molloy, Monteith, Mullen (7.16pm), Mulligan, C O'Neill, J O'Neill, M Quinn, T Quinn, Reid, Robinson, G Shiels and Wilson

Officers in Attendance: Mr A Tohill, Chief Executive
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr Moffett Head of Democratic Services
Mr Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7pm

C80/16 Apologies

Councillors Bell, Buchanan, Gildernew, McFlynn, McNamee, J Shiels and Totten.

It was noted that Councillor Mullen would arrive late.

C81/16 Declarations of Interest

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

C82/16 Chair's Business

The Chair Councillor Dillon requested that Maeve O'Donnell be honoured at a reception for winning the All Ireland Uilleann Pipe Championship (12-15 years).

Councillor Wilson requested a reception for Michael Crawford and Liam Ryan who represented Northern Ireland at the Special Pool World Eight Ball Association Competition held in Bridlington.

Councillor Burton requested a reception for Caledon Rovers football team who won the Beckett Cup together with the league and are playing a further league game in the Mid Ulster Division Three on Saturday and if they win it will be 20/20 games won.

Councillor Kearney requested that a letter of congratulations be forwarded to Tony O'Brien from Portglenone who represented young people of province of Ulster at Dublin's official Easter Rising commemorations.

Councillor Ellatar requested a reception for the Hugh McKenna School of Irish Dancing under 16 team who won the world Irish Dancing Championship Invented Dance Section. The dance choreographed was entitled, 'The Old Cross of Ardboe'.

In response to Councillor McLean's query regarding civic recognition for persons nominated at previous Council meetings the Chair, Councillor Dillon stated that f 19 May had now been agreed and that Members would receive details in the near future. The Chair also stated that at each reception she had explained the delay had been due to lack of policy and that in the future there would not be such delays.

Councillor McLean requested that the undernoted receive letters of congratulations:

- Ulster Solo Championship: Matthew Wenlock who won the Junior Drumming Solos and Marcus Wenlock who came 3rd in the Senior Drumming Solo's in the his first year at this level;
- Danielle Hamilton on winning the Grade 2 & 1 Tenor Drumming – this request was concurred by Councillor Wilson;
- Katie McElmurry won third place in Grade 3 tenor drumming;
- Emma Ferguson who won second place in Juvenile Piping 12 & under;
- Pipe Chanter: Luke Kirkpatrick first place, Adam Brimage second place; and, Jake McConnell third place;
- Novice Chanter: Hannah Wilson third place;
- PIOBAIREACHD (A): John McElmurry took second place; and
- Juvenile Drumming 15 & under: Lee Montgomery third place.

Councillor Cuddy stated that in the legacy Council of Dungannon often groups from different backgrounds were grouped together for receptions. In response the Chair, Councillor Dillon stated that requests were grouped by achievement and the numbers venues could cater for.

Councillor Mallaghan advised that Powerscreen were marking their 50th anniversary having commenced business as Mid Ulster Plant and acknowledged the contribution they had made to engineering in Mid Ulster and that they supply 80% of world heavy duty equipment. Councillor Mallaghan stated that it would be fitting to offer a civic reception to Powerscreen and other employers and innovators within Mid Ulster region. The Chair, Councillor Dillon stated that it was a very good idea to recognise business and that a guest list should be agreed through Party Representative Group.

Councillor McLean requested that a letter of congratulations be forwarded to Mr David Henry of Henry Brothers Construction who had been elected Chair of the Construction Federation for a two year period and it was the first time someone outside Belfast had been appointed.

Matters for Decision

C83/16 Receive and consider minutes of matters transacted in "Open Business" at the Special Council meeting held on Wednesday 16 March 2016

Proposed by Councillor Burton

Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Meeting of the Special Council meeting held on Wednesday 16 2016 (SC15/16 – SC19/16), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

C84/16 Receive and consider minutes of matters transacted in “Open Business” at the Council meeting held on Thursday 24 March 2016

Proposed by Councillor T Quinn
Seconded by Councillor McPeake and

Resolved That the Minutes of the Meeting of the Council held on Thursday 24 March 2016 (C58/16 – C70/16 and C79/16), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

C85/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee held on Tuesday 5 April 2016.

Councillor Cuthbertson sought clarity with regard to application M/2014/0524/f stating that it was his understanding that the resolve had been to notify the DoE with the intention to approve subject to amended roads conditions yet it had appeared in the press as approved. The Chief Executive stated that in the absence of the Planning Manager he would refrain from giving a direct answer but would investigate the query and forward response to all Members. Councillor Cuthbertson stated that together with party colleagues he had highlighted safety concerns as the entrance was onto the dual carriageway and emphasised the DUP were not against the application but had safety concerns.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Tuesday 5 April 2016 (P58/16 – P66/16 and P71/16) transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

C86/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 7 April 2016

Proposed by Councillor S McGuigan
Seconded by Councillor Bateson and

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Thursday 7 April 2016, (PR066/16 –

PR0078/16 and PR088/16), transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C87/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee held on Tuesday 12 April 2016

In relation to item E105/16 Councillor Burton sought clarification regarding the catchment area as a number of farms had been outside the original area designated. The Director of Public Health and Infrastructure advised that the boundaries had been extended and that applications should be forwarded to Council who would then forward them to DARD for screening. The Director stated that the Council website had been updated to include the revised boundaries and that a report would be provided to the Environment Committee in May.

Councillor C O'Neill left the meeting at 7.15 pm

Councillor Mullen entered the meeting at 7.16pm

Councillor Burton spoke of the frustration of farmers dealing with the process and acknowledged the hard work and effort of staff.

In response to Councillor McPeake's question the Director of Public Health & Infrastructure advised that the scheme was funded by DoE but as it was farmland it had to go to DARD for verification. The Director advised that applications had to be lodged with Council who would then transfer them to DARD.

Councillor Mulligan stated that he had been approached by a local group travelling to Germany and asked if it was possible for them to be given a council plaque to present to the host country. Councillor Mulligan stated that this had been a practise in the legacy Council.

Councillor Burton stated that the matter had been raised at the tourism strategy meeting with Flavour of Tyrone and that the Head of Tourism had been tasked to explore options with the group.

The Chair, Councillor Dillon stated that as Councillors were not travelling it may not be appropriate to provide a gift as Council may become inundated with requests.

Councillor Mulligan expressed regret at the Chair's statement advising that in the legacy Councils groups would have been given a gift together with a message from the Mayor and highlighted that such groups were promoting the district.

Councillor C O'Neill returned to the meeting at 7.19pm

The Chair, Councillor Dillon stated that she was seeking to clarify if it was appropriate to provide such gifts.

Councillor Cuddy concurred with Councillor Mulligan and stated that if groups were willing to promote the district providing appropriate gifts should be looked at.

The Chair Councillor Dillon stated that it was a matter which should be investigated and suggested that it should be discussed at relevant committee or party leaders.

Councillor G Shiels concurred with the sentiments of Councillor Mulligan and stated that there was forty elected Members but many more people could be good ambassadors for the district.

Resolved That provision of gift stock such as plaques to groups travelling to other countries be discussed at committee or Party Representative Group.

Councillor McGinley requested that in the penultimate paragraph of item E105/16 DoE be amended to DARD.

Proposed by Councillor Gillespie
Seconded by Councillor B McGuigan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 12 April 2016 (E91/16 – E106/16 and E115/16), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

C88/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 14 April 2016.

Councillor McPeake sought clarification regarding item D103/16 Minor Infrastructure Support regarding villages of Gulladuff and Beagh being grouped together. In response the Director of Business and Communities stated that he would seek clarity regarding the villages and advised that the minor infrastructure support was a work in progress.

Councillor Mallaghan requested that the membership of Cookstown Twinning Committee be increased from four members to five to bring it in-line with standard committee membership.

Resolved That the membership of Cookstown Twinning Committee be increased from four members to five to bring it in-line with standard committee membership.

Proposed by Councillor Clarke
Seconded by Councillor Burton and

Resolved That the Minutes and recommendations of the Development Committee meeting held on Thursday 14 April 2016, (D093/16 – D110/16 and D115/16) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C89/16 Conferences and Seminars

Approval was sought from the meeting for the undernoted conferences and sought approval for the attendance of Members and Council officers, the payment of attendance fees and associated costs as incurred.

- (i) Lough Neagh – The Potential for Community Ownership
Friday 29 April 2016 (10am-1pm) at Lough Neagh Discovery Centre, Oxford Island, Craigavon
- (ii) Human Rights - 21st Century Approach
Tuesday 26 - Wednesday 27 May 2016 at Parliament Buildings, Stormont.
- (iii) From Ulster to Rome: a retrospective of the career of Hugh O'Neill, Earl of Tyrone:
Friday 3rd – Saturday 4 June 2016 at British School at Rome Via Antonio Gramsci, 61, Roma, Italy
- (iv) World Towns Leadership Summit 2016
Wednesday 15th – Thursday 16th June 2016 at Edinburgh, Scotland
- (v) PPMA National Seminar
Wednesday 22 June - Thursday 23 June 2016 at Aston University Conference Centre, Birmingham
Director of Organisational Development to attend.

The Head of Democratic Services detailed an additional conference as undernoted:

- Agi Northern Ireland – The Geographic Economy – the Benefits of Investing in Geospatial Technology
Wednesday 11 May 2016 at Riddel Hall, Belfast
Two members of staff to attend representing ICT and Planning Divisions.

Proposed by Councillor Burton
Seconded by Councillor Molloy and

Resolved That the attendance of Members and officers, the payment of attendance fees and associated costs as incurred be approved, as required for attending Members or officers

C90/16 Standing Orders for Regulation of Council Business

The Chief Executive drew attention to the previously circulated report detailing proposed amendments to the Standing Orders for the transaction of Mid Ulster District Council business. The Chief Executive advised that discussion would be deferred until the May meeting of Council.

Proposed by Councillor McPeake
Seconded by Councillor McGinley and

Resolved That Members note the amendments to Standing Orders for Regulation of Council Business to be discussed at May meeting of Council.

C91/16 Revised Council and Committee Meeting Schedule 2016-2017

The Head of Democratic Services drew attention to the previously circulated report detailing proposed changes to the 2016-17 meeting schedule and sought approval for the undernoted:

- Council meeting in June be held on 30 June at 7pm;
- Special Council meeting in June be held on 30 June at 8.30pm;
- Special Council meeting in September 22 September at 8.30pm;
- November Council meeting Wednesday 23 November at 7pm.

Proposed by Councillor Gillespie
Seconded by Councillor Bateson and

Resolved That Council approves the amendments to the 2016-2017 meeting schedule.

C92/16 DFP Consultation – Enhanced Sport & Recreation Rate Relief for Unlicensed Community Amateur Sports Clubs

The Director of Finance drew attention to the previously circulated report providing an update in relation to the current Department of Finance and Personnel (DFP) consultation exercise in relation to the proposed introduction of an enhanced sport and recreation rate relief for unlicensed community amateur sports clubs.

Proposed by Councillor McLean
Seconded by Councillor T Quinn and

Resolved That Council authorise the response to the consultation in a manner which welcomes the proposed policy.

Matters for Information

C93/16 Consultations notified to Mid Ulster District Council

The previously circulated paper on consultations notified to Mid Ulster District Council was noted.

Resolved That the consultations contained within the previously circulated report be noted

C94/16 Consideration of Motion

C94.1/16 Councillor Dillon to move

“This council looks at what can be done under the power of general competency to assist historical un-adopted developments where no bond exists that have suffered from years of neglect by relevant agencies.”

The Chair, Councillor Dillon read the aforementioned motion and stated that it was one of the issues she had identified to be dealt with under the power of general competency. The Chair advised that she was not referring to developments where a bond was in place and works would be completely eventually but rather to developments built maybe 50 years ago, handed over to the legacy Council in the 1970s and had no hope of roads and pathways being adopted as they were owned by Council but had never been brought up to a standard to be adopted. Highlighting that there was an equality issue the Chair advised that the roads and pathways in the developments were in a terrible state and named two areas (i) Currans Terrace, Dungannon; and (ii) Killowen, Coalisland where a bond had been lifted by the legacy Council but works had never been completed. The Chair highlighted that many of the residents were elderly and had mobility issues and that the general state of the roads and footpaths were unacceptable. Acknowledging that it was a legacy issue the Chair stated that it was now the responsibility of Mid Ulster District Council to address the issues and there should be sufficient resources within the current budget. The Chair also stated that she did not expect all areas identified to be completed by Council but emphasised that engagement was needed with other agencies and central government to identify funding. The Chair also mentioned Sandy Row and Newtownkelly as developments where work was required to bring them up to a standard to be adopted and thus no longer the responsibility of Council.

Councillor Gillespie concurred with the motion and stated that the same thing had happened in Donaghmore and the issue had been ongoing over a 40 year period and meanwhile roads and pathways were in an appalling state.

Councillor S McGuigan seconded the motion and emphasised that within the legacy Council Members had made decisions on the information presented and it was now apparent information had not been conclusive. Councillor S McGuigan stated that Council should proceed as outlined in the motion.

Councillor Cuthbertson stated that in considering the motion it was unwise to mention individual places which the press would no doubt publicise and emphasised that Members needed more information as he had been unaware of issues of regarding bonds with housing developers or how they were accessed. Councillor Cuthbertson stated that the matter should be investigated and reported to committee.

Councillor Reid concurred with Councillor Cuthbertson's comments and stated that there could be equality issues as he had been lobbied by residents of Newtownkelly where road conditions were dreadful and that Council needed to be mindful of the costs which could be incurred to rectify problems. Councillor Reid suggested that a survey of such areas be conducted across Mid Ulster and then discussed at committee

In response the Chair, Councillor Dillon stated that to conduct a survey was an acceptable approach but emphasised in relation to the two areas she had aforementioned that she did not see a difficulty as it is the responsibility of any Member to raise issues about areas within their remit. The Chair emphasised that she was not seeking agreement tonight but was requesting that officers investigate the issues. With reference to Killowen the Chair stated that she could access detail regarding the situation and stated that Council had a responsibility to address the issues even if the power of general competency was not in place. The Chair advised that she did not expect the matters to be addressed immediately but had moved the motion in order to seek agreement to investigate costs etc.

Councillor Molloy stated that some people had been living in the Killowen development pre 1973 re-organisation and thus had been waiting a lifetime for improvements and that the matter needed to be addressed as a matter of urgency.

Councillor Monteith stated that Curran Terrace had been previously discussed and that he would support the motion but that he was under the impression that this work was to be carried out if legislation permitted should it be the remit of general power of competence or an alternative. Councillor Monteith further stated that the residents of Curran Terrace had wrote to the Chief Executive 12 months ago and that they were entitled to an answer. In conclusion Councillor Monteith commented that people did not see any difference with the implementation of Review of Public Administration.

The Chair, Councillor Dillon stated that she did not see anything happening and felt that bringing the debate to the full Council would help.

Councillor McLean stated that following the seminar on general power of competence and subsequent discussion that he had been of the understanding that there was to be a scoping exercise to highlight all such areas. Councillor McLean stated that Council should be cautious and endeavour to source funding to carry out such works but that he had no issue with the motion.

Councillor Cuddy concurred with previous speakers and stated that it was important to get understanding, target prime projects and influence other government bodies to act. Councillor Cuddy referred to areas in Castlecaulfield which had been brought to his attention and referred to work carried out in the legacy Council regarding Curran Terrace when the price for works had been reported to be approximately £65k but that it had not been the remit of Council to complete the works. Councillor Cuddy stated that a policy and structure needed to be in place to address such issues. In response the Chair, Councillor Dillon stated that it had been the remit of the legacy Council to carry out works in Curran Terrace as they had owned it.

Councillor McKinney left the meeting at 7.51pm

Councillor McPeake referred to a brief discussion at Policy & Resources committee and stated that there was to be a further workshop under power of competence. Councillor McPeake stated that it is laudable that Council carries out the work on such developments if it can.

The Chair, Councillor Dillon stated that other than the developments that she had named no other developments had been put forward and acknowledging that Council may not be able to complete all the works they certainly needed to look at the matter.

Councillor Wilson emphasised that a scoping exercise was required to identify areas, determine ownership and also stated that there were retail areas where developers had went bust, areas where street lighting and roads were not up to standard.

Councillor McKinney returned to the meeting at 7.54pm

In response the Chair Councillor Dillon stated that some areas where developers went bust there should be a bond in place but that the areas she was highlighting there was no bond to complete works.

Councillor M Quinn left the meeting at 7.55 pm

Councillor Reid referred to the scoping exercise and asked the Chair, Councillor Dillon to appeal to the press not to name areas until the exercise was completed. In response the Chair stated that the topic was in open business for discussion and that she did not feel it was necessary to request the press not to name areas.

Councillor M Quinn returned to the meeting at 7.57pm

Councillor Glasgow referred to earlier comments when it had been stated that the legacy Council had collected a bond to complete works and had not done so and posed the question as to how the money had been used. In response the Chair, Councillor Dillon stated that the Councillor was quite right but that she did not know if that information could be sourced.

The Chair councillor Dillon declared the motion carried.

Confidential Business

Proposed by Councillor Burton
Seconded by Councillor S McGuigan

Resolved That items C95/16 –C100/16 be taken as confidential business.

The press left the meeting at 7.45pm

C101/16 Duration of Meeting

The meeting was called for 7pm and ended at 8.16 pm

CHAIR _____

DATE _____

B

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 May 2016 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Mallaghan, McAleer (7.09 pm), McEldowney, McKinney, McPeake, Mullen (7.10 pm), Reid, Robinson

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Ms McNally, Solicitor
Miss Thompson, Committee Services/ Senior Admin Officer

Others in Attendance

Applicant Speakers

I/2015/0012/F	Mrs Campbell
LA09/2015/0817/F	Mr Cassidy
LA09/2015/1170/F	Mr Donaldson
LA09/2015/0598/F	Mr Cassidy
LA09/2016/0199/O	Mr Quinn
LA09/2016/2011/O	Mr Quinn

The meeting commenced at 7.07 pm

P91/16 Apologies

None.

P92/16 Declarations of Interest

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

Councillor Robinson declared an interest in planning application LA09/2015/1285/RM.

P93/16 Chair's Business

The Chair, Councillor Kearney provided service delivery statistics for Mid Ulster Planning Department for the period April to December 2015. Members were advised that –

- Mid Ulster Council had the 3rd highest number of applications received. Only Newry Mourne and Down District Council and Belfast City Council had a

higher volume. Mid Ulster received approximately twice the number of applications to that of neighbouring Councils.

- Mid Ulster Council has the highest approval rate at 96.5%.
- Mid Ulster Council is 4th fastest at processing applications, it was noted however that those Councils who have a faster processing rate only receive half the amount of applications and that there is a two week difference in the fastest processing Council and Mid Ulster Council.
- All targets in relation to enforcement are being met.

The Chair acknowledged the positive service delivery statistics and congratulated the planning team on their work.

Councillor Reid concurred with the Chair's comments and recognised the work that went in to achieving the statistics provided.

P94/16 Confirm Minutes of the Planning Committee Meeting held on Tuesday 5 April 2016

Proposed by Councillor Glasgow
Seconded by Councillor Bateson and

Resolved That the minutes of the meeting of the Planning Committee held on Tuesday 5 April 2016, (P58/16 – P66/16 & P71/16), were considered and signed as accurate and correct.

Matters for Decision

P95/16 Planning Applications for Determination

The Chair drew Members attention to the undernoted planning applications for determination.

I/2015/0012/F Retention of below ground agricultural slurry tank with portal frame building over to the rear of 15 Sunnyside Road, Coagh for Donmac Farms

Ms McCullagh (SPO) presented a report on planning application I/2015/0012/F advising that it is recommended for approval.

The Chair advised the committee that a request to speak on the application had been received and invited Mrs Campbell to address the committee.

Mrs Campbell advised that the tank had already been built and is approximately 35m from the gable of dwelling at 7 Sunnyside Road, the entrance to the tank is also approximately 15m from the entrance to no.7. Concern was raised with regard to potential for odour, vermin and flies.

Mrs Campbell went on to advise that the property at 7 Sunnyside Road had planning permission for renovation and that this planning application was going to be renewed by her son however due to the impact of the slurry tank it was felt this was no longer feasible. Mrs Campbell also commented on the dirt of the road which was caused by vehicle movements to and from the slurry tank.

Mrs Campbell advised that the slurry tank was built illegally and called upon Members of the committee to give the application further consideration.

In response to the Planning Manager's questions Ms McCullagh advised that the property at 7 Sunnyside Road was currently vacant however there was planning permission for renovation of this dwelling. Ms McCullagh also advised that odour assessment from Environmental Health indicated that the slurry tank will have no detrimental effect on the property at 7 Sunnyside Road.

Ms McCullagh confirmed with Councillor Gildernew that the development was for a slatted slurry tank with a building over.

Councillor Bell asked if the planning application was for dairy farming use.

Ms McCullagh advised that the planning application did not indicate dairy farming use.

Councillor Bell advised that the applicant was a substantial dairy farmer in the area.

Councillor Clarke suggested that a slurry tank should be located 70m from a property and that this application would only be located 35m from a dwelling.

Councillor McPeake felt that the distance from the slurry tank to the property at 7 Sunnyside Road was narrow however the fact that there was a roof going over the tank may mitigate odour issues.

In response to Councillor Gildernew's question Ms McCullagh advised that the tank would become the floor of the shed.

Councillor Cuthbertson referred to the other buildings shown on the map and asked if these were associated with the property at no.7. Ms McCullagh advised that this would need to be confirmed with the owners of no.7 however she assumed they were.

In response to Councillor McKinney's question Ms McCullagh advised that planning permission for renovation of dwelling at 7 Sunnyside Road was granted in 2010 prior to the tank being built.

Councillor Robinson felt that as the tank will be located on a farm with a roof over it he would be inclined to support the application.

In response to Councillor McAleer's question Ms McCullagh advised that the applicants dwelling was not in the nearby vicinity of the tank.

Councillor McKinney suggested an additional planning condition in which the tank would not be used until such times as there was a building over.

Ms McCullagh referred to informative from Environmental Health which states that the slurry tank should be operated in such a manner so as not to give rise to a nuisance at any nearby property.

Councillor McAleer asked if there were any other suitable locations within the farm.

The Planning Manager advised that the tank was already built meaning relocation would be difficult. The Planning Manager sensed that Members were uneasy with the distance between slurry tank and nearest property at 7 Sunnyside Road and asked for confirmation that Environmental Health had duly considered this property in its odour assessment.

In response to Councillor McKinney's question Ms McCullagh advised that the size of the tank is 658m².

Councillor Clarke stated that if there was intended dairying use at the proposed site then this would lead to additional adverse noise impact from traffic and machinery etc.

Councillor Gildernew felt that as cattle would be outside now until October there would be time to defer this application for further consideration.

Ms McCullagh confirmed that Mid Ulster Environmental Health Department were consulted on this development and initially stated that they had no objections as the nearest occupied property was over 150m from the application site. In light of the objection received Environmental Health were reconsulted and their attention drawn to no. 7 Sunnyside Road, the intention of the objector's son to live at the property and the fact that there was a live planning permission for the renovation of no. 7. In response Environmental Health required an Odour Impact Assessment to be carried out which was subsequently submitted by the applicant. Environmental Health were again consulted for comment and in response advised they had no objections to the application subject to the following condition;

'The slurry tank is operated in such a manner so as not to give rise to a nuisance issue at any nearby properties'.

The Planning Manager stated that as the property at no.7 had been given proper consideration by Environmental Health, and taking into consideration their opinion, it would be unreasonable to refuse this application.

Councillor Cuthbertson stated that on receipt of advice from the Planning Manager he would propose the approval of the application. Councillor Cuthbertson also referred to previous decision of Planning Committee to grant permission for an anaerobic digester within a settlement.

Councillor Gildernew seconded Councillor Cuthbertson's proposal to approve the application.

In reference to Councillor Cuthbertson's comment Councillor Bell stated that the anaerobic digester application was further away from housing than this application.

Councillor Bell went on to say he had no doubt that the building will be used for dairy farming in the future and he would not be happy at the application being located so close to a domestic property.

Councillor Glasgow stated that Members can only make a decision based on the information put before them and that this information did not mention beef or dairy farming. The Councillor stated that the tank is underground and will be covered.

Resolved That planning application I/2015/0012/F be approved subject to conditions as per the officer's report.

**LA09/2015/0817/F Single storey stable and store block 35m SE of 21
Drumconnor Road, Drumconnor for Mr Oliver Donaghy**

Ms McCullagh (SPO) presented a report on planning application LA09/2015/0817/F advising that it is recommended for refusal.

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

Mr Cassidy advised that the applicant had rescued donkeys for a number of years but currently has no stabling facilities, Mr Cassidy expressed the need for the proposal for the shelter of the donkeys and storage of fodder.

Mr Cassidy advised that the applicant has three farm buildings, two of these buildings are used for storage and the third is used to house cattle. It was advised that as these were rescued donkeys their condition can vary, Mr Cassidy also stated that it would not be appropriate to stable the donkeys close to cattle due to cross contamination risk. Mr Cassidy highlighted that the Planning Department had stated in their report that the proposal would not be inappropriate at the location stated.

In response to Councillor McPeake's question Ms McCullagh advised that the Department have concern with regard to the siting of the proposal in that it is not located adjacent to the main farm holding and that granting permission of this application may lead to future ribboning.

The Planning Manager stated the need to take each application on its merits and that it was not correct to think that the application would lead to something else. The Planning Manager stated there was a need to rule out the possibility of a dwelling being located at the proposed location as this information had not been put before Members.

Councillor McPeake felt there was merit in housing cattle and donkeys separately.

Councillor Gildernew stated he was not aware that the application was for a donkey sanctuary until tonight. Councillor Gildernew proposed the approval of the application.

Councillor McPeake seconded Councillor Gildernew's proposal to approve the application.

The Planning Manager stated there was a need for planning conditions in relation to visibility splays.

Resolved That planning application LA09/2015/0817/F be approved subject to added condition in relation to visibility splays.

LA09/2015/0880/F New lounge and waiting area with external dining area, associated toilets and serving area at 19-23 Church Street, Magherafelt for Roland Graham

Ms Doyle (SPO) presented a report on planning application LA09/2015/0880/F advising that it is recommended for approval.

Proposed by Councillor Bell
Seconded by Councillor McKinney and

Resolved That planning application LA09/2015/0880/F be approved subject to conditions as per the officer's report.

LA09/2015/0996/LBC Internal fit out of no. 19 with demolition and replacement of rear return at 19-23 Church Street, Magherafelt for Mr Roland Graham

Ms Doyle (SPO) presented a report on planning application LA09/2015/0996/LBC advising that it is recommended for approval.

Proposed by Councillor Bell
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/0996/LBC be approved subject to conditions as per the officer's report.

LA09/2015/1096/F Ground mounted solar farm (4.9mw) and associated infrastructure at land 330m S of 32 Altmore Road, Pomeroy for Gaelectric Renewables Energy Developments Ltd

Ms McCullagh (SPO) presented a report on planning application LA09/2015/1096/F advising that it is recommended for approval.

Proposed by Councillor Robinson
Seconded by Councillor Reid and

Resolved That planning application LA09/2015/1096/F be approved subject to conditions as per the officer's report.

The Planning Manager advised that although this application is for a 4.9mw solar farm any application which is 5mw or over requires community consultation.

Ms McCullagh advised that in respect of this application the developer did carry out a community consultation.

In response to Councillor Mallaghan's question regarding community benefit from the proposal Ms McCullagh referred to the energy generated for homes, in addition, the applicant who was in attendance at the meeting confirmed there would be community benefit associated with this application.

LA09/2015/1170/F Agricultural Shed for storage of farm machinery 180m SSE of 1 Tullybrae Manor, Aughnacloy for Samuel Patterson

Mr Marrion (SPO) presented a report on planning application LA09/2015/1170/F advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Donaldson to address the committee.

Mr Donaldson stated that the application was necessary at the proposed location as it is the nearest field to the applicant's dwelling and that there was no space for additional sheds within the curtilage of the existing dwelling. Mr Donaldson advised that the proposal is essential for the safe storage of farm machinery and also highlighted that the farm requires to purchase a slurry mixer and tanker but currently there is no storage available for this equipment.

Mr Donaldson advised that any other fields within the applicant's ownership were much further from the farm dwelling he also referred to farm and buildings at Macosquin but advised this part of the farm was currently for sale. Mr Donaldson stated that traffic safety concerns were unfounded as the proposal will actually reduce the movements required through Tullybrae Manor.

Councillor Gildernew stated that the applicant is an active farmer who needs safe and secure storage for machinery. The Councillor sought a deferral of the application to further discuss road safety concerns.

Councillor McKinney stated that if the applicant sells their land at Macosquin he may no longer be considered an active farmer as the land at Aughnacloy only amounts to 10 acres and 12 acres are required to have active farmer status.

Councillor Reid questioned whether the applicant will be an agricultural contractor in the future.

Councillor Cuthbertson stated that based on the information put forward he would propose that the application be approved.

The Planning Manager referred to the concerns related to vehicle movements through a residential site and felt it would be reasonable to defer the application.

Councillor Cuthbertson felt the photographs circulated did not appear to suggest the applicant was an agricultural contractor.

Councillor Robinson stated that if the applicant has a right of way they are entitled to use it.

The Planning Manager suggested that the application be deferred to investigate other options.

Councillor Reid advised he was not assuming that applicant was an agricultural contractor and concurred with the suggestion that the application be deferred.

Councillor Cuthbertson advised that he would withdraw his proposal to approve the application but that Members can only go by the information put before them.

The Planning Manager stated that the reason for the deferral was to try to address road safety concerns.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/1170/F be deferred for an office meeting.

Councillor Cuthbertson left the meeting

Councillor Reid also felt that the location of the photographs circulated needed to be addressed.

LA09/2015/0598/F Replacement office and storage unit associated with established business (retrospective) 50m west of Moss Road, Ballymaguigan, Magherafelt for Chris Cassidy

The Head of Development Management advised that this application had been brought to last month's committee meeting however a decision could not be taken as further neighbourhood consultation was required. The Head of Development Management advised that period of consultation had now expired and that one objection had been received as per addendum circulated, objections were based on there being no established business on the site and loss of privacy to their neighbouring property.

The Head of Development Management advised that further information had also been submitted by the applicant, as circulated, and highlighted the following points taken from this information from a planning perspective –

- Argument that the application is not essential at the proposed location and could be located within a town centre.
- There is no zoning within small settlements for industrial use.
- Application should be assessed under PPS4: PED 4.

- Onus is on applicant to demonstrate all avenues in relation to acquiring office space, not only in Magherafelt but other settlements, have been exhausted. The Head of Development Management provided examples of workspace currently available within Magherafelt.
- Use of office has not been established.
- On 11 February 2016 the case officer spoke to and confirmed with Paul Birt that other suitable workspace was available.
- Note on file on 22 February 2016 states that the case officer requested further information from the applicant.
- In relation to Planning Appeal cited by the applicant it was advised that the application before Members is different to that example given.
- Reasons for refusal associated with this application are – PPS4: PED 4 and PED 9 and PPS21: CTY 1, 8, 13 and 14.

Councillor Cuthbertson re-entered the meeting during the consideration of the above points.

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

Mr Cassidy advised that the porta cabin had been in use as an office for over 5 years, he stated that the planning department had not contacted him regarding use of the porta cabin nor had anyone viewed the inside. Mr Cassidy also advised that the planning department had not made contact with the local businessmen who supplied sworn affidavits regarding use.

Mr Cassidy advised that the purpose of the application is to facilitate the expansion of his business, he advised that both Paul Birt and Workspace have confirmed that no suitable space is available and that this lack of space is not only putting in jeopardy the expansion of his own business but also those businesses relying on contracts being awarded.

Mr Cassidy advised that the porta cabin had been used for over 5 years in which enforcement action could have been taken but wasn't. Mr Cassidy also referred to Planning Appeal Decision in which costs were awarded against Mid Ulster Council.

Councillor Bateson felt that the application seemed to be for a minor development which will allow the applicant's business to expand and that it would not be out of the question to approve the application. The Councillor referred to previous applications related to expansion of businesses in which primary consideration was given to securing employment.

Councillor McKinney stated that whilst he had no objection to development in the countryside there seemed to be suitable space available elsewhere and highlighted the numerous reasons for refusal.

Councillor Gildernew felt he could not make a decision on the application based on what had been heard tonight.

The Head of Development Management again provided detail of vacant office space in the area and stated it was clear that realistic alternatives were available via estate agents.

Councillor Glasgow felt that, from the photographs provided, it would be difficult to envisage someone working in such an environment.

The Planning Manager stated that Members needed to be mindful of the history of the site and stated that he could understand the emotion of the application but that there needed to be equity in decision making. The Planning Manager stated that it appeared the porta cabin was being used for storage.

The Council Solicitor spoke in relation to the Planning Appeal referred to by the applicant and clarified that there was a partial award of costs against the Council due to the reason for a condition being changed. With regard to the application before Members, the Council Solicitor advised that the recommendation to refuse was based on policy reasons and not “technicalities”. The Council Solicitor reminded Members that a decision to approve the planning application should also be based on sound planning reasons. The Council Solicitor noted that it was her understanding that an application for a certificate of lawfulness of existing use had previously been refused and she referred the Member to Section 169(4) of the Planning Act (NI) 2011 in this regard.

Councillor McEldowney asked if there was a connection between the objector and the applicant.

The Chair, Councillor Kearney advised that the objector and applicant were brothers.

Councillor McEldowney asked when the porta cabin was placed on site as there appeared to be conflict in the information coming from applicant and objector.

Mr Cassidy advised that the porta cabin had been on site from 2009.

Councillor Gildernew advised he was still unhappy with the detail before Members and sought deferral of the application.

The Planning Manager advised that the officers report was written on the basis that the porta cabin was on site in 2009, he stated that alternative accommodation is available and that the application should be situated in a town centre or business park. The Planning Manager commented that the application had now been debated twice by the committee.

Mr Cassidy advised that there was water, a generator and toilet facilities available at the porta cabin.

Councillor Reid asked if there was any photographic evidence of the site in 2011 at the time of the last planning application which could confirm if the porta cabin was on site at that time.

The Planning Manager advised there was no reason to disbelieve that the porta cabin had not been on site for over 5 years and referred to the signed affidavits which confirm this.

Councillor Bell stated there was a need for balance in rural areas which shows that Council is progressive towards business.

The Planning Manager stated that the applicant deserves a decision on the application.

Councillor McKinney stated that Council did not create the policies the application was being assessed against. He stated he was not against development in the countryside however it was clear alternative suitable accommodation was readily available.

Councillor Gildernew asked if there were any planning reasons in which the current recommendation to refuse the application could be overturned.

The Planning Manager advised that it would be difficult to overturn the recommendation to refuse but stated that Members of the committee were the decision makers.

Councillor McPeake stated that the application seemed to be for a modest size building and if the site was properly landscaped he would be of an opinion to approve the application. Councillor McPeake proposed that planning application LA09/2015/0598/F be approved.

Councillor Gildernew seconded Councillor McPeake's proposal.

The Council Solicitor advised Members that the decision to refuse or approve the application was up to them, however, they needed to base their decision on sound planning reasons.

Councillor McEldowney stated she had no objection to the application but clarification was required as to when the porta cabin was sited.

The Head of development Management advised that google satellite imagery shows the porta cabin on site in July 2009.

Councillor Cuthbertson stated that the porta cabin had no approval for use and felt that if this application was approved it would only open the door to similar applications. The Councillor felt that the application could be accommodated within a town centre. Councillor Cuthbertson also advised that he had not been in the room for the start of the discussion related to this application and queried his voting rights.

The Chair, Councillor Kearney advised that planning protocol dictates a Member must be present for an entire item however the Chair could use their discretion in such circumstances.

In response to the Chair's question Councillor Cuthbertson confirmed he had been present for the entire discussion related to this application at last month's meeting.

The Chair permitted Councillor Cuthbertson to vote on the application before them.

Councillor McKinney proposed that planning application LA09/2015/0598/F be refused as per officer recommendation.

Councillor Glasgow seconded Councillor McKinney's proposal.

The Planning Manager advised the committee that if Members intended to vote to approve the application, then their justification would need to be based on the weight they wished to give to the existing porta cabin. Whilst officers did not feel that this in itself justified replacement with a larger building, it was possible to argue that as the existing porta cabin that had been on the site for over 5 years and given that it was likely to be immune from enforcement action, its replacement with a larger porta cabin merited an exception to policy as it did not significantly change the situation.

The Planning Manager also advised that if the Committee determined to refuse the application it would not be appropriate to use access to public transport as a reason for refusal, and that reasons relating to integration/ribboning should be redrafted to focus on urban sprawl taking into account the previous refusal for a dwelling on the site.

Councillor McKinney stated he did not understand how 6 reasons for refusal could be overcome at this stage.

The Planning Manager stated that it was not his intention to overcome the reasons for refusal but only advise Members on their decision making options in terms of reasonableness.

Members voted on Councillor McKinney's proposal to refuse the application –

For – 8

Resolved That planning application LA09/2015/0598/F be refused on grounds stated in the officer's report with amendments in relation to access to transport and integration/ribboning and urban sprawl to be included.

CONFIDENTIAL BUSINESS

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning applications LA09/2016/0199/O and LA09/2016/0211/O be heard as confidential business.

Open Business resumed at 9.47 pm

*The meeting recessed at 9.47 pm and recommenced at 10.09 pm.
Councillor Gildernew did not return to the meeting.*

Site Visits

Councillor Mallaghan referred to site visits related to infill applications scheduled to take place on 17 May 2016. The Councillor advised that three Members of the Planning Committee were involved in an ICBAN meeting scheduled for the morning of the same date and asked if the visits could be rescheduled to the afternoon of 17 May.

The Planning Manager advised he would rethink the scheduling for the site visits.

Members considered the remaining planning applications as per agenda.

LA09/2015/0024/O Dwelling and garage adjacent to 7A Keady Road, Upperlands for Charlene O’Kane

Ms Doyle (SPO) presented a report on planning application LA09/2015/0024/O advising that it is recommended for refusal.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2015/0024/O be refused on grounds stated in the officer’s report.

LA09/2015/1091/F New access to 4 no. proposed dwellings (approval I/2014/0089/F) at lands adjacent to 10-16 Westbury Gardens, Cookstown for Titanic Suites Belfast Limited

Application listed for approval subject to conditions as per the officer’s report, with the following additional planning condition to be included as per addendum circulated –

A demarcation line to be built into the road to separate the transition of adopted road to private road shall be in place, in accordance with Drawing No. 02rev2, bearing the date stamp 13 January 2016, prior to the commencement of any other works or other development hereby permitted.

REASON: To indicate where the adopted road joins the private road.

Proposed by Councillor McKinney
Seconded by Councillor Bell and

Resolved That planning application LA09/2015/1091/F be approved subject to conditions as per the officer’s report and additional condition as detailed above.

**LA09/2015/1147/RM Two storey dwelling and garage adjacent to 1
Killyveen Park, Killybracken Road, Granville,
Dungannon for Jim Fay**

Mr Marrion (SPO) presented a report on planning application LA09/2015/1147/RM advising that it is recommended for refusal.

Proposed by Councillor Cuthbertson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2015/1147/RM be refused on grounds stated in the officer's report.

**LA09/2015/1266/F Reconstruction of existing footpaths to extend existing car
parking arrangements at the front of 22-23 Knockmoy Park
and side of 17 Knockmoy Park, Gortgonis, Coalisland for
Northern Ireland Housing Executive**

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Reid
Seconded by Councillor McAleer and

Resolved That planning application LA09/2015/1266/F be approved subject to conditions as per the officer's report.

**LA09/2015/1285/RM Storey and a half dwelling, car port and double
garage 300m SW of 275 Newtownsaville Road,
Augher for John and Leanne Robinson**

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Reid
Seconded by Councillor McAleer and

Resolved That planning application LA09/2015/1285/RM be approved subject to conditions as per the officer's report.

**LA09/2016/0044/F Change of use of domestic garage to a part-time
hairdressers at 3 Ronan Manor, Ballyronan for Amanda
Coleman**

Ms Doyle (SPO) presented a report on planning application LA09/2016/0044/F advising that it is recommended for refusal.

Councillor McPeake requested to speak on the application.

Councillor McPeake advised that the applicant is a sole trader who uses their garage as a part time hairdressers on an appointment basis. Councillor McPeake stated that the garage is located to the rear of a dwelling and advised there would be no

material change to the outside of the garage, the Councillor advised that the garage is used mainly for storage and only resorts to hairdressing use in the evening time and then reverts back. Councillor McPeake advised that there were no objections to the application and requested an office meeting.

Councillor McPeake withdrew to the public gallery.

The Planning Manager felt that an office meeting would be beneficial to further discuss this application.

Proposed by Councillor McAleer
Seconded by Councillor McKinney and

Resolved That planning application LA09/2016/0044/F be deferred for an office meeting.

Councillor McPeake rejoined the meeting.

LA09/2016/0070/F Detached single storey garage at 14 Martinvale Park, Maghera for Tom Scullion

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved That planning application LA09/2016/0070/F be approved subject to conditions as per the officer's report.

LA09/2016/0100/F Retrospective change of use of part of domestic garage to storage and display area for home based catalogue sales business to the rear of 11a Strawmore Road, Draperstown for Mrs D Boyle

Ms Doyle (SPO) presented a report on planning application LA09/2016/0100/F advising that it is recommended for refusal.

Councillor McAleer referred to the need for this type of business in a rural area as some people preferred to shop locally.

The Planning Manager felt the level of trading represented in this application would not be detrimental to a town centre and suggested an office meeting be held to further discuss the application with the applicant.

Proposed by Councillor Robinson
Seconded by Councillor Reid and

Resolved That planning application LA09/2016/0100/F be deferred for an office meeting.

LA09/2016/0230/O Site for infill dwelling opposite 129 Moneysharvin Road, Maghera for Mr B McNally

Ms Doyle (SPO) presented a report on planning application LA09/2016/0230/O advising that it is recommended for refusal.

Proposed by Councillor McKinney
Seconded by Councillor Reid and

Resolved That planning application LA09/2016/0230/O be refused on grounds stated in the officer's report.

LA09/2016/0262/F Removal/variation of condition 8 of planning approval M/2011/0500/F (50km of overhead line) from Omagh Main Substation to Tamnamore Grid Substation, Dungannon for SONI Limited

Mr Marrion (SPO) presented a report on planning application LA09/2016/0262/F advising that it is recommended for approval.

Councillor Reid expressed some concern in relation to removal of vegetation during the breeding season.

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2016/0262/F be approved subject to conditions as per the officer's report.

I/2013/0334/F 500kw anaerobic digestion plant with combined heat and power unit 25m SE of 10 Lismoney Road, Moneymore for Robert Boyce

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Reid
Seconded by Councillor McPeake and

Resolved That planning application I/2013/0334/F be approved subject to conditions as per the officer's report.

LA09/2015/0127/F Change of wind turbine previously approved under M/2013/0567/F to wind turbine with 40m hub height and 54m rotor diameter at 307m NW of 55 Mullyneill Road, Caledon for Aircore Mullyneill Road Ltd

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Bateson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2015/0127/F be approved subject to conditions as per the officer's report.

LA09/2015/0678/F Two storey extension to side and rear of existing dwelling at 5 Kildrum Road, Galbally for Martin Brannigan

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Clarke
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/0678/F be approved subject to conditions as per the officer's report.

LA09/2015/0702/A Hoarding, uplighting and illuminated LED display board at 2 Washingbay Road, Coalisland for Springisland Supermarket

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Reid
Seconded by Councillor Bateson and

Resolved That planning application LA09/2015/0702/A be approved subject to conditions as per the officer's report.

In response to Councillor Cuthbertson's question regarding how the above decision would affect a similar application in Moy the Planning Manager advised that there is an ongoing appeal in relation to the Moy application.

The Council Solicitor left the meeting at 10.40 pm

P96/16 Response to DoE Consultation on a regionally significant application at the former William Clark and Sons Ltd, Upperlands, Maghera

Ms Doyle (SPO) presented previously circulated report which advised Members on Mid Ulster District Council's response to three applications being dealt with by Strategic Planning Division, DoE for lands at William Clark and Sons Ltd, Upperlands, Maghera.

Councillors McKinney and McPeake both had some concern in relation to the vast increase in housing development proposed for Upperlands and the impact this may have on Housing Growth Indicators across Mid Ulster.

Councillor Bell felt that the developer should explore all avenues in relation to development in other locations.

The Planning Manager expressed some doubt on whether the proposed application would materialise, he advised that the response circulated seeks assurance that the creation of 219 residential units will not affect distribution and zoning of housing land to meet Housing Growth Indicators across Mid Ulster and recommended that the Council submit the response as circulated.

Proposed by Councillor McPeake
Seconded by Councillor McKinney and

Resolved That Mid Ulster District Council submit the circulated paper as its consultation response to the Department of the Environment Strategic Planning Division for its consideration in respect of the three applications for lands at William Clark and Sons Ltd, Upperlands, Maghera.

P97/16 Receive responses to DOE Calls for Evidence and Public Consultations

The Planning Manager presented previously circulated reports which provided Members with the details of the responses to calls for evidence and public consultations on the following –

- Call for Evidence: Permitted Development Rights for Mineral Exploration
- Call for Evidence: Strategic Planning Policy for Development in the Countryside
- Call for Evidence: Strategic Planning Policy for Renewable Energy Development
- Public Consultation on Ecclesiastical Exemption
- Public Consultation on Proposals for a Historic Environment Fund

Members discussed Call for Evidence: Strategic Planning Policy for Development in the Countryside as follows –

Councillor McPeake felt there was a need for comment to be included in relation to non farming rural dwellers and the need for a policy for those who make a contribution to a community.

In relation to replacement dwellings, Councillor McPeake felt that if there is any evidence of a dwelling having been at an application site then it should be permitted.

Councillor Reid agreed with the comments raised by Councillor McPeake in relation to non farming rural dwellers and also referred to the changes to the DARD single farm payment system. The Councillor felt that having 2 walls intact was sufficient in relation to replacement dwellings.

The Planning Manager advised that the circulated response highlights the concerns related to DARD and agreed to look at incorporating the points raised in relation to non farming rural dwellers.

Councillor Clarke felt there were other ways of identifying replacement dwellings ie. census, old maps. Councillor Clarke also felt there was a need for caution in relation to development rights for mineral extraction.

Councillor Bell also felt that non farming rural dwellers needed to be accommodated within the countryside.

The Planning Manager suggested that comment be included for non farming rural dwellers which states that provision should be made for those who contribute to the local community. In relation to replacement dwellings it was suggested that policy refer to where there is clear evidence that a dwelling did exist.

The Planning Manager advised that Councillor Reid's comments in relation PPS21 and the 10 year rule were included within the circulated response.

In response to Councillor McAleer's comment in relation to location of dwellings on farms the Planning Manager stated that clarification had been sought within the response on what this actually means.

Proposed by Councillor McPeake
Seconded by Councillor Bateson and

Resolved That Council issue responses as circulated to DoE Call for Evidence on Permitted Development Rights for Mineral Exploration, Strategic Planning Policy for Renewable Energy Development and Public Consultations on Ecclesiastical Exemption and Proposals for a Historic Environment Fund. Response to Call for Evidence in relation to Strategic Planning Policy for Development in Countryside to be issued subject to revision which takes consideration of the comments raised above.

P98/16 Planning Department Service Improvement Plan 2016/2017

The Planning Manager presented previously circulated Planning Department Service Improvement Plan 2016/2017.

Proposed by Councillor Clarke
Seconded by Councillor Bateson and

Resolved That the Planning Department Service Improvement Plan 2016/2017 be agreed.

Matters for Information

P99/16 Appeal Decisions Received

The Head of Development Management presented previously circulated report advising Members of recent decisions made by Planning Appeals Commission.

Members noted the content of the report.

P100/16 Report of Delegated Decisions Issued in March 2016

Members noted the content of the report of delegated decisions issued in March 2016.

CONFIDENTIAL BUSINESS

Proposed by Councillor Glasgow
Seconded by Councillor Bell and

Resolved That items P101/16 to P103/16 be taken as confidential business.

P104/16 Duration of Meeting

The meeting was called for 7.00pm and ended at 11.40pm.

Chair _____

Date _____

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**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 May 2016 in Council Offices, Burn Road, Cookstown**

Members Present	Councillor McFlynn (Chair) Councillors Buchanan, Burton, Cuddy, Cuthbertson, Gillespie, Glasgow, Kearney, B McGuigan, S McGuigan, McNamee, Mullen, Mulligan, J O'Neill, 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 McNeill, Technical Services Manager Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services/ Senior Admin Officer

The meeting commenced at 7.00 pm

E116/16 Apologies

Councillor McGinley.

E117/16 Declarations of Interest

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

E118/16 Chair's Business

The Chair, Councillor McFlynn advised that this was her last meeting in the role as Chair of Environment Committee and thanked Members and Officers for their input over the year.

**E119/16 Receive and confirm minutes of the Environment Committee
meeting held on Tuesday 12 April 2016**

Proposed by Councillor McNamee
Seconded by Councillor Kearney and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 12 April 2016 (E91/16 – E106/16 and E115/16) were considered and, signed as accurate and correct.

Matters for Decision

E120/16 Transport NI proposals to Mid Ulster Council

Members considered previously circulated report regarding proposals from TransportNI to introduce measures to enhance safety and development of the transport network with a range of transport projects.

Proposed by Councillor McNamee
Seconded by Councillor Buchanan and

- Resolved** That it be recommended to Council to endorse the proposal submitted by TransportNI as follows –
- Proposed 40mph speed limit – Gorestown Road, Moy
 - Proposed 20mph speed limit – Lettice Street and Laurel Drive, Aughnacloy

E121/16 Request to attend Environment Committee

The Director of Environment and Property presented previously circulated report which sought the approval of the Committee to invite Ms Martine Donaghy to attend a future meeting of the Environment Committee with a view to her making a presentation in relation to car parking.

- Resolved** That it be recommended to Council to invite Ms Donaghy to a future meeting of Environment Committee with a view to her making a presentation in relation to car parking.

E122/16 Property Services Service Improvement Plan 2016/17

Members considered previously circulated report which sought approval of the annual Service Improvement Plan for Property Services for 2016/17.

The Chair, Councillor McFlynn referred to the different standards of grass cutting throughout the District.

The Head of Property Services reminded Members of report brought to previous Environment Committee which set out delivery standards in relation to grass cutting in order to bring all areas up to the same service standard.

Councillor B McGuigan referred to grassed area at Hillhead Terrace, Castledawson which was no longer cut by Council.

The Head of Property Services confirmed that this grassed area was cut by legacy council however as it is not owned by Council it is no longer included on the grass cutting schedule.

Councillor B McGuigan felt that further consideration needed to be given to cutting the grassed area at Hillhead Terrace due to the increase in traffic along this stretch of road towards the Seamus Heaney HomePlace in Bellaghy.

The Head of Property Services advised that further consideration would be given to Councillor B McGuigan's request.

Councillor Glasgow referred to need for grass cutting at Tullywiggan, Cookstown and around approach to Mid Ulster Sports Arena, the Councillor stated that grass in this area was not cut last year and that this matter needed to be addressed.

The Head of Property Services advised that visibility splays around Mid Ulster Sports Arena were cut by Council staff last year and that the need for further cutting at Tullywiggan could be assessed.

Councillor McNamee suggested that Council investigate the ownership of land around Hillhead Terrace with a view to the owner maintaining this area.

In response to Councillor S McGuigan's comments the Head of Property Services advised that any requests received from Members in relation to grass cutting would be assessed within agreed delivery standards.

The Director of Environment and Property reminded Members that Council funding for grass cutting was withdrawn by TransportNI last year with no indication to date whether this money would be reinstated for this year.

Resolved That it be recommended to Council to approve the Property Services Service Improvement Plan for 2016/17 and to review grass cutting in areas as requested and in line with delivery standards.

E123/16 Environmental Services Service Improvement Plan 2016/17

Members considered previously circulated report which sought approval of the annual Service Improvement Plan for Environmental Services for 2016/17.

Resolved That it be recommended to Council to approve the Environmental Services Service Improvement Plan for 2016/17.

E124/16 Street Naming and Property Numbering

Members considered previously circulated report regarding the naming of new residential housing developments within Mid Ulster as follows –

1 Site off Drumreany Road, Castlecaulfield

Resolved That it be recommended to Council to name development off Drumreany Road, Castlecaulfield as Torrent View.

2 Site off Currans Brae Road, Moy

Resolved That it be recommended to Council to name development off Currans Brae Road, Moy as Roxborough Manor.

3 Site off Mullan Road, Coagh

Resolved That it be recommended to Council to name development off Mullan Road, Coagh as Cleneyarde.

E125/16 Response to the Food Standards Agency's consultation on the impact of mandatory display of Food Hygiene Ratings in Northern Ireland

Councillors Cuddy and Mullen declared an interest in this item.

The Head of Environmental Health presented previously circulated report which provided detail of Mid Ulster Council's response to the Food Standards Agency's consultation on the impact of mandatory display of Food Hygiene Ratings in Northern Ireland.

In response to Councillor Cuthbertson's question the Head of Environmental Health advised that the overall rating of a premises will dictate how often it is inspected. It was advised that those premises with a lower rating will be inspected more often than those with a higher rating.

Proposed by Councillor Buchanan
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to approve the draft response to the Food Standards Agency consultation on the impact of the mandatory display of Food Hygiene Ratings in Northern Ireland.

E126/16 Consultation response to DSD Discussion Paper on the Review of the Statutory Minimum Housing Fitness Standard for all Tenures of Dwelling

The Head of Environmental Health presented previously circulated report which provided detail of Mid Ulster Council's response to the DSD Discussion Paper on the Review of the Statutory Minimum Housing Fitness Standard for all Tenures of Dwelling.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to approve the draft response to the DSD Discussion Paper – Review of the Housing fitness Standard for all Tenures of Dwelling.

E127/16 Sustainability – Fairtrade Campaign

The Head of Technical Services presented previously circulated report which updated Members on the Fairtrade Campaign and sought support to achieve Fairtrade status for Mid Ulster District Council area.

It was advised that Mid Ulster is the only Council within Northern Ireland not to support the Fairtrade campaign.

Proposed by Councillor S McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to support the principles of Fairtrade and acknowledges the contribution that Fairtrade makes to Sustainable Development worldwide, tackling poverty and improving the lives of people from some of the most disadvantaged farming communities in the developing world.

Councillor Glasgow asked if the Council's decision to support Fairtrade will filter into third party franchisees.

The Head of Technical Services advised that at the moment Council can only encourage franchisees to support Fairtrade. Once a franchisee contract is due for renewal support and promotion of Fairtrade will be factored in to that new contract.

E128/16 Sustainable Northern Ireland Funding request

The Head of Technical Services presented previously circulated report which advised Members of Sustainable Northern Ireland's request for £5,000 funding for the services provided to Mid Ulster District Council.

Councillor S McGuigan advised that a similar request came before Dungannon Council in the past however, at that time, it had been difficult to ascertain what benefit there would be to Council in making a contribution.

Councillor Cuddy concurred with Councillor S McGuigan's comments and stated that at the point of request to Dungannon Council there was little indication as to what benefits would come to Council as a result of providing contribution. The Councillor also expressed some concern that requested contribution amount would rise in coming years.

It was suggested that a review of level of service provided by Sustainable Northern Ireland be undertaken after one year.

Proposed by Councillor Cuddy
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to support Sustainable Northern Ireland with a contribution of £5,000 for the 2016/17 financial year with a review to be conducted next year as to the level of service provided by Sustainable Northern Ireland to Council.

Matters for Information

E129/16 Improvement Works to Magherafelt Recycling Centre

Members noted previously circulated report which provided update in relation to recent improvement works to Magherafelt Recycling Centre.

E130/16 Rethink Waste Capital Funding 2015/16

Members noted previously circulated report which provided update on the outcome of the Rethink Waste capital funding claim.

E131/16 Invasive Species on Council Property

Members noted previously circulated report which advised of a survey of invasive species on Council owned property.

In response to Councillor Cuthbertson's question the Head of Property Services advised that operatives have treated those invasive plants present on Council property and will continue to monitor and control any further establishment.

Councillor Cuddy stated that the issue of invasive species is important to those seeking a mortgage who may experience difficulties if such species are located at adjacent properties.

The Head of Property Services advised he was content with the current levels of control and that monitoring will continue to keep these species at bay.

Councillor Glasgow stated this was an issue Council needed to keep on top of.

Councillor Cuddy suggested that Council use this year's survey as a baseline and conduct a review in a years' time. The Head of Property Services advised that a review of invasive species could be undertaken again next year.

Councillor S McGuigan asked who is responsible for invasive species found on private property or property where ownership cannot be established.

The Head of Property Services advised that control of invasive plants lies with a landowner, and whilst it is not an offence to have an established invasive plant growing on a property it would be an offence to knowingly remove the plant from a site which leads to its further spread. It was confirmed that there is a responsibility to stop the plants spreading into the wild or causing a nuisance. Where a landowner cannot be established this is a more difficult situation.

Members were advised that DARD along with Biodiversity staff within Council can provide advice in relation to the control of invasive plant/noxious weeds.

Councillor Cuthbertson referred to his notice of motion which was defeated by Council in relation to ensuring legislation was in place for the control of Japanese Knotweed.

Councillor McNamee stated that Councillor Cuthbertson's motion had been defeated at the time as it sought to pursue landowners to tackle the problem of Japanese Knotweed.

E132/16 Maghera Walled Garden Update

The Head of Property Services presented previously circulated report which provided update in relation to activities at Maghera Walled Garden.

Councillor B McGuigan stated that the Walled Garden was a very good facility within the Maghera area but felt it needed greater promotion and signage.

In response to Councillor Cuddy's question the Head of Property Services advised that the Walled Garden is staffed by Council operatives and does not have a management committee.

Councillor Cuddy felt it may be beneficial to have a Council Committee which looks at the promotion of all Council facilities.

The Director of Environment and Property referred to Botanic Gardens in Belfast which has a Friends of Botanic Gardens Committee and also similar facility located within Down Council and stated he could explore with them how Council can develop the Walled Garden for the future.

Councillor Burton advised she had visited the Walled Garden and felt it was a good attraction which should be promoted. The Councillor asked if there was any allotment space at the garden.

The Chair, Councillor McFlynn advised that local schools have their own raised beds within the garden.

The Director of Environment and Property stated he was confident that the Walled Garden would become more successful through time.

Councillor B McGuigan suggested that the Walled Garden should also be promoted by tourism section of Council.

E133/16 Service Performance of Building Control

Members noted previously circulated report which advised on the Service Performance of the Building Control Department within Mid Ulster District Council in line with the Service Improvement Plan for 2015/16 and the proposed work plan for Building Control for 2016/17.

E134/16 Entertainment Licensing Applications

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

E135/16 Building Control Report

Members noted previously circulated report which provided an update on the workload analysis for Building Control across Mid Ulster District Council.

E136/16 Blind Cord Safety

The Head of Environmental Health presented previously circulated report which advised Members on the work carried out by the Environmental Health Department, as part of a regional initiative, to raise awareness of the dangers of blind cords.

Members noted the content of the report.

E137/16 Review of 2015/16 Environmental Health Business Plan

Members noted previously circulated report which provided detail of a review of the 2015/16 Environmental Health Service Business Plan.

Councillor Glasgow referred to irregularities in respect of the Dog Warden service and asked for an update as to when this service will be streamlined.

The Head of Environmental Health advised that discussions were ongoing in relation to achieving a corporate arrangement for on call duties and that the matter was currently with HR.

E138/16 Scheme of Emergency Financial Assistance to District Council to cover flooding in small businesses and non-domestic properties

Members noted previously circulated report which provided update on the Revised Scheme of Emergency Financial assistance to District Councils to cover flooding in small businesses and non-domestic properties which was released on 21 April 2016.

The Head of Environmental Health advised that applications for small business applications closed on 30 April 2016 and that 22 applications were received. The closing date for farmland applications was extended until 16 May 2016 and to date 64 applications had been received.

E139/16 Tobacco Retailer Act (NI) 2014

Councillor Cuddy declared an interest in this item.

The Head of Environmental Health presented previously circulated report which provided update to Members on the introduction of the Tobacco Retailer Act (NI) 2015.

Members noted the content of the report.

Confidential Business

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

Resolved That items E140/16 – E146/16 be taken as confidential business.

E147/16 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.58 pm.

CHAIR _____

DATE _____

D

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Wednesday 11 May 2016 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor S McGuigan, Chair

Councillors Ashton, Bateson, Buchanan, Elattar, Forde, Mallaghan, McKinney, Molloy, M Quinn (7.03 pm), T Quinn and Totten

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs AM Campbell, Director of Culture and Leisure
Mrs M Canavan, Director of Organisational Development
Mrs C McNally, Council Solicitor
Mrs U Mezza, Head of Marketing & Communications
Mr B O'Hagan, Head of ICT
Mr JJ Tohill, Director of Finance
Mrs M Grogan, Committee Services Officer

The meeting commenced at 7.00 pm.

The Chair, Councillor S McGuigan advised the committee as this was his last meeting in the Chair, he wanted to thank officers and members for their support during his term of Chairman of Policy and Resources.

PR089/16 Apologies

Councillors Cuddy, Gildernew and McLean.

PR090/16 Declaration of Interest

The Chair, Councillor S McGuigan reminded members of their responsibility with regard to declarations of interest.

PR091/16 Chair's Business

No business was raised.

PR092/16 Receive and confirm minutes of the Policy and Resources Committee held on Thursday 7 April 2016

Proposed by Councillor Buchanan
Seconded by Councillor Molloy and

Resolved: That the minutes of the meeting of the Policy & Resources Committee held on Thursday 7 April 2016 (PR066/16 – PR078/16 and PR088/16) were considered and signed as accurate and correct.

Matters for Decision

PR093/16 Policy on Room Hire

The Director of Culture & Leisure drew attention to the previously circulated report to consider a policy on the provision of meeting rooms for use and hire within its civic offices and facilities to organisations or individuals wishing to hire them.

Councillor Elattar enquired if the Northern Ireland Housing Council would be required to pay the hire charges as some other Councils do not charge.

The Director of Culture & Leisure advised that this would be most likely the case.

Councillor Elattar wanted it recorded that she objected to government agencies like the Northern Ireland Housing Council being charged a fee as each Council should be able to facilitate a meeting on an annual basis free of charge.

The Chair, Councillor S McGuigan suggested that if a member sits on an outside body then they should make a recommendation.

The Chief Executive agreed with Councillor Elattar and said that every avenue should be considered to try and facilitate organisations.

Councillor Mallaghan referred to ICBAN meetings which are held in eight Council venues across the North and South of Ireland, he felt that this Council's refreshment policy should be looked at again as it looks mean compared to other host Councils.

Councillor Ashton felt that if it is a government agency then Councils should be seen to be facilitating them. She referred to the internal hire and said that the same criteria should apply when utilising facilities outside normal opening hours free of charge.

The Director of Culture and Leisure in response to Councillor Ashton's query referred to footnote 4 "*shall be levied the hire charge relevant to the facility, except where a room in one of the Civic Buildings has been sought but not available*" and felt that this only in exceptional circumstances like night-time this would apply.

Councillor Bateson asked that PCSP be included.

The Chairman, Councillor S McGuigan suggested that members provide the Director of Culture and Leisure with names of outside bodies in which they are elected to sit on before proceeding with the proposed hire charges.

Proposed by Councillor Mallaghan
Seconded by Councillor Forde and

Resolved: That it be recommended to the Council to accept the draft Council Policy on Room Hire after amendments are made with members providing the Director of Culture and Leisure with names of outside bodies on which they have been elected to sit on.

The Director of Culture and Leisure left the meeting at 7.12 pm.

PR094/16 Annual Membership of National Association of Councillors

The Director of Finance drew attention to the previously circulated report to consider for approval the payment of Mid Ulster District Council's annual membership of the National Association of Councillors (NAC) – Northern Ireland Region.

Proposed by Councillor Mallaghan
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be granted to the annual membership and payment of the fee of £3,200 for the National Association of Councillors, Northern Ireland Region.

PR095/16 Policies

The Director of Organisational Development drew attention to the previously circulated report to seek Members approval for:

- i) An Equal Opportunities Policy
- ii) Policy of Contribution Banding for Mid Ulster District Council.

The Director of Organisational Development referred to the Policy of Contribution Banding for Mid Ulster District Council and advised that the proposed leaving date for the employee would be 31 May 2016 and that they would be required to sign a Non IT1 Agreement through the LRA which affirms their agreement to waive their right to notice and any notice pay due.

Proposed by Councillor T Quinn
Seconded by Councillor Molloy and

Resolved: That it be recommended to the Council that approval be given to the Equal Opportunities Policy and Contribution Banding Policy for Mid Ulster District Council.

PR096/16 Proposal to Integrate Building Control and Finance Income ICT Systems

The Head of ICT drew attention to the previously circulated report to inform members of the integration of Building Control and Finance income systems as part of the Service Improvement plans for Building Control and Finance.

Proposed by Councillor Mallaghan
Seconded by Councillor Buchanan and

Resolved: That it be recommended to the Council that approval be granted to the expenditure and recurring costs to Council in line with the retention of the current Building Control and Finance Systems.

PR097/16 Proposal for Incorporate Identity Checking within Council

The Head of ICT drew attention to the previously circulated report and asked members to consider the recommendation on the introduction of a citizen identity verification service.

Councillor Ashton felt that this service will most likely progress regardless so it may be worthwhile considering having a meeting with Newry & Mourne District Council after the completion of their pilot to see how things worked out.

Proposed by Councillor Ashton
Seconded by Councillor Molloy and

Resolved: That it be recommended to the Council that Council defer a decision to provide the service until a review of the Pilot in Newry and Mourne District Council is carried out. The Pilot is due to commence in April 2016.

PR098/16 Transfer of Licence at Burnavon Arts Centre

The Council Solicitor drew attention to the previously circulated report to seek members' approval in respect of Council Officer's attendance at licensing hearing as a witness on behalf of Mid Ulster District Council.

Proposed by Councillor Molloy
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that members approve the attendance of Tony McCance (and/or any other Council Officer that the Council Solicitor deems to be appropriate), to attend the licensing application for the transfer of the licence at Burnavon Arts Centre as a witness and to give evidence on behalf of Mid Ulster District Council.

PR099/16 Sale of Old Clogher Public Conveniences to Royal British Legion

The Council Solicitor drew attention to the previously circulated report to seek Members' approval in respect of the disposal of the public conveniences in Clogher to the Royal British Legion and to agree the Contract and Conveyance.

Proposed by Councillor Ashton
Seconded by Councillor McKinney and

Resolved: That it be recommended to the Council that approval be granted in respect of the disposal of the public conveniences in Clogher to the Royal British Legion and to agree the Contract and Conveyance, subject to a later completion date of 26th May 2016.

PR100/16 Northern Ireland Rural Development Programme 2014-2020

The Council Solicitor drew attention to the previously circulated report to seek Members' approval to enter into contracts with DARD and LAG in order to administer Priority 6 LEADER schemes of the Northern Ireland Rural Development Strategy for the Mid Ulster District Council ("the Council") area. Members are asked to review the contract in Annex 3 for information.

Proposed by Councillor S McGuigan
Seconded by Councillor Forde

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

- a) Contract between the Council and Mid Ulster Rural Development Partnership for the purpose of administering Priority 6 LEADER Schemes of the NI Rural Development Programme in the Council area (Annex 1).
- b) LEADER Service Level Agreement between DARD and the Council (Annex 2).

The Chief Executive advised that the following Service Improvement Plans have been prepared by Officers across the nineteen areas of Council outlining responsibility, performance, stakeholders, budgetary, staff compliments and structure and indicating where improvements are going to be made. He said that a lot of work has been put into the preparation of the plans in trying to improve performance for ratepayers in the Mid Ulster District Council area.

PR101/16 Service Improvement Plan 2016/17 – Legal Services

The Council Solicitor drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Legal Services.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Legal Services.

PR102/16 Democratic Services: 2016/17 Service Improvement Plan

The Head of Democratic Services drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Democratic Services.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Democratic Services.

PR103/16 Marketing & Communications: 2016/17 Service Improvement Plan

The Head of Marketing & Communications drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Marketing & Communications.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Marketing & Communications.

PR104/16 Finance & IT: 2016/17 Service Improvement Plans

The Director of Finance drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Finance & IT.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Finance & IT.

PR105/16 Organisational Development: 2016/17 Service Improvement Plan

The Director of Organisational Development drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Organisational Development.

Proposed by Councillor Molloy
Seconded by Councillor Ashton and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Organisational Development.

Confidential Business

Proposed by Councillor Forde
Seconded by Councillor M Quinn and

Resolved: That items (PR106/16 to PR116/16) be taken as confidential business.

The Council Solicitor left the meeting at 7.30 pm.

PR117/16 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.50 pm.

CHAIR _____

DATE _____

E

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 12 May 2016 in the Council Offices, Burn Road, Cookstown

Members Present	Councillor Burton, Chair Councillors Clarke, Elattar, Forde, McEldowney, McNamee, Molloy, Monteith, G Shiels, T Quinn and Wilson
Officers in Attendance	Ms Campbell, Director of Culture and Leisure Mr McCreesh, Director of Business and Communities Mr Brown, Head of Tourism Mr Glavin, Head of Leisure Mr Hill, Head of Parks Ms Linney, Head of Community Development Mr McCance, Head of Culture and Arts Mrs Grogan, Committee Services Officer
Others in Attendance	Agenda Item 4: Christians Against Poverty Rob Lawrence

The meeting commenced at 7.00 pm.

D116/16 Apologies

Councillors McAleer, C O'Neill and Reid.

D117/16 Declaration of Interests

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

Councillor Molloy declared an interest in Dungannon Enterprise Centre.
Councillor Wilson declared an interest in Economic Development – Interim Arrangements – New Business Start Programme.

D118/16 Chair's Business

No business was raised.

D119/16 Christians Against Poverty

The Chair, Councillor Burton welcomed Mr Rob Lawrence from Christians Against Poverty to the Committee. Mr Lawrence delivered a presentation outlining the services provided by CAP to include:

- Budget and Priority Payments
- Non-Priority Payments

- Continued Client Support
- Insolvency
- Specialist Advice

The Chair, Councillor Burton thanked Mr Lawrence for his impressive presentation and advised that it was a very useful service.

Councillor G Shiels enquired if there was an opportunity for CAP to work with other advice services.

Mr Lawrence advised that CAP Magherafelt works closely with other advice services like Citizens Advice and would signpost clients to relevant agencies which would best cater for their needs.

In response to Councillor Forde's query, Mr Lawrence said that CAP Magherafelt work through the Lighthouse Church on Rainey Street, but would work with all churches and volunteers in the area.

Councillor Forde advised that the CAP service is a very worthwhile cause as debt can be a major problem.

Councillor Monteith stated that he couldn't speak highly enough of CAP, as the Dungannon branch had a first class service and helped a huge amount of people in the area.

The Chair, Councillor Burton felt that it would be beneficial if CAP liaised with other advice agencies as some may not be aware of their services.

The Chair, Councillor Burton thanked Mr Lawrence at which he left the meeting at 7.15 pm.

D120/16 Minutes of the Development Committee held on Thursday 14 April 2016

Proposed by Councillor Wilson
Seconded by Councillor Molloy and

Resolved: That the minutes of the meeting of the Development Committee held on Thursday 14 April 2016 (D093/16 to D115/16 and D111/16 to D114/16), were considered and signed as correct and accurate.

Matters for Decision

D121/16 Service Level Agreements (SLAs)

The Director of Culture and Leisure drew attention to the previously circulated report to discuss future arrangements for Service Level Agreements (SLAs) and legacy arrangements for 2016/17.

Councillor Clarke declared an interest in Service Level Agreements (SLAs).

Councillor Molloy advised that he agreed with the link with schools, but would need discussions with schools as from 3.30 pm they are non-operational.

The Director of Culture and Leisure advised that the Facilities Strategy currently being developed is considering the need of opening school estates up to the community, but a model needs to be developed that would work for both the Council and schools.

Councillor Monteith said that there were plenty of schools that opened up for the community, but felt that the Council should work towards not funding the schools. He stated that he was opposed to paying for schools staying open as schools already are charging the community to use it.

Councillor Monteith referred to the bullet points no. 7 and 8 under recommendations and felt that in his opinion No. 7 was more favourable to the Council.

In response to Councillor Elattar's query about the timeframe, the Director of Culture and Leisure advised that she anticipated bringing details of criteria to next month's meeting and once approval at June's Council was sought, this would be open in July. The timeframe would be similar to what it was last year and it would be open for 2 – 3 weeks with scoring and it would be all systems go.

Councillor Elattar enquired if there was any way of speeding the process up.

The Director of Culture and Leisure said she would investigate to see if the process can be done any quicker.

Councillor Wilson felt that it would be more beneficial to have the Council deliver the defibrillator training rather than open it up to local clubs.

The Director of Culture and Leisure advised that criteria for programmes could be written into the programme.

Proposed by Councillor Elattar
Seconded by Councillor Forde and

Resolved: That it be recommended to the Council that approval be given to the recommendations outlined in report regarding the future approach with SLAs.

D122/16 Castledawson Allotments

The Head of Parks drew attention to the previously circulated report to seek Council approval to undertake interim management responsibilities for village allotment facilities due to the winding up of Castledawson Community Association and temporary closure of site.

Councillor Forde stated that it was unfortunate that Castledawson allotments has ended up this way and that it would be important to move forward and bring them back to life and investigate the possibility of letting other people take them over. She said that it would be also beneficial to investigate the childrens play area.

Councillor G Shiels said that at the beginning of the scheme, people were very proactive in keeping their allotments tidy but over time people have lost interest and were not adhering to rules and regulations.

The Head of Parks agreed with Councillor G Shiels and felt that if rules and regulations are not adhered to then the allotments should be taken back.

Proposed by Councillor Forde
Seconded by Councillor Wilson and

Resolved: That it be recommended to the Council that approval be granted to undertake full operational management responsibility for the Castledawson allotment facility and playpark adjacent to the community house as from the date of Council ratification 26th May 2016. To work with associated stakeholders and partner organisations to development future opportunities for renewed community management options for Castledawson allotments.

D123/16 Seamus Heaney HomePlace Education and Community Engagement Update

The Head of Culture & Arts drew attention to the previously circulated report to:

- 1) Update members on the Education and Community engagement activity currently being delivered by Officers within Culture & Arts and Community Services relating to the Seamus Heaney HomePlace.
- 2) Seek approval for the delivery of a pre-opening engagement day and associated costs.
- 3) Seek approval from Council to commission professional support to develop a trails master plan for the sites to be shortlisted for proposed development as part of Seamus Heaney Trails development project.

Councillor Wilson stated that he was happy to support the Annex Opening but felt that Bellaghy was a small village and may be better having one main event run by Big Telly Theatre in Magherafelt during the day and something in the evening in Bellaghy as this may generate more people.

The Head of Culture and Arts felt that the main event should be held in Bellaghy where Seamus Heaney came from.

Proposed by Councillor Wilson
Seconded by Councillor Elattar and

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

- 1) Note the Education Programme and Community Engagement Programme activity being delivered by Officer teams
- 2) Deliver the event proposed on and associated costs for delivery of the event
- 3) Commission the external professional support as funded under HLF round 1 submission, to assist with the further development of the Seamus Heaney Trails project, as required in advance of the Heritage Lottery Fund Round 2 submission in September 2016.

D124/16 Fivemiletown Round Lake Development Proposal

The Head of Parks drew attention to the previously circulated report to ask members to consider Draft Action Plan in relation to suggested development opportunities and maintenance resource scheduling for Round Lake and Caravan Park, Fivemiletown.

The Chair, Councillor Burton said that barbecue areas would be useful for visitors. She felt that the Round Lake was a great asset to the area, but that a lot of work needs to be done in trying to tidy up the area as there is a lot of overgrown trees and hedges. It would be important to enhance this great asset to try and attract visitors to the area.

Proposed by Councillor Monteith
Seconded by Councillor Wilson and

Resolved: That it be recommended to the Council that approval be granted to further develop proposals and seek funding.

D125/16 Royal Highland Games

The Head of Tourism drew attention to the previously circulated report to seek approval to promote the Seamus Heaney Experience and the Mid Ulster Council tourism product at Royal Highland Show, 2016 under the Tourism Ireland's Northern Ireland Industry Co-Operative Programme – NIICP 2016 with the opportunity to receive 75% funding towards costs of attending and had received notification from Tourism Ireland that this had been approved.

Proposed by Councillor Molloy
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be given to continuous engagement with Tourism Ireland and participate in Northern Ireland Industry Co-Operative Programme by promoting at Royal Highland Show, Edinburgh from 23 – 26 June 2016.

D126/16 Spring & Summer Marketing Promotions

The Head of Tourism drew attention to the previously circulated report to seek Council approval for tourism staff to attend and promote the Hill of The O'Neill centre and events plus the Seamus Heaney HomePlace and other Mid Ulster Council

Outdoor Recreation and Culture and Heritage tourism products using a number of platforms over the spring and summer season. Costs of stand hire and associated electrical/furniture, staffing including mileage and subsistence, promotional and marketing material.

Proposed by Councillor Monteith
Seconded by Councillor Clarke and

Resolved: That it be recommended to the Council that approval be given to the contents of the report.

D127/16 Economic Development Report

The Director of Business & Communities drew attention to the previously circulated report to provide Members with an update on key activities as detailed below:

- 1) Regional Start Initiative Update
- 2) Interim Arrangements – New Business Start Programme
- 3) Update on Business Development Programmes 2016
- 4) Interreg VA 1.1 Application – Proposal from Sligo Institute of Technology – ‘Carbon Neutral North’ Project
- 5) Town Centre Update to include:
 - Ann Street Development Site, Dungannon
 - DSD Revitalise Scheme, Coalisland
 - Strategic Issues – Retail Accommodation
 - Granville Industrial Estate

Councillor Molloy declared an interest in Granville Industrial Estate.

Councillor Monteith referred to item 3.5 Ann Street Development Site, Dungannon and advised that when calling a DEA meeting that it would be important that Dungannon elected members be involved and not just Lisney.

The Chair, Councillor Burton stated that the meeting should be opened up to all elected members.

The Director of Business and Communities advised that no decisions had been made with Lisney yet, only options, but would take on board members suggestions and arrange a meeting with all elected members. He said that lessons learned from the Ann Street Development process will be valuable for the Maghera Project.

Councillor G Shiels referred to Horizon 2020 and advised that it was the biggest EU Research and Innovation programme ever with nearly €80 billion of funding available over 7 years (2014 to 2020) – in addition to the private investment that this money would attract. He felt that Council show interest in trying to generate funding.

The Director of Business and Communities stated that an Officer is currently investigating this funding.

Proposed by Councillor Clarke

Seconded by Councillor T Quinn

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

1) Regional Start Initiative and New Business Start Programme
Note progress on the current Regional Start Initiative Programme.

2) Interim Arrangements – New Business Start Programme

a) Interim Manager

Contribute up to £2,392 towards the cost of Lisburn & Castlereagh City Council recruiting and employing an Interim NIBSUP Programme Manager for an initial period to October 2016, but only on the condition that this does not commit the Council to making any further payments towards this post, should Council decide to progress its own programme, post October 2016.

b) Digital Marketing Proposal

Contribute up to £1,260 per month towards the costs of Derry City and Strabane Council delivering a digital marketing campaign to promote the Regional Start Programme initially from July 2016 until at least October 2016.

3) Business Development Programme 2016

Members to note progress.

4) Interreg VA Application – Request from Sligo Institute of Technology re ‘Carbon North Project’

Council advising Sligo IT that it agrees to be a partner in a collaborative bid lead by Sligo Institute of Technology to the Interreg VA Programme.

5) Ann Street Development Site, Dungannon

Members to note progress.

Arrange a meeting with all elected members and Lisney.

6) DSD Revitalise Scheme – Coalisland

Members to note progress.

7) Strategic Issues – Retail Accommodation

Members to note progress.

8) Granville Industrial Estate

Members to note progress.

D128/16 Northern Ireland Rural Development Programme 2014-2020

Councillors Burton, Clarke, Forde, McEldowney, G Shiels and Wilson declared an interest in Northern Ireland Rural Development Programme 2014-2020.

The Director of Business & Communities drew attention to the previously circulated report to update Members on progress with the interim rural development strategy for Mid Ulster.

He updated members with regard to queries raised by the LAG on the communication of the recent Village Renewal Programme. The Director stated that he had informed the LAG of the Council process regarding communication of issues discussed at Council Committee, that it was normal procedure that there was no communication until formal ratification through Council. However it is important that we move forward in partnership together and that we establish effective communication channels.

Councillor Monteith wanted it recorded that it was important that as much business as possible remains in Open Business of Committee, such as Village Renewal, as in his view too much Council business is already done in Confidential Business.

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That it be recommended to Council that Members note the report on Northern Ireland Rural Development Programme 2014-2020.

Councillor Monteith left the meeting at 8.15 pm.

D129/16 Report on Lough Neagh: “Its Future Our Shared Responsibility Conference”

Councillor McEldowney declared an interest in Lough Neagh.

The Head of Tourism drew attention to the previously circulated report to:

- 1) Outline current work taking place with regards to the Cross Departmental Working Groups investigations into the Ownership of Lough Neagh
- 2) Submit a report on Lough Neagh: Its Future Our Shared Responsibility Conference held in the White River Hotel, Toomebridge on 29 February, 1st & 2nd March.

In response to Councillor G Shiels query regarding where it was worth it or not, the Head of Tourism advised that while investigating the Scottish model it proved to be very successful, bringing together different interested parties together.

Councillor McEldowney stated that the presentation made on the Scottish model was magnificent and that the Lough had huge potential which had not been tapped into before.

Proposed by Councillor Clarke
Seconded by Councillor Molloy and

Resolved: That it be recommended to the Council to approve the key recommendations of the DTNI 'The Future of Lough Neagh' as outlined:

- a) Bringing all key stakeholder groups together at once and ensuring that all ideas are heard. This means everyone has a chance to put all the pieces of a puzzle together and see the whole.
- b) A focus on finding "common ground" where all agree on a direction of travel (rather than working to try to resolve conflicts).
- c) Looking at the global context – the Lough's past and how it relates to history, the external forces impacting the Lough, and present responses to challenges and opportunities – in order to design a realistic and desirable future.
- d) Group responsibility for self-management to ensure everyone is heard and tasks get done on time.

D130/16 Park Service Improvement Plan

The Head of Parks drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Parks.

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Parks.

D131/16 Culture and Arts Services, Service Improvement Plan

The Director of Culture and Leisure drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Culture and Arts.

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Culture and Arts.

D132/16 Tourism Department Service Improvement Plan

The Head of Tourism drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Tourism.

Councillor Clarke referred to Page 3 item 1.3 and felt that it would be important to include Strategic Partners.

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Tourism.

D133/16 Economic Development Service Improvement Plan

The Director of Economic Development drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Economic Development.

Proposed by Councillor Molloy
Seconded by Councillor Forde and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Economic Development.

D134/16 Community Development Service Improvement Plan

The Head of Community Development drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Community Development.

Proposed by Councillor Molloy
Seconded by Councillor Forde and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Community Development.

D135/16 Leisure Services, Service Improvement Plan

The Head of Leisure Services drew attention to the previously circulated report to seek Members' approval in respect of the Service Improvement Plan 2016/17 for Leisure Services.

Proposed by Councillor Molloy
Seconded by Councillor Forde and

Resolved: That it be recommended to the Council that approval be granted for the Service Improvement Plan for Leisure Services.

Matters for Information

D136/16 Leisure Services Progress Report

The Head of Leisure drew attention to the previously circulated report to update Members of the progress being made regarding activities in Leisure Services and highlight events that will be occurring in the future.

Councillor Elattar referred to the Plantin Park in Draperstown and advised that there was a need to replace 2 benches as these were taken out and never replaced.

The Director of Culture and Leisure advised that she would investigate the matter.

Proposed by Councillor Elattar
Seconded by Councillor T Quinn

Resolved: That it be recommended to the Council that Members notes the report on Leisure Services Progress.

D137/16 Parks Service Progress Report

The Director of Culture and Leisure drew attention to the previously circulated report to update Members of the progress being made regarding activities and associated to Parks Services and highlight events or consultations that will be occurring in the future.

Councillor Elattar advised that a slide was removed from Swatragh Playpark and was never replaced. She said that this was over a year ago and very badly missed as there was nothing for children in the area.

Resolved: That it be recommended to the Council that Members notes the report on Parks Service Progress.

D138/16 Culture and Arts Progress Report

The Head of Culture and Arts drew attention to the previously circulated report to update Members on progress being made in Culture and Arts Services and highlight events that have occurred during the months of March and April. Also to identify events and activities within Culture and Arts Services that will be occurring in the future.

Councillor Molloy requested that Council show no particular interest in the Old Police Barracks next door to Ranfurly House Arts & Visitor Centre.

Resolved: That it be recommended to the Council that Members notes the report on Culture and Arts Progress.

D139/16 Hidden Heritage

The Head of Tourism drew attention to the previously circulated report to inform Council of the planned Hidden Heritage Programme 2016 from 21st June until 20th August 2016.

Resolved: That it be recommended to the Council that Members notes the report on Hidden Heritage.

D140/16 Mid-Ulster Relevant US Links

The Head of Tourism drew attention to the previously circulated report to inform Council of the Relevant UK Links tourism research project.

Resolved: That it be recommended to the Council to work up a proposition to encourage longer visits and overnight stay across the entire region.

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That items (D14/16 to D146/16) be taken as confidential business.

D148/16 Duration of Meeting

The meeting commenced at 7.00 pm and ended at 9.10 pm

CHAIR _____

DATE _____

F

Subject Conferences & Seminars – May 2016

Reporting Officer P Moffett, Head of Democratic Services

Contact Officer E Forde, Member Support Officer

1	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for attendance and the payment of registration/ attendance fees and associated costs, as incurred.

2	Background
2.1	The following seminar/ conference sessions are presented for consideration of representation from Mid Ulster Council.
2.1	Approval for Consideration of Attendance
2.1.1	<p>Nuclear Free Local Authorities (NFLA) All Ireland Forum Spring Seminar: “Future Irish energy policy and the ongoing impact of UK new nuclear on Ireland”</p> <ul style="list-style-type: none"> Friday 10 June 2016, Final County Hall, Swords, Ireland
2.1.2	<p>UUBS Entrepreneurship Conference</p> <ul style="list-style-type: none"> Thursday 16 June 2016 9.30am – 4.30pm at W5, SSE Arena, 2 Queens Quay, , Belfast , BT3 9QQ
2.1.3	<p>Infrastructure Investment Conference</p> <ul style="list-style-type: none"> Wednesday 22 June 2016 at Baby Grand, Belfast
2.1.4	<p>National Association of Councillors -Transport Networks/Access for Communities</p> <ul style="list-style-type: none"> Friday 24- Sunday 26 June 2016, The Prince of Wales Hotel, Southport.
2.1.5	<p>NILGA 2016 Annual Conference & Exhibition</p> <ul style="list-style-type: none"> Wednesday 6th Networking event (two guests to attend) & Thursday 6 October 2016 Annual Conference at Hastings Everglades Hotel, Derry Chief Executive to attend

3	Key Issues
3.1	N/A

4	Resources
4.1	<u>Financial</u>
4.1.1	Nuclear Free Local Authorities (NFLA) All Ireland Forum Spring Seminar: “Future Irish energy policy and the ongoing impact of UK new nuclear on Ireland” <ul style="list-style-type: none"> · No seminar Fee, travel and subsistence.
4.1.2	UUBS Entrepreneurship Conference <ul style="list-style-type: none"> · No conference fee, travel and subsistence.
4.1.3	Infrastructure Investment Conference <ul style="list-style-type: none"> · £195 + VAT, travel and subsistence.
4.1.4	National Association of Councillors <ul style="list-style-type: none"> · Conference fee £350 plus vat & £250 + vat for members, accommodation, travel and subsistence
4.1.5	NILGA 2016 Annual Conference & Exhibition <ul style="list-style-type: none"> · £121+VAT, accommodation, travel and subsistence

5	Other Considerations
5.1	Costs associated will be set against 2016-17 member Conference and Seminar allocations.

6	Recommendations
6.1	Approval for attendance at the conferences/ seminars by members and council officers as required.

7	List of Documents Attached
7.1	Appendix A Conferences & Seminar Details

Comd

Nuclear Free Local Authorities All Ireland Forum

c/o Nuclear Policy Unit, City Policy Team, Level 5, Town Hall Extension, Manchester, M60 2LA
Irish Secretariat c/o Newry, Mourne & Down Council Offices, Monaghan Row, Newry, BT35 8DJ
Co-Chairs: Councillors Mark Dearey & Michael Carr Secretary: Sinead Trainor
UK & Ireland NFLA Secretariat Secretary: Sean Morris
Tel: 00 44 161 234 3244 Fax: 00 44 161 234 274 7397
Email: s.morris4@manchester.gov.uk
Website: <http://www.nuclearpolicy.info>



To Northern Ireland Council Chief Executives/ Committee Service Managers
To Republic of Ireland Council County Managers / Committee Service Managers

12th May 2016

Nuclear Free Local Authorities (NFLA) All Ireland Forum Spring Seminar: “Future Irish energy policy and the ongoing impact of UK new nuclear on Ireland” Friday 10th June 2016, Fingal County Hall, Swords, Ireland

I would appreciate if you could bring the attached seminar to the attention of the councillors of the appropriate committee in order for it to consider nominating a councillor and / or relevant council officer to attend.

The NFLA All Ireland Forum Spring 2015 Seminar focuses on the impact of the recent elections in the Republic of Ireland and Northern Ireland and what each government's future plans will be for developing energy policy across the island of Ireland. One of the last actions of the previous government in the Republic of Ireland was to publish a White Paper on the future development of energy policy across the island. This focused on community involvement and engagement and the greater development of a wider renewable energy mix. In Northern Ireland, the impact of UK Government cuts on subsidies to renewable energy has been severe and puts into question how onshore wind and solar energy in particular can grow in such circumstances. In addition, how can proposals for a single Irish energy market be developed, particularly with the possibility of a UK exit from the European Union in the upcoming referendum? Within this debate, what should the role of Councils be?

The first half of the seminar will provide delegates with NFLA's analysis of Irish energy policy and its views on the role of local authorities in that development. It will also provide opportunity for the Strategic Energy Authority of Ireland to consider its pivotal role in putting Ireland's energy vision forward.

The seminar will then go on to consider the UK nuclear debate and its impact on Ireland. With the 5th anniversary of Fukushima and the 30th anniversary of Chernobyl having just passed, the seminar will focus on the real problems occurring to finance the funding of the Hinkley Point reactors in Somerset, and the possibility of new nuclear reactors on the Irish Sea coast at Wylfa in Anglesey and Sellafield Moorside in Cumbria still being built. The United Nations Economic and Social Council have recently written to the UK Government noting that international consultation of the Hinkley Point proposals was inadequate. What could this mean for the resumption of a legal challenge by Irish groups (such as An Taisce / Irish National Trust) and potential public comments of the development by the Republic's new Government? What are the wider impacts on these developments and what message should the new Irish governments, north and south, be each bringing to bear on this debate?

The seminar is free to attend and we strongly encourage Irish Councils to consider sending both a councillor and / or an appropriate council officer to it.

The flyer for the seminar is attached with this letter, along with a registration form. To register, please contact Sinead Trainor, the NFLA All Ireland Forum Secretary, of Newry, Mourne and Down Council using the following details – sinead.trainor@newryandmourne.gov.uk, fax 00 44 (0)2830 264482 or telephone 00 44 (0)2830 313096.

I also attach the NFLA media release on the United Nations decision mentioned above.

If you have any specific queries about the NFLA please contact me using the details at the top of this letter. NFLA would welcome your Council's participation at this free seminar.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'SM Morris'.

Sean Morris
NFLA Secretary

On behalf of the NFLA All Ireland Forum Co-Chairs



Nuclear Free Local Authorities (NFLA) Ireland Seminar

Future Irish energy policy and the ongoing impact of UK new nuclear on Ireland

Date: Friday 10th June 2016

Location: Meeting Room, Fingal County Hall, Swords, Ireland

The NFLA All Ireland Forum Spring 2016 Seminar focuses on the impact of the recent elections in the Republic of Ireland and Northern Ireland and what each government plans will be for developing energy policy across the island of Ireland. One of the last actions of the previous government in the Republic of Ireland was to publish a White Paper on the future development of energy policy across the island. This focused on community involvement and engagement and the greater development of a wider renewable energy mix. In Northern Ireland, the impact of UK Government cuts on subsidies to renewable energy has been severe and puts into question how onshore wind and solar energy in particular can grow in such circumstances.

The first half of the seminar will provide delegates with NFLA's analysis of Irish energy policy and its views on the role of local authorities in that development. It will also provide opportunity for the Strategic Energy Authority of Ireland to consider its pivotal role in putting Ireland's energy vision forward.

The seminar will also consider the UK nuclear debate and its impact on Ireland. With the 5th anniversary of Fukushima and the 30th anniversary of Chernobyl having just passed, the seminar will focus on the real problems occurring to finance the funding of the Hinkley Point reactors in Somerset, and the possibility of new nuclear reactors at Wylfa in Anglesey and Sellafield Moorside in Cumbria still being built. The United Nations Economic and Social Council has just said international consultation of the Hinkley Point proposals is inadequate. What could that mean for the resumption of a legal challenge by Irish groups and potential public comments of the Republic's new Government? What are the wider impacts on these developments and what message should the new Irish governments, north and south, be bringing to bear on this debate?

The seminar is free to attend and open to councillors, council officers and members of environmental and nuclear policy NGOs. If you would like to attend, please fill in the attached registration form.

FINAL PROGRAMME

- | | |
|---------|--|
| 10.30am | Registration, tea and coffee. |
| 11.00am | Opening welcomes by Councillor Ted Leddy, Fingal Council and Councillor Mark Dearey, Louth County Council and Co-Chair of the NFLA All Ireland Forum. |
| 11.05am | Irish energy future energy policy: the way forward – speaker from the Strategic Energy Authority of Ireland (invited) |
| 11.35am | NFLA's analysis of the Irish Energy White Paper and its views on the way forward for decentralised energy – Sean Morris, NFLA Secretary (confirmed) |
| 12.00pm | United Nations challenge of the UK consultation on Hinkley Point and its implications for a potential Irish legal challenge – Dr Paul Dorfman, Nuclear Consulting Group and former adviser to An Taisce / Irish National Trust (confirmed) |
| 12.25pm | New nuclear build developments in the UK and their impact on the island of Ireland – Pete Roche, NFLA Policy Advisor (confirmed) |
| 12.50pm | Panel discussion. |
| 1.15pm. | Seminar concludes. |



Nuclear Free Local Authorities (NFLA) Ireland Seminar

Future Irish energy policy and the ongoing impact of UK new nuclear on Ireland

Date: Friday 10th June 2016

Location: Meeting Room, Fingal County Hall, Swords, Ireland

Registration Details

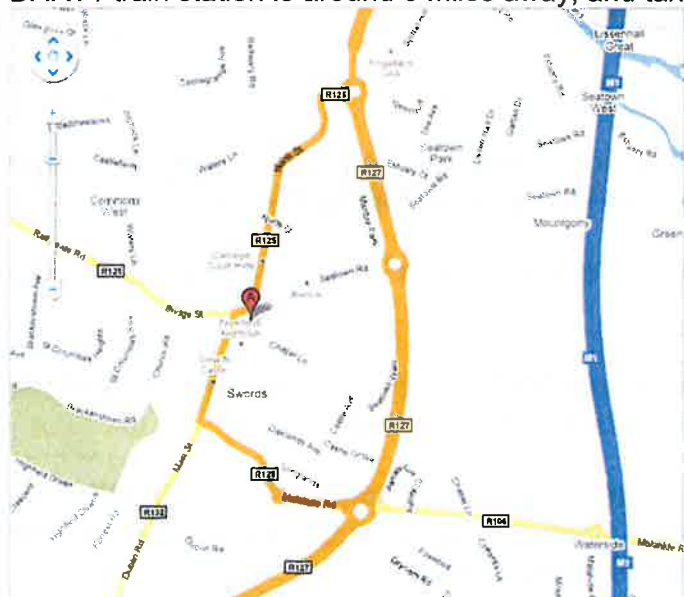
The seminar is a free event open to all NFLA members and officers and local interested community and environmental groups across the Republic of Ireland and Northern Ireland.

If you are planning to attend, could you please fill in the appropriate details and post, email or fax to the address at the bottom of this form:

Name	Authority / Group	Correspondence address (email or postal)

Venue and local hotel details:

Fingal County Hall is in the town of Swords which is 3 miles from Dublin International Airport. Taxis and buses go from the airport to Swords town centre. If coming by car, Swords is close to the main Dublin – Belfast M1 motorway and is clearly signposted, the junction before (or after, depending on direction) the airport. Malahide DART / train station is around 3 miles away, and taxis / buses are available to Swords from it.



Venue: Fingal County Hall (North County Dublin), Main Street, Swords, Co. Fingal

Hotels around the Venue:

- Carnegie Court Hotel, North Street, Swords from €66
- Radisson Blu Hotel, Dublin Airport from €67
- Bewleys Hotel, Dublin Airport from €59
- Travelodge Dublin Airport from €39
- Hilton Dublin Airport from €67
- Premier Inn Dublin Airport from €59

Please return this form to: Sinead Trainor, NFLA Ireland Secretary -

sinead.trainor@newryandmourne.gov.uk Fax: 00 44 (0)2830 264482 Tel: 00 44 (0)2830 313096.

For more general queries please contact the NFLA UK and Ireland Secretary, Sean Morris –

s.morris4@manchester.gov.uk Tel: 00 44 (0)161 234 3244.



Nuclear Free Local Authorities Steering Committee

information



NFLA media release - for immediate release, 9th May 2016

NFLA welcome UN ruling on inadequate consultation on the risks of Hinkley Point C and call on the new Irish Government to raise its concerns over this proposed development

The Nuclear Free Local Authorities (NFLA) welcomes a report noted in 'The Guardian' newspaper that the United Nations Economic and Social Council has ruled that the UK Government has failed to consult European countries properly over potential environmental risks at Hinkley Point.

In documents seen by the Guardian the UN committee argues the UK "is in non-compliance with its obligations" to discuss the possible impact of any accident or event at a new Hinkley Point nuclear reactor that could affect neighbouring countries within the EU, such as the Republic of Ireland. (1)

NFLA has consistently argued that the national and international consultations on the Hinkley Point C development have been inadequate, and the emergency planning and nuclear safety issues around the development should have received much more consideration.

An Taisce (the Irish National Trust) shared such a view and went to the UK High Court to argue this and a number of other points relating to compliance with European environmental legislation. This ruling from the United Nations clearly may have an impact now on the High Court's ruling to reject An Taisce's original legal challenge.

The UN's ruling relates to the Espoo Convention, a treaty about risks that may come from pollution crossing national boundaries (wind and water), and the right of neighbouring countries to have a democratic voice about trans-boundary pollution. This new UN ruling by the Espoo Implementation Committee concludes that the UK was non-compliant with its obligations under the Espoo Convention in respect of trans-boundary consultation on Hinkley Point C.

An Taisce's legal challenge of the UK Government in the High Court argued that the Irish people had not been consulted about the risk of radioactive pollution from an accident at the proposed new reactors at Hinkley. The judge found in favour of the Government, saying that there was no real risk or possibility of accident, and even if there was an accident, there could be no significant radiation release.

NFLA agrees with the comments made to 'The Guardian' by Dr Paul Dorfman of the Nuclear Consulting Group, who advised An Taisce, that this new UK legal ruling profoundly questions this High Court ruling. The fact is, the Irish people could be at risk from a nuclear accident at Hinkley and so they must be consulted.

This ruling follows on from a long litany of bad news for the developers of the Hinkley Point C site – EDF and Areva. These include last week's news that over 400 irregularities have been found in the safety information on components built by Areva on French and UK nuclear reactors going back decades, and ongoing safety issues at the Flamanville plant in Normandy, which is identical to what is planned for Hinkley Point. Financing the plant is becoming increasingly difficult for EDF, whilst a separate legal challenge by the Austrian Government on the European Commission's approval of the state aid deal for the site is still being considered by the European courts.

THE LOCAL GOVERNMENT VOICE ON NUCLEAR ISSUES

Manchester City Council, Town Hall, Manchester, M60 3NY
Tel: 0161 234 3244 Email: s.morris4@manchester.gov.uk Website: <http://www.nuclearpolicy.info>



Nuclear Free Local Authorities Steering Committee

information

Dr Dorfman, who has cooperated with the NFLA at a recent joint UK Parliament seminar on Fukushima (2) chaired by Margaret Ritchie MP (and whose principal speaker was the former Japanese Prime Minister Naoto Kan) told the NFLA:

"An Taisce went to the High Court in London to challenge the legality of the UK's decision to grant permission to build and operate two new nuclear power stations at Hinkley Point, 150 miles from the Irish coast. Whatever one's view of the risks and benefits of nuclear energy, it is clear that the possibility of catastrophic accidents must be factored into the policy and regulatory decision-making process. It seems clear that the Irish public need to have the opportunity to be involved and consulted in this process."

NFLA All Ireland Forum Co-Chair Councillor Mark Dearey said:

"I welcome this ruling by the United Nations which calls into question the amount of real consultation for Ireland and other EU members of the Hinkley Point development. If anything serious did happen at such a reactor then Ireland is at real risk from its impact. I hope An Taisce may consider a new legal challenge given this UN ruling. I also hope the new Government may make public representations and consider supporting An Taisce with such a challenge. Nuclear-free Ireland does not want to be put at risk from Hinkley Point and the Irish public should now be properly consulted on this development."

"The key finding of the UN Economic and Social Council is that Britain failed to notify neighbouring states and the general public of the threat of trans-boundary nuclear pollution from Hinkley Point C in the event of a major accident. Furthermore Britain failed to consult with affected states as they are required to do under the terms of the ESPOO Transboundary Pollution Convention. The recommendation that Britain now enter into discussion with neighbouring states to decide on "whether notification is useful at this stage" is surprisingly weak as a definitive view would have been appropriate given the findings. It's a yellow card for a red card offence."

"Nonetheless, Ireland now needs to take the opportunity to insist on a notification process so that we the public can have our say on the potential threat posed by Hinkley. I am sure An Taisce are weighing up their options following their defeat in the UK courts on the same issue last year, but there can be no doubt that this ruling adds significantly to their case should they wish to re-enter it."

Ends

For more information please contact Sean Morris, NFLA Secretary on 07771 930196.

Notes for Editors

- (1) The Guardian, 8th May 2016
http://www.theguardian.com/uk-news/2016/may/08/hinkley-point-united-nations-says-uk-failed-to-consult-over-risks?CMP=share_btn_fb
- (2) See NFLA weblinks on the Parliamentary seminar
<http://www.nuclearpolicy.info/presentations/late-lessons-from-chernobyl-early-warnings-from-fukushima--28th-january-2016>

THE LOCAL GOVERNMENT VOICE ON NUCLEAR ISSUES

Manchester City Council, Town Hall, Manchester, M60 3NY
Tel: 0161 234 3244 Email: s.morris4@manchester.gov.uk Website: <http://www.nuclearpolicy.info>

UUBS Entrepreneurship Conference

Date: Thursday 16 June 2016

Time: 9.30am – 4.30 pm

Venue: W5, SSE Arena, 2 Queens Quay, , Belfast , BT3 9QQ

Cost: No Conference Fee

Perspectives on the creation and development of effective entrepreneurship ecosystems in Northern Ireland.'

The Conference aim is to contribute to the development of the entrepreneurial capacity of Northern Ireland. It will seek to achieve this through the bringing together of key entrepreneurship stakeholders to examine ways in which the entrepreneurship ecosystem in Northern Ireland can be further developed.

Speakers include: Ulster University Business School, EY, Invest NI, LEDCOM plus International perspectives from Denmark and Sweden.

Lunch will be served at 1:30pm

There will be **4 Workshops** at this event- with each guest able to attend **2**.

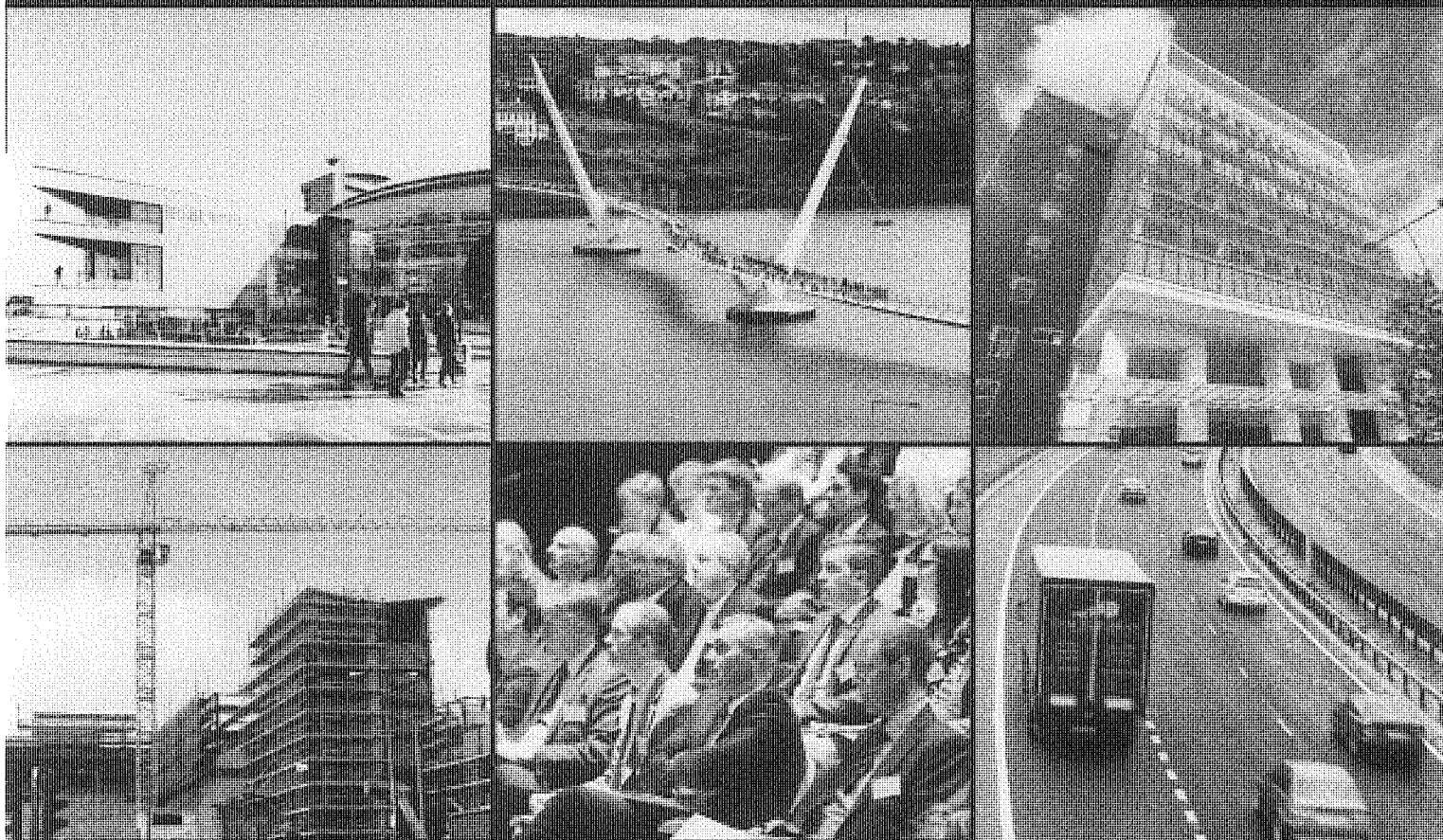
Please select your choice of 2 from the options below:

- **Panel 1:** *Transforming NI: Community Planning; Economic Development & Regional Entrepreneurship Ecosystems*
- **Panel 2:** *Harnessing the power of the Private Sector: The private sector has to lead the development of an entrepreneurial ecosystem in order for it to thrive. Government can help facilitate & support but it cannot lead*
- **Panel 3:** *Creating, supporting & coordinating networks of current & future entrepreneurs. How can this be further developed both within and beyond our HEFE institutions.*
- **Panel 4:** *Clusters as Drivers of Innovation*

Infrastructure investment

Delivering the next generation of infrastructure

Wednesday 22nd June 2016 • Baby Grand, Belfast



www.agendaNi.com/events

Delivering future investment

The annual Infrastructure Investment Conference will examine the key elements required to successfully deliver the next generation of infrastructure. In the short term, investment will provide much needed employment and in the longer term, investing in strategic infrastructure projects will be key to ensuring Northern Ireland's ability to compete globally, enhance our connectivity and give us the potential to transform our economic future and improve quality of life.

Funding available for infrastructure investment through to 2020-21 will rise by 12% in real terms, meaning over £600 million more than if it had been held at 2015-16 levels – from £1 billion this year to over £1.2 billion in 2020-21.

However, as well as the means and a vision for long term investment in infrastructure, we must ensure that it is actually able to be delivered. What are the challenges that lie ahead? In critical areas such as transport, health and energy, investment is needed to meet the demands of a growing population and encourage economic prosperity.

With the establishment in May of the new Department for Infrastructure, this timely conference will provide an excellent opportunity to bring together the key stakeholders in developing and delivering Northern Ireland's infrastructure, both in the public sector and those in the private sector working in advisory or service delivery roles.



@agendani

Key issues examined

- ✓ Priorities for investment: infrastructure investment programme
- ✓ Overcoming the challenges of delivery in a constrained economic environment
- ✓ Effective procurement to improve the delivery of projects
- ✓ The impact of capital investment on the local economy
- ✓ Future outlook for the Irish PPP market
- ✓ The challenge of funding utility infrastructure investment
- ✓ Infrastructure investment: Regenerating cities
- ✓ Sectoral updates: health, transport, environment
- ✓ Future outlook and delivering the next generation of infrastructure

Sponsorship opportunities



There are a limited number of opportunities for interested organisations to become involved with this conference as sponsors. This is an excellent way for organisations to raise their profile with a key audience of senior decision-makers from across Northern Ireland's public, private and voluntary sectors. For further information on packages available and speaking opportunities at the event call Lynda Millar on 028 9261 9933.

CONFERENCE PROGRAMME

0900

Registration and morning coffee

Chairman's welcome and introduction

Priorities for infrastructure investment

Gerry McGinn, Chairman

Strategic Investment Board Limited

Effective procurement to improve the delivery of projects

Des Armstrong, Chief Executive

Central Procurement Directorate

Future outlook for the PPP market in Ireland

Gerard Cahillane, Deputy Director

National Development Finance Agency

Funding future utility infrastructure investment

Professor Dieter Helm, Professor of Energy

Policy and Official Fellow in Economics

University of Oxford

Questions & answers / Panel discussion

1045

Morning coffee / networking break

1115

Future European funding for infrastructure projects

Michael Smyth, Vice President for Budget

European Economic and Social Committee

Key healthcare infrastructure projects

Bill Pauley, Estates Investment Directorate

Department of Health, Social Services and

Public Safety *(invited)*

Investing in the future of our cities

Nuala Gallagher, Director of City Centre

Development, Belfast City Council

Transport investment: A key economic driver

Pat Doherty, Director of Engineering, TransportNI

Priorities for developing waste infrastructure

Chris Mills, Director of Resource Efficiency

Northern Ireland Environment Agency *(invited)*

Questions & answers / Panel discussion

1315

Chairman's summary and conference close

followed by networking lunch



Networking opportunity

This event is structured to allow maximum interaction between delegates throughout the morning, both in the networking breaks and the conference sessions. There will be opportunities for questions and answers where delegates can put their questions on the future of Northern Ireland's infrastructure to our expert panel of local and visiting speakers.

#infrastructureni16

I wish to:

- ☐ Reserve ____ places at the Infrastructure Investment conference
Delegate fee £195 + VAT @ 20% = £234
- ☐ Receive details of sponsorship and 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 / AMEX

Card number

[illegible]

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 delegate may be sent at any time for no additional charge. Alternatively a refund will be given for cancellations received in writing, by fax or email, up to 14 days prior to the conference, less an administration charge of 25%. Regrettably no refunds/cancellations can be made after that date.

Fee includes documentation, lunch and other refreshments served during the conference and is payable in advance. Fee does not include accomodation.

Who should attend?

This conference will be of interest to anyone with a stake in the future development of Northern Ireland's infrastructure, across the public and private sectors, including:

- Chief Executives / senior management teams
- Government departments and agencies
- Policy-makers and decision-takers
- Project developers / planners
- Construction companies
- The local government sector
- Elected representatives
- Procurement professionals
- Health / education / transport / energy / waste / housing sectors
- Financial and legal advisors
- Consultants (environmental / technical / project management)
- Economists
- Voluntary and community sector / NGOs

Benefits of attending

Delegates attending the Infrastructure Investment conference will

- ✓ Receive an update on the state of Northern Ireland's infrastructure;
- ✓ Hear the future plans for investing in local infrastructure;
- ✓ Examine potential financing options for infrastructure investment;
- ✓ Discuss the social and economic impact of infrastructure investment.

Acknowledgement of registration

Confirmation of registration will be sent to all delegates, following registration details. If you have not received your acknowledgement seven days prior to the date of the conference, please contact Michelle Davidson at agenda@ukapandah.com to confirm your booking or email registration@ukapandah.com

Other ways to book



By fax
026 8261 9951



By telephone
020 8261 9933



By email
registration@legendale.com



QIN code

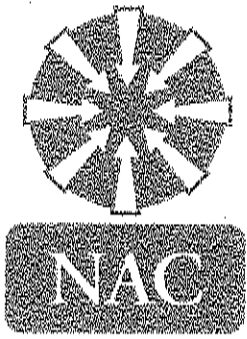


Online
www.acenda9.com/insite



By post
agenda@Davidson House
Glennan Road Business Park, Moira
Co. Down, BT67 9LT





3/5/2016

Transport Networks / Access for Communities

The Prince of Wales Hotel, Southport 24th-26th June 2016

The National Association of Councillors (NAC) are holding their Summer Conference in The Prince of Wales Hotel, Southport. The subject will be Transport Networks and Access for Communities. Transport is a subject that concerns us at all levels of local government and is absolutely vital for strong and viable communities.

We as local councillors have heard much lately regarding combined authorities and the importance of transport networks.

The weekend will feature speakers with a wide range of expertise politically and technically and their knowledge will be of great benefit to Councillors at all levels.

If you wish to attend please complete the booking form overleaf and return to me.

Cllr Brian Nelson

General Secretary

Contact

Office: 0191 378 9947
Mobile: 07791 574 879

Website: www.nationalassociationofcouncillors.org
Email: generalsecretary@nationalassociationofcouncillors.org

Representing local government councillors nationwide

National Association of Councillors

NATIONAL ASSOCIATION OF COUNCILLORS

Training and Development Seminar

Transport Networks / Connecting Communities

The Prince of Wales Hotel, Southport 24th-26th June 2016

Delegate Booking Form

Name of Delegate.....

Organisation

Delegate's Address or Email.....

Postcode.....Telephone Number.....

Authorising Signature.....

Printed Name.....

Position.....Organisation.....

To Register – Complete the delegate details above, and either:-

Email a copy of this form to Cllr Brian Nelson –
generalsecretary@nationalassociationofcouncillors.org or you can

Post it to NAC Bookings, 16 Frederick St North, Meadowfield, Durham DH7 7NB

Delegate Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils

£295 plus VAT – Town, Parish and Community Councils

INVOICE – please send invoice to

.....Purchase order number.....

Accommodation:

Accommodation is available for delegates at the Conference Hotel at the special NAC Conference Delegate rate of £60 plus VAT per night. The accommodation fee is payable by delegate on departure from the hotel unless otherwise indicated on the booking form.

Delegate Accommodation Friday & Saturdays nights YES / NO

Local Authority to be billed direct for accommodation YES / NO

Please note that double and family rooms are also available (prices available on request)

Y + PM

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



the voice of local government

11th May 2016

DIARY DATE:

LOCAL GOVERNMENT ANNUAL CONFERENCE & EXHIBITION 5/ 6 OCTOBER 2016

Dear Anthony

The 2016 NILGA Annual Conference and Exhibition will be held on Thursday 6th October 2016 in the Hastings Everglades Hotel, Derry / Londonderry.

In the first few months of a New Executive, Councils must be a material part of the Programme for Government, and Conference covers this and other critical learning for local government in a new era.

"Growing Enterprise, Strengthening Communities" - Local Councils delivering in the Digital Age will affirm the vital role of our new councils as they develop and support communities and the Northern Ireland economy.

With Northern Ireland achieving the European Entrepreneurial Region Award, NILGA members feel that 'Conference 2016' is significant in the context of regional enterprise and new models of investing by Councils.

We very much welcome the attendance of councillors and officers from your council. To support this we are offering **two free places** at conference for your First Citizen and a senior council representative (the two free places are allocated on your council booking form).

Additionally, on the evening of the 5th October, the Association will be hosting a modest networking reception in the Guildhall, Derry / Londonderry, sponsored by Derry City & Strabane District Council in partnership with Visit Derry. The event will be testimony to the Year of Food & Drink 2016 and celebrate the superb local produce of the North West.

Each council will also be allocated two guest places at this evening celebration event. As places are limited, unfortunately we are not in a position to offer additional tickets for sale. Further details in relation to the reception will follow in due course.

Should you have any queries please do not hesitate to contact Mark Maher, Communication and Engagement Officer at the NILGA office. We are looking forward to a great event!

Yours sincerely,

Derek McCallan, CEO, NILGA

Enc. NILGA Conference Booking Form & Outline draft conference agenda

Northern Ireland Local Government Association

Bradford Court, Upper Galwally, Castlereagh, BT8 6RB
tel: 028 9079 8972 **email:** office@nilga.org **web:** www.nilga.org **twitter:** @NI_LGA

“Growing Enterprise, Strengthening Communities”
- Local Councils Delivering in the Digital Age
Everglades Hotel, Derry / Londonderry, 6th October 2016

SESSION ONE

NEW COUNCILS, NEW EXECUTIVE, NEW THINKING – ENTERPRISE & AMBITION in GOVERNMENT

8.30 – 9.30	Registration
9.30 – 9.35	Welcome to Derry – Londonderry, Mayor of Derry City and Strabane District Council
9.35 – 9.45	“What We are About To Receive” Welcome by Media Compeer
9.45 – 9.50	Conference Opening Address <i>NILGA President</i>
9.50 – 10.00	Principal Sponsors Address - Entrepreneurs and Councils building a New Northern Ireland
10.00 – 10.40	Keynote Address – Minister(s) (OFMDFM) & NILGA Response New Programme for Government / Programme for Local Government <i>Partnership, Investment in Skills, Infrastructure & Economic Development.</i> <i>Resolution: Integrating and making government at all levels more entrepreneurial.</i>
10.40 – 11.10	Refreshment Break / Networking / Engagement with sponsors / exhibitors

SESSION TWO

BEAUTIFUL, PROFITABLE FOOD! - Driving the food & hospitality industry forward in Year of Food 2016.

11.10 – 11.30	Keynote Address – New Minister – Year of Food & Drink 2016
11.30 – 11.40	Food NI Chair – John Best (TBC)
11.40 – 11.50	Hospitality Ulster - Colin Neill – Providing choice, building a stronger hospitality industry
11.50 – 12.00	NIIRTA - Glyn Roberts – High streets, the hub of our communities
12.00 – 12.30	Panel debate – Championing what’s local. Artisan Food NI / Tourism/ Hospitality / Retail Panel to include Session and Conference Sponsors
12.30 – 14.00	Lunch / Networking / Engagement with sponsors / exhibitors

SESSION THREE

The Digital Age & Skills Development – led by Key Partner / SOLACE

14.00 – 15.00	<ul style="list-style-type: none"> - Social media / Open Data Services - Citizen Engagement Using Technology - Digitalising Member Development – Charter / Charter Plus - <i>What Can we learn from digitalisation?</i> - <i>Response / Comment by SOLACE Chair</i>
15.00 – 15.30	Refreshment Break / Networking / Engagement with sponsors / exhibitors

SESSION FOUR

Circular Economy, towards Zero Waste

15.30 – 16.30	<ul style="list-style-type: none"> - Waste as a Raw Material & Commodity - The Circular Economy: Waste and Economic Development - Where there’s muck there’s brass - Communicating Ideological Change
16.30 – 16.50	Key note – motivational speaker
16.50 – 17.00	Closing Address – Key Ministerial Message
	Conference Close

Ministerial attendance subject to confirmation, following establishment of new government Departments.

DELEGATE BOOKING FORM – **Mid Ulster District Council**
NILGA ANNUAL CONFERENCE & EXHIBITION, 6th OCTOBER 2016
EVERGLADES HOTEL, DERRY / LONDONDERRY

Please return payment and booking forms by Wednesday 31st August 2016 to: Antoinette McBride, Northern Ireland Local Government Association (NILGA), Bradford Court, Upper Galwally, Castlereagh, BT8 6RB or via email to a.mcbride@nilga.org

Special Membership Cost per delegate:

£121 +VAT

Please note that all council invoices will be issued one week after the event.

Contact name of person responsible for bookings and payment: _____

Council/organisation: _____ Address: _____

_____ Email: _____ Tel: _____

I would like to register for _____ places at the 2016 NILGA Conference & Exhibition as detailed below.

Name	Phone	Email	Dietary/access requirements	
				2 Free places, 5/10 reception & 6/10 conference.

Please invoice me at the address provided for (the total amount) £_____ quoting order no. _____

OR I enclose a cheque for £_____ made payable to NILGA.

By signing the form I accept the terms and conditions as detailed below.

Authorised Signature _____ **Please Print Name** _____

Accommodation: Please contact accommodation bookings on 028 7134 0013 office hours only to arrange accommodation at preferential rates quoting NILGA conference (£60.00 single B&B, £80.00 Double B&B and £120.00 Triple B&B). Accommodation is offered on a first come, first served basis. Companies paying for accommodation need to set up credit facilities in advance, please email conf2@egh.hastingshotels.com to arrange.

Terms and Conditions: Cancellations made after the 1st September 2016 will be liable for the full delegate fee. **Substitutions:** Substitutes will only be accepted if NILGA is informed in writing two weeks prior to the conference, otherwise the full price will be charged to delegates not on the official list.

G

Subject **NILGA – MAKING PLANNING WORK**

Reporting Officer **Philip Moffett**

1	Purpose of Report
1.1	To provide Members with detail regarding NILGA's Planning Training Programme for Elected Members

2	Background
2.1	The programme was produced following consultation with Members of Staff in each Council with responsibility for planning and elected Member Development, with RTPI and with department officials, to ensure duplication is avoided as far as possible.

3	Key Issues
3.1	<p>NILGA has a training programme in place which is designed to provide information on the following:</p> <ul style="list-style-type: none"> • Regional Training events on key issues; • Advance Notification of Councillors' guidance to be provided by NILGA • Online Materials to be provided on the NILGA website for use in council planning committees • Proposals for the production of a regular newsletter and provision of online discussion forums for councillors.
3.2	The launch of the Councillors' Guide to the Northern Ireland Planning System will be the first of these activities.
3.3	NILGA is open to suggestions as to training that Members might find useful either as 'one-off' or ongoing basis.
3.4	The intention is to deliver a plan year on year for each current mandate bearing in mind that needs will change and the knowledge and awareness of the system will develop over time.
3.5	NILGA and the Department are working separately and together to actively seek funding to ensure that ongoing support is available for planning training.

4	Resources
4.1	<u>Financial</u> Will be defined when available funding has been identified.
4.2	<u>Human</u> N/A
4.3	<u>Basis for Professional/ Consultancy Support</u>
4.4	<u>Other</u>

5	Other Considerations
5.1	Costs associated will be set against 16-17 member Conference and Seminar allocations

6	Recommendations
6.1	That Council engage in NILGA's Planning Training for Elected Members

7	List of Documents Attached
7.1	Appendix 1 Making Planning Work Regional Events timetable

Making Planning Work

NILGA Training Programme April 2016 – March 2017

Regional Events timetable

NILGA will run events throughout the year, open to members from our 11 councils. We will make training materials and presentations from past events available online, on the Planning section of the NILGA website.

Event	Proposed Date
<i>Carol Ramsey, Director of Strategic Planning Division to meet NILGA Exec.</i>	<i>13th May 2016</i>
Launch of the Councillors' Guide to the Planning System NILGA Full Members meeting	27 th May 2016
<i>Delivery to councils: Councillors' Guide to the Planning System Council and NILGA AGMs</i>	<i>June 2016</i>
<i>Prep of further guidance and online materials</i>	<i>July 2016</i>
<i>Prep of further guidance and online materials</i>	<i>August 2016</i>
Code of Conduct refresher training (post-review) Event 1: The Code of Conduct and Planning Committee operation	September 2016
NILGA annual conference 6 th October – RTPI to attend	October 2016
Code of Conduct refresher training (post-review) Event 2: The Code of Conduct and the councillor role in the Local Development Plan process	Late Oct-early Nov 2016
RTPI conference mid-November, Riddell Hall. Discounted places to be available for councillors. To include seminar for members.	November 2016
Code of Conduct refresher training (post-review) Event 3: The Code of Conduct and the Planning Appeals Commission	December 2016
<i>Six month review</i>	<i>January 2017</i>
Working with Developers and Agents (inc pre-application discussions)	<i>February 2017</i>

Renewable Energy – to tie in with DfI policy timetable	Date to be set
Sustainable development in the countryside - to tie in with DfI timetable	Date to be set
Strategic Planning Policy Statement - post JR	Date to be set

Guidance documents

Nearing publication

Councillors' Guide to the Planning System

Forthcoming (by February 2017)

Making defensible planning decisions

How does the call-in procedure work?

Planning Conditions – a councillors' crib sheet

Online provision of Training Materials and Presentations

NILGA strongly recommends that councils provide time locally for elected member training on planning. We will be providing lots of useful material online to assist in this. If there is something you think we could help with, do let us know.

Materials to be provided on the NILGA website by August 2016

Legislative framework

Role and operation of the Planning Appeals Commission

The development management system

Development plans – stages in the process

Development plans – the councillor role

Statutory consultation

Enforcement policy and practice

Councillors and the Planning Portal

Newsletter

The NILGA '**Making Planning Work**' Newsletter will be issued by email 2-3 times per year, and will give up to date information about latest events, case studies and news.

Platform for support and discussion

By March 2017 it is hoped to develop Northern Ireland planning discussion forums, potentially using the LGA Knowledge Hubs, which are already available for Northern Ireland council officers and councillors to use.

H

Subject	Standing Orders for Regulation of Council Business
Reporting Officer	Chief Executive

1	Purpose of Report
1.1	To consider proposed amendments to the Standing Orders for the transaction of Mid Ulster District Council business.

2	Background
2.1	The Council approved the current version of Standing Orders on 28 th May 2015.
2.2.	By virtue of Standing Order 28, the Members shall make reference to and observe the Protocol for the Operation of Planning Committees ("the Protocol") drafted by the Department of the Environment ("the DoE"), for the business of the Planning Committee.
2.3	Standing Order 20.3(d) requires that Qualified Majority Voting (QMV) is necessary in the exercise of the General Power of Competence ("the General Power"). The draft Regulations that the DoE laid before the Assembly in February 2015 contained a provision that QMV was required in the exercise of the General Power. These Regulations were never passed. In March 2016, the DoE attempted to introduce Standing Order Regulations through the Assembly but a petition of concern was raised by one political party and so they did not pass. The DoE's latest version of model Standing Orders did not require QMV for the use of the General Power.

3	Key Issues
3.1	<i>The Protocol</i> There are proposals to amend the Protocol so that it better reflects the operation of Mid Ulster District Council's Planning Committee and the purpose of this report is so that the Members consider these.
3.2	Attached at Annex A is the entire Protocol document as amended, for completeness sake. A summary of the main changes that are being proposed and that Members are being asked to consider is included at Annex B.
3.3	The Planning Committee has been consulted in relation to the proposed changes. Members of the Planning Committee are asked to note, however, that the amended version being taken to Council now has some further changes than the version that went to Planning Committee in April 2016.
3.4	<i>QMV and the General Power</i> Section 39(1) of the Local Government Act (NI) 2014 ("the 2014 Act") states that subject to the 2014 Act and any other statutory provision, every decision of a council must be taken by simple majority. The 2014 Act does not require or

	provide for QMV in respect of the exercise of the General Power. As noted above, the draft Regulations were never passed. Therefore, in the absence of legislation expressly requiring QMV for a decision based on the exercise of the General Power, the Council does not have the vires to require QMV in such circumstances. The purpose of this report is to correct this inconsistency in the Council's Standing Orders and therefore remove the reference in Standing Order 20.3(d) to QMV being required when exercising the General Power.
4	Resources
4.1	<u>Financial</u> – N/A
4.2	<u>Human</u> – N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> – N/A
4.4	<u>Other</u> – N/A

5	Other Considerations
5.1	A Report containing the proposed amendments to the Council's standing orders was taken to the Council meeting on 28 th April 2016. At that meeting the motion to amend the standing orders was proposed and seconded and the debate on same stood adjourned until May Council meeting, being the next ordinary meeting of the Council. This was in accordance with Standing Order 30.2. There can now be a debate on these proposed amendments.

6	Recommendations
6.1	That the amendments to the standing orders as outlined in Annex A and Section 3.4 above be agreed.

7	List of Documents Attached
7.1	Annex A: Full version of the Protocol for the Operation of Mid Ulster District Council Planning Committee, as amended.
7.2	Annex B: Summary of main changes to the Protocol on the Operation of the Planning Committee.

PROTOCOL FOR
THE OPERATION
OF
MID ULSTER
DISTRICT COUNCIL
PLANNING
COMMITTEE

Last updated by Mid Ulster District Council in April 2016

PURPOSE OF THE PROTOCOL

1. A protocol for the operation of Planning Committees was drafted by the Department of Environment in January 2015. Mid Ulster District Council (MUDC) has reviewed this document and has amended it to suit the needs of MUDC.
2. The purpose of the protocol for MUDC Planning Committee is to ensure that planning decisions are consistently taken, and are seen to be taken, in a fair and equitable manner. The protocol offers guidance for Councillors', applicants, agents and the general public
3. The protocol is not intended to change or alter the Standing Orders which apply to all Committee's or the Councillors' Code of Conduct.

REMIT OF THE PLANNING COMMITTEE

Development management

4. One of the main functions of the planning committee is to consider applications made to the Council which are either major in scale, complex or controversial as set out in the adopted Scheme of Delegation, and decide whether or not they should be approved. In order to ensure that decisions are taken at the appropriate level, the decisions of the planning committee are taken under full delegated authority and the decisions of the planning committee will therefore not normally go to the full council for ratification.

Development Plan

5. The local development plans for the Mid Ulster district currently comprise the Cookstown Area Plan, the Dungannon and South Tyrone Area Plan and the Magherafelt Area Plan. These will remain the statutory development plans until replaced by the Mid Ulster Local Development Plan (LDP). The Department of Environment planning policies will also be retained as set out in the Planning Policy Statements and Strategic Planning Policy Statement, until such times as new policies are brought forward and adopted in the LDP.
6. Section 8 of the Planning Act (NI) 2011 requires MUDC to prepare a LDP which will comprise a plan strategy and a local policies plan. The strategy will set out the objectives of MUDC in relation to the development land in the district, and

the strategic policies for the implementation of those objectives. After the plan strategy has been adopted, a local policies plan will be prepared. This will set out the policy agreed by MUDC in relation to what type and scale of development is appropriate and where it should be located.

7. The LDP will form the basis for public and private investment decisions, providing a degree of certainty as to how land will be developed. In law, planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. Therefore, where land is zoned for a particular use, the MUDC Planning Committee should ensure it is reserved for that use: for example, an application for housing in an area zoned for housing should be approved unless the design and layout fails in terms of the environmental, open space and access standards, or its design and layout has a detrimental impact on the character of the area or neighbouring amenity.
8. The MUDC Planning Committee will approve the LDP before it is passed by resolution of the full council. The Planning Committee will also ensure that the LDP is monitored annually, particularly in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan.

SIZE OF COMMITTEE

9. The MUDC Planning Committee consists of 16 Elected Members. The Planning Manager and/or the Head of Development Management or Head of Development Plan and Enforcement will attend planning committee meetings as appropriate.

FREQUENCY OF MEETINGS

10. The Planning Committee will meet at least once every calendar month. Additional meetings will be at the discretion of the Chair of the Committee with the consent of the Committee members. Dates for Planning Committee meetings are published on the Council's website.

SCHEMES OF DELEGATION

11. There are two Schemes of Delegation. One relating to planning applications which is prepared under Section 31 of the Planning Act (Northern Ireland) 2011.

The other scheme deals with planning consents, certificates, tree preservation orders, enforcement of planning control and other determinations and is prepared under Section 7 (4) (b) of the Local Government Act 2014. The purpose of the Schemes of Delegation is to set out those decisions which shall be made by the Planning Committee and those which are the responsibility of the Planning Manager. The Planning Manager is responsible for determining the vast majority of applications, however these tend to be applications that are smaller in scale, local in character and uncontroversial. Whereas the Planning Committee resolves those applications which are either major in scale, subject to dispute or could give rise to a conflict of interest. The MUDC Schemes of Delegation for the Planning function are available to view at www.midulstercouncil.org. The Scheme of Delegation will be reviewed on a regular basis, normally annually.

ENFORCEMENT

12. The planning Committee will determine when an enforcement notice should be served and other enforcement decisions as laid down in the Scheme of Delegation. In addition to those cases presented to the Planning Committee for decision, a monthly report from officers on the enforcement performance (number of cases opened, cases closed, notices issued and convictions obtained) will be provided to members.
13. Enforcement matters will be discussed in the closed section of the Planning Committee meeting (i.e. In Committee) to ensure MUDC complies with the provisions of the Data Protection Act and to ensure that future legal proceedings are not prejudiced.
14. An enforcement strategy, detailing how enforcement action will be dealt with, was agreed by the Planning Committee on 19th January 2016. This is available on the Council website.

REFERRAL OF DELEGATED APPLICATIONS TO THE PLANNING COMMITTEE

15. The Scheme of Delegation agreed by MUDC includes the provision for members (including those not on the Planning Committee) to request, where they consider it appropriate, that an application which would normally fall within the Scheme of Delegation, to be referred to the Planning Committee for determination. In addition, the Planning Manager can also refer any matter which he considers suitable for

determination by the Planning Committee. Members of the public cannot directly request that an application be referred to the Planning Committee. Any referral request **must** be made in writing.

FORMAT OF PLANNING COMMITTEE MEETINGS

16. MUDC will operate its Planning Committee in line with its approved standing orders. In doing so, the following procedural arrangements will apply:-

- the planning office will prepare a weekly list, which will be circulated to all members, of all valid applications that have been received;
- all planning committee members will be sent the agenda at least 5 days in advance of the meeting with a report on each application to be decided;
- if necessary, officers will prepare an addendum on the day of the meeting to report any updates since the agenda was issued;
- the Chair of the Planning Committee will hold a briefing session with planning officers on each application to be considered in advance of the planning committee meeting; and
- All committee items will be bookmarked and reports presented with visual aids to show the site and the proposal.

17. The meeting will be presided over by the Chair of the Planning Committee. Following the approval of the minutes of the previous meeting and apologies, Councillors' will be given the opportunity to declare any interests they have on the agenda items, which should be recorded in the minutes of the meeting. Where a member has declared an interest in an application they cannot vote on that item and must either leave the meeting or sit in the public gallery for that item. However, they may make representations as per the normal speaking rights applicable to all councilors.

Consideration of Planning Applications

18. The planning officer's report, which makes a recommendation on whether the application should be approved, approved with conditions or refused will be considered. Plans and photographs may be shown as appropriate.

19. In considering the report, members also have the opportunity to listen to speakers,

ask questions of the officer, discuss and debate the case before taking a vote on whether or not to agree with the officer's recommendation. Where the majority of members vote against an opinion to approve and in the absence of any other proposals, the application will be deemed to have been refused. In these circumstances, members should propose and vote on the reasons for refusal. The Planning Manager, based on the Committee's decision, will furnish the detailed reasons for refusal.

20. Members can add conditions to a permission but they cannot amend the application itself (for example, by allowing a one-bedroom flat if the application is for a two-bedroom flat). Any additional conditions should be proposed and seconded before being voted on by members. As conditions can be tested at appeal and they should, therefore, be (i) necessary, (ii) relevant to planning and the development under consideration, (iii) enforceable, (iv) precise, and (v) reasonable in all other respects. Therefore, where alterations to conditions are proposed, the Committee will seek the advice of the Planning Manager.
21. Members cannot take part in a debate or vote on an item unless they have been present for the entire item, including the officer's introduction and update.
22. Separate arrangement will be used to discuss special domestic or personal circumstances. Normally this will be held in Committee with members of the public and press excluded. An opportunity will be given for the applicant and objectors to present their case, but each separately. Once this has been done each party will be asked to leave in order for the Committee to discuss and determine the application.

PUBLIC SPEAKING AT PLANNING COMMITTEE MEETINGS

23. The following procedures will apply to MUDC Planning Committee meetings:
 - planning committee meetings will be open to the public;
 - Requests to speak must be received by the council (in writing or by email) no later than 12.00pm two working days prior to the meeting. The request should state whether they wish to speak in support or in opposition to a planning application. Any written information that the speaker wishes to circulate to members of the committee **must** also be provided at this time. Any written information received after this time **will**

not be circulated;

- The order of speakers is a matter for the Chair, however, this will normally require objectors speaking before the applicant or their agent in order to allow the applicant the opportunity to respond to any issues raised. Thus, if members wish to speak, they should do so before the applicant/agent;
- All parties speaking at Planning Committee may be asked questions by members or the Planning Manager. This would be to seek clarification on any issues raised but not to enter in to a debate with those speaking;
- The Planning Committee will be provided with copies of the information supplied by those who will be speaking at the Committee;
- other elected members may attend and speak about an application but only planning committee members can vote;
- elected members may speak for a up to 5 minutes;
- members of the public (including agents / representatives etc.) may speak for up to 3 minutes;
- Where more than one person wishes to speak on behalf of or against a development, they will be encouraged to elect a spokesperson and, in any event, required to share the 3 minutes speaking time.
- documentation not received in advance of the meeting will not be permitted to be circulated to members by speakers;
- Planning officers can address any issues raised and the planning committee can question officers;
- Any exception to normal speaking rights and procedures will be a matter for the Chair.

DECISIONS CONTRARY TO OFFICER RECOMMENDATION

24. The Planning Committee will reach its own decision on applications put before it. Officers offer advice and make a recommendation. Planning officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Planning Committee or its members. This is acceptable where planning issues are finely balanced as there should always be scope for members to express a different view from officers. The Planning Committee can accept or place a different interpretation on, or give different weight to, the various arguments and material planning considerations.

Overturning recommendation to approve

25. If a member does not agree with the officer recommendation to approve an application, they can propose reasons for refusal, which must be seconded by another member and then voted on. Any decision by the Planning Committee **must be based on proper planning reasons**. The Planning Manager (or their deputy) will be given the opportunity to explain the implications of the Planning Committee's decision. The reasons for any decisions which are made contrary to the planning officer's recommendation will be formally recorded in the minutes and a copy placed on the planning application file / electronic record.
26. As the refusal of a planning application that officers have recommended for approval may be overturned on appeal (to the Planning Appeals Commission), with the potential for costs awarded against MUDC, the Chair will seek the views of officers (including the Council Solicitor) before going to the vote in terms of reasons for refusal that are contrary to officer recommendation. Officers will summarise what are considered to be the main reasons for refusal referred to by members during the debate and advise on what would be reasonable and what would not be reasonable reasons for refusal. Where appropriate the Planning Manager may also comment on whether a refusal on the proposed grounds is defensible, particularly at planning appeal.
27. Planning officers, in liaison with the Council Solicitor where appropriate, will present the Committee's decision at planning appeal or in the courts or in any other forum.

Overtaking recommendation to refuse

28. MUDC Planning Committee may decide to approve an application against the officer's recommendation to refuse, aware that while there is no right of third party appeal, there is the possibility that the decision could be subject to judicial review. However, before making such a decision, the advice of the Planning Manager and the Council Solicitor should be sought. Where an approval is granted contrary to officer advice, the Planning Manager and Council Solicitor will present the Council's decision in the courts or any other forum.
29. The minutes should, insofar as is possible, accurately reflect the discussions and decisions taken during the meeting(s) as these could be used as evidence should any complaints be made about how decisions are taken. Members can take their own notes on controversial applications.

DECISIONS CONTRARY TO LOCAL DEVELOPMENT PLAN

30. In general, planning decisions will be taken in accordance with the local development plan (in so far as it is material to the application) unless material considerations indicate otherwise. If a Planning Committee member proposes, seconds or supports a decision contrary to the local development plan they will have to clearly identify and understand the planning reasons for doing so, and demonstrate how these reasons justify overruling the development plan. The reasons for any decisions which are made contrary to the development plan will be formally recorded in the minutes and a copy placed on the planning application file / electronic record. Before making such decisions the advice of the Planning Manager and the Council Solicitor shall be sought.

DEFERRALS

31. The Planning Committee can decide to defer consideration of an application to a subsequent committee meeting for further information, further negotiations, or for a site visit. Before deferring an application the advice of the Planning Manager shall be sought and the purpose of the deferral clearly set out. Deferrals will inevitably have an adverse effect on processing times and therefore will be restricted to one deferral only.
32. Where an office meeting is to be held all councillors' will normally be informed and may make representations on behalf of objectors or applicants. However, where a member of the planning committee chooses to make representations then they will be required to declare a conflict of interest and will not be able to vote on the application at the next planning committee meeting at which the application is to be determined.

SITE VISITS

33. On occasions, members of the Planning Committee may need to visit a site to help them make a decision on a planning application (e.g. where the impact or effect of the proposed development is difficult to visualise from the plans or photographs, or the application is particularly contentious). These visits will be undertaken on an exceptional basis as they are time-consuming and expensive. Where required, they may be identified by officers in consultation with the Chair or they may be asked for by Planning Committee members, but these will only be permitted where the benefit is expected to be of considerable value.

34. The Planning Committee clerk will contact the applicant / agent to arrange access to the site. Invitations will then be sent to members of the Planning Committee. Site visits will not be used as an opportunity to lobby Councillors' or to seek to influence the outcome of a proposal prior to the Planning Committee meeting. Members will not carry out their own unaccompanied site visits as there may be issues relating to permission for access to land, or they may not have the information provided by the planning officer and, in some circumstances (e.g. where a Councillor is seen with applicant or objector) it might lead to allegations of bias. Only Planning Committee members, officers, and local Councillors' should be permitted to attend the site visit. Where possible, the full planning committee should attend site visits, unless there are good reasons (e.g. a member is already very familiar with the site). The clerk to the planning committee will record the date of the visit, attendees and any other relevant information.
35. Planning officers will prepare a written report on the site visit which will then be considered at the next Planning Committee meeting at which the application is to be determined.

PRE-DETERMINATION HEARINGS

36. Regulation 7 of the Planning (Development Management) Regulations (NI) 2015 sets out a mandatory requirement for pre-determination hearings for those major developments which have been subject to notification (i.e. referred to the Department of Environment for call-in consideration, but that have been returned to a council for determination). In such cases MUDC Planning Committee will hold a hearing prior to the application being determined.

In addition, the Planning Committee may also hold pre-determination hearings, at its discretion, when considered necessary, to take on board local community views, as well as those in support of the development.

37. In the main MUDC will only hold pre-determination hearings where there is a mandatory requirement as the speaking rights at planning committee are adequate to deal with nearly all cases. An exception may be made for major developments having taken into account:

- the relevance of the objections in planning terms;

- the extent to which relevant objections are representative of the community, particularly in the context of pre-application community consultation; and
 - the number of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.
38. The hearing will take place after the expiry of the period for making representations on the application but before the council decides the application. The Planning Committee will decide whether to have a hearing on the same day as the related planning application is determined by the Planning Committee or to hold a separate hearing. In holding a hearing the Planning Committee procedures will be the same as for the normal planning committee meetings (e.g. number of individuals to speak on either side, time available to speakers etc.). The planning officer will produce a report detailing the processing of the application to date and the planning issues to be considered. If the hearing is to be held on the same day as the application is to be determined, the report to members will also contain a recommendation.

TRAINING

39. Councillors' sitting on planning committees are required to attend relevant training on planning matters before they can sit on the Planning Committee.

LEGAL ADVISER

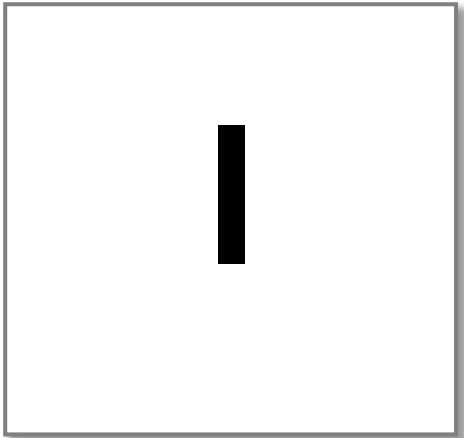
40. The Council Solicitor provides legal advice to the Planning Committee.

Annex B

Summary of main changes to the Protocol on the Operation of the Planning Committee

There are a number of changes to the format and order of the Protocol and it has been tailored where relevant to information specific to Mid Ulster District Council. This summary note does not detail each of these changes, but it is a high level review aimed at summarising the more significant changes:-

- New Paragraph 13 confirms that enforcement cases will be discussed In Committee;
- Paragraph 16 amended to confirm that reports will be presented with visual aids;
- Paragraph 17 amended to reflect that any member who has declared an interest in an application must either leave the meeting or sit in the public gallery for that item;
- Paragraph 19 amended to confirm that where the majority of members vote against a proposal to go with an officer's recommendation to approve, reasons for refusal must be proposed and voted on;
- New Paragraph 22 inserted to refer to separate arrangements where there is discussion regarding special domestic or personal circumstances;
- Paragraph 23 amends the Public Speaking element of the Protocol to include the following:-
 - The order of speakers normally requires objectors and members to speak before the applicant or their agent in order to allow the applicant the opportunity to respond to any issues raised;
 - The members or the Planning Manager may ask questions of speakers, which would be to seek clarification but not to enter in to a debate;
 - Requirement that the 3 minutes speaking slot is shared where more than one person wishes to speak on behalf of or against a development;
- Paragraph 27 confirms that planning officials will represent the Council at appeal etc.;
- New Paragraph 32 inserted to clarify arrangements when an office meeting is called and if a member of the planning committee chooses to make representations, they will be required to declare a conflict of interest and cannot vote on that application;
- New Paragraph 37 has been inserted confirming that pre-determination hearings will usually only be held where there is a mandatory requirement to do so;
- Paragraph 39, amended to require Members to attend relevant training on planning matters before they sit on the Planning Committee.



Subject: Council's Scheme of Delegation on Planning Matters.

Reporting Officer: Dr Chris Boomer

1	Purpose of Report
1.1	To provide members with a revised Scheme of Delegation as agreed with the Department.

2	Background
2.1	The current Scheme of Delegation for planning applications was agreed by Mid Ulster District Council at its meeting on 23rd April 2015, following approval by the Department of Environment. The Committee agreed that a review should be carried out within 6 to 12 months to see how the process was working. To initiate the review, the Planning Department drew up a questionnaire that was given to members that attended a workshop on the Planning Protocol/Scheme of Delegation on 14th December 2015.

3	Key Issues
3.1	<p>The main changes/inclusions within the revised Scheme of Delegation are:</p> <ul style="list-style-type: none"> - Applications submitted by close relatives (parents, partners, siblings, and children) of an elected member of the council will go before the Planning Committee; - The Committee shall be required to consider and determine the serving of a Temporary Listing: Building Preservation Notice; - The Committee shall be required to consider and determine the serving of a Listed Building Urgent Works Notice; - The Planning Manager is delegated the authority to make determinations under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland).
3.2	During and following the workshop 14th December 2015 consideration was given to whether the Scheme of Delegation should be amended to include delegation to the Planning Manager of those matters where it considers it expedient to do so in the public interest such as a publically funded project,

	<p>which needs resolved in a timely manner. However it is considered that inclusion of such a provision may be confusing and result in legal challenge. Therefore, no such provision has been made to include this.</p>
3.3	<p>Additionally, consideration was also given to whether the Scheme should specifically state that the Planning Manager be delegated the authority to impose planning conditions or refusal reasons based on the planning reason provided by the Committee. At present this matter is addressed where necessary on a case by case basis. It is felt that this matter should continue to be dealt with in this manner and the Committee are currently providing adequate direction to the Planning Manager on the planning matters to be addressed in the conditions or reasons for refusal.</p>
3.4	<p>On the 6th May 2016 the DOE advised the Council that it may proceed to adopt the scheme.</p>

4	Resources
4.1	<p><u>Financial</u> N/A</p>
4.2	<p><u>Human</u> N/A</p>
4.3	<p><u>Basis for Professional/ Consultancy Support</u> N/A</p>
4.4	<p><u>Other</u></p>

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	<p>That the revised Scheme of Delegation be agreed for implementation and that this is placed on the Council's website.</p>

7	List of Documents Attached
7.1	<ul style="list-style-type: none"> - Letter of approval from the Department of Environment - Revised Scheme of Delegation



Dr Chris Boomer
Planning Manager
Mid Ulster District Council
Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

5th Floor
Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast
BT2 7EG

Telephone:

Email:

Your Ref:

Our Ref:

Date: 6 May 2016

Dear Dr Boomer

Scheme of Delegation under The Planning (Northern Ireland) Act 2011 and the Planning (Development Management) Regulations (Northern Ireland) (2015)

Thank you for your letter of 29 April 2016 to the Chief Planning Officer requesting approval for the amended Scheme of Delegation. I have been asked to reply.

In accordance with regulation 9 of the Planning (Development Management) Regulations (Northern Ireland) 2015, the Department hereby approves your scheme of delegation. The council may now proceed to adopt the scheme. If you make any further changes, please re submit to the Department for approval.

You are reminded of the obligations of publicity requirements as set out in the regulation 10 of the Planning (Development Management) Regulations (Northern Ireland) (2015).

If you have any further queries regarding this matter, please do not hesitate to contact myself or Mr Andrew Wilson on 028 90 82 34 63.

Yours faithfully

CAROL RAMSEY
Director of Strategic Planning



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Scheme of Delegation on Planning Matters

Revised May 2016

Scheme of Delegation of Planning Applications

The Scheme of Delegation for planning applications was agreed by Mid Ulster District Council at its meeting of *Thursday 23 April* following approval by the Department of the Environment for Northern Ireland on 1 April. The approval is in accordance with Section 31 of The Planning Act (NI) 2011. The Scheme of Delegation takes effect from Wednesday 1 April.

Part A – Mandatory applications for determination by the Planning Committee:

Statutory requirements require that certain types of application must be determined by the planning committee and these cannot therefore be delegated to officers:

- Applications which fall within the Major category of development;
- An application for planning permission where the application is made by the council or an elected member of the council, and
- The application relates to land in which the council has an interest/estate.

Part B – Delegated Applications:

The appointed person within the Council is the Planning Manager.

To determine all local development applications with the exception of:

- Applications which are significant departures from the Development Plan or planning policy and which are recommended for approval.
- Applications submitted by the Chief Executive, Directors, planning staff, or their close relatives (parents, partners, siblings, and children).
- Applications submitted by close relatives (parents, partners, siblings, and children) of an elected member of the council.
- Applications attracting valid planning objection including those from a statutory consultee, where the officer's recommendation is to approve.
- Any application referred to the Planning Committee by a Council Member, subject to a valid planning reason being provided by the Member for the deferral.
- All refusals of planning permission.
- Applications where the Planning Manager considers that the proposal merits consideration by the Committee, for example an application subject to an Enforcement Notice where the recommendation is to refuse permission.
- Applications where a legal agreement is required.

Part C – Publicity:

On adoption of this scheme of delegation the council made a copy

- available on the councils website at www.midulstercouncil.org.

- available at Mid Ulster Council Offices

Magherafelt Office

50 Ballyronan Road

Magherafelt

BT45 6EN

Scheme of Delegation of planning consents, certificates, tree preservation orders, enforcement of planning control and other determinations

The Scheme of Delegation for planning consents, certificates, tree preservation orders, enforcement of planning control and other determinations was agreed by Mid Ulster District Council at its meeting of *Thursday 23 April*. The Scheme of Delegation takes effect from Wednesday 1 April and is in accordance with Section 7 (4) (b) of the Local Government Act 2011.

The Planning Committee shall be required to consider and determine:

- the serving of a Tree Preservation Order;
- confirmation of a Provisional Tree Preservation Order.
- the serving of a Temporary Listing: Building Preservation Notice

Delegated planning consents, certificates, orders and other decisions:

The Planning Manager is delegated the authority to:

- serve a Provisional Tree Preservation Order;
- determine an application:
 - to carry works to a Protected Trees;
 - for Hazardous Substance Consent;
 - for a Certificate of Lawful Use of Development and for Non Material Changes.
- make determinations under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland)

All applications for listed building consent, conservation area consent and advertisement consent are delegated with the exception of the following which require determination by the Planning Committee:

- The application is made by the council or an elected member of the council.
- The application relates to land in which the council has an interest.
- The application is submitted by the Chief Executive, Director, planning staff, or close relatives (parents, partners, siblings, and children).
- The application has attracted valid planning objection including those from a statutory consultee, where the officer's recommendation is to approve.
- The application is recommended for refusal.

- Where the Planning Manager considers that the proposal merits consideration by the Committee.

The Planning Committee reserves the right to request a report for information purposes on any of these delegated matters.

Investigation of Breaches of Planning Control and Enforcement Action:

The Planning Committee shall be required to consider and determine the serving of an Enforcement Notice, Stop Notice, and Listed Building Enforcement Notice, Listed Building Urgent Works Notice.

The Planning Manager is delegated the authority to:

- investigate all complaints of a breach of planning control and where appropriate may close a case on the grounds that a breach has not occurred or that it is not expedient or in the public interest to take action;
- serve of a Breach of Condition or Submission Notice;
- instruct the District Solicitor in the pursuit of legal action provided the Committee is aware of the action and may instruct the Planning Manager to cease or to hold in abeyance any legal proceedings.

The Planning Manager may in exceptional circumstances and where there is a risk to human health or safety serve an enforcement notice or stop notice.

The Planning Committee reserves the right to request a report for information purposes on any of these delegated matters.

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Subject Consultations notified to Mid Ulster District Council

Reporting Officer Philip Moffett, Head of Democratic Services

1	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment, since the last meeting of Council.

2	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues which may be pertinent to council services and/or the District.

3	Key Issues						
3.1	<p>The following outlines the open consultation of which Council has been notified:</p> <table><tr><th>Organisation</th><th>Issue</th><th>Closing Date</th></tr><tr><td>Post Office</td><td>Notification of changes to Cohannon Post Office (formally known as Tamnamore) Ballynakilly Road, Dungannon</td><td>Post office scheduled to open on: 26 May 2016</td></tr></table> <p>Documentation on the aforementioned consultation may be provided on request.</p>	Organisation	Issue	Closing Date	Post Office	Notification of changes to Cohannon Post Office (formally known as Tamnamore) Ballynakilly Road, Dungannon	Post office scheduled to open on: 26 May 2016
Organisation	Issue	Closing Date					
Post Office	Notification of changes to Cohannon Post Office (formally known as Tamnamore) Ballynakilly Road, Dungannon	Post office scheduled to open on: 26 May 2016					

4	Resources
4.1	<u>Financial</u> - N/A
4.2	<u>Human</u> - N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> - N/A
4.4	<u>Other</u> - N/A

5	Other Considerations
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5.1	Not applicable
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6	Recommendations
6.1	Members review and note the above.

7	List of documents attached
7.1	Not applicable.