

Minutes of Meeting of Mid Ulster District Council held on Thursday 22 October 2015 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

Councillors Bateson, Bell, Buchanan, Burton, Clarke ,
Cuddy, Cuthbertson, Ellatar, Forde, Glasgow, Gildernew,
Gillespie, Kearney, Mallaghan, McAleer, McEldowney,
McFlynn, McGinley, B McGuigan, S McGuigan, McKinney,
McLean, McNamee, Molloy, Monteith, Mulligan, J O'Neill, T
Quinn, Robinson, J Shiels, Totten and Wilson

**Officers in
Attendance:**

Mr A Tohill, Chief Executive
Dr Boomer, Area Planning Manager
Ms Campbell, Director of Culture & Leisure
Ms Canavan, Lead HR Officer
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr McCreesh Director of Business and Communities
Mrs Mezza, Head of Marketing Communications
Mr Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm.

C184/15 Apologies

Apologies were received on behalf of Councillors Ashton, McPeake, Mullen, M Quinn, C O'Neill, Reid and G Shiels.

C185/15 Declarations of Interest

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

Councillor McGinley declared an interest in TIPSA.

Matters for Decision

C186/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Planning Committee (Development and Enforcement) held on Tuesday 15 September 2015

Proposed by Councillor Bateson
Seconded by Councillor Mallaghan

Resolved That the Minutes and recommendations of the Planning Committee (Development and Enforcement) meeting held on Tuesday 15 September 2015 (P97/15 – P104/15 and P110/15) transacted in "Open

Business", having been printed and circulated were considered and adopted.

C187/15 Receive and consider minutes of matters transacted in "Open Business" at the Special Council meeting held on Thursday 17 September 2015

Proposed by Councillor Bell
Seconded by Councillor T Quinn and

Resolved That the Minutes of the Special Meeting of the Council held on Thursday 17 September 2015 (SC10/15 –SC15/15), transacted in "Open Business" having been printed and circulated were considered and signed as accurate and correct.

C188/15 Receive and consider minutes of matters transacted in "Open Business" at Council meeting held on Thursday 24 September 2015

Proposed by Councillor S McGuigan
Seconded by Councillor Bateson and

Resolved That the Minutes of the Meeting of the Council held on Thursday 24 September 2015 (C1164/15/15 – C175/15 and C183/15), transacted in "Open Business" having been printed and circulated, were considered and signed as accurate and correct.

C189/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Special Development Committee meeting held on Thursday 29 September 2015

Proposed by Councillor McNamee
Seconded by Councillor J Shiels

Resolved That the Minutes and recommendations of the Special Development Committee meeting held on Thursday 29 September 2015, (D178/15/15 – D185/15) transacted in "Open Business", having been printed and circulated, were considered and adopted.

C190/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Planning Committee held on Tuesday 6 October 2015.

Councillor Clarke requested a change on page 11 of the minute that his comment regarding PPS14 be amended to read

"Councillor Clarke commented that PPS14 had eliminated the renewal of approvals as previous to PPS14 applications could be renewed within a 5 year period."

Councillor Wilson stated that although he was not a Member of the Planning Committee he would find it useful to be provided with a list of applications approved, applications deferred, applications rejected and those applications which had been overturned differing from officer recommendation. Councillor Wilson also asked if the Planning Enforcement division had the appropriate equipment to take site levels. Responding the Area Planning Manager advised that the results of all applications are published on the website and that currently the purchase of equipment regarding enforcement issues was being investigated.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Tuesday 6 October 2015 (P111/15 – P117/15 and P120/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

C191/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee held on Thursday 8 October 2015

Councillor Glasgow drew attention to PR139/15 Irish Language Policy EQIA and the comment of Councillor Cuddy in which it was highlighted that 64% of the community was Catholic, had attended Catholic schools, been taught Irish to GCSE level yet only 6% knew the language and had not taken the opportunity to learn it when it was freely available to them. Councillor Glasgow stated that given the statistics aforementioned he would like the report looked at again as in current financial times ratepayers should not face costs such as these for such a low percent of the population. Councillor Glasgow requested that it be noted that he would have serious concerns over costs associated with the Irish language.

The Chair Councillor Dillon stated that the statistics did not reflect those attending Irish Medium schools and that Councillor Glasgow’s comments would be noted.

Councillor Wilson concurred with the comments of Councillor Glasgow.

Proposed by Councillor S McGuigan
Seconded by Councillor McLean

Resolved That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 8 October 2015 (PR133/15 – PR140/15 and PR150/15), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

C192/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 13 October 2015

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Thursday 13 October 2015, (E173/15 – E190/15 and E198/15), transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C193/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 15 October 2015

Councillor Elattar requested that it be documented in the minutes the question posed at the Development Committee regarding the Verbal Arts Centre and as to whether or not local groups for example Glasgowsbury would be permitted to tender to provide activities after the initial programmes had finished. In response the Director of Culture and Leisure advised that at present the Centre was working on the education programme following which a new programme of activity would be developed and that there would be roles for other organisations.

Proposed by Councillor T Quinn
Seconded by Councillor Elattar

Resolved That the Minutes and recommendations of the Development Committee meeting held on Thursday 15 October 2015, (D178/15 – D198/15 and D208/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

C194/15 Conferences and Seminars

The Head of Democratic Services referred to details of 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) Nuclear Free Local Authorities All Ireland Forum
Friday 30 October, Council Chamber, Dundalk, Co Louth
- (ii) TCPA Seminar on Creating Garden Cities and Suburbs Today
Thursday 5 November in Ulster Hall, Belfast
- (iii) Agriculture & Food Conference: Meeting the Challenges Ahead
Thursday 3 December in Dunadry Hotel, Templepatrick

Suggested by Councillor Wilson that Councillors Mulligan and McKinney to attend.

- (iv) Policy Forum: Tackling Poverty & Assessing impact of proposed Welfare Reform
Wednesday 3 February in Belfast venue to be confirmed

Proposed by Councillor J O'Neill

Seconded by Councillor Mallaghan

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

Councillor Wilson left the meeting at 7.15pm

C195/15 Consultation Response regarding North/South 400kv Interconnector and association works

The Area Planning Manager drew attention to the previously circulated report and draft response regarding the North/South 400kv Interconnector and associated works drawing particular attention to comments regarding underground cabling wherever possible, impact assessments regarding heritage, tourism and habitat, that all objectors are given full consideration in expressing concerns and the short time timescale for response.

Councillor Wilson returned to the meeting at 7.16pm

Councillor McGinley stated that in principle he supported the letter but would ask that stronger language was used with regards to the public not supporting the use of pylons and suggested that the undernoted paragraph be incorporated in the response.

In response to your consultations Mid Ulster District Council are supportive of the establishment of the North/South interconnector and the work that will flow from it, particularly as it affects Mid Ulster Council. However, we do not support the establishment of an overhead line. We would ask that the applicant give consideration to the laying of underground cabling so as to ensure that there is no negative impact on the heritage, tourism and habitats of the area.

Proposed by Councillor McGinley
Seconded by Councillor Gildernew and

Resolved That the aforementioned paragraph be included in response and approval be granted for its submission.

Matters for Information

C196/15 Consultations notified to Mid Ulster Council

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

Proposed by Councillor Mallaghan
Seconded by Councillor J Shiels and

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

C197/15 Correspondence

Members noted the previously circulated paper on correspondence received by Mid Ulster District Council noting the recommendation that Council receives the resolution passed by Belfast City Council on cruelty against animals.

Proposed by Councillor Mallaghan
Seconded by Councillor J shiels and

Resolved That Council receives the resolution passed by Belfast City Council on cruelty against animals.

C198/15 Consideration of Motions

C198.1/15 Councillor Cuthbertson to move

Councillor Cuthbertson in moving the motion stated that it was the first time Northern Ireland had qualified for the finals of the European Championship and that it had been 30 years since the team had qualified for any major tournament.

Acknowledging that the current Northern Ireland Team had restored great pride and had rewarded loyal fans by not just qualifying but leading their group Councillor Cuthbertson further stated that Captain Steven Davis had been named in UEFA's team of the qualifiers highlights the standard the country has performed to.

Councillor Cuthbertson stated that he was proud of the strong connection Mid Ulster had to the squad and paid tribute to the local football teams for the development of the talent namely Dungannon Swifts were Nial McGinn had trained, Fivemiletown United were Roy Carroll had trained with the youth teams and Coagh United were Stuart Dallas had trained. Concluding Councillor Cuthbertson stated that the clubs along with other smaller teams throughout Mid Ulster should be supported by Council and proposed the motion as undernoted:

That MUDC send congratulations to the Northern Ireland Football team on successfully qualifying for the European Championships, France 2016. This is a historic occasion for Northern Ireland as it is our first time in thirty years to qualify for a major tournament. The squad has strong connections in Mid Ulster with S.Dallas, A.Hughes, N.McGinn & R.Carroll all playing vital roles and we wish the team and manager well as they make their preparations for next summer.

Councillor Buchanan seconding the motion stated that the players had performed with great distinction noting that both Steven Dallas and Aaron Hughes had attended Cookstown High School, Cookstown Football Club as well as Coagh United and concluded by saying that football was a force for good and wished the players well in representing their country.

Councillor Monteith proposed an amendment to the motion as undernoted

Furthermore that Mid Ulster District Council recognise the Republic of Ireland Football team and wish them good luck as they prepare to play in the playoffs for one of the final places for the European Championships

Councillor McGinley seconded the amendment.

Councillor Wilson expressed his support for the motion moved by Councillor Cuthbertson stating that he had attended the 1982 World Cup and knew the experience of being a supporter adding that he regularly attended games at Windsor Park with his sons and brother. Commending the motion Councillor Wilson advised that Aaron Hughes footballing talent had been recognised through the Boys Brigade and stated that the Northern Ireland Youth Teams were currently training at the Mid Ulster Sports Arena. In conclusion, Councillor Wilson stated that if Councillor Cuthbertson would accept an addition to the motion he would propose that Council write to the Irish Football Association and invite the Northern Ireland Team to train at the Mid Ulster Sports Arena in the lead up to 2016.

Referring to the amendment Councillor Cuthbertson sought clarity as to whether amendments were supposed to be printed on paper and circulated to Members stating that accepting a verbal amendment was setting a different precedent.

In response the Chair, Councillor Dillon stated that if requested the amendment could be read out again and clarified that the amendment only had to be printed if the Chair required it to be, for example, if it was complicated.

Councillor Cuthbertson stated that he did not accept the amendment as the motion referred to the country in which the Council resided and to add something about another international team would spoil the motion.

The Chair Councillor Dillon called for a vote on the amendment proposed by Councillor Monteith.

For	21
Against	9

The amendment was carried.

The Chair Councillor Dillon called for a vote on the addition proposed by Councillor Wilson.

Councillor Cuthbertson stated that the proposal of Councillor Wilson to send a letter inviting the Northern Ireland Team to train at Mid Ulster Sports Arena should be looked at separately as people were trying to hijack a good motion by highlighting a foreign country.

Councillor Wilson concurred that his proposal be looked at separately.

The Chair called for a vote on the substantive motion:

For	20
Against	12

The Chair stated that the motion was carried.

Resolved That a letter of invitation be forwarded to the Northern Ireland Football team to train at the Mid Ulster Sports Arena.

Councillor Cuthbertson expressed his regret that his motion, as moved, had not been supported as it had a clear connection to Mid Ulster.

C198.2/15 Councillor Mallaghan to move

Councillor Mallaghan in moving the motion stated that TIPSA had been in existence since 2003 and had provided alcohol and other drugs education and prevention services in Mid Ulster. Outlining their excellent work, Councillor Mallaghan advised that TIPSA provided group work, one to one sessions, hosted information events, had attended conferences and participated in a wide range of publicity initiatives. Commending the organisation on their community based work which delivered tailor made projects for the area, Councillor Mallaghan spoke of the outstanding work of Martin McCann and Eugene O'Goan who both went beyond the call of duty in their respective roles. Councillor Mallaghan advised that the closure was in connection with the PHA tendering for services. Councillor Mallaghan proposed the undernoted motion:

That this council acknowledges the excellent service which has been provided by TIPSA in Mid Ulster over the last 13 years. TIPSA has been the key organisation in providing education and awareness on drugs and alcohol for all ages in our society.

That the chair writes to the organisation and we sincerely thank those staff who have lost their jobs for helping to change and save the lives of many of our people who struggle with addiction.

Councillor McFlynn, seconding the motion advised that she had together with Councillor Mallaghan been involved with TIPSA for many years and stated that the staff had helped many people, had educated parents and young people and carried out a wide range of work. Councillor McFlynn referring to the fact that the closure of TIPSA had been a result of funding from PHA being awarded to another provider stated that she hoped the new organisation delivered the service as well in order to tackle the scourge of drink and drugs on communities.

Councillors Wilson and McLean supported the motion stating that Mid Ulster area will be worse off with the loss of TIPSA.

The Chair Councillor Dillon declared the motion carried.

Councillors Burton and Mallaghan left the meeting at 7.42pm

C198.3/15 Councillor Kearney to move:

Councillor Kearney stated that this was the second motion that the SDLP had brought before Council and advised that they had undertaken extensive research on childcare and its impact and the current situation in the North. Councillor Kearney

also advised that the need for childcare and childcare facilities across Mid Ulster had been discussed at LAG. Councillor Kearney stated that the SDLP wanted to create a situation where true welfare and work reform could be attained in order to see the recovery of the economy. Councillor Kearney stated that Patsy McGlone MLA had written to the Secretary of State requesting that the British Government provide the same support to working parents in Northern Ireland as it did in England.

Councillor Mallaghan returned to the meeting at 7.45pm

Councillor Kearney highlighted the undernoted:

- Childcare cost is the main barrier for parents returning to work resulting in the loss of highly skilled and motivated people in the workforce;
- Average Northern Ireland Childcare Costs per 50 hour week range from £154 - £162;
- Employers for Childcare 2014 survey report showed that average full time formal childcare equates to 44% of average salary with many stating that it was in fact 55% of a parent's salary with one fifth of people seeking financial support such as bank loans, credit cards and pay day loans to meet costs;
- OFMDFM research in 2014 highlighted over 50% of parents saw childcare cost as the main barrier to using childcare services;
- Parents are experiencing 'in work' poverty to maintain skills and their foothold in the job market.
- Families need choice and flexibility and employers should be encouraged to facilitate same;
- Women in particular face inequality as one in two find having a baby results in significant change of career path;
- Lack of suitable childcare has a major effect on the workforce ie loss of skills,
- Providing subsidised childcare is an economic multiplier as three people would be working and paying taxes as opposed to one;
- Conservative Government committed to passing legislation to increase the entitlement to free preschool childcare for three to four year olds to 30 hours per week, thus pre-existing inadequacies in childcare in Northern Ireland will be further highlighted in UK context.
- With the reduction of 'in-work' tax credits some will face an annual loss of £1200

In conclusion Councillor Kearney stated that much discussion had taken place regarding welfare reform but that it needed to be stepped up a pace to welfare and work reform, particularly for working families who were rapidly becoming the working poor.

Councillor Kearney sought support for the motion

'That this Council notes the 2014 Employers for Childcare survey that indicated that 46% of parents in Northern Ireland reduced their working hours or left work due to a lack of affordable childcare; recognises that greater childcare provision would be a key catalyst in bolstering the economy, retaining a skilled workforce and improving the lives of working families; further notes that the Childcare Bill announced in the Chancellor of the Exchequer's July Budget will increase free preschool childcare entitlement for

three and four year olds to 30 hours a week in England; and agrees to write to the Northern Ireland Executive calling for the establishment of an equal 30 hours of free childcare locally as part of a move towards the establishment of a universal childcare model.'

The Chair, Councillor Dillon declaring support for the motion, seconded it, stating that there were many childcare issues throughout the District and that there had been discussions with the Minister. The Chair, Councillor Dillon continued stating that she worked during the day whilst her husband worked at night as they could not afford to pay childcare and the situation was not conducive to family life. Referring to the Council, the Chair stated that much business was conducted at night and both Members and Officers should be looking at what can be done during the day as officer home circumstances are not considered. Reiterating support for the motion the Chair stated that a change of attitude was required within the Chamber particularly if parties were serious about getting women into politics and Council jobs.

Councillor Wilson thanked Councillor Kearney for the Motion stating that affordable childcare was a major setback for people returning to work and needed to be considered within community planning. Stating that economic growth and development is a key strategic priority for Council, Councillor Wilson emphasised the importance of educational attainment in delivering a skilled, knowledgeable and sustainable workforce in the Borough in the future. Councillor Wilson continued stating that the Ulster Unionist party believed that affordable and accessible childcare provision was the first step in the educational journey particularly for those in deprived areas. Whilst accessible childcare is key Councillor Wilson stated that £12 million had been ring-fenced for childcare provision until 30 March 2015 yet £8.6 million remained unspent by OFMDFM. Councillor Wilson further highlighted that OFMDFM were currently consulting on Delivering Social Change through Childcare – a ten year strategy for affordable and integrated childcare 2015-2025 and emphasised that Council should be making a formal response. In conclusion Councillor Wilson stated that the Ulster Unionist Party supported the motion but reflected that the responsibility was with OFMDFM to deliver and with a busted budget the reality was the Stormont Executive could not deliver a pint of milk.

The Chair declared the motion carried.

Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor J Shiels

Resolved That items C199/15 to C207/15 be taken as confidential business.

The press left the meeting at 7.50pm

Councillor McAleer left the meeting at 7.50pm

C208/15 Duration of Meeting

The meeting was called for 7pm and ended at 8pm.

CHAIR _____

DATE _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 November 2015 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Mallaghan, McAleer, McKinney, McPeake, Mullen, Reid, Robinson, J Shiels

Officers in Attendance

Mr Tohill, Chief Executive
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 McEvoy, Head of Development Plan and Enforcement
Ms McKearney, Senior Planning Officer
Ms McNally, Solicitor
Miss Thompson, Committee Services/ Senior Admin Officer

Others in Attendance

Councillors Ashton, B McGuigan and J O'Neill

Agenda Item 3 – Elaine Kinghan, Chief Commissioner and Trevor Rue, Deputy Chief Commissioner, Planning Appeals Commission

Applicant Speakers

LA09/2015/0695/F	Ms Coyle
M/2014/0340/F	Mr McAlinden
	Mr Bell
H/2015/0010/F	Mr Cassidy

The meeting commenced at 7.05 pm.

P121/15 Apologies

Councillor McEldowney.

P122/15 Declarations of Interest

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

P123/15 Planning Appeals Commission

The Chair welcomed Ms Kinghan and Mr Rue from Planning Appeals Commission and invited them to make their presentation.

Ms Kinghan advised Members of the background to and functions of the Planning Appeals Commission, Ms Kinghan guided Members through the appeals process of the Commission and advised on how decisions are made.

Ms Kinghan informed Members as to the number of appeals decided by the Commission from 2010-2015, she advised that in terms of Mid Ulster area there were 20 appeals decided upon in the last year, 6 of these arose from enforcement cases. Ms Kinghan advised that 100% of the enforcement appeals brought within Mid Ulster area upheld the recommendation made by DoE Planning. Similarly 77% of the rest of the appeals also upheld the recommendation of DoE Planning. Ms Kinghan also advised that the Commission is now starting to deal with the first appeals coming as a result of Council decisions.

Mr Rue provided Members with guidance regarding award of costs and provided examples of unreasonable behaviour in which costs would be awarded.

As Members had no questions/comments the Chair thanked Ms Kinghan and Mr Rue for their presentation following which they withdrew from the meeting.

P124/15 Confirm Minutes of the Planning Committee (Development Plan and Enforcement) Meeting held on Tuesday 15 September 2015

Proposed by Councillor J Shiels
Seconded by Councillor Clarke and

Resolved That the minutes of the meeting of the Planning Committee (Development Plan and Enforcement) held on Tuesday 15 September 2015, (P97/15 – P104/15 & P110/15), were considered and signed as accurate and correct.

P125/15 Confirm Minutes of the Planning Committee Meeting held on Tuesday 6 October 2015

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson and

Resolved That the minutes of the meeting of the Planning Committee held on Tuesday 6 October 2015, (P111/15 – P117/15 & P120/15), were considered and signed as accurate and correct.

The Chair, Councillor Kearney advised that a comfort break would be taken at a suitable point later in the evening.

Matters for Decision

P126/15 Planning Applications for Determination

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

LA09/2015/0695/F 20m high lattice tower with 6 antennas and 2 dishes, 6 equipment cabinets and ancillary development within 2.2m high fencing and new access lane at land to the rear of 39 Carricklongfield Road, Aughnacloy for Arqiva Ltd

Mr Marrion (SPO) presented a report on planning application LA09/2015/0695/F advising that it is recommended for approval. Further to the report it was advised that Building Control documentation had now been submitted which confirms that foundations have been laid for three residential properties adjacent to the proposed development and that Members should take this into account when making a decision on this application.

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

Ms Coyle referred to the inaccuracies within the planning officers report and stated that the three planning applications had not expired but had indeed commenced, Ms Coyle advised that the proposed mast would be located adjacent to the residential sites. Ms Coyle also cited concerns related to health, noise and visual impact.

Councillor Gildernew advised that he had been prepared to support the approval of this proposal as this was a “not spot” area but taking into account information brought before Members tonight he was concerned that full consideration had not been given to the three residential properties that will be located very close to this proposal. The Councillor proposed that an office meeting be held to discuss further options related to this proposal.

Councillor McKinney seconded Councillor Gildernew's proposal.

The Planning Manager advised that as the residential sites will be in very close proximity to the proposal it would be reasonable for Members to refuse this application on grounds of visual intrusion.

Councillors Reid and Gildernew referred to the need for a telecommunications mast in the area and that the applicant be asked to consider alternative sites in the locality.

The Planning Manager advised that if an alternative site was identified it would require a new planning application to be made and that as this proposal is part of a publicly funded programme which is due to come to an end in March 2016 there is unlikely to be enough time to process a new application in that timeframe.

Councillor Mallaghan commented that the proposed infrastructure is essential to the area and felt that alternatives could be looked at within the “red line”.

Councillor Cuthbertson concurred with previous comments in that the proposal will be located too close to the residential properties but that alternative locations should be considered.

Agreed That planning application LA09/2015/0695/F be deferred for an office meeting.

M/2014/0340/F 500kw centralised anaerobic digestion (CAD) plant, combined heat and power plant (CHP) to include change of use of existing building to facilitate feedstock storage, upgrade of existing access and ancillary site works at lands immediately adjacent and S of 111 Ballynakilly Road, Coalisland for Callan Renewables

Councillor Cuthbertson referred to previous minutes in which he requested that decision would not be taken on this application until enforcement case (M/2012/0108/CA) had been resolved. The Councillor asked for the legal opinion of the Council Solicitor in relation to this.

The Planning Manager advised that the running order of the meeting is a matter for the Chair of the Committee.

The Chair, Councillor Kearney advised that he felt the best way forward at tonight's meeting would be for Members to consider the application before them (M/2014/0340/F) first.

Councillor Cuthbertson commented that he may not agree, but would accept the running order proposed by the Chair.

Councillors Cuthbertson and Reid declared an interest in this item.

Councillor Reid felt that he had been misinformed into making a declaration of interest regarding this item at meeting on 1 September 2015.

Councillor Cuthbertson asked that meeting be informed of the planning history of the site under consideration.

Councillor Mallaghan felt that if there was no further additional information regarding this application then the committee should move into discussion.

Councillor Reid asked if the site visited as part of the study trip was comparable to the proposed site.

Councillor J Shiels felt that it would be important for the meeting to be made aware of the planning history for the site and that this would be new information that had not come before the committee previously.

Councillor Mallaghan withdrew his last comment.

Councillor Robinson felt that the two sites visited as part of the study trip were not comparable.

The Planning Manager clarified to Members that it was never the intention that the two sites visited would be comparable and that the purpose of the study visit was to let Members view an operating anaerobic digester.

Proposed by Councillor J Shiels
Seconded by Councillor Robinson and

Resolved That Committee are informed of planning history related to site under consideration.

The Chair, Councillor Kearney asked Councillors Cuthbertson and Reid to withdraw to the public gallery.

Mr Marrion (SPO) presented detail of planning history related to site and in addition provided report regarding study tour and site visit. Mr Marrion also highlighted additional condition of approval which is considered necessary to attach in relation to this development.

The Chair advised the committee that requests to speak on the application had been received and invited Mr McAlinden in the first instance to address the committee.

Mr McAlinden welcomed the opportunity to address the meeting advising he was speaking on behalf of Ballynakelly residents. Mr McAlinden outlined the concerns of residents regarding this application –

- The application is contrary to PPS18.
- Noise from the plant and additional traffic movements will be detrimental to the area.
- Concerns regarding odour and dust from the plant.
- Industrial nature of proposal will alter the nature of the rural area.

Mr McAlinden concluded by asking the committee to take into account the concerns of local residents, that their decision will have a lasting impact on Ballynakelly and the surrounding area.

Councillor Cuthbertson referred to the case officers report which highlighted the chequered history of the site, the Councillor felt that there is no such similar site within the Mid Ulster area.

Councillor Cuthbertson referred to the study visit in which those who attended could see for themselves the proximity of the site to residential dwellings and a children's play facility and the direct affect approval of this proposal would have on the locality.

Councillor Cuthbertson felt that noise and nuisance to residents of vehicles travelling to and from this site had not been properly considered, the Councillor called on Members to recognise policy including comments by the Environment Minister regarding such applications.

Councillor Cuthbertson referred to the applicant's right of appeal, something the residents are not entitled to and called on Members to put the health and wellbeing of constituents first.

Councillor Reid felt that Members need to consider the concerns of residents, but should also be mindful of the advantages of renewable energies. The Councillor suggested that the applicant needs to find an alternative site for their proposal

Mr Bell, on behalf of the agent, considered that the proposal is not contrary to policy and that the location is ideal and within scale for the area. Mr Bell advised that the proposal will be constructed to the highest standards and reminded Members that there have been no statutory objections to the proposal. Mr Bell felt that planners consideration of this application had been robust.

Councillor J Shiels asked for clarification on whether the agent had requested to speak at the meeting.

The Planning Manager advised that the agent has right of reply to objectors.

The Planning Manager confirmed that there had been a lot of unregulated activity at this site, he advised that should the proposal be approved it will be subject to ongoing control of NIEA. The Planning Manager advised Members that the proposal will bring about an inevitable degree of nuisance and that this would be the only sound reason on which to consider refusal of the application. He asked Members to consider if the level of nuisance would be deemed unacceptable.

Councillor J Shiels asked what benefit the study visit had in helping Members come to a decision.

Councillor McPeake advised that he did not take part in the recent study visit but had visited anaerobic digesters in the past and felt that these visits were important in observing how the technology operates.

Councillor McKinney advised that he did attend the study visit and was able to experience the scale and smell of the plant. In referring to the recent study undertaken the Councillor stated that this anaerobic digester was located in the countryside with the nearest dwelling around a ¼ mile away, Councillor McKinney further commented that some of the sheds located at Ballynakelly that are to be used for storage did not appear to be fit for purpose.

Councillor Robinson stated that the degree of nuisance is unknown at the proposed site and that the proposal was not suitable in a built up area.

In response to Councillor Glasgow's question the Planning Manager advised that the enforcement case related to this application will be considered "In Committee" later in the meeting.

Councillor Glasgow asked if activity at the proposed plant would be regulated.

The Chair, Councillor Kearney advised that the proposal under consideration would be subject to licence and would be visited on a monthly basis by NIEA.

Councillor Glasgow referred to the Council's mission statement "At the heart of the Community" and felt that should the committee approve this proposal Council would effectively be putting an anaerobic digester at the heart of a community which will have a lasting impact on the residents of Ballynakelly and the surrounding area.

Councillor Bateson asked if there is any history of unregulated activity at anaerobic digester plants.

The Planning Manager advised that he was aware of enforcement action taken with regard to unregulated activity at other anaerobic digesters and that he couldn't guarantee that there would not be a breach regarding this proposal in the future but that Members cannot make a decision based on fear of the unknown.

Councillor J Shiels felt that the location of the proposal will cause a genuine nuisance and disturbance and proposed that the application (M/2014/0340/F) be refused on these grounds.

Councillor Robinson seconded the proposal of Councillor J Shiels.

In response to Councillor Reid's question regarding pollution testing the Planning Manager advised that such testing would not be within the remit of the planning department and would be undertaken by Environmental Health or NIEA.

Councillor Mallaghan stated he was not convinced of the arguments not to approve the application.

Councillor Bell referred to potential benefits the proposal would bring to the community ie. Heating and electricity.

Members voted on Councillor J Shiel's proposal –

Proposed by Councillor Glasgow
Seconded by Councillor J Shiels and

Resolved That a recorded vote be taken on Councillor J Shiel's proposal.

For – 4 (Councillors Glasgow, McKinney, J Shiels and Robinson)

Against – 8 (Councillors Bateson, Bell, Clarke, Gildernew, Mallaghan, McAleer, McPeake and Mullen)

(Councillor McKinney left the meeting at 8.43 pm)

Councillor J Shiels felt that as there was only one proposal a vote should not have been required.

The Planning Manager advised that when the Councillors motion was put to the meeting four Members voted for and eight against, as the proposal was lost a counter proposal was not required and it was reasonable to assume the application had been approved as per the officers report.

The Council Solicitor advised that the decision to take a vote was not a legal one but a matter for the Chair of the committee.

Councillor Mallaghan felt that the Chair has the mandate to control the meeting and that this was now being challenged.

The Chair, Councillor Kearney read section of planning protocol relating to overturning an officers recommendation to approve an application.

In order to clarify the matter Councillor McPeake proposed the approval of planning application M/2014/0340/F.

Councillor Mallaghan seconded Councillor McPeake's proposal.

Members voted on Councillor McPeake's proposal –

For – 8

Against – 3

Councillor Glasgow raised concerns regarding how this application and other applications in the past have been determined and the need for the Council to be fair, honest and open in its decision making.

Members considered the remaining planning applications as per agenda.

M/2013/0527/F 45 dwellings (change of house type and reduction from 50 to 45 dwellings previously approved under M/2006/2098/F) at lands to the rear of 159-163 Ballagh Road and 120m E by SE of St John's Church, Fivemiletown for Raymond Acheson

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

Proposed by Councillor McAleer
Seconded by Councillor Reid and

Resolved That planning application M/2013/0527/F be approved subject to conditions as per the officers report.

H/2014/0181/DCA Redevelopment of site for offices, coffee shop, fitness centre and car parking at 29-35 High Street, Draperstown for H&A Mechanical Services Ltd

H/2014/0183/F Redevelopment of site for offices, coffee shop, fitness centre and car parking at 29-35 High Street, Draperstown for H&A Mechanical Services Ltd

Applications listed for refusal on the grounds stated in the officer's report.

The Planning Manager advised that the architect for these applications has indicated that the scheme will be looked at again and that the existing buildings will not be demolished. The Planning Manager recommended that the applications be deferred for further consideration.

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That planning applications H/2014/0181/DCA and H/2014/0183/F be deferred.

I/2014/0380/F Wind turbine on tubular tower of up to 50m (to hub height) with blades up to 65.5m (to tip height) at lands 207m E of 55 Tullaghmore Road, Stewartstown for Mr Gerard O'Neill

Application listed for refusal on the grounds stated in the officer's report.

Proposed by Councillor Mallaghan
Seconded by Councillor McPeake and

Resolved That planning application I/2014/0380/F be refused on grounds stated in the officer's report.

H/2014/0421/F Installation of a landfill gas management system and flare within the boundary of existing operational landfill site at Ballymacombs Landfill Site, Ballymacombs Road, Bellaghy for Mid Ulster District Council

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

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application H/2014/0421/F be approved subject to conditions as per the officers report.

Members present declared an interest in this application. (Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Kearney, Mallaghan, McAleer, McPeake, Mullen, Reid, Robinson, J Shiels.)

M/2014/0442/F Electricity generating wind turbine (hub height 30m, blade diameter 30m), hardstanding and 2 electrical kiosks at

**lands 450m SW of Cohannon House, Drumard Cross Road,
Dungannon for Reforce Energy Ltd**

Application listed for refusal on the grounds stated in the officer's report.

Councillor Glasgow requested that this application be deferred for an office meeting to allow for submission of further information.

The Planning Manager advised that the necessary bat surveys could not be undertaken until next year due to winter hibernation of bats.

Proposed by Councillor Glasgow
Seconded by Councillor Reid and

Resolved That planning application M/2014/0442/F be deferred for one month to allow for necessary information to be submitted and brought back to committee for determination otherwise authority is delegated to the Planning Manager to refuse the application.

**M/2014/0529/F Amendment to previously approved M/2007/0221/F to
provide 5 storey residential development of 30 apartments
at lands at 5 Park Road, Dungannon for J and V
Construction**

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

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew and

Resolved That planning application M/2014/0529/F be approved subject to conditions as per the officers report.

**M/2015/0004/F Housing development of 41 houses at Marfield, Killyman (8
detached and 33 semi-detached) and associated site works
at lands adjacent to and opposite 16 Tamnamore Road,
Killyman, Dungannon for Corove Ltd**

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

Proposed by Councillor Reid
Seconded by Councillor Glasgow and

Resolved That planning application M/2015/0004/F be approved subject to conditions as per the officers report.

**H/2015/0010/F Stables and tack store at approximately 70m NW of 175
Glen Road, Maghera for Mrs J Duffy**

Ms Doyle (SPO) presented a report on planning application H/2015/0010/F advising that it is recommended for refusal. Ms Doyle advised that further information had been received in relation to flood risk.

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 the committee of the need for the stables namely in case of emergency for veterinary attention, shelter in cold weather and the store of tack and fodder. Mr Cassidy felt that the concerns of Rivers Agency had now been addressed and that the land in question is held in probate which can be confirmed by a Solicitor. Mr Cassidy also questioned the need for a DARD map when the application is not considered agricultural activity.

Mr Cassidy also felt the application has no direct frontage onto the road and that a ribbon development is not being created as the closest building is 160m away.

The Planning Manager reminded agents that the Planning Act now requires the name and address of the applicant to be given on all documentation, that applications can no longer be made “care of” agent. The Planning Manager also stressed the importance of all documentation being correct. However, in order to clarify matters it was felt that it would be beneficial for the application to be deferred to allow consideration to be given to this application.

Proposed by Councillor Gildernew
Seconded by Councillor Bateson and

Resolved That planning application H/2015/0010/F be deferred.

The meeting recessed at 9.17 pm and recommenced at 9.30 pm.

M/2015/0060/F Alterations to previously approved house types under (M/2005/0519/F) to 22 dwellings at sites 84-90 and 67-81 at lands to the rear of Knockmoy Park, Gortevin Terrace and fronting Gortgonis Terrace Coalisland for J and V Construction

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

(Councillor Mallaghan declared an interest in this application)

Proposed by Councillor Reid
Seconded by Councillor Bateson and

Resolved That planning application M/2015/0060/F be approved subject to conditions as per the officers report.

LA09/2015/0029/O Dwelling and garage 40m N of 23 Ballynorthland Park, Dungannon for Philip McCarter

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

Proposed by Councillor Cuthbertson
Seconded by Councillor Reid and

Resolved That planning application LA09/2015/0029/O be approved subject to conditions as per the officers report.

LA09/2015/0120/F Retention of existing shed at 16 Mullaghteige Road, Bush, Dungannon for Trevor Falloon

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

Proposed by Councillor Gildernew
Seconded by Councillor Clarke and

Resolved That planning application LA09/2015/0120/F be approved subject to conditions as per the officers report.

LA09/2015/0265/F Dwelling and detached garage in substitution for previously approved dwelling at 90m NW of 15 Finglush Road, Caledon for Mr P Ewart

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

Proposed by Councillor Gildernew
Seconded by Councillor Bateson and

Resolved That planning application LA09/2015/0265/F be approved subject to conditions as per the officers report.

LA09/2015/0283/F Extension to spares department at 127 Ballynakilly Road, Coalisland for Euro Springs

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

Proposed by Councillor Reid
Seconded by Councillor Clarke and

Resolved That planning application LA09/2015/0283/F be approved subject to conditions as per the officers report.

LA09/2015/0339/F 2 semi-detached dwellings between 6 and 10 Martinvale Park, Maghera for Tom Scullion

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

Proposed by Councillor Bateson
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2015/0339/F be approved subject to conditions as per the officers report.

LA09/2015/0364/O Dwelling at lands adjacent to 57 Luney Road, Desertmartin for Adrian Walls

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

The Planning Manager advised that there had been a request to speak regarding conditions attached to the approval of this application however these issues have been resolved prior to the meeting. The Planning Manager requested that the condition in relation occupancy be amended to time lock occupancy to five years instead of in perpetuity.

Proposed by Councillor Robinson
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2015/0364/O be approved subject to conditions as per the officers report and amended condition in relation to occupancy (to time lock occupancy to five years).

LA09/2015/0412/F Retrospective application for the retention of 2 existing sheds and extension of domestic curtilage at 15 Drumaspil Road, Dungannon for Mr Robin Burke

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

Proposed by Councillor Robinson
Seconded by Councillor J Shiels and

Resolved That planning application LA09/2015/0412/F be approved subject to conditions as per the officers report.

LA09/2015/0416/F Single storey front extension for porch and sitting room; single storey rear extension for boiler, utility room and toilet; detached domestic garage and relocation of existing access to provide sight lines at 90 Ballynagarve Road, Magherafelt for Philip Doyle

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

Proposed by Councillor Clarke
Seconded by Councillor Bateson and

Resolved That planning application LA09/2015/0416/F be approved subject to conditions as per the officers report.

LA09/2015/0419/F Mobile office for Cookstown HPS approximately 130m NE of 73 Dungannon Road, Cookstown for Cookstown HPS

Application listed for refusal on the grounds stated in the officer's report.

Councillor Bell asked if the reasons for refusal given by TransportNI could be overcome.

The Planning Manager advised that his department will always try to work with TransportNI to resolve issues but in this case road safety is a concern and it would be difficult to argue.

Proposed by Councillor Clarke
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2015/0419/F be refused on grounds stated in the officer's report.

LA09/2015/0569/O Dwelling at 137 Mullaghmore Road, Dungannon for E Daphne Murphy

Application listed for refusal on the grounds stated in the officer's report.

Mr Marrion (SPO) confirmed that no case of need had been put forward by the applicant.

Councillor Reid proposed that this application be deferred for one month to allow for necessary information to be submitted and brought back to committee for determination otherwise authority is delegated to the Planning Manager to refuse the application.

In response to Councillor Mallaghan's question Mr Marrion advised that the applicant had been informed that their application was being presented at committee for refusal and still had not submitted the necessary information.

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew

That planning application LA09/2015/0569/O be refused.

Councillor Glasgow seconded Councillor Reid's proposal to defer the application for one month stating that this had happened for an application discussed earlier in the meeting.

Councillor Mallaghan withdrew his proposal.

Resolved That planning application LA09/2015/0569/O be deferred for one month to allow for necessary information to be submitted and brought back to committee for determination otherwise authority is delegated to the Planning Manager to refuse the application.

LA09/2015/0612/F Retention of re-oriented modular building opposite 30 Annaghmore Road, Moortown for John and Paula Quinn

Application listed for refusal on the grounds stated in the officer's report.

The Planning Manager advised that the planning officers report did not fully consider the case of need regarding this application and recommended that the application be deferred.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2015/0612/F be deferred.

LA09/2015/0646/F Replacement of the existing community hall and internal alterations to the existing changing, kitchen and meeting rooms at Ballymaguigan GAA Club, Shore Road, Magherafelt for Ballymaguigan GAA Club

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

(Councillor Bateson declared an interest in this application).

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved That planning application LA09/2015/0646F be approved subject to conditions as per the officers report.

LA09/2015/0738/F Change of use from retail premises to a café at 49 Irish Street, Dungannon for Denise Mullen

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

(Councillor Mullen declared an interest in this application and left the room).

Councillor Cuthbertson stated he was aware this business had been trading for the past month without planning permission and felt this sends out a wrong message to the public. The Councillor asked that this matter be fully investigated by the Chief Executive and if necessary should be handed over to the Ombudsman, Councillor Cuthbertson also asked for the opinion of the Council's Solicitor with regard to breach of code of conduct.

The Planning Manager advised that it was not uncommon for applicants to commence development prior to approval, and in doing so no criminal act would have occurred. The Planning Manager confirmed that the application had been considered correctly by officers and brought to the planning committee for determination.

Councillor Cuthbertson again advised he was aware the business has been operational for the past month and referred to the message going out to the public in relation to this matter.

Councillor McAleer questioned where Councillor Cuthbertson's information had come from.

Councillor Cuthbertson advised that anyone going past the premises would be aware that it was trading.

Councillor J Shiels advised that he was aware of Facebook pages indicating the business was operational and felt there was an obvious breach of conduct.

The Council Solicitor advised that it would not be within the vires of the Chief Executive to hand this matter over to the Ombudsman and stated that that decision would be for the Council to make.

Councillor McPeake felt that no law had been broken in relation to this application and asked that it be recorded that he did not want to be associated with the comments of Councillor Cuthbertson. Councillor McPeake proposed the approval of the application.

Councillor J Shiels advised of other businesses who have sought planning permission through the proper channels and have awaited approval before commencing trading.

Councillor Gildernew seconded Councillor McPeake's proposal.

The Planning Manager cautioned Members in that should this application be refused the applicant could lodge an appeal against the Council.

Councillor Mallaghan expressed his disbelief at the attack on the Councillor who is the applicant and felt this was a politically motivated attack.

Councillor Cuthbertson stated that his comments were not a political attack and referred back to an application determined earlier in the meeting which was for retrospective approval. The Councillor again asked the Council Solicitor to advise if the Councillor's/Applicant's actions were bringing the Planning Committee into disrepute.

The Council Solicitor directed Members to the Councillors Code of Conduct which gives advice in relation to making a complaint to the Northern Ireland Commissioner for Complaints regarding any alleged failure to comply with the Code of Conduct.

The Chief Executive also confirmed that Councillor Cuthbertson is at liberty to correspond directly with the Commissioner of Complaints regarding the issues he had raised.

Proposed by Councillor McPeake

Seconded by Councillor Gildernew and

Resolved That planning application LA09/2015/0738/F be approved subject to conditions as per the officers report.

Councillor McPeake felt that a planning workshop is required to remind Members of Planning Protocol, Scheme of Delegation and Code of Conduct.

The Planning Manager advised that the Planning Protocol is currently under review and that a workshop will be held after this review has been completed.

LA09/2015/0767/F Installation of new structural openings and windows at Council Offices, 44 Circular Road, Dungannon for Mid Ulster District Council

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

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2015/0767/F be approved subject to conditions as per the officers report.

Members present declared an interest in this application. (Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Kearney, Mallaghan, McAleer, McPeake, Mullen, Reid, Robinson, J Shiels.)

Councillor Cuthbertson asked if the additional cost of the windows was contained within the cost of the contract.

The Chief Executive advised he would provide detail to Member.

M/2014/0021/F Amendment to previous application (M/2007/1244/F) to provide 13 additional apartments (overall total 19 apartments) at 11 Laureen, Moy for Colin McKee

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

(Councillor McPeake declared an interest in this application).

Proposed by Councillor Gildernew
Seconded by Councillor Bateson and

Resolved That planning application M/2014/0021/F be approved subject to conditions as per the officers report.

I/2014/0361/O Off-site replacement dwelling and garage with existing access closed and re-located at site approximately 310m SE of 66 Loup Road, Moneymore for Sean McVey

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

Proposed by Councillor Bateson
Seconded by Councillor Bell and

Resolved That planning application I/2014/0361/O be approved subject to conditions as per the officers report.

H/2015/0002/F Change of access to previously approved dwelling and garage (H/2013/0437/RM) at lands 120m SE of 27 Glengomna Road, Draperstown for Martin Bradley

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

(Councillor McPeake declared an interest in this application).

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved That planning application H/2015/0002/F be approved subject to conditions as per the officers report.

LA09/2015/0087/O Dwelling and garage 20m N of 43A Belagherty Road, Ballyronan for Lisa McCloskey

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

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That planning application LA09/2015/0087/O be approved subject to conditions as per the officers report.

LA09/2015/0232/F Retention of existing 2 storey building (domestic garage, tool store and workshop to ground floor and storage to 1st floor) and associated site works at 10 Tamlaghtmore Road, Cookstown for Mr Mark Hamilton

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

Proposed by Councillor Reid
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/0232/F be approved subject to conditions as per the officers report.

LA09/2015/0349/F Carry-out food unit at land opposite 89 Westland Road South, Cookstown for Rea Developments Ltd

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

(Councillor Glasgow declared an interest in this application).

Proposed by Councillor Reid
Seconded by Councillor J Shiels and

Resolved That planning application LA09/2015/0349/F be approved subject to conditions as per the officers report.

(Councillor Gildernew left the meeting at 10.10 pm)

Matters for Information

P127/15 Provisional Planning Performance Statistics

The Head of Development Management referred to previously circulated report regarding provisional performance for Development Management and Enforcement for the period 1 April 2015 to 30 June 2015 and advised that the average processing times for local development applications show that it took 16 weeks to determine 50%. The target is to determine 50% within 15 weeks. The fact that Mid Ulster was one week over target for local development applications was not considered a serious concern at the moment given the level of change that has occurred within planning during the last six months.

The Planning Manager advised that this Council compares well to other Councils.

Councillor Mallaghan agreed that this has been a disruptive period for planners and was in no doubt targets will be met in the future.

The Planning Manager advised that no other Council Planning Committee had dealt with the number of applications Mid Ulster has.

Councillor Bell commended officers who have continued to do an excellent job throughout the changeover.

Councillor Cuthbertson also conveyed his thanks to the Planning Manager and his staff for the work done within the planning department.

The Chair, Councillor Kearney referred to recent event he attended in which Mid Ulster was used as a flagship for community planning. The Chair commended everyone on their huge commitment to planning and the planning committee.

Councillor Reid referred to the large planning workload and concurred with all previous comments.

P128/15 Report of Delegated Decisions Issued in September 2015

Members noted the content of the report of delegated decisions issued in September 2015.

P129/15 Enforcement Appeal Decisions Received

The Head of Development Plan and Enforcement presented previously circulated report advising Members of recent decisions by Planning Appeals Commission.

Members noted the content of the report.

CONFIDENTIAL BUSINESS

Proposed by Councillor Bell
Seconded by Councillor J Shiels and

Resolved That items P130/15 and P135/15 be taken as confidential business.

P136/15 Duration of Meeting

The meeting was called for 7.00pm and ended at 10.57 pm.

Chair _____

Date _____

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 November 2015 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor S McGuigan, Chair

Councillors Ashton, Bateson, Buchanan, Cuddy, Elattar, Forde (7.09 pm), McKinney (7.01 pm), McLean, McPeake, Mallaghan, Molloy, M Quinn (7.08 pm), T Quinn and Totten

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Canavan, Lead Human Resources Officer
Ms Mezza, Head of Marketing Communications
Mr Moffett, Head of Democratic Services
Mr O'Hagan, Head of ICT
Mr JJ Tohill, Lead Officer for Finance
Mrs Grogan, Committee Services Officer

Others in Attendance

Mr Derek McCallan, NILGA
Ms Karen Smyth, NILGA

The meeting commenced at 7.00 pm.

PR151/15 Apologies

Councillor Gildernew.

PR152/15 Declaration of Interest

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

PR153/15 Northern Ireland Local Government Association (NILGA)

The Chair, Councillor S McGuigan welcomed Mr Derek McCallan and Ms Karen Smyth to the meeting.

Mr McCallan gave a synopsis of the work carried out by NILGA which included:

- Representative body for Councils in Northern Ireland
- Regional policy advice and analysis on critical issues
- Develops, improves and speaks up for local government
- £47 million for reform and a better LG Act
- Practical investment advice and on "New Burdens" (coming)
- Led by, and accountable to, the 11 District Councils
- Builds strong local government – getting political leadership to combine across parties – meeting needs of our sector and the community it serves

Mr McCallan stated that the new NILGA working groups and regional work includes:

- Planning WG
- Economic, European and Rural Development WG
- Member Development WG
- Councillors Guide
- Waste Guide
- New Burdens Doctrine
- Power of General Competence
- Toolkit for Investment
- Locals Government's main political corporate network, events provider and strategic forum
- Regional Political representation (eg CoR, UK Infrastructure Body)
- Working Planning WG

Two member networks are proposed to enhance the two current NILGA core Working Groups and aligned to officer groups, meeting just twice per year:

- Community Planning and Well-being
- Planning and Regeneration

The purpose of each network is to enable regional sharing of information, good practice, identification of barriers to effective working and issues requiring regional lobbying activity, which NILGA performs in association with Councils and SOLACE.

Councillor M Quinn entered the meeting at 7.08 pm.

Councillor Forde entered the meeting at 7.09 pm.

The networks will also focus on learning from elsewhere to enhance regional member development, particularly in neighbouring jurisdictions. NILGA wants to make sure that each of the 11 councils are directly involved in the two network discussions and feeds back the learning from them.

Councils spend £950 million per annum on vital elements like Community Planning & Well-being and Planning & Regeneration. There is much to learn from others, including how not to do things. Shared Services represent 65% (£9 billion) of what Councils do elsewhere.

The forums have been suggested by elected members of Councils and NILGA wishes to ensure that all Councils are included in the learning and the best practice that can be brought into Northern Ireland for free.

The Chair, Councillor S McGuigan thanked the group for their presentation and asked for any comments from members.

Councillor Cuddy stated that there was a need for new Councils to be conscious of their spend and not let things get out of control.

Mr McCallan advised that there was a 50% reduction on spend from 2011, extreme value for money for organisations through investment by NILGA. Council's contribution of £40,000 per annum sees a huge return on investment and support.

Ms Smyth stated that there is a need for a taskforce to take on board prioritising of resources and important issues.

Councillor McPeake declared an interest in NILGA as an Office Bearer

Councillor McPeake advised that in his experience there was a community strength and value from NILGA as Councils were facing uncertain times ahead as the DoE were driving things their way. He said that it would have been a much poorer place without the support of NILGA as they secured £47 million. There cannot be a monetary value on what NILGA has achieved through unity and strength.

Councillor McLean advised he hadn't any issues relating to NILGA but was curious to find out the following:

1. Do NILGA have confidence in having all party support going forward?
2. The remit going forward
3. How larger councils like Belfast are approaching NILGA support

Mr McCallan replied that Councillor McLean had raised three pertinent points and in reply to each question stated:

1. There is recognition by NILGA that they would be working for all of the 11 Councils as part of next Programme for Government.
2. NILGA has issued an independent review for consultation and Councils are doing new things, so in view of this NILGA are also doing new things for the new Councils. NILGA will support and will be led by the 11 Councils.
3. Belfast City Council issued a seven page response to the review declaring their commitment to being part of 11 council NILGA, with the Charter Award by 2019.

Councillor Mallaghan stated that although he had only been a member of NILGA for the last few months, he is very aware of how it has brought the four main parties from the 11 different Councils together, with the Standing Orders being drawn up as being an example. He stated that it's not always possible to depend on Central Government on local matters such as the dairy and farming crisis in Northern Ireland.

Councillor M Quinn said that he sat on the Partnership Panel and wasn't aware of the invaluable work carried out by NILGA. He felt that there was a strength going forward with the 11 Councils coming together.

The Chairman, Councillor S McGuigan thanked the representatives for their presentation and they withdrew from the meeting.

PR154/15 Receive and confirm minutes of the Policy and Resources Committee held on Thursday 8 October 2015

Proposed by Councillor McPeake
Seconded by Councillor Molloy and

Resolved: That the minutes of the meeting of the Policy & Resources Committee held on Thursday 8 October 2015 (PR133/15 - PR141 and PR150/15) were considered and signed as accurate and correct.

Councillor Mallaghan referred to item no. PR95/15 at 4 June 2015 meeting and advised that he was nominated to be a panel member in relation to the Chief Executive Appraisal Procedure, but unfortunately he wouldn't be able attend and would like to nominate Councillor McPeake to take his place.

Councillor McPeake agreed to attend in Councillor Mallaghan's place.

The Chief Executive left the meeting at 7.26 pm at the beginning of previous discussion on PR154/15 and returned at 7.27 pm.

Matters for Decision

PR155/15 Response to NILGA Consultation on Programme for Local Government

The Head of Democratic Services drew attention to the previously circulated document and advised that NILGA was currently consulting on a discussion paper entitled Developing a Programme for Local Government 2016-2020. A draft response had been prepared and commentary was sought on the final submission.

Councillor McPeake commended the paper and felt that it was a good and balanced response with NILGA and Councils waiting to the end of the current mandate before further powers are transferred.

The Chief Executive advised that at a previous Party Representatives meeting it was agreed that it would be beneficial to invite NILGA to the meeting to hear and discuss their activity. It was agreed that a draft response would be developed and brought back to the next Policy & Resources Committee meeting on the NILGA Review consultation.

Proposed by Councillor McPeake
Seconded by Councillor McLean and

Resolved: That it be recommended to the Council to approve the draft response to NILGA consultation on Developing a Programme for Local Government 2016-2020.

PR156/15 Policy on Receptions

The Head of Democratic Services drew attention to the previously circulated report to consider and agree a Council policy for providing Receptions to acknowledge the achievement of individuals and organisations from the Mid Ulster District Council area.

Councillor Mallaghan referred to item 5.3 of the Receptions Policy and suggested moving Anniversary events from Civic to Chair and Deputy Chair Receptions.

In response to Councillor Cuddy's query on who can be invited to receptions and if more than one could be held on the same night, the Chief Executive advised that the policy states that all Councillors can be invited to Civic Receptions and it's at the Chair's discretion who can be invited to Chair's Receptions. In reference to hosting more than one individual/ group at the same reception he indicated that as there was currently an extensive list of receptions to be held this can be achieved by inviting a few groups along on the same night, such as Sporting groups.

Councillor Ashton stated that if Council functions were being referred to Chair and Deputy Chair to host, this could get out of control with budget being abused.

Councillor McLean felt that the policy needed a bit more work as there was too much flexibility which could be used and abused.

It was added that if something does not meet the criteria for a Civic reception, this could be referred to the Chair and Deputy Chair to take on which may leave them very vulnerable as everyone may think they are entitled to a reception, with perhaps no budget available.

Councillor McPeake agreed with Councillor Mallaghan and said that it took the pressure off the Chair and Deputy Chair as there is a need not to be tied too much.

In response to a query from Councillor Buchanan regarding classification between Ulster and Northern Ireland levels, the Chief Executive advised that these could be recognised within one of the reception categories.

Councillor McKinney suggested continuing it for a year to see how it goes.

Proposed by Councillor Mallaghan
Seconded by Councillor McPeake and

Resolved: That it be recommended to the Council to change Anniversary events in item 5.3 from Civic to Chair.

Proposed by Councillor McKinney
Seconded by Councillor McLean and

Resolved: That it be recommended to the Council to adopt the Policy subject to changing Anniversary events from Civic to Chair and Deputy Chair Events.

PR157/15 Extension of New Phone System at Gortalowry House, Burnavon Arts & Cultural Centre and Mid Ulster Sports Arena

The Head of ICT drew attention to the previously circulated report and advised it was to inform Council of the requirement and recommend the extension of the existing phone system to three other service buildings mainly, the Burnavon, Gortalowry House and Mid Ulster Sports Arena via a direct award.

In response to Councillor Cuddy's query regarding the savings moving forward, the Head of ICT had indicated that the cost savings had not been expressly identified but there would be saving in the reduction of landlines calls made by users who would only be making internal calls to other staff in the new arrangements as well as saving time and increasing productivity and inter council communication.

In response to Councillor Mallaghan's query regarding Gortalowry House not belonging to Mid Ulster District Council and what would happen if staff relocated, the Head of ICT advised that there was no other hardware installed only phone that will extensions that will operate from the existing Cookstown Council offices system.

The Head of ICT advised that the long term plan is to bring Cookstown Leisure Centre, Meadowbank and Maghera Leisure Centre on board within the next year subject to prioritised budget.

Resolved: That it be recommended to the Council to extend the current Unified communications to Burnavon, Gortalowry House and Mid Ulster Sports Arena.

PR158/15 Rates Estimates 2015/16 Timetable Report

The Lead Finance Officer drew attention to the previously circulated report to inform Members of the Rate Estimates timetable and seek agreement to dates scheduled therein for Member engagement.

Proposed Date and Time	Venue	Purpose	Suggested Attendees
Monday 16 November 2015 – 5 pm	TBC	Party Group Leaders' Meeting to discuss initial Rate proposals	Party Group Leaders and Chief Executive
Thursday 3 December 2015 – 7 pm	Magherafelt	"In Committee" Policy and Resources Committee to discuss 'initial' Rate proposals	All Members
Thursday 17 December 2015 – 7 pm	Dungannon	"In Committee" full Council discussion re Rate proposals	All Members
Wednesday 13 January 2015 - 7 pm	Cookstown	"In Committee" Policy and Resources Committee to discuss Rate proposals	All Members

Thursday 28 January 2016 - 7 pm	Dungannon	"In Committee" full Council discussion re Rate proposals	All Members
Thursday 11 February 2016 - 7pm	Dungannon	"In Committee" Policy and Resources Committee to discuss 'final' Rate proposals	All Members
Thursday 11 February 2016 - 7 pm	Dungannon	Special Council meeting to strike rate	All Members

Proposed by Councillor Mallaghan
Seconded by Councillor McLean and

Resolved: That it be recommended to the Council to agree the proposed schedule for Member engagement on striking of the Rates.

Matters for Information

PR159/15 Council Corporate Improvement Plan Update to September 2015

The Head of Democratic Services drew attention to the previously circulated report providing Members with monitoring information to the end of Quarter 1 (Apr - June) and Quarter 2 (July - Sept) for review showing performance against council's 2015-16 Corporate Improvement Objective. The report also provided a six month update review on the Council's Service Improvement Plans (SIPS) for 2015/16

The Chief Executive referred to reporting on statutory and corporate performance indicators and a report would be brought before the next meeting of the committee.

Resolved: That it be recommended to the Council to note the contents of the report with reference to the Corporate Improvement Plan.

Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Forde and

Resolved: That items (PR160/15 to PR165) be taken as confidential business.

PR166/15 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.50 pm.

Chair _____

Date _____

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 November 2015 in Council Offices, Burn Road, Cookstown**

Members Present	Chair, Councillor McFlynn (Chair) Councillors Buchanan, Burton, Cuddy, Cuthbertson, Gillespie, Glasgow, Kearney, McGinley, 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 Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services/ Senior Admin Officer
Others in Attendance	Agenda Item 3 – Karen Douglas, Service Manager, The Rowan Sexual Assault Referral Centre

The meeting commenced at 7.00 pm

E199/15 Apologies

None.

E200/15 Declarations of Interest

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

E201/15 The Rowan – Sexual Assault Referral Centre

The Chair welcomed Ms Douglas, Service Manager from The Rowan Sexual Assault Referral Centre to the meeting and invited her to make her presentation.

Ms Douglas advised Members that The Rowan is the regional Sexual Assault Referral Centre (SARC) for Northern Ireland, it is co-funded on a 50:50 basis by PSNI and the Health and Social Services Board. The Rowan is located at the Antrim Area Hospital site.

Ms Douglas advised that The Rowan is a one stop centre which delivers a comprehensive and co-ordinated inter-agency response to all victims of sexual assault and rape, irrespective of age, gender, sexual orientation, ethnicity or geographical location.

Ms Douglas continued to brief Members on the referral process and advised on the support, advice and care offered at The Rowan since it opened in May 2013. Ms Douglas also highlighted Section 5 of the Criminal Law Act (Northern Ireland) 1967 which relates to the penalties for concealing offences and advised that this section of the law is under consideration of being brought in in England.

The Chair, Councillor McFlynn referred to increase in domestic violence as discussed at PCSP meetings.

Councillor McNamee advised that legacy Council had undertaken visit to The Rowan and he commended The Rowan team on its work. The Councillor stated that the facts and figures presented tonight were disturbing.

In response to Councillor S McGuigan, Ms Douglas advised that The Rowan is commissioned for 500 referrals per year, since opening in May 2013 the centre has offered support to over 1600 individuals. With regard to Section 5, Ms Douglas advised that individuals are made aware of this as part of communications.

In response to Councillor Cuddy's questions Ms Douglas advised that GPs will be aware of The Rowan and its services and can refer individuals, in reference to increased population of foreign speakers Ms Douglas advised that language has not been a barrier in individuals coming forward for support.

Councillor McGinley referred to follow up services and if these were adequate.

Ms Douglas advised that follow up services are offered by numerous organisations, however there is a 9/10 week waiting list for these services. Additional funding for services can be sourced through various charitable organisations.

Councillor McGinley felt that central government has a role to play in funding for follow up services.

The Chair, Councillor McFlynn asked if funding for The Rowan was secure.

Ms Douglas advised that The Rowan is supported by statutory funding and did not feel the centre would encounter funding difficulties in the future.

The Chair thanked Ms Douglas for the presentation following which she withdrew from the meeting at 7.30 pm.

E202/15 Receive and confirm minutes of the Environment Committee meeting held on Tuesday 13 October 2015

Councillor McNamee referred to E179/15 and asked if a meeting had been arranged/taken place with TransportNI to discuss agreement in relation to council assistance with footpath snow/ice clearance.

The Director of Environment and Property advised that a modified Memorandum of Understanding was returned to TransportNI for their consideration, to date a response has not been received. The Director advised he was aware of the season and would follow up on arranging a meeting with TransportNI.

Councillor Burton advised of significant leaf fall on footpath on entry to Moygashel, which is causing a slipping hazard. The Councillor requested clean up of leaves.

Councillor Burton referred to E184/15 and asked if detail of commission costs could be provided for recent sale of surplus fleet and plant.

The Head of Environmental Services advised that commission charged by one of auctioneers used recently was 15%.

In response, Councillor Burton advised of auctioneers within the district and felt that, going forward, Council should be using these local services for future disposal sales.

Councillor Cuthbertson thanked the Director of Public Health and Infrastructure and his team for their assistance with regard to recent incidents in Moy. The Councillor also referred to recent press article in relation to teenage drinking at local Halloween bonfire and the need to address underage drinking.

The Director of Environment and Property referred to E185/15 and advised that the Stormont Environment Committee will visit Council on 3 December. The Director advised that, as part of the visit, it is intended to bring the Committee to Maghera Walled Garden and that this would be an opportunity for Council Members to view the Garden also.

Proposed by Councillor Cuthbertson
Seconded by Councillor McNamee and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 13 October 2015 (E173/15 – E190/15 and E198/15) were considered and, subject to the foregoing, signed as accurate and correct.

Matters for Decision

E203/15 Food Waste Regulations and provision of compostable liners

The Head of Environmental Services presented previously circulated report which updated Members with regard to the introduction of the Food Waste Regulations (Northern Ireland) 2015 and sought approval to provide a limited quantity of compostable liners for kitchen caddies to householders free of charge subject to funding being secured.

Councillor Cuthbertson asked if funding is likely to be secured for the liners.

The Head of Environmental Services advised that obtaining funding for the compostable liners could be difficult but remained hopeful, he further commented that the use of the liners in kitchen caddies helps to improve participation in food waste collection and provision of the liners may be a small price to pay in future if it offers the evidence needed to satisfy NIEA that a separate food waste collection is not required.

Councillor B McGuigan asked how separate food waste would be collected.

The Head of Environmental Services advised that the food waste would be collected in a larger kerbside caddy rather than the brown bin as happens now.

The Director of Environment and Property advised of the cost issue to change to a separate waste collection and stated that a trial would be required to measure the amount of food waste collected separately as opposed to the way it is collected now (co-mingled with green waste) . The Director advised he was satisfied that a co-mingled collection could continue and added that additional liners sold by Council will be at cost price to the public.

Councillor Glasgow asked if there is a danger of Council having a large quantity of liners left which cannot be sold.

The Director of Environment and Property advised that the former Magherafelt Council sold liners to the public and there was no issue with leftover liners.

Councillor Gillespie commented that as the amount of green waste reduces over winter months, it may be an opportune time to measure the amount of food waste being collected.

Councillor B McGuigan felt that Council needs to encourage the use of Council supply of liners and that this could be done via Council website.

Councillor Glasgow felt there could be a danger of all waste reverting back to the black bin if collections are made over complicated.

In response to Councillor Cuddy's question as to whether Council will be forced to make a separate food waste collection in future the Head of Environmental Services advised those who have a separate collection scheme in operation have not found it as successful as first thought.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to approve the provision of one roll of compostable liners to each household in the district subject to funding being secured. Additional liners to be made available for sale at all recycling centres across the district and other council facilities were practicable.

E204/15 TransportNI proposals to Mid Ulster District 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.

Resolved That it be recommended to Council to endorse the proposals submitted by TransportNI as follows –
§ Proposed 20mph speed limit at Meadowbank Road, Magherafelt
§ Proposed Disabled Parking Bay at Northland Row, Dungannon

- § Proposed No Waiting at Any Time at Northland Row, Dungannon
- § Proposed No Waiting at Any Time at Castlcaulfield Road and Pomeroy Road, Donaghmore
- § Proposed Loading Bay at Scotch Street Centre, Dungannon

E205/15 Affordable Warmth Scheme

The Head of Environmental Health presented previously circulated report which advised Members on the current position of the Affordable Warmth Scheme and a proposed pilot within the scheme commencing 2 November 2015 to year end. The proposed pilot asks Council to assist the Housing Executive to complete eligibility checks for cases already referred to them.

Councillor McNamee whilst agreeing with the way forward, had a number of concerns regarding Council taking on a further workload without funding.

The Head of Environmental Health advised that although the work is different it is not additional as the number of referrals will be reduced. It was advised that the pilot being proposed will only be for a temporary period.

Councillor McGinley felt the Affordable Warmth Scheme is failing and questioned why Council has to pick up duties of Housing Executive. The Councillor also asked for clarification on a number of points –

- Council expenditure on staffing and admin of Affordable Warmth Scheme
- Out of the 530 homes already assessed – how many have gone through whole process
- If a home has lost funding due to not being able to source a contractor

The Director of Public Health and Infrastructure advised that staff and admin costs are fully funded.

The Head of Environmental Health agreed to feedback specific figures to the Member but added that it would be important for Council to assist the Housing Executive now in order to avoid a further backlog of referrals.

Councillor McGinley felt that Council needs to raise its concerns with Department of Social Development.

The Director of Public Health and Infrastructure advised that Council would write to DSD and express its concerns regarding the Affordable Warmth Scheme.

In response to Councillor B McGuigan's question the Head of Environmental Health advised that the Scheme will continue to look at high priority cases and clarified that all eligible cases will be processed but just not as quickly as hoped.

In response to Councillor Mullen's question the Head of Environmental Health advised that a household income should be less than £20,000 in order to be eligible for the Scheme.

Councillor Cuddy asked why Environmental Health staff carry out the assessments for Affordable Warmth Scheme and if staff could be sourced from elsewhere to undertake these assessments.

Councillor McGinley advised that Affordable Warmth Scheme became part of Environmental Health duties when the new Council was formed in April.

Councillor McFlynn felt the Environmental Health staff have been very efficient in processing referrals to date.

In response to Councillor J O'Neill's question the Director of Public Health and Infrastructure advised that officer training was organised and funded by DSD.

- Resolved** That it be recommended to Council to:
1. Assist with proposed pilot within Affordable Warmth Scheme as per report.
 2. Write to DSD to express concerns of Council regarding taking on further workload to assist Northern Ireland Housing Executive without additional funding.

E206/15 Response to Consultation on Food Standards Agency Food Law Code of Practice (Northern Ireland)

Members considered previously circulated report which detailed the consultation response to the proposed changes to the Food Standards Agency's Food Law Code of Practice (Northern Ireland).

- Resolved** That it be recommended to Council to endorse the consultation response of the Environmental Health Department as returned to the Food Standards Agency Food Law Code of Practice (Northern Ireland).

The Chair, Councillor McFlynn thanked the Environmental Health team for their assistance in resolving a recent issue.

E207/15 Information Sharing Protocol between Northern Ireland Housing Executive and Mid Ulster District Council

Members considered previously circulated report seeking approval to sign an information sharing protocol between the Council and Northern Ireland Housing Executive for the purpose of regulating the Private Tenancies (NI) Order 2006.

- Resolved** That it be recommended to Council to approve the terms of the Northern Ireland Housing Executive Information Sharing Protocol as outlined in report.

Matters for Information

E208/15 Car Parking at Dungannon Courthouse

Members noted previously circulated report which detailed a response from the Department of Justice regarding off street car parking at Dungannon Courthouse.

E209/15 Recycling for Schools Education Programme

Members noted previously circulated report regarding the launch of the Recycling for Schools Education Programme.

E210/15 Tullyvar Landfill Site – Joint Committee Update

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

E211/15 Building Control Report

Members noted previously circulated report which updated Members on the workload for Building Control across Mid Ulster District Council.

E212/15 Entertainment Licensing Applications

The Head of Building Control presented previously circulated report which provided Members with an update on Entertainment Licensing Applications across Mid Ulster District Council.

The Director of Public Health and Infrastructure highlighted that following a recent application and public notice for renewal of licence a formal complaint was received. The Director advised that the application will be brought to a future meeting of the Committee for consideration.

E213/15 Environmental Health Business Plan, Food Service and Health & Safety Unit Plan

Members noted previously circulated report regarding the Environmental Health Service Business Plan, Food Service Plan and Health and Safety Unit Plan.

E214/15 Mid Ulster Fuel Stamp Scheme Launch

Members noted previously circulated report regarding the launch of the Mid Ulster District Council Fuel Stamp Scheme.

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved That items E215/15 – E225/15 be taken as confidential business.

E226/15 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.22 pm.

CHAIR _____

DATE _____

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 12 November 2015 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor Burton, In the Chair

Councillors Clarke (7.01 pm), Dillon, Elattar, Forde (7.05 pm), McAleer, McEldowney, McNamee, Molloy, Monteith, T Quinn, Reid, G Shiels (7.05 pm) and Wilson

Officers in Attendance

Ms Campbell, Director of Culture and Leisure
Mr McCreesh, Director of Business and Communities
Mr Glavin, Head of Leisure
Mr Hill, Head of Parks
Mr Kelso, Director of Public Health and Infrastructure
Ms Linney, Head of Community Services
Mr McCance, Head of Culture and Arts
Ms McKeown, Head of Economic Development
Ms Grogan, Committee Services Officer

Others in Attendance

Agenda Item 3: SONI

The meeting commenced at 7.00 pm.

D209/15 Apologies

Councillor C O'Neill

Councillor Monteith gave his apologies for having to leave the meeting early tonight

D210/15 Declaration of Interests

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

D211/15 SONI

The Director of Business and Communities updated the Committee on the current situation regarding the interconnector and advised that a response from Mid Ulster District Council to DOE Strategic Planning Division's consultations O/2009/0793/F and O/2013/0214/F had been issued on the 23rd October 2015.

The response stated that although Mid Ulster District Council were supportive of the establishment of the North/South interconnector and the work that will flow from it, particularly as it affects Mid Ulster District Council, they would not support the establishment of an overhead line. It was asked that the applicant give consideration to the laying of underground cabling so as to ensure that there is no negative impact on the heritage, tourism and habitats of the area.

The Council feel it is important that all objections and representations to the proposals are fully considered and that anyone, including Councillors, who have made representations are given adequate opportunity to put forward any concerns at any subsequent public examination.

In the event of planning permission being granted for this development, it is assumed that conditions will be imposed which will become the responsibility of this Council to enforce. DOE Strategic Planning are therefore requested to consult with the Planning Department of Mid Ulster District Council before issuing any permission subject to conditions.

Mid Ulster District Council expresses concern regarding timescales set for consultation which are unreasonable in that an application of this scale needs to be presented to members for comment. It is asked that in future consultations, a period is given which allows for the case to be presented in an informed manner to the monthly Council meeting. It should be noted the consultation period on the applications giving three weeks for a response is in conflict with Regulation 22 of the Planning (Environmental Impact Assessment) Regulations (NI) 2015, which gives a period of not less than 4 weeks notice for any consultation response.

The Chair, Councillor Burton welcomed Mr David de Casseres and Mr Shane Brennan and other representatives of SONI to the meeting.

Mr de Casseres gave a brief synopsis of the work carried out by SONI and advised that it's an 'All-island Wholesale Electricity Market.

He updated the members on current projects in Mid Ulster District Council area and stated that one such project is Brockaghboy 110Kv Renewables.

This will connect consented wind farm in Brockaghboy and strengthen local transmission network. Proposal includes approximately 19 kms of 110kV overhead transmission line from the townland of Brockaghboy, south west of Garvagh, to the townland of Magheraboy, Rasharkin.

The extensive pre-application community consultation – events in Kilrea Town Hall and Garvagh Community Building during 2015 with further consultation events being held on 23rd and 24th November 2015 with all Councillors receiving an invitation to attend. Planning application to be submitted to Mid Ulster District Council and Causeway Coast & Glens Borough Council during December 2015.

Mr Brennan drew attention to 400Kv North South Interconnector outlining the security of supply and its importance to Northern Ireland. This included:

- Improving Competition
- Secure Electricity Supply
- Renewable Energy Integration
- Job Creation
- Investment
- 14m Customer Savings per year

He outlined what was being proposed:

- Joint project between SONI and EirGrid
- 400Kv overhead lines to link the electricity networks in NI and ROI
- Key facts about the proposal:
 - 204m total capital investment
 - 1 new substation in NI at Turleenan, Co. Tyrone
 - 34km in NI – 138km along the entire route
 - 102 new pylons in NI – 401 along the entire route
 - 170 landowners in NI – 626 along the entire route
 - Crosses counties Tyrone, Armagh, Monaghan, Cavan & Meath

The overhead line will traverse lands to:

- Benburb
- Blackwatertown
- Killylea
- Madden
- Derrynoose

It will cross the border into Co. Monaghan between Derrynoose and Clontribret.

The most cost effective and reliable option:

- 400Kv overhead line is a proven technology over this route length
- Undergrounding 400Kv cable of this length hasn't been done anywhere in the world
- HVDC underground link (rather than AC) offers significant technical risk
- Undergrounding would result in much greater environmental impact
- Repairing underground cables presents much greater delay, cost and disruption
- Undergrounding would result in a disproportionate cost (3-5 times more than overhead lines) which would ultimately be borne by consumers

Pre-application engagement included:

- **Public Information Days**
 - Moy Village June 2007
 - Killylea Village June 2007
 - Marketplace Theatre Armagh October 2007
- **Stakeholder Engagement**
 - Presentation to Councils
 - Briefings with Local Elected Representatives
 - Issue of Stakeholder Information Packs
 - Information Letters issued to 3000 landowners within 1km of the route
 - Direct landowner engagement
- **Public Information Days/Project Offices**
 - Information office in Armagh City Hotel from June – August 2015
 - Publicly advertised in local press
 - Notification sent to Mid Ulster and ABC Councils for circulation to Councillors
 - Project office opening in Armagh from October 2015
- **Stakeholder Engagement**

Landowners provided with details of recent environmental submission – June 2015

Community Update Brochure – July 2015

Ongoing engagement with landowners, political representatives and Councils

- **Media**

Ongoing engagement with local media – newspaper and radio interviews

Newspaper advertising

Website, email and social media presence established

A full-time Agricultural Liaison Officer has been appointed to engaging with farmers and landowners to discuss the siting of new lines and cables, lands, access and compensation.

Mr Brennan updated members on the current status of North South Interconnector Planning:

- New application submitted by EirGrid to An Bord Pleanála in June 2015
- ES addendum submitted by SONI to DOE Planning in June 2015
- Department of Environment (DOE) now collating information required for Planning Appeals Commission (PAC) to recommence Public Inquiry
- Public Inquiry hearing expected to take place during Q1 2016 with a decision expected from the Environment Minister by year end
- Construction expected to be completed by 2020

In his summary, Mr Brennan advised that:

- SONI is committed to effective stakeholder engagement
- NSI will ensure security of supply, generate £14m pa customer savings, support renewable energy generation, enable economic growth, investment and job creation
- SONI would welcome support from MUDC once the Planning Appeals Commission recommences the Public Inquiry process
- MUDC delegation welcome to visit SONI HQ and view the control centre operation

The Chair, Councillor Burton thanked the representatives for their presentation and asked for members comments.

Councillor Dillon raised the following comments/questions:

- 1) Concerned about the issue of businesses being referred to Belfast if they require electricity supply, does this mean this could be achieved more locally?
- 2) What would the community benefit be?
- 3) How close can pylons be to homes and businesses?

Councillor Clarke raised the following comments/questions:

- 1) Moyle Interconnector presently at half power when would it be at full capacity?
- 2) Cost of Electricity?
- 3) 1500 Mega Watt North and South
- 4) Connection of renewables and how NI cannot compete with elsewhere.
Business are going under due to the cost of electricity and feels that there is

nothing in the presentation to convince him of anything different from any other company.

- 5) 102 pylons in north, which is a high number
- 6) The cost is irrelevant compared to health concerns, landscape, scenery etc.

Mr Brennan took on board questions and comments from Councillor Clarke and advised that an analysis had been carried out by EirGrid in 2009 which included a study by PB Power, looked at the engineering, environmental and cost issues associated with undergrounding a project of this nature. The report concluded that overhead power lines were the cheapest and most secure option for the planned power lines in the North East.

There is a reasonable level of experience of underground development at lower voltages, however at 400kV, the voltage required for this project, many of the technical challenges have not been overcome and there are no underground cable developments anywhere in the world at this scale and voltage. EirGrid concluded that attempting to develop this project on an underground basis would at best be a high-risk experiment, which may well result in failure, could waste many hundreds of millions of customer's money and would jeopardise security of supply to the north-east region and indeed to the electricity system throughout Ireland.

In response to 102 pylons in Northern Ireland, Mr Brennan advised that the average span was between 300 – 350 metres between each tower. There is every effort to avoid constraints and dwellings where possible.

In relation to savings for the consumer it is anticipated to have savings of £54m by 2020 and £85m by 2030 which will help businesses in the long term.

The Moyle Interconnector has experienced a number of faults on its low voltage cables over the years, with the result that Moyle has only been able to operate reliably at half capacity since June 2012. It has been agreed with the Utility Regulator that the solution is to replace the low voltage parts of the Moyle cables. It's anticipated that the Moyle project will restore the interconnector to its full capacity by 2016.

Mr Brennan stated that overhead lines are kept far away as possible from dwellings, businesses, landscapes and large habitats, with 100m from houses and at its shortest 60m.

Landowners would be compensated for their loss, with negotiations ongoing with the Northern Ireland Farmers Union.

Councillor Wilson said that there is a realisation that something has to be done and raised the following comments/queries:

- 1) Is there a recognition by SONI that the local community is being helped?
- 2) The Health & Safety risk factor, a lot of concern regarding pylons.
- 3) Underground cabling repairs and was this 1 month of being out of action?
- 4) Does Utility Regulators support this proposal?

Mr Brennan advised that Health & Safety guidelines around EMF's (Electric and Magnetic Fields) are being complied with by SONI. Electricity systems in the UK and the rest of Europe produce fields of 50 hertz which are known as 'extremely low frequency'.

Mr de Casseres advised that the main driver is reducing the cost of electricity and that Regulators are working towards bringing the market together across the whole island to making it affordable.

In response to Councillor McAleer's query on feedback from the information days in 2007, Mr de Casseres said that there was a good deal of feedback from a lot of interest to concern.

The Chair, Councillor Burton thanked the representatives from SONI and asked that they forward on the consultation report from the public information days in 2007 to members.

The representatives withdrew from the meeting at 7.47 pm.

D212/15 Receive and confirm minutes of the Development Committee meeting held on Thursday 15 October 2015

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That the minutes of the meeting of the Development Committee held on Thursday 10 September 2015 (D178 to D208/15 and D199/15 to D207/15), were considered and signed as accurate and correct.

Matters for Decision

D213/15 DCAL Angling Outreach Programme

The Head of Parks drew attention to the previously circulated report and sought approval to engage with DCAL Inland Fisheries in relation to developing a programme of angling workshops and angling summer schools for both Game and Coarse fishing.

Councillor McNamee asked that other areas be included i.e. Lough Fea.

Councillor Dillon stated that this was an opportunity to open up fishing and angling to new people, families and youth groups and should be encouraged with Dungannon Park being a perfect site to do this.

Councillor Wilson said that a "Learn to Fish Day" should be investigated with concentration being on that one day.

The Head of Parks stated that there is a lot of work being put into trying to encourage public interest.

Proposed by Councillor Dillon
Seconded by Councillor McAleer and

- Resolved:** That it be recommended to Council to:
- a) Progress negotiations with DCAL Inland Fisheries Group to develop a programme of events for 2016.
 - b) Consult and seek participation from local angling clubs and UCFF.
 - c) Identify a number of suitable angling venues to host events, include Park Lake, Dungannon, Bradley Lake, Tobermore and Glenone and any other venue which members may like to be included.

D214/15 Maghera Community Walled Garden

The Head of Parks drew attention to the previously circulated report and sought approval to engage with Maghera Church of Ireland Parish Committee in relation to entering into a lease agreement for a portion of land to facilitate plans to develop an improved visitor access to the Walled Garden.

Councillor G Shiels asked that options be considered to include the former High School site.

Proposed by Councillor Reid
Seconded by Councillor Forde and

- Resolved:** That it be recommended to the Council to:
- a) Progress negotiations with the Parish Church regarding the establishment of a lease agreement.
 - b) Seek a valuation from Land and Property Services for the creation of a 25 year lease.
 - c) Seek necessary appropriate statutory planning approval.
 - d) Progress is subject to funding being available in the rates estimates process for next year.

D215/15 Sandholes Community Group

The Head of Parks drew attention to the previously circulated report and sought approval to engage with Sandholes Presbyterian Church Committee in relation to entering into a lease agreement for a portion of land to facilitate plans to develop a children's play facility for the village.

Proposed by Councillor Wilson
Seconded by Councillor Reid and

- Resolved:** That it be recommended to the Council to:
- a) Progress negotiations with the Parish Church regarding the establishment of a lease agreement.
 - b) Seek a valuation from Land and Property Services for the creation of a 25 year lease.

- c) Seek advice from Planning Department and where necessary seek appropriate statutory approval.
- d) Include Sandholes play proposal in draft development planning process. Implementation of any proposal will be subject to availability of funding and the prioritisation of schemes within the development plan.

D216/15 Economic Development Report

Councillor Wilson declared an interest in the Regional Start Initiative and economic development initiatives.

The Head of Economic Development drew attention to the previously circulated report to provide members with an update on key activities as detailed:

- 1) Regional Start Initiative Update
- 2) Launch of 'Our Plan for Growth' Mid Ulster District Council's New Economic Development Strategy 2015-2020
- 3) Mid Ulster Business Awards
- 4) Mobile Infrastructure Project

Councillor Monteith advised that he wouldn't be attending the Mid Ulster Business Awards and to allocate his ticket to another member.

That Councillor Reid be nominated to attend the Mid Ulster Business Awards.

In relation to the Mobile Infrastructure Project, the Head of Economic Development advised that further correspondence was received from Mr Peter Hayne, Arqiva, on 11 November 2015, which stated that two of the sites, namely DNG0007 – Castlecaulfield and DNG0018 – Aughnacloy will not proceed due to operational issues.

Councillor Clarke asked what would happen to the funding earmarked to develop mobile infrastructure projects at these 2 sites and requested Council seek clarification upon whether the funds could be ringfenced to develop these sites next year or the budget 'held' to develop other local projects in Mid Ulster.

The Head of Economic Development stated that the funding emanates from the UK's Department of Culture, Media and Sport and that clarification would be sought and Members updated accordingly.

Resolved: That it be recommended to the Council to:

- 1) Regional Start Initiative**
Note progress on the Regional Start Initiative Programme
- 2) Launch of 'Our Plan for Growth': Mid Ulster's New Economic Development Plan 2015-2020**
Note the official launch of Mid Ulster's new Economic Development Plan 2015-2020 by the Acting First Minister and Deputy First Minister on 20 October 2015 at Parliament Buildings, Stormont.

3) Mid Ulster Business Awards

Distribute 7 tickets to Council Chair, Council Vice Chair, Chair of Development Committee, Chief Executive, Director of Business and Communities, Head of Economic Development and Councillor Reid with remaining 3 tickets to be distributed on a first come, first served basis to any member of Development Committee who expresses an interest to attend.

4) Mobile Infrastructure Project

Note update on Mobile Infrastructure Project and to seek clarification from the Department of Culture, Media and Sport on whether the funding for the 2 projects which are not proceeding can be ringfenced to spend next year in Mid Ulster.

D217/15 Town Centre Update

The Head of Economic Development drew attention to the previously circulated report to:

- 1) Update members on progress being made with the Town Centre Action Plan
- 2) Update members on the EU URBACT III Programme
- 3) Report on the Strategic Issues of Accessing Affordable Retail Accommodation in Town Centres

Councillor Wilson referred to the Final Evaluation Report on the Battle of the Buskers event in Dungannon and asked how many respondents replied to the survey. The Head of Economic Development advised she would seek clarification and report back to the Committee.

Councillor Monteith referred to the Halloween event in Dungannon and felt although very well attended there was lack of publicity compared to previous years.

Councillor Dillon agreed with Councillor Monteith's comments and felt that in previous years the roundabout in Dungannon was used more effectively to promote such events.

The Director of Business and Communities advised that he would take on board members comments and stated that feedback on Halloween events were very positive.

Councillor Monteith commended the Head of Economic Development and her team on an excellent report on Affordable Retail Accommodation in Town Centres. He felt that this is an opportune time to put in place an action plan to address strategic issues impacting Mid Ulster's town centres and that initial meetings with property agents and traders would act as a good starting point.

Proposed by Councillor Monteith
Seconded by Councillor Wilson and

Resolved: That it be recommended to the Council to develop an Action Plan to address the strategic issues impacting Mid Ulster's Town Centres.

Councillor Dillon felt that it would be important to encourage landlords to avail of the various Rates Relief Schemes available and also suggested it may be worthwhile to lobby for support from the DETI and Finance Ministers.

Councillor Wilson agreed with Councillor Monteith and commended the report but felt there was a need for Council to manage expectations as regards what can be delivered, as much of the work is beyond Council's gift. He added that discussions could be progressed with the assistance of Town Centre Forums/Regeneration Partnerships and also stated there was a need to consider properties outside of towns.

Councillor T Quinn agreed and also commended the excellent report and felt there was a need to encourage new business growth in town centres but in so doing, being careful not to raise expectations.

Councillor Burton added her support for the excellent report provided on Accessing Affordable Retail Accommodation in Mid Ulster's Town Centres.

Proposed by Councillor Dillon
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that:

- 1) Members note Final Evaluation Report on Battle of the Buskers event held on Saturday 15th August 2015 (Appendix 1) and provide clarity on the number of respondents who replied to the survey.
- 2) Approval be given to register Council's interest in participating on the most appropriate EU URBACT III Action Planning Networks as detailed on (Appendix 2), such as Retail Link, as this will be beneficial in seeking future funding opportunities from Europe to benefit urban areas.
- 3) Members note Report on Accessing Affordable Retail Accommodation in Town Centres (Appendix 3) and develop an Action Plan to address the strategic issues impacting Town Centres in Mid Ulster.

Councillor Wilson congratulated the Head of Economic Development on the launch of Mid Ulster's Economic Development Plan at Parliament Buildings, Stormont on 20 October 2015.

The Director of Business and Communities thanked Councillor Wilson and advised that managing expectations is of paramount importance. He indicated Council can provide an enabling and facilitating role and the Report presented sets out the facts and outlines areas of work that can be progressed. He added that a report would be brought back to Committee, setting out the next steps.

Matters for Information

D218/15 Leisure Services Progress Report

The Chair, Councillor Burton requested that Members note the previously circulated report on Leisure Services Update.

Proposed by Councillor Dillon
Seconded by Councillor McEldowney and

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

D219/15 Parks Service Progress Report

The Chair, Councillor Burton requested that Members note the previously circulated report on Parks Services Progress.

Proposed by Councillor Wilson
Seconded by Councillor Forde and

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

D220/15 Culture and Arts Progress Report

The Chair, Councillor Burton requested that Members note the previously circulated report on Culture and Arts Progress.

Councillor McNamee referred to mobile exhibition which is travelling through Mid Ulster on the 1916 Easter Rising and asked that consideration be given to having it shown at the Burnavon, Hill of the O'Neill and the Bridewell.

The Head of Culture and Arts to liaise with Councillor McNamee.

Councillor Dillon asked that Thomas Clarke be included in the events.

Councillor Reid advised that the Somme is also celebrating its centenary in 2016.

The Director of Culture and Leisure advised that a report will be brought to the next meeting.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

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

D221/15 Tourism Update

The Chair, Councillor Burton requested that Members note the previously circulated report on Tourism Update.

Proposed by Councillor Dillon
Seconded by Councillor McNamee and

Resolved: That it be recommended to the Council that Members note the report on Tourism Update.

D222/15 Broadband for the Rural North Study Visit

The Head of Economic Development drew attention to the previously circulated report to update members on the Broadband for the Rural North Study visit.

Proposed by Councillor McAleer
Seconded by Councillor Molloy and

Resolved: That it be recommended to the Council that Members note the report on Broadband for the Rural North Study Visit.

D223/15 Northern Ireland Rural Development Programme 2014-2020

Members present declared an interest in the Northern Ireland Rural Development Programme 2014-2020.

The Head of Economic Development drew attention to the previously circulated report to update members on progress with the interim rural development strategy for Mid Ulster.

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

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor T Quinn

Resolved: That items (D224/15 to D228/15) be taken as confidential business.

D229/15 Duration of Meeting

The meeting was called for 7 pm and ended at 9.05 pm.

CHAIR _____

DATE _____

Subject Conferences & Seminars

Reporting Officer P Moffett, Head of Democratic Services

1	Purpose of Report
1.1	To 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	Fuel Poverty Coalition Conference 2015 <ul style="list-style-type: none"> <i>Tuesday 1 December in Dunadry Hotel, Templepatrick (9.30am - 4.30pm)</i> <i>1 employee request attendance</i>
2.1.2	Role of Councils on economic development, local economy, job creation and sustainable communities: APSE <ul style="list-style-type: none"> <i>Thursday 10 December, Derry</i>
2.1.3	Review of Business Rates Consultation Event (NILGA) <ul style="list-style-type: none"> <i>Friday 11 December in Lough Neagh Discovery Centre (10.15am - 1pm)</i>
2.1.4	Northern Ireland Business & Human Rights Forum: Reception <ul style="list-style-type: none"> <i>Friday 11 December in Belfast Harbour Commissioner(3pm-5pm)</i>
2.1.5	<i>Business Rates in N Ireland - the Case for Change: Chambré Public Affairs</i> <ul style="list-style-type: none"> <i>Tuesday 12 January 2016, Queen's University Belfast (8.50am - 1.15pm)</i>
3.1	Retrospective Approval Sought
3.1.1	There are occasions when meeting timetabling and short notification for registration does not permit council approval being secured before attendance at seminar and conference by members and employees. Retrospective approval is sought for attendance as detailed in Appendix B to this report.

3	Key Issues
3.1	N/A

4	Resources
4.1	<u>Financial</u>
4.1.1	Fuel Poverty Coalition Conference 2015 · £100 per delegate
4.1.2	Role of Councils on economic development, local economy, job creation and sustainable communities: APSE · Fee to be confirmed
4.1.3	Review of Business Rates Consultation Event · No charge
4.1.4	Northern Ireland Business & Human Rights Forum: Reception · No charge
4.1.5	Business Rates in N Ireland - the Case for Change: Chambré Public Affairs · £105 per delegate

5	Other Considerations
5.1	Costs associated will be set against 2015-16 member Conference & Seminar allocations.

6	Recommendations
6.1	Approval for attendance at the conferences/ seminars, where requested and retrospective approval for attendance at conference/ seminars as referenced in Appendix B.

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

Northern Ireland Fuel Poverty Coalition Conference 2015



A Manifesto for Warmth

Tuesday 1st December 2015

The Dunadry Hotel and Country Club, Co. Antrim

A Manifesto for Warmth



09:00 Registration and Morning Refreshments

Session One: Regulation, Effective Competition and Choice

09:30 Welcome and Introduction

John French, Chief Executive, The Consumer Council

Pat Austin, Director, National Energy Action NI

Key Note Address

Jenny Pyper, Chief Executive, Northern Ireland Authority For Utility Regulation

Chair

Paul Wallace, Development Manager, National Energy Action NI

Aodhan O'Donnell, Power to Switch

Jamie Delargy, ENIRGY

Stephen Kelly, Chief Executive, Manufacturing NI

Kevin Shiels, Director of Retail, Northern Ireland Authority For Utility Regulation

Question / Answer

11:15 Morning Refreshments / Exhibition Viewing

Session Two: Resourcing and Policy

11:30 Chair

Peter Smith, External Affairs Manager, National Energy Action

Martin McDermott, Head of Fuel Poverty Team, Department for Social Development

Norrie Kerr, Director, Energy Action Scotland

Stuart Wightman, Head of Energy Efficiency Branch, Dept. of Enterprise, Trade & Investment

Georgina Grieve, General Manager, Homeseal Northern Ireland

Question / Answer

13:00 Networking Lunch / Exhibition Viewing

A Manifesto for Warmth



Session Three: Health (Consequences)

14:00 **Welcome back from lunch**

Chair

Jenny Saunders OBE, Chief Executive, National Energy Action

Dr Naresh Chada, Senior Medical Officer, Dept. of Health, Social Services & Public Safety

Phillip Morris, Senior Development Manager, Centre for Sustainable Energy

Colette Rogers, Health & Social Wellbeing Improvement Manager, Public Health Agency

Barbara Gray, Bryson Energy/Ulster University, to present research on excess winter deaths among people living with Alzheimer's Disease or related dementias

Question / Answer

Session Four: Question Time

15:30 **Chair**

David Crothers, Trustee, National Energy Action NI

Councillor Ross Brown, Green Party

Basil McCrea MLA, NI21

Councillor Gerry Carroll, People Before Profit

Councillor Billy Hutchinson, Progressive Unionist Party

Dolores Kelly MLA, Social, Democratic and Labour Party

Alliance Party [TBC]

DUP [TBC]

Sinn Féin [TBC]

TUV [TBC]

UUP [TBC]

16:30 **Close** — Pat Austin, Chair NI Fuel Poverty Coalition, Director NEA NI

Conference Accommodation

The Fuel Poverty Coalition Conference will be held in the Dunadry Hotel, Co. Antrim. Delegates wishing to stay at the hotel, must contact the hotel directly to make their own booking via reservations on 028 9443 4343 — £70 per single room / £85 per double room, bed and breakfast only. Please note that availability of rooms may be limited and will be on a first come, first served basis.

APSE Event on Thursday 10th December 2015 in Derry on the role of the local authority on economic development, the local economy, job creation and sustainable communities

The range of speakers will inform councillors and service and corporate managers about the issues they face with regard to making an impact in the local economy.

A full agenda will be issued soon. Confirmed speakers include the following:-

The state of the economy of NI

- Issues - employment, unemployment, skills, collaboration...
- Public sector and local authority funding outlook
- How might the economy grow and how can councils engage with this growth?

Speaker – Andrew Webb, Senior Advisor, Economic Policy Centre, Ulster University

Generating employment – the answer to many of our problems

- Leadership and the role of the local authority
- Training, employability, engagement
- Work in Derry City and Strabane District Council

Speaker - Cllr Gerard Diver, Derry City and Strabane District Council, Chair of APSE NI

‘The Sorcerer’s Apprentice – keeping the magic and removing the mystery’!

- Strengths and Weaknesses with Apprentices
- What qualifications and jobs are available to them and the existing workforce
- Rules and funding opportunities?

Speakers – David Smith, Managing Director, ACORN Environmental Solutions and Gordon Boyd, GB Associates (Consultancy & Training)

Trends in economic development

- What’s happening in economic development?
- The impact of austerity
- An international perspective

Speaker - Adrian Nolan, Associate Director, Centre for Local Economic Strategies

Jobs and economic development - a Scottish perspective

- A Local Government Approach to Employability – Falkirk Council Example
- What works across Scotland - examples of consistent policy and practice
- The benefits of collaboration in the sector - benefits of the Scottish Local Authority Economic Development Group (SLAED)

Speaker - Pamela Smith, Employment and Training Manager, Falkirk Council and Deputy Chair, SLAED

The transition from school to work

- Working with schools – Senior Phase
- School Leaver Destinations
- Partnership Working

Speaker – Hazel Mackie, Principal Employment and Training Officer, Falkirk Council

Sustainability - where does economic development fit in?

- Linking economic development with the sustainability agenda
- Working with partners
- 10 things you should be doing, thinking about or planning for

Speaker – Mike Reardon, Interim Strategic Director (People), Armagh, Banbridge and Craigavon BC

There will also be case studies from Belfast City Council and Derry City & Strabane District Council



REGIONAL CONSULTATION EVENT ***“The Review of Business Rates”***

11th December 2015

Lough Neagh Discovery Centre, Craigavon

Registration for this event - 10.15am

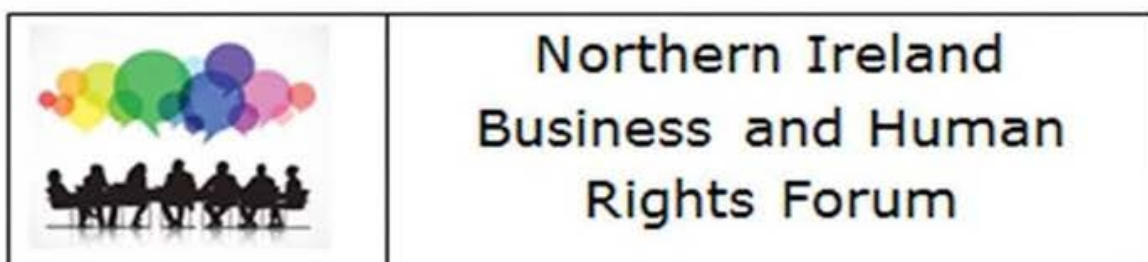
The Department of Finance & Personnel recently published a consultation paper regarding the future of business rating in Northern Ireland. According to Arlene Foster, Finance Minister: “the overall objective of this review is to ensure that we have the best and most acceptable system of raising revenue to help fund our public services in the future. The paper discusses various options and proposals for consideration in relation to property valuations, rating and reliefs. District councils in Northern Ireland receive a substantial part of their rates income from the non-domestic sector, so it is important that the local government sector responds fully to this consultation.

This FREE consultation event has been organised by NILGA and DFP, and will seek to provide Members and Officers with key information about the proposals from speakers, and will enable participants to discuss the issues and provide their views. The outcome will facilitate both a regional response from NILGA and specific council responses.”

AGENDA

9.30 am— 10.30am	NB: Preceded by NILGA Executive meeting (to complete NILGA Business Only)
10.15am	<i>Registration and tea/coffee for all delegates</i>
10.45am	Welcome & Introduction to Consultation Event — Ald Carla Lockhart, NILGA President
10.55am	<i>The Future of Business Rates - Summary & Options</i> <i>Brian McClure, Director of Rating Policy, Department of Finance & Personnel</i>
11.25am	<i>The Future of Business Rates - A Local Government Framework Response</i> <i>David Bell, on behalf of the Northern Ireland Local Government Association</i>
11.45am	Interactive Session - Roundtable Discussion
12.15pm	Feedback by delegates of roundtable discussion
12.35pm	<i>Summary of Outcomes/ Practical Next Steps</i>
12.40pm— 1.30pm	<i>Lunch & Close</i>

Please complete the booking form (except for NILGA Exec Members) on the reverse and return it to NILGA by emailing c.bradley@nilga.org, by Monday, 7th December 2015



Re: Invitation to Business and Human Rights Forum - Festival Event

I am writing to invite you with members of the Business and Human Rights Forum to a reception at the Belfast Harbour Commissioners **11 December 2015 from 3pm to 5pm.**

The event forms part of the Northern Ireland Human Rights Festival. The Northern Ireland Human Rights Commission is a member of the forum and currently provides the Secretariat.

The Business and Human Rights forum is a multi-stakeholder platform for Government, business, and civil society (NGOs, charities, unions etc.) to discuss issues and concerns around business and human rights, share best practice and experiences, and develop materials to help businesses operating in Northern Ireland to comply with the UN Guiding Principles on Business and Human Rights.

The Human Rights Festival, held annually by the Human Rights Consortium runs from the 8-12 December 2015 to coincide with the international human rights day on the 10 December 2015.

The Business and Human Rights Forum agreed at its second meeting to support the Human Rights Consortium in organising and running the event. To that end its members will appear on a panel alongside Dr Shane Darcy, a noted expert in the field of business and human rights from NUI Galway, the business community, and members of civil society.

The event itself is designed to promote business and human rights within Northern Ireland, building on work at the United Nations, and reflecting the principles endorsed by the UK Government in the National Action Plans on business and human rights. It is also an opportunity for the business and human rights forum to promote its aims, and engage with businesses and the general public as part of a broader human rights festival. It is hoped, as such, that it will encourage those with a passing interest in business and human rights, to learn more about the area, and engage with the forum's work in Northern Ireland.

Please RSVP your attendance by Tuesday 1 December to events@nihrc.org or telephone +44 (0)2890 243987.

Yours Sincerely,

Dr David Russell
Deputy Director, Northern Ireland Human Rights Commission
Secretariat to the Business and Human Rights Forum

Business Rates in Northern Ireland: The Case for Change

Getting the Balance Right: Encouraging Enterprise or Paying for Services?

Half-day Seminar Programme

Tuesday 12 January 2016.

Riddell Hall, Queen's University Belfast, Stranmillis



TIME	EVENT	SPEAKER
08:50	Registration and networking (refreshments served)	
09:20	Chairman's welcome and introductions	Seamus McKee <i>Evening Extra, BBC Radio Ulster</i>
SESSION ONE – WHAT'S INVOLVED?		
09:25	Keynote address: the case for change	Arlene Foster MLA <i>Minister of Finance & Personnel (invited)</i>
09:45	View point: the implications of change	Stephen Kelly <i>Chief Executive, Manufacturing NI</i> Aodhán Connolly <i>Director, NI Retail Consortium</i> Seamus McAleavey <i>Chief Executive, NICVA</i> Derek McCallan <i>Chief Executive, NILGA</i>
10:05	Improving the quality of local taxation: reflections on the review	Professor Tony Travers <i>Department of Government, London School of Economics</i>
10:25	Panel discussion	Stephen Kelly <i>Manufacturing NI</i> Aodhán Connolly <i>NI Retail Consortium</i> Seamus McAleavey <i>NICVA</i> Derek McCallan <i>NILGA</i> Brian McClure <i>Department of Finance & Personnel</i>
11:00	Break (refreshments served)	Opportunity to network
SESSION TWO – HOW DO WE GET THERE?		
11:30	A system that it is fit for purpose: the practicalities involved	Brian McClure <i>Head of Rating Policy Division, Department of Finance & Personnel</i>
11:45	Funding local services: a new system for securing businesses contributions	Martin McTague <i>Chairman, Local Government Committee, Federation of Small Businesses</i>
12:00	Creating jobs and helping businesses flourish: paying for local government	Liam Hannaway <i>Chief Executive, Newry, Mourne & Down District Council (invited)</i>
12:15	Getting it right: the UK and international perspective	David Magor OBE <i>Chief Executive, Institute of Revenues, Rating and Valuation</i>
12:30	Panel discussion	Brian McClure <i>Department of Finance & Personnel</i> Martin McTague <i>FSB</i> Liam Hannaway <i>Newry, Mourne & Down District Council</i> David Magor <i>IRRV</i>
13:10	Concluding remarks	Seamus McKee
13:15	Light buffet lunch served	Opportunity to network

Appendix B Retrospective Approval Sought

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Dangerous Dogs Seminar	6 – 8 October	2 employees	Antrim	Yes
Dangerous Dog Refresher Seminar	9 October	2 employees	Antrim	Yes
NILGOSC Employer Seminar	22 October	7 employees	Dungannon	No
Atlantic Area Programme Seminar	28 October	2 employees	Belfast	No
Reserve Forces & Cadet Association Annual Dinner	29 October	Cllr Reid (as Council Position of Responsibility rep)	Belfast	Yes
Town & Country Planning Association (TCPA) Garden Cities and Suburbs Seminar	5 November	2 employees	Belfast	No
SOLACE NI/County & City Managers' Association CMA Seminar	25 November	Chie Executive	Maynooth	No
Planning Reform in NI	1 December	1 employee	Belfast	Yes

Appendix B Retrospective Approval Sought

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 consultations of which Council has been notified:</p> <table><tr><th>Organisation</th><th>Issue</th><th>Closing Date</th></tr><tr><td>Fermanagh & Omagh District Council</td><td>Consultation on 'Statement of Community Involvement'</td><td>27 Nov 2015</td></tr><tr><td>Department for Employment and Learning</td><td>Employment for People with Disabilities Consultation</td><td>27 Nov 2015</td></tr><tr><td>Department of Health, Social Services and Public Safety</td><td>Good Management Good Records</td><td>18 Dec 2015</td></tr><tr><td>Department of Health, Social Services and Public Safety</td><td>National Statistics Consultation on proposed changes to DHSSPS publications</td><td>14 Jan 2016</td></tr><tr><td>Department of Justice</td><td>Code of Practice for the Exercise of Functions for PCSPs and DPCSPs</td><td>18 Jan 2016</td></tr><tr><td>Department of Justice</td><td>Report on the Access to Justice Review part II</td><td>09 Feb 2016</td></tr><tr><td>N I Ombudsman – NI Commissioner of Complaints</td><td>N I Local Government Code of Conduct for Councillors – Alternative Action proposals</td><td>15 Jan 2016</td></tr><tr><td>Department for Social Development</td><td>The Review of the Role and Regulation of the Private Rented Sector</td><td>05 Feb 2016</td></tr></table> <p>Documentation on the aforementioned consultations may be provided on request.</p>	Organisation	Issue	Closing Date	Fermanagh & Omagh District Council	Consultation on 'Statement of Community Involvement'	27 Nov 2015	Department for Employment and Learning	Employment for People with Disabilities Consultation	27 Nov 2015	Department of Health, Social Services and Public Safety	Good Management Good Records	18 Dec 2015	Department of Health, Social Services and Public Safety	National Statistics Consultation on proposed changes to DHSSPS publications	14 Jan 2016	Department of Justice	Code of Practice for the Exercise of Functions for PCSPs and DPCSPs	18 Jan 2016	Department of Justice	Report on the Access to Justice Review part II	09 Feb 2016	N I Ombudsman – NI Commissioner of Complaints	N I Local Government Code of Conduct for Councillors – Alternative Action proposals	15 Jan 2016	Department for Social Development	The Review of the Role and Regulation of the Private Rented Sector	05 Feb 2016
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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	Not applicable

6	Recommendations
6.1	Members review and note the open consultations.

7	List of Documents Attached
7.1	Not applicable