



08 March 2018

Dear Councillor

You are invited to attend a meeting of the Policy & Resources Committee to be held in

The Chamber, Cookstown at Mid Ulster District Council, Council Offices,  
COOKSTOWN, BT80 8DT on Thursday, 08 March 2018 at 19:00 to transact the  
business noted below.

Yours faithfully

Anthony Tohill  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business

### Matters for Decision

- |     |  |         |
|-----|--|---------|
| 4.  | Extract of Policy & Resources Committee minute date 8 February 2018 PR027/18 External Signage Play Areas | 3 - 4   |
| 5.  | External Signage: Cemeteries   | 5 - 8   |
| 6.  | Blueways Trail Development - Lease of Lands along the River Bann, Portglenone                            | 9 - 22  |
| 7.  | Special Council Meetings Receiving Deputations   | 23 - 24 |
| 8.  | Council and Committee Meeting Packs  | 25 - 26 |
| 9.  | Consultation on Improvement Objectives: March - April 2018   | 27 - 28 |
| 10. | Elected Member Development Working Group   |         |

### Matters for Information

- |    |   |         |
|----|---|---------|
| 11 | Minutes of Policy and Resources Committee held on Thursday 8 February 2018 (Item PR027/18 redacted) | 29 - 32 |
| 12 | GDPR Compliance Action Plan Update  | 33 - 38 |
| 13 | Member Services   |         |

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

Matters for Decision

14. Lands at Railway Park, Ballysaggart
15. Dungannon Depot Remedial Works
16. Staff Matters for Decision
17. Members' Allowances Update
18. Prudential Code for Capital Finance Indicators and Authorised & Operational Borrowing Limits
19. 2017/18 Review of Treasury Management Policies, Practices and Activities

Matters for Information

20. Confidential Minutes of Policy and Resources Committee held on Thursday 8 February 2018
21. Contracts and DAC
22. Financial report for 10 months ended 31 January 2018
23. Staff Engagement Survey
24. Staffing Matters for Information
25. Recruitment Campaign
26. Staffing Numbers Update

**Extract of Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 8 February 2018 in the Council Offices, Ballyronan Road, Magherafelt**

**Matters for Decision**

**PR027/18 External Signage: Play Areas**

The Head of Marketing and Communications drew attention to the previously circulated report to advise members of draft design for external signage to be erected at the Council's Play Parks.

Councillor Buchanan advised that he would be proposing against accepting the recommendation for Irish Language Signage, as it would be too expensive to implement and an extra burden on the ratepayer.

Councillor Ashton said that she wanted it recorded that her party was opposing the proposal.

Councillor Cuddy advised that he was also opposing the recommendation.

The Chair, Councillor Molloy put the recommendation to accept the proposal to the vote:

For	8
Against	7

Proposed by Councillor S McGuigan  
Seconded by Councillor Gildernew and

**Resolved:** That it be recommended to the Council to approve the draft design.



<b>Report on</b>	External Signage: Cemeteries
<b>Reporting Officer</b>	Ursula Mezza
<b>Contact Officer</b>	Ursula Mezza

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The report shows a draft design for external signage to be erected at Council cemeteries.
<b>2.0</b>	<b>Background</b>
2.1	The Council is undertaking a brand implementation programme, which is currently prioritising new external signage at key facilities.
<b>3.0</b>	<b>Main Report</b>
3.1	There are 5 Council-operated cemeteries which require replacement external signage to reflect the Council's branding (Cottagequinn, Coolhill and Drumcoo Cemeteries in Dungannon, Forthill Cemetery in Cookstown and Polepatrick Cemetery and Park in Magherafelt).
3.2	It is proposed that new signs will either replace existing signs on the walls adjacent to the cemetery entrances or be erected on land adjacent to the entrances.
3.3	A draft design is presented in dual language, in line with the Council's policy.
3.4	If agreed, the designs will pass to the Council's technical teams for specification, procurement and installation.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: The cost of the replacement signage is likely to be in the region of £2,000, with signs for 4 of the 5 cemeteries to be funded via current Landfill Community Fund awards. Final costs will be dependent on finished sizes and any site-specific requirements.</p> <p>Human: N/A</p>
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>N/A</p>

<b>4.3</b>	<b><u>Risk Management Implications</u></b>  None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Committee considers the draft design for approval.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Draft signage design for cemeteries.



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

# Reilig agus Páirc Pholl Phádraig

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# Polepatrick Cemetery and Park





<b>Report on</b>	Blueways Trail Development – Lease of Lands along the River Bann, Portglenone
<b>Reporting Officer</b>	Claire McNally, Council Solicitor
<b>Contact Officer</b>	Claire McNally, Council Solicitor

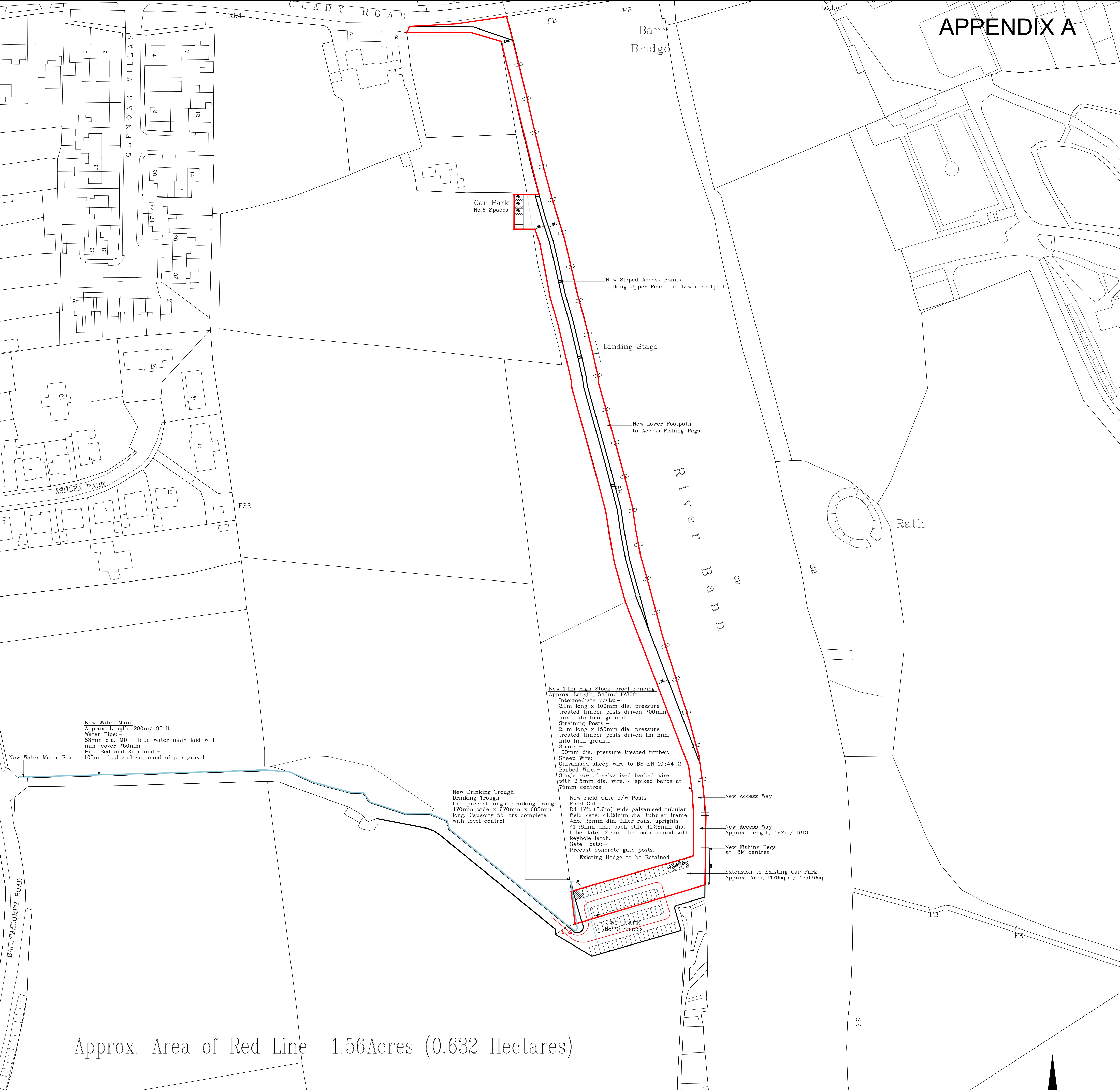
<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek Members' approval for the Council to enter into a 25 year Lease in respect of a portion of land along the River Bann, Portglenone.
<b>2.0</b>	<b>Background</b>
2.1	In 1993 the former Magherafelt District Council established a public angling amenity area along the River Bann comprising of 89 individual angling stands, car park and public path way linking the angling stands, which has been known locally as the Glenone Coarse Angling Amenity.
2.2	The opportunity of linking this current angling facility at Glenone to the town of Portglenone became possible through an overall proposal to develop a Blueways route, from the town of Portglenone to another Council owned public amenity at Newferry West, by way of a six kilometres (approx.) off-road public path.
2.3	At a Council meeting in December 2017, the Council resolved to accept the offer of funding of up to £106k from Waterways Ireland in respect of this element of the proposed Blueways trail and thereafter to engage with Land and Property Services ("LPS") and landowners with a view to entering into lease agreements with relevant landowners.
2.4	Negotiations with local landowners have begun and the initial link from Portglenone town to Glenone Angling Amenity has been agreed in principle with a single landowner, Mr William Chesney ("the Owner"). These lands will also provide additional car parking and angling facilities.
2.5	Consultations with DAERA/Forest Service and other private landowners will be required to develop further lease and access agreements within the scope of the Blueways proposal to link Portglenone to Newferry West.

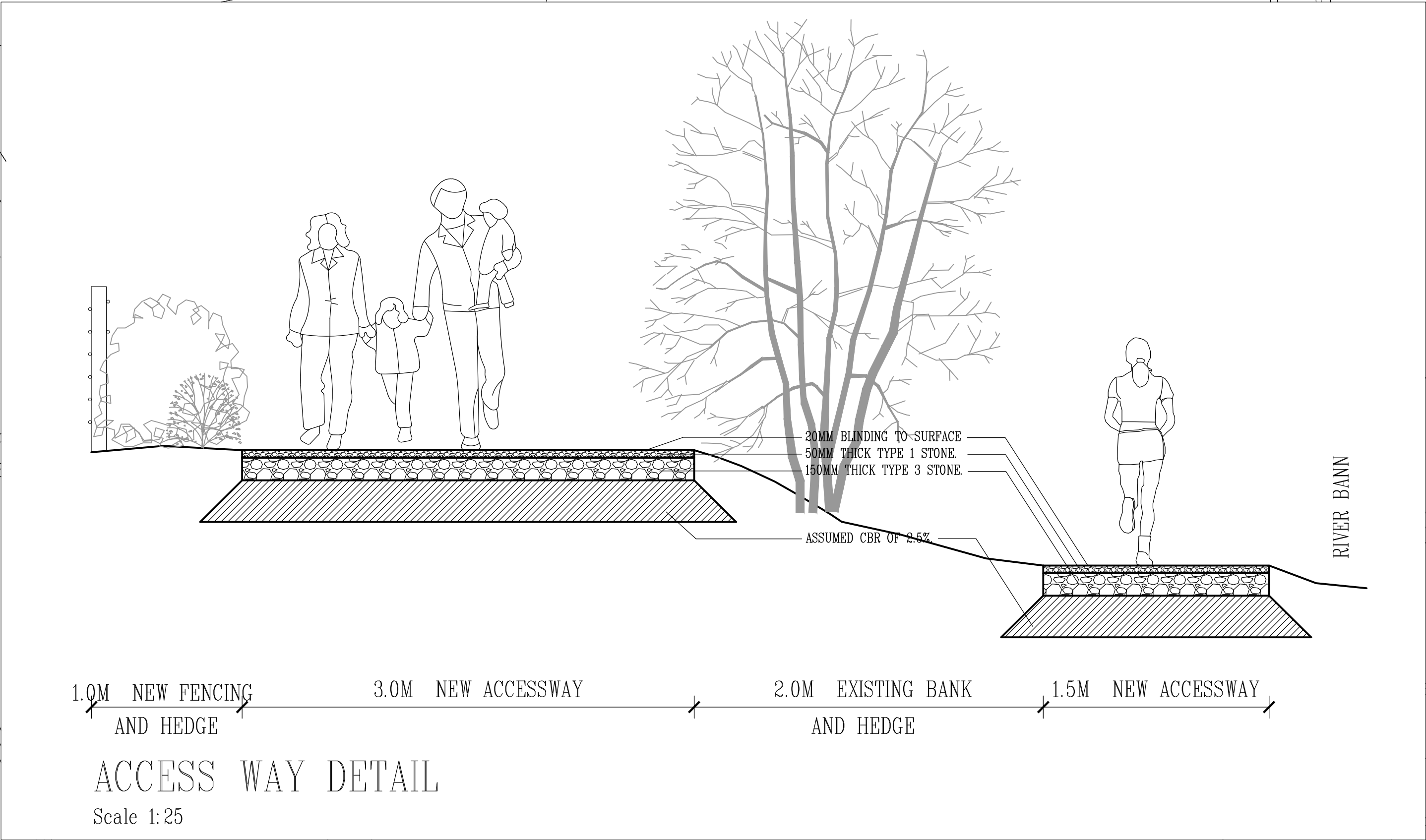
<b>3.0</b>	<b>Main Report</b>
3.1	In order to advance the development at Portglenone, funding from Waterways Ireland to the value of £106k has been sourced and a Letter of Offer is awaited. This funding will provide a new multi-use public path along the river bank, an additional 25 fishing stands and associated car parking. It is a requirement of Waterways Ireland's funding that the Council enter into a Lease with the relevant landowner before the end of this current financial year.
3.2	A pivotal objective at this stage is the link from Portglenone Town to the Council's Glenone Coarse Angling Amenity. Initial discussions with the Owner has presented the opportunity to develop a proposal on the basis of a lease to council of a strip of land approximately 460 metres long and 8 metres wide to create a development corridor to permit access and the establishment of additional angling stands. The proposal also includes an extension to the existing carpark to accommodate a total of 70 cars, doubling the current capacity. An indicative plan of the land take required to carry out this development is attached at Appendix A.
3.3	<p>The proposed draft Lease for the works at this initial stage is attached at Appendix B. The main terms of same Lease include:-</p> <ul style="list-style-type: none"> <li>• 25 year term with option to renew;</li> <li>• 5 yearly rent reviews linked to market rent;</li> <li>• The Council will provide and maintain all agreed accommodation works associated to boundary stock proof fencing, gates or styles;</li> <li>• The Council will bear the initial cost of a water supply to the lands for the purposes of watering stock;</li> <li>• The Council will inspect and maintain the public car park area, public access pathways, angling stands and all furniture and signage associated to the amenity; and</li> <li>• The Council will provide public liability insurance.</li> </ul>
3.4	LPS have been asked to provide a valuation on the proposed site and at the time of writing this report, their valuation is pending.
<b>4.0</b>	<b>Other Considerations</b>
4.1	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p><b>Financial:</b> The Council will be responsible for the payment of the Lessor's reasonable legal fees and Agent fees in respect of this Lease. The Council is also responsible for LPS valuation costs and the annual rent agreed between the parties.</p> <p><b>Human:</b> N/A</p>
4.2	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>N/A</p>

4.3	<b><u>Risk Management Implications</u></b>  N/A
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Members approve the Lease at Appendix B and resolve that the Council enter into same on the terms contained therein.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix A – Draft map showing approximate area of land take required; and Appendix B – Draft Lease between William Chesney and Mid Ulster District Council.





Approx. Area of Red Line- 1.56Acres (0.632 Hectares)



**WARNING**  
The information provided on this drawing in respect of statutory or other external service information cannot be guaranteed to be accurate, is given for assistance and general guidance and that routes may deviate. R. Robinson & Sons therefore can take no responsibility for the information provided and does not warrant the accuracy of same.

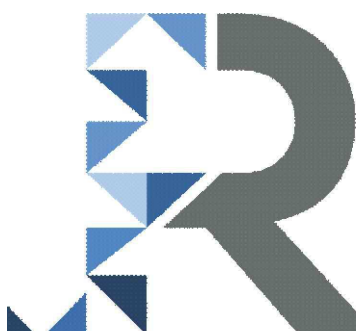
Rev.	Date	Description	Drm.	Ckd.	App.
C	Feb.18	Amendments to annotation as requested	EM	NR	NR
B	Feb.18	Additional annotation and approx. areas	EM	NR	NR
A	Feb.18	Additional field gate and access arrangements	EM	NR	NR

CLIENT: Outdoor Recreation Northern Ireland

PROJECT: Lough Neagh Co-Operation Project

TITLE : Proposed Layout

Scales	1:1000	Drm by	E.M.	Project No.	C17/50	Rev	C
	1:25	Chk by	M.T.	Drawing No.	10	Date	Feb.18
	@ A1	App by	N.R.				



**ROBINSON & SONS**  
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'Albany Villas'  
59, High Street, Ballymoney BT53 6BG  
Telephone No. (028) 2766 2127  
Fax. No. (028) 2766 6027

Dated this            day of            2018

BETWEEN

William Chesney

**Lessor**

AND

Mid Ulster District Council

**Lessee**

**LEASE**  
**Lands alongside the River Bann,**  
**Portglenone**  
**[TBC]**



***THIS INDENTURE*** made the       day of       2018 between WILLIAM CHESNEY of [TBC] ("the Lessor") of the one part and MID ULSTER DISTRICT COUNCIL c/o 50 Ballyronan Road, Magherafelt, County Londonderry, BT45 6EN ("the Lessee") of the other part.

WHEREAS:

1. The Lessor is the owner of lands comprised in Folio 14126 County Londonderry by virtue of a [TBC] dated [TBC] and made between [TBC].
2. The Lessee requires a portion of the Lessor's lands as contained within the above Deed of [TBC] to facilitate a leisure and recreational development to include the introduction of a public access path, angling stands and car park facilities.

WITNESSETH as follows:-

1. IN CONSIDERATION of the rent hereinafter reserved and of the covenants on the part of the Lessee hereinafter contained THE LESSOR HEREBY DEMISES unto the Lessee ALL THAT the lands situate at [TBC] more particularly delineated and edged red on the map thereof hereto attached ("the Lands") TOGETHER WITH the easements rights and privileges set forth in Part 1 of the First Schedule hereto EXCEPTING AND RESERVING and subject to the exceptions and reservations set forth in Part 2 of the First Schedule hereto TO HOLD the same unto the Lessee from       day of       2018 ("the Term Commencement") for the term of twenty five years ("the Term") PAYING THEREFOR (a) during the first five years of the said term the yearly rent of £[TBC][words] ("the Rent") payable yearly in advance commencing on the Term Commencement date and (b) thereafter such revised yearly rent as shall be agreed or determined in accordance with the Second Schedule hereto.

2. THE LESSEE HEREBY COVENANTS with the Lessor as follows:-

- (a) To pay the said Rent at the times and in the manner aforesaid;
- (b) From the Term Commencement Date only to pay all existing and future rates, charges and other outgoings attributable to the Lessee's use and occupation of the Lands



excluding any Value Added Tax;

(c) Not without prior written consent of the Lessor (such consent not to be unreasonably withheld or delayed) to use the Lands or any part thereof or permit the same to be used for any purpose other than for leisure and recreation including public pathways, angling, car parking and all other uses associated with same ("the Permitted Use");

(d) To construct and provide a public access pathway, angling stands and car parking facilities on the Lands ("the Works");

(e) To provide boundary stock proof fencing, gates and styles along the new agreed boundary and to install an alternative water supply to the Lessor's adjoining lands ("the Accommodation Works"). The Accommodation Works are as detailed within the Schedule of Works in the Third Schedule;

(f) To inspect on a regular basis and maintain the public car park areas, public access pathways, angling stands, stock proof fencing etc. and all fixtures and signage associated with the Works;

(g) To furnish within a reasonable period of time to the Lessor a copy of any notice affecting the Lands served on the Lessee under any statute or by any competent authority (or received by the Lessee from any other person) and to join in making such objections or requisitions against or in respect thereof as the Lessor may require;

(h) To permit the Lessor, his agents and workmen at all reasonable times on due written notice to the Lessee, to enter the Lands for the purpose of repairing or maintaining the Lessor's adjoining lands, the Lessor making good at his own expense all damage occasioned to the Lands thereby;

(i) Not to assign, sub-let or otherwise part with possession of the Lands or any part thereof without the prior written consent of the Lessor (such consent not to be unreasonably withheld or delayed);

(j) To insure and keep insured the Lands in respect of public liability insurance for a minimum amount of Five million pounds for any one occurrence against third party claims and demands against and pay all premiums necessary for that purpose;

(k) To indemnify the Lessor against the breach non performance or non observance by the Lessee of any of the covenants and condition upon the Lessee's part herein contained or of the provisions or stipulations herein contained and intended to be performed or observed by the Lessee and against any actions costs claims expenses and demands whatsoever or howsoever arising in respect of or as a consequence (whether direct or



indirect) of any of the Lessee's breach non-performance or non-observance as aforesaid from the Term of Commencement Date;

(l) To indemnify the Lessor against any claims proceedings or demands and the costs and expenses so incurred which may be brought against the Lessor by any employees workpeople agents, by any member of the public or visitors of the Lessee in respect of any accident loss or damage whatsoever to person or property caused or occurring in or upon the Land and as a result of the Lessee's negligence, save where and to the extent that any damage, claim or loss shall arise as a result if the actions or omissions of the Lessor, her employees, agents, workmen or any of them;

(m) To pay the Lessor's reasonable legal fees in respect of the preparation and execution of this agreement, such fee to be agreed in advance;

(n) To yield up the Lands at the end of the said Term or sooner determination of the said term.

3. THE LESSOR HEREBY COVENANTS with the Lessee as follows:-

(a) The Lessee paying the rent hereby reserved and observing and performing the covenants on their part and conditions therein contained shall and may peaceably and quietly hold and enjoy the Lands during the said term without any interruption or disturbance from or by the Lessor or any person or persons rightfully claiming through him;

(b) To pay the rent reserved by and perform and observe the covenants conditions and agreement (if any) contained in the deeds under which the Lessor holds the Lands;

(c) To permit the Lessee and the Lessee's employees, agents, servants, workmen and others, or any of them, to carry out any investigatory, construction or other works associated with facilitating the Works;

(d) To permit the Lessee at all times during the Term to exercise without interruption or interference any of the Rights granted by virtue of the provisions of this Lease.

4. IT IS HEREBY AGREED AND DECLARED as follows:-

(1) The Lessor acknowledges that construction works shall be carried out to the Lands so as to provide a leisure and recreational facility to include a pathway, angling stands and car parking facilities. It is agreed that the Lessor shall not require the Lessee to improve the condition of and/or re-instate the Lands to their original condition prior to

the Term Commencement Date upon termination of this Lease;

(2) Any notice which requires to be served hereunder shall be deemed to be sufficiently served on the Lessee if addressed to its Chief Executive and sent by Recorded Delivery to or left at their address from herein and in the case of the Lessor if sent by Recorded Delivery to the address shown herein or as otherwise notified to the Lessee in the duration of the within Lease;

(3) In this Lease:-

(i) the expression "the Lessor" and "the Lessee" shall include their respective successors in title;

(ii) the masculine gender shall include the feminine;

(iii) the singular number shall include the plural and vice versa;

(iv) where there are two or more persons included in the expression "the Lessee" they shall hold as tenants in common in equal shares, and covenants expressed to be made by the Lessee shall be deemed to be made by such persons jointly and severally;

(4) The Lessee shall have the right to determine this Lease at any time by serving not less than 3 calendar months' notice in writing on the other party and in the event of the valid service of such notice the Lease shall determine immediately on the expiry of such notice but without prejudice to either party's right to recover in respect of any antecedent breach;

(5) If any dispute or difference shall arise between the Lessor and the Lessee touching any clause matter or thing whatsoever herein contained or the operation or construction thereof or any matter or thing in any way connected with this Lease or the rights or liabilities of either party under or in connection with this Lease then in every case the dispute or difference shall be referred to a single arbitrator to be agreed upon by the parties hereto and in default of agreement to be nominated by the President for the time being of the Royal Institute of Chartered Surveyors in accordance with and subject to the provisions of the Arbitration Act 1996 or any statutory modification or re-enactment thereof for the time being in force but so that this clause shall not include or be deemed to apply to any dispute or matter or difference touching or with respect to the yearly rent hereby reserved;

(6) Upon the expiry of the Term, the Lessee shall have the option to extend the Lease for a further period of 25 years from the date of expiry of the Term ('the Option') on

the same terms as set out herein. The Lessee may exercise the Option by giving the Lessor not less than 6 months' notice in writing, from the expiry date, of its intention to do so;

(7) This Lease is governed by the law of Northern Ireland and any dispute will be dealt with by the courts in Northern Ireland.

IT IS HEREBY FURTHER CERTIFIED that there is no Original Agreement for Lease to which this Lease gives effect.

IN WITNESS whereof the parties hereto have hereunto set their hands and affixed their seals the day and year first herein written.

**SIGNED SEALED AND DELIVERED**

by the **LESSOR** in presence  
of:-

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**THE COMMON SEAL of**  
**MID ULSTER DISTRICT COUNCIL**  
was hereunto affixed  
in the presence of:

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**Chair**

---

**Chief Executive**

**First Schedule**

**Part 1**

**Rights Granted**

1. The right for the Lessee and the Lessee's employees, agents, servants, workmen and others, or any of them, at all reasonable times on notice (except in the case of an emergency) to enter the neighbouring or adjoining Lands of the Lessor for the purposes of accessing the Lands and carrying out any maintenance or boundary repairs causing as little disturbance as possible and making good any damage caused.
2. The right of the free and uninterrupted passage and running of gas electricity water and soil to and from the Lands through the sewers drains pipes tanks electric lines and plant (as defined by Article 3 of the Electricity (Northern Ireland) Order 1992) ducts and conduits passing through or situated on any part of the Lessors adjoining and neighbouring lands.
3. The right for the general public to freely access and use the Lands for any or all of the Permitted Use.

**Part 2**

**Rent Review**

**Exceptions and Reservations**

1. All such matters and things (if any) as are excepted and reserved in and by the deeds under which the lands are held with others by the Lessor.
2. The right of free and uninterrupted passage and running of gas electricity water and soil to and from the Lands through the sewers drains pipes tanks electric lines and plant (as defined by Article 3 of the Electricity (Northern Ireland) Order 1992) ducts and conduits passing through or situated on any part of the Lands.

3. The right for the Lessor and all persons authorised by the Lessor with or without servants workmen and others to enter the Lands for the purposes of repairing cleaning maintaining or renewing any such sewers drains pipes tanks electric lines and plant as defined by Article 3 of the Electricity (Northern Ireland) Order 1992) ducts and conduits as pass through or are situated on the premises of the Lessor causing as little disturbance as possible and making good any damage caused.

### **Second Schedule**

#### **Rent Review**

The annual rent payable for the period of five years from the Term Commencement Date and during every ensuing period of five years (which dates are hereinafter called “the Rent Review Dates”). The annual rent payable for the period of five years shall be determined on each of the Rent Review Dates in accordance with the open market rental value as determined by Land and Property Services for the five year period ending on the last day of the month prior to the relevant Rent Review Date.

**Third Schedule**  
**Schedule of Works**

<b>Report on</b>	Special Council Meetings Receiving Deputations
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	A Tohill, Chief Executive

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

<b>1.0</b>	<b>Purpose of Report</b>																						
1.1	To consider and review the practice of convening meetings of council to receive deputations from a range of statutory agencies, government bodies and public authorities.																						
<b>2.0</b>	<b>Background</b>																						
2.1	Since the establishment of Mid Ulster District Council up to 5 special meetings of council have been scheduled annually to receive deputations from a range of statutory agencies, government bodies and public authorities. These are held in addition to the monthly meetings of council on the fourth Thursday of every month at 7pm.																						
2.2.	Deputations have been received from the organisations as listed below by thematic area: <table border="1"> <thead> <tr> <th>Theme</th><th>Organisation</th></tr> </thead> <tbody> <tr> <td>Infrastructure</td><td>Transport NI</td></tr> <tr> <td></td><td>NI Water</td></tr> <tr> <td></td><td>Northern Ireland Electricity</td></tr> <tr> <td>Housing</td><td>Northern Ireland Housing Executive</td></tr> <tr> <td>Health</td><td>Southern Health &amp; Social Care Trust</td></tr> <tr> <td></td><td>Northern Health &amp; Social Care Trust</td></tr> <tr> <td>Economy</td><td>Invest NI</td></tr> <tr> <td>Education</td><td>South West College</td></tr> <tr> <td></td><td>Northern Regional College</td></tr> <tr> <td></td><td>Department for Education</td></tr> </tbody> </table>	Theme	Organisation	Infrastructure	Transport NI		NI Water		Northern Ireland Electricity	Housing	Northern Ireland Housing Executive	Health	Southern Health & Social Care Trust		Northern Health & Social Care Trust	Economy	Invest NI	Education	South West College		Northern Regional College		Department for Education
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Economy	Invest NI																						
Education	South West College																						
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	Department for Education																						
<b>3.0</b>	<b>Main Report</b>																						
3.1	The convening of special council meetings to receive deputations from various agencies, bodies and public authorities has been the practice of council since its establishment in April 2015. However, attendance at these meetings since March 2016 has fluctuated between 65% and 25% with the average attendance over this period to date being 45% (i.e. 18 Members)																						
3.2	It has also been noted that on occasions meetings have come close to becoming inquorate with some members leaving during them, and in some instances Members are being asked to remain to allow meetings to remain quorate for the transaction of business. On one occasion a meeting only achieved a quorum of 10 Members present to commence the meeting (one-quarter of the whole Council).																						

3.3	Attendance at monthly council meetings remains consistently high.
3.4	<p>It is proposed that deputations, which have been received at special council meetings, be now scheduled to be heard at monthly meetings of Council. The benefits being:</p> <ul style="list-style-type: none"> <li>• Reduction in 5 meetings per annum to which Members will be summoned attend</li> <li>• Business will still be transacted but as part of monthly council meetings</li> <li>• Avoidance of any doubt over whether senior officers from agencies/bodies are being brought to a meeting which could be inquorate or have a low attendance</li> <li>• Reduction in the number of evening meetings to which officers will be required to attend and service</li> <li>• Reduction in the number of minutes which Members will be required to consider</li> </ul>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: Reduction in the costs associated with convening and managing meetings</p> <p>Human: Time freed up for Members to undertake other council/constituency business</p>
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>Not applicable</p>
<b>4.3</b>	<p><b><u>Risk Management Implications</u></b></p> <p>Not applicable</p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Committee agree that monthly meetings of Council receive deputations from statutory agencies, government bodies and public authorities, discontinuing the practice of convening special meetings of council to receive same.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	None.



<b>Report on</b>	Council & Committee Meeting Packs
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	A Tohill, Chief Executive

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update Members and consider the practice of producing paper Council & Committee Meeting Packs.
<b>2.0</b>	<b>Background</b>
2.1	The committee will recall that at its meeting of January 2017 it considered a report on appointing Astech CMIS to deploy a committee management system. A core aspect of this system, amongst other things, is the compilation, management and distribution of Council & Committee Meeting Packs to all members.
2.2	Members have now been afforded the provision of a device permitting them access to all Council and Committees papers on the council website or via the MyCMIS app.
2.3	The MyCMIS app is available on iOS (iPads only) v7+, Android devices running 4.4.2 +, Windows 8.1 and Windows 10. Where this is not available on a Members device they can access them on the web at <a href="https://mid-ulster.cmis-ni.org/Midulster/Committees.aspx">https://mid-ulster.cmis-ni.org/Midulster/Committees.aspx</a>
2.4	In light of the use of the committee management system for distributing meeting packs, members being afforded with the provision of a device and the receipt based allowance for broadband now in place, consideration has been given to the practice of producing Meeting Packs.
<b>3.0</b>	<b>Main Report</b>
3.1	From the establishment of Mid Ulster Council paper Meeting Packs have been provided for Members who have requested a copy for any Council meeting and the Committee they are a member of.
3.2	A review of this practice has been undertaken. In light of meeting packs now being distributed through the CMIS committee management system, members being afforded with the provision of device to view them and the receipt based allowance for broadband now in place, it is recommended that the printing and issuing of paper meeting packs be discontinued.
3.3	Democratic Services has provided ongoing support to Members on accessing their council/committee papers via our website and the app. The availability of meeting packs on our website and the app from September 2017 has made them more accessible for Members to retrieve and browse at any time

3.4	<p>Ongoing support has been provided to Members on retrieving and accessing papers. However, training (one to one) or in a small group format can be provided on the use of the device, and the app specifically, for any Member who requests this. This can include:</p> <ul style="list-style-type: none"> <li>• Accessing meeting papers on the website or through the app</li> <li>• Navigating through the app</li> <li>• Accessing the Bookmarks of meeting packs</li> <li>• Showing how documents and meeting packs can be annotated</li> <li>• How document and meeting packs can have comments placed on them</li> </ul>
3.6	<p>A review of meeting pack printing costs for January 2018 has identified that on the basis of an average meeting pack costing £4.36 to produce, £189.11 of costs were accrued. This relates to 14 Members.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: Identified savings in costs associated with current meeting pack production would be £6,808 over 3 years.</p> <p>Human: Not Applicable</p>
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>Not applicable. Democratic Services are not in receipt of/acting on any special requirements for providing meeting packs in alternative formats i.e. large print etc.</p>
<b>4.3</b>	<p><b><u>Risk Management Implications</u></b></p> <p>The discontinuation of producing meeting packs for circulation to Members will minimise the circulation of confidential business being viewed by unauthorised readers</p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	<p>That the committee considers the discontinuation of producing paper Council and Committee Meeting Packs 31<sup>st</sup> March 2018.</p>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<p>Not applicable</p>

<b>Report on</b>	Consultation on Improvement Objectives: March - April 2018
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	L Jenkins, Performance & Quality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>										
1.1	To consider and agree initiation of public consultation on existing Improvement Objectives set in compliance with the Local Government Act (NI) 2014 (the Act).										
<b>2.0</b>	<b>Background</b>										
2.1	The 2014 Local Government Act places a general duty on all Councils to “.... <i>make arrangements to secure continuous improvement</i> ....” in the exercise of its functions.										
2.2	The Committee at its May 2017 recommended to council that 4 Improvement Objectives be set for the two year period 2017-18 and 2018 -19. This was subsequently agreed by Council and officers have developed the council's performance improvement regime around the 4 improvement objectives.										
2.3	Each improvement objective was assigned to a Senior Reporting Officer (SRO), who are progressing a body of work to deliver improvement outcomes for citizens specific to the objectives they are responsible for										
2.4	The council and committee agreed that these be set for a two year period, to provide sufficient time to bring about and see tangible outcomes for citizens. The Objectives are: <table border="1" data-bbox="237 1496 1410 1944"> <thead> <tr> <th>Objective</th><th>SRO</th></tr> </thead> <tbody> <tr> <td>To assist in the growth of the local economy by increasing the number of visitors to our district</td><td>Director, Business &amp; Communities</td></tr> <tr> <td>To help manage our waste and environment by reducing the amount of waste going to landfill</td><td>Director, Environment &amp; Property</td></tr> <tr> <td>To improve the accessibility of our services by increasing the number available online</td><td>Director, Finance</td></tr> <tr> <td>To support people to adopt healthier lifestyles by increasing usage of council recreational facilities</td><td>Director, Leisure &amp; Outdoor Recreation</td></tr> </tbody> </table>	Objective	SRO	To assist in the growth of the local economy by increasing the number of visitors to our district	Director, Business & Communities	To help manage our waste and environment by reducing the amount of waste going to landfill	Director, Environment & Property	To improve the accessibility of our services by increasing the number available online	Director, Finance	To support people to adopt healthier lifestyles by increasing usage of council recreational facilities	Director, Leisure & Outdoor Recreation
Objective	SRO										
To assist in the growth of the local economy by increasing the number of visitors to our district	Director, Business & Communities										
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To support people to adopt healthier lifestyles by increasing usage of council recreational facilities	Director, Leisure & Outdoor Recreation										

<b>3.0</b>	<b>Main Report</b>
3.1	Statutory Guidance issued by the Department for Communities to Councils on taking forward the general duty on improvement, requires that the council must consult on a yearly basis on their improvement objectives for each financial year. This requirement on consultation falls from section 87 of the Local Government Act (NI) 2014.
3.2	There is no statutory duty to consult on the improvement plan, but rather the improvement objectives. The existing improvement objectives and progress towards same have been reviewed and it is considered that they remain, as previously set for the period 2018-19.
3.3	A report on delivery of the improvement objectives, detailing key deliverables throughout 2017-18, will be provided to April committee.
	<b><u>Consultation</u></b>
3.3	It is recommended that arrangements are made to move towards consultation on the Improvement Objectives, as referred to in section 2.4 above, following the Policy & Resources Committee and run 9 <sup>th</sup> March to 27 <sup>th</sup> April 2018.
3.4	The outcome of the public consultation will be reported to May 2018 committee.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b><u>Financial &amp; Human Resources Implications</u></b>  Financial: Not Applicable  Human: Not Applicable
<b>4.2</b>	<b><u>Equality and Good Relations Implications</u></b>  Not applicable.
<b>4.3</b>	<b><u>Risk Management Implications</u></b>  Non-initiation of the consultation would be outside the requirements of the Department statutory guidance on improvement leading to a risk of non-compliance under the Act.
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the committee considers and approves the initiation of the consultation on retaining the existing improvement objectives for a further 12 month period (2018-19)
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Not applicable

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 8 February 2018 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present** Councillor Molloy, Chair

Councillors Ashton, Bateson, Buchanan Cuddy, Elattar, Forde, Gildernew, Kearney, S McGuigan, McKinney, McLean (7.07 pm), McPeake, Totten

**Officers in Attendance** Mr A Tohill, Chief Executive  
Ms Canavan, Director of Organisational Development  
Ms Campbell, Director of Leisure and Outdoor Recreation  
Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Ms Kerr, Head of Finance  
Ms McNally, Council Solicitor  
Ms Mezza, Head of Marketing and Communications  
Mr O'Hagan, Head of ICT  
Mr JJ Tohill, Director of Finance  
Ms Grogan, Committee Services Officer

**Others Councillors in Attendance** Councillor Burton & McFlynn

The meeting commenced at 7.03 pm.

**PR024/18 Apologies**

Councillor M Quinn

**PR025/18 Declaration of Interest**

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

**PR026/18 Chair's Business**

None.

**Matters for Decision**

**PR027/18 External Signage: Play Areas**

*Item redacted referred back to Committee for clarification on voting figures*

## **PR028/18 Rectification of Boundaries for Lands at Oaks Road, Dungannon**

The Council Solicitor drew attention to the previously circulated report to seek members' approval to progress an application to Land Registry for the rectification of boundaries of lands adjacent to the Council's Depot at Oaks Road, Dungannon.

*Councillor McLean entered the meeting at 7.07 pm.*

Councillor Gildernew said that it looked like there wasn't much ground to object to the proposal and enquired if this was contested could there be an issue of squatters' rights.

The Council Solicitor advised that from the investigations carried out, it would appear that it was a simple mistake of a wrong map being included when the transfer was being registered. The Council Solicitor also advised that it would appear that the Co-op would have a good case for adverse possession in the circumstances.

Councillor S McGuigan enquired where the blue map came from and if there had of been a situation regarding liability, who would have been liable if the circumstances arose.

The Council Solicitor advised that there was no transfer map on the Council's purchase file, but that there were two maps which both appeared to have been prepared by the former Dungannon District Council, except that the red line on the map attached to the contract was greater than that which was subsequently registered in Land Registry. She further advised that in relation to any query about liability, that a similar type exercise would be carried out and that based on information provided that the Council would be arguing that it had disposed of the land in 1991/92 and therefore would have contested any claim from then.

Proposed by Councillor Cuddy  
Seconded by Councillor Gildernew and

**Resolved:** That it be recommended to the Council that approval be granted for an application for rectification of the boundaries to accord with the map attached at Appendix 1 relating to lands at Oaks Road, Dungannon be progressed to completion.

## **PR029/18 Planning System Replacement Update February 2018**

The Head of ICT drew attention to the previously circulated report to update Council on the progress to date in respect of the discovery and development of a business base for the replacement of the existing planning system.

Proposed by Councillor Gildernew  
Seconded by Councillor S McGuigan

**Resolved:** That it be recommended to the Council that members note the information update.

## **Matters for Information**

### **PR030/18 Minutes of Policy and Resources Committee held on Thursday 11 January 2018**

Members noted Minutes of Policy and Resources Committee held on Thursday 11 January 2018.

### **PR031/18 Marketing and Communications Activity Update**

Members noted previously circulated report to provide an update on key areas of recent marketing and communications activity.

### **PR032/18 Member Services**

No issues.

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

Proposed by Councillor McPeake  
Seconded by Councillor S McGuigan and

**Resolved:** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR033/18 to PR042/18.

### **Matters for Decision**

- PR033/18 Rates Estimates 2018/19
- PR034/18 Lands at Ratheen Park: Request from Holy Trinity College, Cookstown
- PR035/18 Proposed Leases – Pomeroy and Davagh Forests
- PR036/18 Staffing Matters
- PR037/18 MPLS Computer Network Improvements
- PR038/18 Cisco IPT Maintenance

### **Matters for Information**

- PR039/18 Confidential Minutes of Policy and Resources Committee held on Thursday 11 January 2018
- PR040/18 Staffing Matters
- PR041/18 Contracts and DAC
- PR042/18 Financial Report for 9 months ended 31 December 2017

### **PR043/18 Duration of Meeting**

The meeting was called for 7 pm and ended at 7.55 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



<b>Report on</b>	GDPR compliance action plan update
<b>Reporting Officer</b>	Barry O'Hagan
<b>Contact Officer</b>	Barry O'Hagan

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To advise Council on the plans and actions required in preparation for achieving General Data Protection Regulations (GDPR) compliance.
<b>2.0</b>	<b>Background</b>
2.1	<p>The new legislation for GDPR will be enforceable from 25th May 2018.</p> <p>In preparation for the higher levels of protection and rights afforded to personal data the council has identified and timetabled a series of key actions highlighted in appendix 1 in order to achieve compliance with the legislation.</p> <p>The legislation was introduced by the EU to strengthen data privacy for individuals, to modernise data privacy, reflective of the increased use of technology in society today and to provide a means to enforce security through enforcement fines .</p>
<b>3.0</b>	<b>Main Report</b>
3.1	<p>Each Directorate and service are responsible for actions and their compliance within the plan. The actions listed reflect the key principles being applied to an organisation (Data Controller) by the legislation.</p> <p>The plan in summary requires the Council to understand and document how and why it uses any personal data across its services, how it processes and secures the data and for how long it retains that information.</p> <p>Policies and contracts (where applicable) must be reviewed to reflect the impact of GDPR going forward.</p> <p>Processes must be reviewed and updated to reflect all the principles including e.g. consent , children and subject access request , breaches and the rights of the individual.</p> <p>The plan will be reviewed and monitored for compliance by SMT and the Data Protection Officer.</p>

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial:</b> There is currently no direct financial costs identified as part introduction of GDPR that are immediately identifiable but significant staff input is required within the action plan. That effort has not been calculated.
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>A new GRPR policy will be developed that is compliant and screened for equality and good relations requirements.</p>
<b>4.3</b>	<p><b><u>Risk Management Implications</u></b></p> <p>The risk register will be updated to reflect a corporate risk of non-compliance.</p>
<b>5.0</b>	<b>Recommendation(s)</b>
<b>5.1</b>	Council note the information and plan attached.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Mid Ulster District Council GDPR compliance Plan.

## Mid Ulster District Council GDPR Compliance Plan (draft )

General Data Protection Regulations Legislation becomes effective on 25<sup>th</sup> May 2018. (

Data Protection Principles	What Work is required	Detail	Lead Responsibility	Time frame
<b>GDPR Plan</b>	Creation and adoption of Plan of action for Council	Plan developed and circulated	BOH	Feb 18
<b>Appointment of DPO , Resources Allocation &amp; Awareness</b>	Statutory appointment	Appointment of DPO, review JD and Responsibilities	CEX & OD	Mar- April 2018
	GDPR, Resources and Knowledge Training and Communication	Nominate GDPR representatives per Service	SMT	Feb-Mar 18
		Guidance and awareness training programme for all SMT, Heads of Service, Facilities Mangers and Staff handling personal Data to attend	OD &HR	Feb 18
		Develop & Implement internal Communications on issue, intranet ,Team meetings , Staff News etc..	Um & ALL	Feb 18
<b>Governance</b>	Review of Policies, data collection, data handling, security and data retention practices and policies to ensure compliance with the revised data protection principles	Data Protection Policy	Nominated	June 18
		CCTV Policy	BOH	June 18
		Social Media Policy	UM	May18
		ICT Security Policy	BOH	July 18
		Retention & Disposal Policy	PM	May 18
		Procurement Policy	PK	May 18
	Review practice, polices to ensure Council embeds a culture of 'Design by default' within data protection considerations	Customer Service Policy	UM	May 18
		HR Policies	HR & OD	May 18
		Photographic Policy	Um	June 18
		Policy development framework & Templates	PM	Mar 18
<b>GDPR Compliance Monitoring and Audit</b>	General Data Protection Audit and monitoring and reviewing of compliance and records	Independent appraisal of each Service GDPR compliance	Int. Audit/DPO	Sept 2018
		Monitor Action Plan and Risks Register	SMT, Int. Audit/DPO	

Data Protection Principles	What Work is required	Detail	Lead Responsibility	Time frame
<b>Information Inventory</b>	Information Inventory Scoped and Designed	Design Information collection template	BOH	Feb 18
	Inventory recorded and Maintained	Data mapping exercise for each service formally recorded	Nominated individuals /HOS	Feb-Mar 18
		Fully review the scope and requirements for PIA across the council services	Nominated individuals /HOS	Apr 18
	Privacy Impact Assessments(PIAs)	Complete PIAs Identified	Nominated individuals /HOS	May 18
		Each facility CCTV PIA to be completed in line with policy	Facility managers	Mar 18
Lawful Processing	Review legal basis for processing to ensure these remain lawful and appropriate before processing:-	Update privacy notices to state the legal basis and 'purpose' on which personal data is being processed.	Nominated individuals /HOS	Apr 18
	<p>Necessary for the performance of a contract –eg gym membership</p> <p>–Necessary for compliance with a legal obligation to which the controller is subject –eg monitoring information</p> <p>–Necessary to protect vital interests –eg emergency first aid</p>	Update consents to comply with the stricter requirements for valid and 'explicit' consent processes and personal data handling by each service.	Nominated individuals /HOS	Apr 18
Privacy Notices	Audit existing privacy notices	Services to review privacy notices and adequacy in documentation and web	Nominated individuals /HOS	Mar 18
	Review, Update and Agree	Amend, Agree and Publish privacy notices	Nominated individuals /HOS	Mar 18

Data Protection Principles	What Work is required	Detail	Lead Responsibility	Time frame
Data Subject Requests(SARs) And Breach Notification	Mechanism to process SARs,	Review and Amend Dynamic workflows for Data protection requests and Compliance.	BOH	Mar -Apr 18
	Data Subject requests e.g. Change erase, restrict, object, portability, automated decision making	Establish individual rights requests processes for the Council	BOH	Mar
	Report breaches to ICO and Council within timescales	Establish Breach Process and communicate to Services	BOH	Apr
Children & Data	Review processes where children's data is processed	Age consent: Update Service consents, age verification and authorisation processes to comply with the stricter requirements for valid consent for processing children's personal data	Nominated individuals /HOS e.g sport	25 <sup>th</sup> May 2018
Contracts	Review Existing Contracts	Audit existing Suppliers and 3rd party data processors arrangements / contracts to identify GDPR data processor obligations.	Nominated individuals /HOS	MARCH 2018
	Existing contracts (on a risk basis)	Identify data processor and data controller and their respective roles, responsibilities and liabilities	Nominated individuals /HOS	April 2018
		Draft letter/amended contract terms re GDPR compliance with existing providers	CMcN	March 2018
	Contracts to be awarded post May 2018	Update procurement T&Cs, RFQ, tenders' templates in respect of GDPR	PK, CMcN	April 2018
	Third Party Data Processors Review	Ensure 3 <sup>rd</sup> party processors meet GDPR requirements	Nominated individuals /HOS	ongoing
	Contracts to be awarded post May 2018	Identify data processor and data controller and their respective roles, responsibilities and liabilities	Nominated individuals /HOS	When drafting specification
	Vetting	Establish a robust vetting process to ensure data processor is GDPR compliant itself	DPO	April 2018

