

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 August 2018 in the Council Offices, Circular Road, Dungannon

Chair: Councillor McPeake

Members Present: Councillors Ashton, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Forde, Gildernew, Gillespie, Glasgow, Mallaghan, McEldowney, McFlynn, B McGuigan, S McGuigan, McKinney, McNamee, Milne, Molloy, Monteith, , Mulligan, J O'Neill, T Quinn, M Quinn, Robinson, G Shiels and Totten

Officers in Attendance: Mr A Tohill, Chief Executive
Dr Boomer, Planning Manager
Mr A Cassells, Director of Environment & Property
Ms Mezza, Head of Marketing & Communications
Mr P Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7pm

C187/18 Apologies

Councillor Bateson, Elattar, Mullen Kearney McAleer, McGinley, McLean, Reid and Wilson

C188/18 Declarations of Interest

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

C189/18 Chair's Business

None

Matters for Decision

C190/18 Receive and Consider Minutes of matters transacted in "Open Business" at the Council meeting held on Thursday 26 July 2018

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

Resolved: That the Minutes of the Meeting of the Council held on Thursday 26 July 2018 (C159/18 – C172/18 and C186/18) transacted in Open Business having been printed and circulated were considered and adopted.

Councillor McFlynn stated she had not been in attendance at the previous Council meeting at which discussion on the scoping study for potential sites for traveller provision took place. Councillor McFlynn requested an update.

In response, the Chief Executive stated that an internal meeting had been held on the matter on 24 July at which some actions had been proposed. He advised that the notes of the meeting had yet to be ratified and that due to staff leave some progress had been made, however as business resumed after the holiday period more progress could be expected.

Councillor McFlynn asked if a report would be presented at the Environment Committee in September or October regarding the issue. In response the Chief Executive stated that he had not spoken to the Director of Public Health and Infrastructure and thus could not commit but assured the meeting that the Working Group would be established and progress made at the earliest opportunity.

Councillor S McGuigan referred to the motion moved in June 2018 on a Brexit Working Group being set up and sought an update. In response, the Chief Executive stated that Brexit was discussed regularly at SMT and that a paper to establish a Working Group would be brought to Development Committee in September. He also referred to a suite of papers issued earlier in the day concerning Brexit.

C191/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 7 July 2018

Proposed by Councillor Glasgow
Seconded by Councillor Bell and

Resolved That that the Minutes of the Meeting of the Planning Committee held on Tuesday 7 July (P102/18 – P106/18 and P111/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

C192/18 Referral from Planning Committee of a Planning Application for 2 No. additional broiler poultry sheds (to contain in total 74,000 broilers taking the total farm capacity to 148,000 broilers) with 4 No. feed bins, 2 No. gas tanks, biomass boiler shed and pellet bin, ancillary building and proposed cattle shed with underground slurry tank (to contain 80 beef cattle) new covered silage pit, covered yard area and general farm storage building at 300m North West and 100m South West of 27 Terryscollop Road, Annagh, Dungannon for CAP Farms Ltd

The Planning Manager recommended that the paper presented be deferred to the Planning Committee. He apologised, advising that the Department for Communities (DfC) had been endeavouring to change legislation in relation to application processes and that Planning Managers had not been consulted. He outlined that the council's Planning Committee had delegated powers in relation to planning applications and thus this application should be deferred back to September Planning Committee in line with

the Planning Protocol. He further advised that the issues raised by the Department of Communities were to be discussed at SOLACE.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That the application aforementioned be deferred to the September Planning Committee.

C193/18 Renewable Heat Incentive Scheme

Councillor McKinney stated he had been contacted by a number of constituents who had received ‘time-bound response’ correspondence from the Department for the Economy regarding the Renewable Heat Incentive Scheme and proposed that council write to request a meeting to discuss the responsiveness and accessibility of departmental officials on the matter.

The Chair, Councillor McPeake clarified that it was in relation to the Boilers and concurred with Councillor McKinney.

Councillor B McGuigan stated he would second the proposal for a meeting and emphasised that companies needed answers and that he too had received a number of enquiries in relation to the matter.

Proposed by Councillor McKinney
Seconded by Councillor B McGuigan and

Resolved That Council write to the Department for the Economy requesting a meeting regarding the Renewable Heat Incentive Scheme with relation to time bound response correspondence being received by companies.

C194/18 Revised Timetable for the production of the new Local Development Plan (LDP) for Mid Ulster District Council Area

The Planning Manager requested that the report be deferred back to the planning committee advising that excellent progress was being made on the Development Plan but that following the release of the report it had come to light that some further work was required to be undertaken on the plan before it being considered for approval. He assured Members that the Local Development Plan for the Mid Ulster District Council area would be presented to committee and council in due course.

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew and

Resolved That the revised Timetable for the production of the new Local Development Plan (LDP) for Mid Ulster District Council area be deferred.

C195/18 A29/A31 Bypass

Councillor Cuddy made reference to a recent motion moved and carried at June Council regarding a bypass for Dungannon and asked if there was a timetable and process in place to identify a route for this.

The Chief Executive advised that following the motion he had met with senior officials from the Department for Infrastructure to discuss the issue and highlighted that it had been discussed with regard to community planning and as part of the council's aspirations for economic growth. He outlined that in tandem with the community plan the Department is preparing a regional strategic road network plan that would incorporate proposed road schemes including the A29 and other enhancements around Moneymore. He emphasised that work was ongoing and that from the outset Council has put forward a case for the inclusion of Dungannon. The Chief Executive noted that other bypass plans have progressed further than the Dungannon scheme but if council have it included within its plans it would help. He also stated that Council had investigated how it could assist the fruition of a scheme and to date progress was positive.

The Planning Manager stated it was important to have the Dungannon bypass proposal on the agenda and that he had looked at potential options taking into account issues, such as topography, areas of conservation, houses, settlements, dwellings in the countryside and thus the options narrow down to two or three possibilities either to the east of the town or the west of the town. He highlighted that it raised questions as to whether there should be another motorway junction but stressed that options would be put on paper and brought to the Members attention. He stressed the importance of keeping the work ongoing and not halting the progress of a plan.

Councillor Ashton sought clarification as to why three papers had been presented on the agenda and yet were now being deferred.

In response the Planning Manager referred back to his earlier explanations aforementioned and stated that he had issues to check out prior to the plan being signed off by Council and it would be embarrassing if the papers were passed tonight and in a few weeks it was established that other consultees had to be included.

Councillor McFlynn asked if the list of stakeholders outlined in the plan attached to the report was exhaustive or if others could be included. The Planning Manager outlined that the consultees had arisen from the community planning events and as each stage progressed some groups had not responded thus were not included going forward. He further advised if they were not statutory consultees they could be added.

Councillor McFlynn stated that some groups may not be aware of the opportunity. The Planning Manager advised that opportunities to become engaged were advertised in the press and that there would be publicity in the future.

Councillor Monteith welcomed the news that the Dungannon Bypass was moving forward but stated that it should be the A29 in its entirety emphasising that to exclude Moy would only move traffic congestion. He stated that he accepted that processes

were long but stressed that the Dungannon bypass had been discussed in the Dungannon Area Plan some 25 years previous. He made mention of the retail units being lost to housing in Scotch Street, Dungannon and stressed that Council continued to pass housing development plans with no conditions set for recreational facilities. Councillor Monteith emphasised that communities cannot wait five years and stated there should be a way of addressing issues as more single dwellings were being passed. He concluded that, *“Council was fiddling whilst Rome was burning”*.

Councillor G Shiels stressed the importance of lobbying in relation to bypasses and spoke of his desire for a bypass in Maghera for over 20 years. He referred to the current plans for bypasses for Cookstown and Moneymore and stressed that he would like to see Maghera finished.

Stating that Martin Luther said, *“I have a dream”* he emphasised that he, George Shiels *‘had a plan’* that if another kilometre of road was added to the distributor road in Maghera it could be linked into the Castledawson roundabout. He continued stating that Moneymore should be linked into the Cookstown bypass and that it was prevalent that Council plan ahead for the future of the roads throughout the district.

Councillor Gildernew concurred with Councillor Monteith’s comments regarding Moy and supported the reasons to include Moy Village any A29/bypass scheme around Dungannon.

Proposed by Councillor Monteith
Seconded by Councillor Gildernew and

Resolved That Council include Moy Village in its plans regarding the A29 bypass scheme at Dungannon

The Planning Manager in responding to concerns regarding Dungannon town centre stated that Dungannon Regeneration Partnership had also expressed concern and that the forthcoming preferred Options Paper would have a Plan Strategy for the town. With reference to open space, the Planning Manager confirmed that it was sought in housing development plans but that he would speak to the Councillor regarding open spaces.

The Planning Manager referred to comments regarding the bypasses and highlighted that the Magherafelt bypass was excellent and had promoted economic development opportunities. He also stated that similar projects for Cookstown and Dungannon would open opportunities but stressed that it was all about roads going south as well as east and west emphasising that keeping traffic moving on the whole A29 was key.

The Chief Executive clarified that the road networks across Mid Ulster district being referenced during discussion incorporated both the A29 and A31.

C196/18 Statement of Community Involvement (SCI) for the new Local Development Plan and Development Management Functions for Mid Ulster

The Planning Manager requested that the report be deferred back to the planning committee advising that excellent progress was being made on the Development Plan but that following the release of the report it had come to light that some further work was required on the plan thus to approve tonight's report would be premature. He assured Members that the Local Development Plan for the Mid Ulster District Council area would be presented to committee and council in due course.

Proposed by Councillor Mallaghan
Seconded by Councillor Gildernew and

Resolved That the report on the Statement of Community Involvement (SCI) for the new Local Development Plan and Development Management Functions report be deferred

C197/18 Conferences, Seminars & Training

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

(i) Conference & Seminars – Attendance by Members

- RTPI NI Planning Conference – Excellence in the Ordinary
Tuesday 11 September 2018, Europa Hotel, Belfast
Cost £80 + VAT + travel and subsistence (3 places for price of 4)
- MILNE Funeral Services – End of Life Care Conference
Wednesday 12 September 2018, Seagoe Parish Centre, Portadown
No conference fee, travel and subsistence
- DTNI Community Expo: Community Ownership – A movement for Social Change
Wednesday 19 September 2018, Duncairn Centre, Belfast
Cost £60 plus travel and subsistence
- NILGA Developing a Safe and a Just Community
Friday 28 September 10am – 1.30pm, The City Hotel, Derry-Londonderry
No conference fee, travel and subsistence

(ii) Member Training Requests

Councillor Doris sought approval to attend the *Law Centre Conference: Social Secutiry Law in Practice 2018* at an approximate cost of £120.

The Chair, Councillor McPeake requested that the information be circulated to all Members should anyone wish to attend.

(iii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee
RTPI Conference	11/09/18	4	Belfast	Yes, 4 for cost of 3

Proposed by Councillor Bell
Seconded by Councillor S McGuigan and

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

The Planning Manager and Councillor G Shields left the meeting at 7.35pm

C198/18 Civic Recognition Requests

The Head of Democratic Services referred Members to the previously circulated report and sought approval for requests for civic recognition from Members, in line with revised policy.

Proposed by Councillor Molloy
Seconded by Councillor Cuddy and

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

Matters for Information

Councillor Cuthbertson left the meeting at 7.38pm

C199/18 Consultations Notified to Mid Ulster District Council

The previously circulated report on consultations notified to Mid Ulster District Council since the last meeting of Council was presented to the meeting.

Councillor Monteith proposed that Council prepare a response to the NILGA consultation outlined in the report. He stated that early aspirations for the Review of Public Administration were that councils were to have more powers than they currently have. He also said that in the absence of the NI Assembly Councils continued to function and deliver a wide range of services.

Councillor S McGuigan concurred and suggested that the response be presented to Policy and Resources committee.

The Chief Executive stated that Council had planned to submit a response and invited Members comments.

The Chair, Councillor McPeake stated that there was a Discussion Document in relation to the consultation and requested that it be circulated to Members.

Resolved: That (i) council note the consultations within the Consultations Report and (ii) response be prepared for consideration by Policy & Resources Committee on the NILGA consultation - *Devolution Within Northern Ireland*

The press left the meeting at 7.40pm

Councillor T Quinn left the meeting at 7.40pm

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

Proposed by Councillor Clarke
Seconded by Councillor Mallaghan

Resolved: That items C200/18 – C206/18 be taken as confidential business.

Matters for Decision

- (i) Council Meeting Confidential Minutes of Meeting held on 26 July 2018
- (ii) Planning Committee Confidential Minutes of Meeting held on 7 August 2018
- (iii) Tender Report for the appointment of a Fire and Security Maintenance Contract for Council Property
- (iv) Capital Project – St. Patrick's Hall, Ardboe
- (v) Capital Projects – Upperlands

C207/18 Duration of Meeting

The meeting was called for 7pm and ended at 7.45pm

CHAIR _____

DATE _____