

A

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 October 2014 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Mallaghan, Chair (Presiding Councillor)

Councillors Ashton, Bateson, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Dillon, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Molloy, Monteith, Mullen, Mulligan, C O'Neill, J O'Neill, T Quinn, M Quinn, Reid, Robinson, J Shiels, Totten and Wilson

Officers in Attendance: Mr A Tohill, Chief Executive
Mr Cassells, Director of Technical Services and Leisure Services (MDC)
Mrs Canavan, Lead HR Officer
Mrs Mezza, Marketing Communications Manager
Mr Moffett, Change Management Officer
Mr O'Hagan, ICT Manager
Mr JJ Tohill, Lead Finance Officer
Mrs Smith, Council Business Manager (D&STBC)

In Attendance: Mr McCallum (Chief Executive, NILGA)

The meeting commenced at 7 pm

C74/14 Chair's Remarks

Best Kept Awards

The Chair acknowledged the achievements of a number of areas across Mid Ulster District Council area which had been nominated for and received awards at the Best Kept Awards presentation event.

Congratulations

The Chair stated that a number of Gaelic Athletic Association teams in the Mid Ulster District Council area had excelled in their category which no doubt was due in some part by the investment by the legacy councils. Reference was made to a number of club teams.

Co Tyrone
Dungannon – Intermediate Champions
Rock – Junior Champions
Coalisland Ladies – Junior Champions
Eglish Ladies Camogie – Champions

Co Derry
Slaughneil – Senior Champions in both football and hurling

Castledawson – Intermediate Champions
Moneymore – Junior Champions
Glen Ladies – Senior Champions
Ballinascreen Ladies – Intermediate Champions
Magherafelt Ladies – Junior Champions
Newbridge Camogie – Intermediate Champions
Glenullin Camogie – Junior Champions

Councillor Mulligan also asked that the Chair acknowledge the achievements of Murley Silver Band from Fivemiletown who won the Championship in the Northern Ireland Bands Association competition the previous Saturday. This followed their success in the Spring at the Brass in Valley Competition when they won the Championship in the entertainment section.

The Chair said that he would be sending letters of congratulations to all concerned.

C75/14 Apologies

Councillor G Shields

C76/14 Declarations of Interest

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

C77/14 NOTICE OF MOTION

The Chair invited Councillor M Quinn to present the motion.

Councillor M Quinn stated he was proud to bring the first motion which the Council would have the power to act on and which would make the Council a living wage employer. The new Council would be one of the biggest employers in the Mid Ulster Area, between the three councils there are 952 employees 13 per cent of which earn below the living wage, this would be a massive statement and would send out the message that the Council cares about its workers and people and that we are leading the way in terms of being a responsible employer. It may even encourage other employers to do the same. It would ensure that all the staff would have the benefit of living not just earning a minimum wage.

Councillor M Quinn appealed for members to support the motion which would help demonstrate commitment to tackling poverty and improving the economy, provide leadership and improve the lives of 13 per cent of the Council's workforce.

This Council:

- *Notes that many households in the Mid-Ulster area, including a high portion of those in work, are currently experiencing poverty;*
- *Contends that people working full-time should be able to afford housing costs, essential utilities and food bills;*

- *Agrees that the introduction of the minimum wage has been a step forward in the attempt to eradicate poverty but that at its current level it is inadequate for many with financial responsibilities;*
- *Acknowledges that it is our responsibility as a major employer as well as to our ratepayers to seek to reduce poverty and inequality; and*
- *Notes that approximately 13% of council employees across the 3 council areas are paid below a 'Living Wage', currently set at £7.65 per hour, a sum independently set as the level above which an earner can live adequately and with dignity in today's society.*

The Council therefore agrees:

1. *To become a Living Wage employer, in consultation with staff and their representatives, and to revise upwards payment to those employees currently receiving below the living wage level;*
2. *To include a commitment to include the living wage in all new employment contracts; and*
3. *To ensure that the appropriate Council Committee receives reports on progress towards the above at least annually and initially by April 2015.*

Councillor McAleer seconded the motion and concurred with the remarks made. She continued that the passing of the motion would improve people's lives, improve staff morale and a lower staff turnover.

Councillor Cuthbertson felt that these issues should be dealt with in the House of Commons. Councillor Cuthbertson brought to members' attention a question raised within the House of Commons on the combination of raising the minimum wage and raising the tax threshold, and the response that a prospective Labour Government would introduce a starting rate tax of 10% which would help all workers. The member suggested that the Council should defer any decision on this issue and wait for further announcements by the Westminster Government.

Councillor Ashton stated that the motion presented was premature, was not opposed to employees getting paid for a job well done, spoke of the financial implications for ratepayers and felt that the issue would be best dealt with through the relevant council committee where full figures could be presented.

Amendment

Proposed by Councillor Ashton
Seconded by Councillor Burton

The Council therefore agrees:

1. *To review the salaries and wages budget as part of the wider budget setting process in consultation with staff and their representatives.*

2. *To analyse/scrutinize the living wage through the Policy and Resources Committee and the implications it would have on current resources.*

The Chair asked Councillor M Quinn if he was prepared to accept the amendment and following his rejection the amendment was put to the meeting 14 (fourteen) members voting in favour and 23 (twenty three) against.

The Chair declared the amendment Not Carried.

Councillor McNamee whilst concurring with the comments made by the proposer of the motion and agreeing with all the sentiments in the motion, he proposed an amendment.

Amendment

Proposed by Councillor McNamee
Seconded by Councillor McGinley

Delete from the Motion section number 3 and replace with

“On completion of the consultation process Mid Ulster Council will receive a full report on the recommendations, a draft policy and agrees clear timetabled steps to implement the living wage policy with the final agreed policy to come into effect from April 2015.”

Councillor Cuddy stated he was not personally against the principle of trying to pay employees as much as we can afford. Councillor Cuddy added that a lot of students are employed as casual staff in our leisure centres and given previous reports on the annual cost of running these centres there may have to be tough decision taken in relation to opening hours and possibly closures.

Councillor Monteith accused Councillor Cuddy of scaremongering, that this was an excellent motion and it was important that employees are paid a proper days pay for a proper days work. Councillor Monteith added that if the Council was serious about dealing with poverty this motion would clearly target those on minimum wage within the three councils, be good for the economy and ensure the Council would be leading the way to hopefully encourage others to follow. Councillor Monteith indicated that concern was expressed when minimum wage was introduced but all the doom and gloom did not happen.

Councillor Wilson stated that the wording in amendment pre-empted the outcome of any consultation process and for this reason could not support it.

Councillor Ashton stated that if the amendment was accepted points 1 and 2 would come into effect immediately.

The Chair, Councillor Mallaghan, stated that wording was merely setting out strategy, consultation would take place and any conclusions will be reflected in any contracts given to staff.

Councillor Mulligan while not in support of the motion stated that the preamble to the motion is laudible but the core message to set wages is not within the council's remit.

While there are some low paid members of the community, which the government has acknowledged by putting in place mechanisms to alleviate hardship, many of those affected would benefit from some education in budgeting and living within ones means. We are a body of elected members, elected to deliver government policy as formulated at Westminster and devolved to Stormont. Councillor Mulligan spoke in relation to funding the exercise and doubted if it would be popular to put our hand in the beleaguered rate-payers pocket.

Councillor Buchanan stated that if wages for the average family go up, tax credits may come down and households will have increased rates bill.

Councillor Dillon stated that Councillors were elected to do a job and not just to do what Central Government says.

Councillor Burton left at 7.38 pm.

Following the non acceptance of the amendment by the proposer the amendment was put to the meeting 17 (seventeen) members voted in favour and 20 (twenty) against.

The Chair declared the amendment defeated.

The original notice of motion was put to the meeting, 24 (twenty four) members voted in favour, 7 (seven) against and 6 (six) abstained.

The Chair declared the notice of motion Carried.

Delegation

C78/14 NILGA

The Chair welcomed Mr Derek McCallum, Chief Executive of NILGA (Northern Ireland Local Government Association) who was in attendance to brief the Members on NILGA's work programme and reconstitution.

Mr McCallum with the use of a powerpoint presentation made reference to the NILGA today and the NILGA of tomorrow. He stated that a strong local government association should form part of the outcome of the reform of councils in Northern Ireland. The presentation listed the proposed work streams beyond April 2015 and the timetable for NILGA's reconstitution.

The Chair, Councillor Mallaghan, thanked Mr McCallum for his presentation and opened the floor for comments.

Councillor McPeake declared an interest as party officer within NILGA and remained in the room.

Councillor McPeake concurred with what was stated within the presentation, stated that there was strength in unity and gave credit to NILGA for the co-ordination of issues of concern during the reform of local government and for their continued support.

Councillor T Quinn, the Council's representative on the Partnership Panel, stated that the help of NILGA in preparing for meetings was useful and helped the members move forward in unity.

Councillor McLean concurred with the other speakers, stated that there was strength in unity and felt that this is the way forward.

Councillor Wilson thanked Mr McCallum and NILGA for preparing and bringing forward papers although do not always agree with them.

The Chair, Councillor Mallaghan, thanked Mr McCallum for his attendance following which he left the meeting.

Matters for Decision

C79/14 Receive and consider minutes of matters transacted in “Open Business” at Council meeting held on Thursday 25 September 2014

Notice of Motion C55/14

Councillor Dillon asked for correction to the first sentence in the second paragraph under this item; remove the words “all cutbacks” and insert the words “proper welfare reform”.

Proposed by Councillor S McGuigan
Seconded by Councillor McLean and

Resolved That the Minutes of the Meeting of the Council held on Thursday 25 September 2014 (C53/14 to C67/14 and C73/14), transacted in “Open Business” having been printed and circulated were considered and subject to the foregoing correction signed as accurate and correct.

C80/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee meeting held on Monday 6 October 2014

Proposed by Councillor Glasgow
Seconded by Councillor J Shiels and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Monday 6 October 2014 (P12/14 – P18/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

C81/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Tuesday 7 October 2014

Proposed by Councillor Molloy
Seconded by Councillor and McPeake and

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Tuesday 7 October 2014 (PR32/14 – PR46/14 and PR49/14), transacted in “Open Business”, having been printed and circulated were considered and adopted.

C82/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Wednesday 8 October 2014

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

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Wednesday 8 October 2014, (E18/14 – E24/14 and E27/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

C83/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 9 October 2014

Proposed by Councillor Wilson
Seconded by Councillor and McNamee and

Resolved That the Minutes and recommendation of the Development Committee meeting held on Thursday 9 October 2014, (D20/14 – 26/14 and D32/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

C84/14 Seminars and Conferences

The Change Management Officer presented details of the undernoted conferences and sought approval for the attendance of members and officers, the payment of attendance fees and associated costs as incurred.

Building Control Convention - Building Communities beyond 2015: How the new Councils will shape the future (North Eastern Building Control), Thursday 13 and Friday 14 November 2014 (1.5 days), Full Conference Attendance: £270, Day 1 Attendance: £138 and Day 2 Attendance: £96 per delegate.

Councillors Gildernew and Kearney expressed an interest in attending.

Applying Principles of Planning: Making Better Decisions for Places (RTPI NI), Tuesday 11 November 2014, Guildhall, Derry/ Londonderry (0.5 days), £25 per delegate.

Proposed by Councillor McNamee
Seconded by Councillor Clarke and

Resolved That the attendance of members and officers, the payment of attendance fees and associated costs as incurred be approved and that if anyone else wishes to be considered to contact officers.

C85/14 Banking Services

The Lead Finance Officer presented a report seeking members' authorisation to initiate a tender for the provision of banking services for Mid Ulster District Council commencing 1 April 2015.

Proposed by Councillor McLean
Seconded by Councillor Reid and

Resolved That the Council authorises the officers to seek tenders for the provision of banking services.

IN COMMITTEE

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee and

Resolved That items C86/14 to C89/14 be taken in committee.

The press left the meeting at 8.02 pm.

C90/14 Duration of Meeting

The meeting was called for 7 pm and ended at 8.05 pm.

CHAIR _____

DATE _____

B

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Monday 3 November 2014 at 7 pm, in Magherafelt District Council Offices

Members Present:	In the Chair, Councillor Kearney (Chair) Councillors Bateson, Clarke, Cuthbertson, Gildernew, Glasgow, McEldowney, McKinney, McPeake, Mallaghan, Mullen, T Quinn, Reid and J Shiels
Officers in Attendance:	Mr Tohill, Chief Executive Mr Boomer, Area Planning Manager Mr Moffett, Change Management Officer Mrs Grogan, Committee Services/Senior Admin Officer (Dungannon & South Tyrone Borough Council)
Others in Attendance:	Mr Melvin Bowman, Senior Planning Officer Mr Phelim Marrion, Senior Planning Officer Mr Martin McCarroll, Senior Planning Officer

The meeting commenced at 7.05 pm.

P19/14 Apologies

Councillors Bell and Robinson.

P20/14 Declarations of Interest

The Chair reminded members of their responsibility on declarations of interest.

Matters for Decision

P21/14 Receive and Confirm Minutes of the Planning Committee Meeting held on Monday 6 October 2014

Reference to item, Paper on Accommodating Population and Growth across Mid Ulster - P15/14

- Paragraph 12, first sentence: remove the word “avoid” and replace with “encourage”
- Paragraph 5, second sentence: include the word “Clachan”.

Proposed by Councillor Glasgow
Seconded by Councillor Quinn and

Resolved: That the minutes of the meeting of the Planning Committee held on Monday 6 October 2014 (P12/14 – P18/14) were considered and subject to the foregoing amendments, signed as accurate and correct.

P22/14 Receive Paper on Arrangements for Transfer of Planning to Mid Ulster District Council

The Chief Executive presented a report on the transfer of Planning Function to Mid Ulster District Council.

The Chief Executive advised that Mid Ulster District Council has now been confirmed as the third Council on the list for the physical transfer to the Planning Function on the basis of its IT readiness. Early transfer will facilitate an essential bedding-in period and test systems from a Mid Ulster site leading to April 2015.

Councillor Gildernew stated that he was disappointed that there was no mention of a presence in Dungannon or Cookstown.

The Chief Executive advised of the Council decision to initially accommodate Planning Staff in the Magherafelt Office with a view to transferring some staff to Dungannon and Cookstown when the service had bedding in.

Councillor Mallaghan enquired about the recruitment of staff.

The Area Planning Manager advised that there were no specific details that he could update the committee on.

P23/14 Scenario Based Workshop Discussion on Process of Receiving and Considering Planning Applications

The Area Planning Manager, Mr Melvin Bowman, Mr Phelim Marrion and Mr Martin McCarroll were in attendance and went through examples of planning applications with members. The examples covered a range of fictitious planning applications and included:

- A Change of Use to ab Amusement Arcade
- Application for a 250kw wind turbine (export to grid)
- Industrial enterprise on land situated adjacent to existing settlement limit of Aughnacloy for the manufacture of quarry machinery
- Replacement Community Centre
- Retention of an agricultural shed
- Dwelling on a farm and domestic garage

Councillor Mallaghan left the meeting at 8.10 pm and returned at 8.15 pm.

Councillor McPeake left the meeting at 8.21 pm during above discussion.

Councillor Glasgow left the meeting at 8.35 pm during above discussion.

P24/14 Planning Study Visit

The Change Management Officer advised that itinerary for the planned study visit will be issued to members this week and that Cookstown and Magherafelt would be the two pick up points for members and officers attending.

P25/14 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.55 pm.

CHAIR _____

DATE _____

C

Minutes of Meeting of Policy & Resources Committee of Mid Ulster District Council held on Tuesday 4 November 2014 in Magherafelt District Council Offices

Members Present: In the Chair, Councillor McPeake (Chair)

Councillors Ashton, Bateson, Buchanan, Elattar, Forde, Glasgow, Mallaghan, McFlynn, S McGuigan, McLean, Molloy, M Quinn (7.07 pm), Reid (7.07 pm) and Totten

Officers in Attendance: Mr A Tohill, Chief Executive
Mrs Canavan, Lead HR Officer
Mrs Mezza, Marketing Communications Manager
Mr Moffett, Change Management Officer
Mr O'Hagan, ICT Manager
Mr JJ Tohill, Lead Finance Officer
Mrs Smith, Council Business Manager (D&STBC)

The meeting commenced at 7.00 pm

PR50/14 Apologies

Councillor McGinley

PR51/14 Declarations of Interest

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

PR52/14 Receive and confirm minutes of the Policy & Resources Committee held on Tuesday 7 October 2014

Proposed by Councillor Molloy
Seconded by Councillor McLean and

Resolved That the Minutes of the Meeting of the Policy & Resources Committee held on Tuesday 7 October 2014 (PR32/14 – PR46/14 & PR49/14) were considered and were signed as accurate and correct.

Matters for Decision

PR53/14 Media Protocol

The Marketing Communications Manager presented a report seeking Members' approval for the adoption of a Media Protocol. The Protocol provides guidance on the release of information about the work and decisions of the Council, it recognises councillors' rights to express their own views and engage in their own communications' activity and acknowledges that the Council will also wish to be proactive in its communications' activities. The Protocol provides clarity around the Council's decision-making processes, when information should be treated as confidential and the timing of Council communications, as well as identifying

spokesperson(s) in different communications' situations. The Protocol would apply during the transition period and post April 2015.

Proposed by Councillor Molloy
Seconded by Councillor McFlynn and

Resolved That it is recommended to the Council that the Media Protocol is adopted.

PR54/14 Email Migration Provision

The ICT Manager presented a report, the purpose of which was to inform members on the email provision and migration for the new council and implications for members and staff. Emails currently used will become obsolete and will no longer be maintained as a Clouded Email solution on Office 365 for Mid Ulster District Council in quarter 4 of this financial year will be implemented. Email will be provided in the format "firstname.lastname@midulstercouncil.org" or similar. The ICT Manager said the withdrawal of email for the old domains will mean members and staff will no longer have access to the current email provision.

Assistance will be given to members of existing councils not continuing on in the new Council to migrate existing information to a new email.

Many of the continuing Mid Ulster District Council members affected by the withdrawal of current emails may require an alternative new email service. Members have a choice to use a council provided email midulstercouncil.org or to use a self-provided address.

The business analysis carried out by Kelway identified the retention and access to existing email and file archival solution within Cookstown be extended to all users migrated to the new infrastructure. The email solution provides a core solution that captures every mail sent or received regardless of deletion at a local user level. This facility currently costs £5,085 and there will be increased cost of £12,000 per annum.

The ICT Manager sought approval for email provision and migration and the extension of a file and email archival system for all future Mid Ulster District Council staff.

Councillors M Quinn and Reid arrived at 7.07 pm

In response to a question from Councillor Mallaghan the ICT Manager confirmed that from 1 April 2015 all email information will be retained in archive and there will be no loss of data.

Councillor Ashton asked, if members accepted the change will information sent to old email address be automatically directed to new address and also if member used personal email would it have reduced security.

The ICT Manager stated that during transition in quarter four it is hoped that email users will use this opportunity to promote change of address and after 30 April it would be recommended not to keep relays open and that anything received by old email would receive a failure notification. The ICT Manager further stated that

personal email addresses can be protected with password and security pin and it was recommended that both are used.

Councillor McLean stated that for migration system to work would need clear cut off date and thought a better image would be portrayed if all members went with new email address and that a decision should be taken around this.

The Chair, Councillor McPeake, asked if a dual email could be operated with email received via the Mid Ulster address being automatically forwarded to personal email.

The ICT Manager stated that auto emails can be arranged but responses will go back from personal email address unless the user uses the default option each time when responding.

Proposed by Councillor S McGuigan
Seconded by Councillor Buchanan and

Resolved That it be recommended to the Council to proceed as outlined above.

PR55/14 Occupational Health Services

The Lead HR Officer presented a report seeking approval to procure Occupational Health Services for Mid Ulster District Council. This service is currently provided by the 3 Councils within Mid Ulster Cluster. As an employer Mid Ulster District Council has an obligation to provide Occupational Health which includes services such as pre-employment medicals, absence management, health surveillance, health & wellbeing, drug and alcohol testing etc. The three Councils currently have a combined spend of approximately £10,000 per annum on this service. Members are requested to approve the procurement of Occupational Health Services for Mid Ulster District Council.

Councillor McGuigan questioned the value of such a service as a recent presentation to Dungannon Council by a provider had shown that it was hard to quantify the benefits and asked if an audit of the current systems could be carried out.

The Lead HR Officer stated absence rates in the three councils are quite low in current league tables, Cookstown and Dungannon provide a nurse led unit and employees are able to self referral. One of the objectives is absence management and service provides a degree of independence.

Councillor McLean asked for explanation in relation to the procurement of the process and stated that important that mechanism that would promote health and wellbeing be incorporated in the process.

The Lead HR Officer stated that Terms of Reference on what the Council required would be agreed and include; pre-employment checks; health surveillance; and drug and alcohol checks as common parameters that would be included.

Councillor Reid stated that it would be important to consider mental health issues and that for members to make an informed decision more information on the number of referrals, benefits, value for money would be required.

Proposed by Councillor Reid
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council that it agree in principle, to the procurement of Occupational Health Services, subject to receiving a report on the audit of the current three systems to give a better understanding of benefits and value for money.

The Lead HR Officer agreed to collate information and bring back to a future meeting of the committee.

PR56/14 Administration of Burial and Cemeteries in Mid Ulster

The Change Management Officer presented a report on the administration of burials and cemeteries within Cookstown, Dungannon and South Tyrone and Magherafelt Councils. The report analysed the current situation and identified the provision of burial plots within respective cemeteries as a priority service requiring convergence and harmonisation of existing administrative arrangements, inclusive of fees charged, becoming effective from 1 April 2015.

The recommended cemeteries and burial fees for application from 1 April 2015 were presented as:

Fee Category	Proposed
1. Purchase of grave plot	£130
2. Interment Charge	£160
3. Burial of Ashes	£60
4. Exhumation	£310
5. Approval Fee: Erection of Headstone or Memorial	£40
6. Administration fee: search/ re-issue/ transfer of certificate	£25

In respect of items 1 to 3 it was proposed that in cases of non-residents the fees be doubled.

Councillor Molloy stated that exhumation occurs under very trying circumstances and proposed that the charge for exhumation be waived.

Councillor Reid agreed that the fee for exhumation should be waived and asked if all issues were taken into account when recommending charges as interment charge appeared high.

The Change Management Officer stated that fees were not set on cost recovery basis. Proposed fees have been identified following consideration of those currently in place, when each council last reviewed their fees and an inflationary increase has been applied. He added that the fees as presented would be effective from 1 April 2015.

Proposed by Councillor Buchanan
Seconded by Councillor Forde and

Resolved That it be recommended to the Council that the proposed fees are adopted subject to the fee for exhumation being waived and that the Council authorise the initiation of activity to standardise the administration of burials.

PR57/14 Area within Dungannon & South BC not transferring to Mid Ulster

The Change Management Officer presented a report giving update on the area within the current Dungannon and South Tyrone Borough Council area not transferring to Mid Ulster District Council and to seek input from members on the transfer process. The area is located at the south east boundary of Dungannon and South Tyrone Council and the report provided a profile of the area and detailed the current council activity and service delivery arrangements in the area. The area will become the responsibility of the Armagh, Banbridge and Craigavon District Council on 1 April 2015. Based on the 2011 census data the identified area has a population of 1,213 and it has been calculated that £250k of rates income will be lost due to this boundary change. It was recommended that members give consideration to the approach to be taken and authorise that formal discussions commence between Mid Ulster and Armagh, Banbridge and Craigavon Councils to make preparations.

Councillor McGuigan felt that option 3, Mid Ulster delivering all the services in the area for a period under a Service Level Agreement permitting sufficient time to transfer service arrangements, be implemented if necessary.

The Chief Executive indicated that it would be easy to say to residents in the identified area that they would not be part of Mid Ulster but it would be important that former ratepayers are catered for in service delivery, particularly in respect to refuse collection from 1 April 2015.

Councillor Molloy advised that residents in this area are receiving notification of consultations on community planning under the auspices of the new Mid Ulster District Council which is confusing and proposed a community meeting to address any concerns.

The Chief Executive stated that this could be considered in conjunction with Armagh, Banbridge and Craigavon District Council.

In response to a question from Councillor Reid the Chief Executive stated that this is the only area transferring out of Mid Ulster Council and there is no gain of any other geographical area.

Councillor Ashton stated that businesses in the area had also received consultation communication with regard to local engagement on the Mid Ulster Economic Development Plan.

Proposed by Councillor McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to the Council that the approach as outlined in option 3 be explored and that formal discussion commence between Mid Ulster and Armagh, Banbridge and Craigavon District Councils to make the necessary preparations.

PR58/14 Corporate Plan

The Change Management Officer presented a report which provided an update on the preparations being made for the development and finalisation of a Corporate Plan for the period 2015-2019. He stated that the Council must have a corporate plan in place as a business tool to guide members and staff on delivering the suite of local government services it will assume responsibility for from 1 April 2015.

A timeline has been compiled for the development of the corporate with sufficient flexibility to ensure a plan is in place for April 2015. The development of the plan will involve a series of sequential work strands starting with a desktop review and analysis. This will draw upon existing council corporate plans, corporate plans held by transferring in functions and while a full blown consultation will not be undertaken, as currently doing that for various strands of work, the review information from council engagements to date, community planning, the economic development action plan and corporate branding exercises, will be considered. A performance framework will form part of the plan.

Members will be involved throughout the process with facilitated discussion and engagement taking place on the emerging findings coming from the desktop analysis.

External support to assist with elements of the process is required to bring a level of expertise and capacity currently not present. The Local Government Training Group (LGTG) regional support programme will be used to provide this support with no cost to Council.

A final corporate plan for the period 2014-2015 will be brought to Policy & Resources Committee in March 2015 following engagement within and across the three councils.

It was recommended that members consider and agree upon the approach being taken to develop the new Corporate Plan for Mid Ulster District Council.

Proposed by Councillor S McGuigan
Seconded by Councillor Mallaghan and

Resolved That it be recommended to the Council to adopt the approach being taken to develop the new Corporate Plan for Mid Ulster District Council.

PR59/14 Rates Estimates Timetable 2015-1016

The Lead Finance Officer submitted a report informing Members of the Rate Estimates timetable and to seek agreement to dates scheduled therein for Member engagement. The Officer stated that each year the Council is required to strike a rate by 15 February a date prescribed by the Department. The Officer further stated that there continues to be great uncertainty surrounding the budget allocation in respect of transferring-in services. It was recommended that the proposed schedule for Member engagement is adopted.

Proposed Date and Time	Venue	Purpose	Suggested
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			Attendees
Monday 15 December 2014 – 6pm	Dungannon	Party Group Leaders' Meeting to discuss Rate proposals	Party Group Leaders and Chief Executive
Thursday 22 January 2015 – 7.00pm	Dungannon	"In Committee" full Council discussion re Rate proposals	All Members
Tuesday 3 February 2015 – 7.00pm	Cookstown	"In Committee" Policy and Resources Committee to discuss 'final' Rate proposals	All Members
Thursday 12 February 2015 – 7.00pm	Dungannon	Special Council meeting to strike Rate	All Members

The Chair, Councillor McPeake, referred to a meeting held regarding capital expenditure and asked if there were any plans to follow this up as decisions would need to be made to inform the rates setting process.

The Chief Executive stated that a date for a further meeting is being sought and all comments made at the earlier meeting will be fed into the process.

Proposed by Councillor McLean
Seconded by Councillor Buchanan and

Resolved That it be recommended to the Council that the proposed schedule for member engagement in the rates estimates is adopted.

Matters for Information

PR60/14 Risk Register for HR, Communications and ICT

The Chief Executive submitted a report advising that Risk Registers for each of the HR, Communications and ICT working groups for the transitional period to 31 March 2015 had been prepared which identified high level risks. Members were asked to note and reflect on the Registers.

PR61/14 Charters and Borough Status Consultation

The Change Management Officer submitted for information a report on the DoE consultation on Charters and Status. This consultation is seeking comment on its proposals relating to district, borough and city status of the eleven new councils. The consultation document sets out proposed Departmental Regulations to facilitate those councils wishing to seek the continuation of or granting of new borough charters in respect of new local government districts. The committee was asked to note the receipt of the consultation document with comments to be submitted by 12 December 2014.

Councillor Reid stated that this is something that the Council should consider. Dungannon currently has borough status which is important to the residents and should support the document that has been brought forward. The Councillor further stated that members should not be put off because it is a Royal Charter. He stated that Darren Clarke was awarded Freedom of the Borough and this is something that should be retained.

Councillor Mallaghan did not think there was any great benefit and could see no merit, advantages or strengths that come along with being a borough. Councillor S McGuigan agreed with the comments and stated that a strong business case would have to be made. Councillor Mallaghan added that comments were nothing to do with being a Royal Charter but to do with what the people in the area get from being a Borough.

Councillor McLean stated that to put this in context the Council has a lot to do over the next few months and considering the workloads of officers this was not something that would add value at the moment and should be set aside and maybe considered when Council was up and running.

Councillor Molloy stated that Council should be concentrating on getting policy and procedures up and running so as to have a smooth transition of services come April 2015.

Councillor Glasgow asked if those that have received the Freedom of the Borough, which is an acknowledgement of outstanding achievement, and if the Council does not take on the charter would that be lost. The Member stated that this would be something that party colleagues would find insulting.

The Chair, Councillor McPeake, stated that award was given in different times.

The Change Management Officer stated that consultation document outlines that existing charters will be annulled on April 2016 if not enacted.

Proposed by Councillor McLean
Seconded by Councillor Reid and

Resolved That it be recommended to the Council that the consultation be noted and the matter be revisited at a later date

IN COMMITTEE

Proposed by Councillor Molloy
Seconded by Councillor Bateson and

Resolved That item P62/14 is taken in committee.

PR63/14 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.00 pm.

CHAIR _____

DATE _____

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**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Wednesday 5 November 2014 in Magherafelt District Council Offices**

Members Present: In the Chair, Councillor Cuddy (Chair)

Councillors Cuthbertson, Gillespie, Mallaghan, McAleer, McFlynn, B McGuigan, S McGuigan, Mullen, Mulligan (7.22 pm), O'Neill, Reid

Member in Attendance: Councillor Forde

Officers in Attendance: Mr Tohill, Chief Executive
Mr Cassells, Director of Technical Services and Leisure Services (MDC)
Mr Kelso, Director of Environmental Health and Building Control (CDC)
Mr Law, Head of Waste Services (DSTBC)
Mr McAdoo, Head of Waste and Contracts Management (CDC)
Mrs McClements, Director of Environmental Services (DSTBC)
Mr Young, Director of Environmental Health (MDC)
Miss Thompson, Committee Services/Senior Admin Officer (DSTBC)

Others in Attendance: **Northern Ireland Amenity Council**
Mr Furphy, Mrs McIlroy, Miss Muskett, Mr Powles

Lough Neagh Partnership
Mr Darby and Mr Monaghan

The meeting commenced at 7.00 pm

E28/14 Apologies

Councillors Buchanan, Burton, McGinley and McNamee.

E29/14 Declarations of Interest

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

E30/14 Receive Delegation from Northern Ireland Amenity Council

The Chair welcomed representatives of the Northern Ireland Amenity Council who provided Members with an overview of its work.

The Northern Ireland Amenity Council is an environmental charity which administers the Best Kept Awards and has been running for 57 years. Some of its aims and objectives include promoting for public benefit the protection, preservation and improvement of the environment in Northern Ireland through the five main categories of Best Kept Awards in Towns, Villages, Housing Areas, Healthcare facilities and Schools.

The Best Kept Awards are a much respected and established brand throughout Northern Ireland which brings together communities and encourages residents and business communities to participate in raising the profile of the area they represent.

The Northern Ireland Amenity Council currently receive contributions from participating Councils, each of the five Education and Library Boards, the Department of Health, Social Services and Public Safety and Northern Ireland Housing Executive. The primary purpose of revenue received is to assist in the promotion and administration of the Best Kept Awards programme.

In December 2013 a long term commercial sponsor to the scheme withdrew their revenue and due to difficult economic times a new sponsor has yet to be found. As a result there is not enough funding to keep the programme going and Northern Ireland Amenity Council could cease to exist within the coming years if adequate financial support cannot be found to keep the competition going for the future.

To ensure the Northern Ireland Amenity Council is able to administer the Best Kept Awards Programme in the future they requested the following from Mid Ulster District Council from April 2015:

- 1 An affiliation fee of £2,300 from each Super Council
- 2 A close working relationship with each council department associated with environmental projects

Councillor Mallaghan asked for the justification in raising the contribution fee to the Northern Ireland Amenity Council. Members were advised that contribution fees have not increased since 2001 and taking into account inflation etc £2,300 is the minimum amount needed from each new Council to remain operational in the future.

The Chair thanked the representatives of the Northern Ireland Amenity Council for their presentation following which they left the meeting at 7.20 pm.

E31/14 Receive Delegation from Lough Neagh Partnership

The Chair welcomed representatives of the Lough Neagh Partnership to the meeting and invited them to make their presentation.

Councillor Mulligan entered the meeting at 7.22 pm.

Mr Monaghan made a presentation to Members outlining the current position of the Lough Neagh Partnership, the benefits of the Partnership and proposals for the future.

Currently the Partnership is responsible for the integrated co-ordination, marketing and development of Lough Neagh in relation to:

- Tourism
- Recreation
- Culture and cultural tourism
- Heritage
- Environment

Mr Monaghan spoke in relation to a report commissioned recommending a new integrated management structure for the Partnership and how this could be funded. The Partnership has also worked with Councils in developing a Destination Management Plan for Lough Neagh and Mr Monaghan advised how this could continue to be delivered.

Mr Monaghan informed Members of the Heritage Lottery Fund Landscape Partnership which offers a whole lough based programme of funding, this programme is currently in a development phase with a five year implementation programme from January 2016 to January 2021.

Mr Monaghan stated that the Partnership, or its successor, will bring about whole lough co-ordination, it will be able to bring funding to Councils and enable and facilitate stakeholders throughout the lough shore area. In return Mr Monaghan asked for the support of Mid Ulster District Council to maintain the core activities of the Lough Neagh Partnership stating that if the Lough Neagh Partnership was to cease then the Landscape Partnership funding from Heritage Lottery would be at risk. Mr Monaghan requested that Mid Ulster District Council financially support the Lough Neagh Partnership, or its successor, by setting aside funding for 2015/16 and thereafter.

Councillor O'Neill felt that Lough Neagh is an important asset to Mid Ulster District Council and it would be important to support the Lough Neagh Partnership in the future.

Councillor Cuddy spoke in relation to the opportunity for Council to tap into Heritage Lottery Funding.

In response to Councillor Reid's question regarding how much financial funding would be required from the Council Mr Monaghan advised it would depend on the number of projects going on within the new District Council area.

Councillor McFlynn felt that Mid Ulster District Council needs to support the Lough Neagh Partnership and going forward should promote the area and its facilities.

Councillor Mallaghan spoke in relation to the amount of money generated from Lough Neagh from sand dredging and asked if any of these companies have ever been approached for funding. Councillor Mallaghan felt it would be important to ask the dredging companies for some financial support.

Mr Monaghan advised that it had been reported that sand dredging is to cease on the lough in the future but confirmed that these dredging companies have not been approached to date. Mr Monaghan also advised that as Lough Neagh is family owned the Partnership has in the past approached the family for support, this request has been refused.

The Chair thanked Messrs Darby and Monaghan for their presentation following which they left the meeting at 7.40 pm.

Councillor Mallaghan left the meeting at 7.40 pm.

E32/14 Receive and confirm minutes of the Environment Committee meeting held on Wednesday 8 October 2014

Resolved That the Minutes of the Meeting of the Environment Committee held on Wednesday 8 October 2014 (E18/14 – E27/14) were considered and signed as accurate and correct.

Matters for Decision

E33/14 Receive and consider paper on Environmental Health and Building Control Charges, Fees and Fixed Penalties

Mr Young provided a report with recommended prescribed charges, fees and fixed penalties for adoption to apply within Mid Ulster District Council from 1 April 2015. In making the recommendations Mr Young advised that consideration was given to comments made at the October Environment Committee and that cost recovery and maintenance of income was considered as far as possible along with the existing fees prescribed in the existing councils.

Members discussed the report as detailed.

CHARGES AND FEES

High Hedges Act (Northern Ireland) 2011

Fee to make a complaint (Maximum permitted £360)	£250
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Proposed by Councillor B McGuigan
Seconded by Councillor O'Neill and

Resolved That it be recommended to the Council to adopt the fee of £250 to make a complaint under the High Hedges Act (Northern Ireland) 2011.

Repayment of fees staged for early withdrawal of complaint	Yes-50% where work done before service of notice
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Proposed by Councillor S McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to the Council to repay 50% fees staged for early withdrawal of a complaint where work has been done before notice served.

Fee transfer if remedial notice served (Maximum permitted £360)	£360
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Proposed by Councillor Cuthbertson
Seconded by Councillor Gillespie and

Resolved That it be recommended to the Council to adopt fee transfer of £360 if remedial notice served.

Policy re transfer of fees	Transfer on Remedial Notice taking effect
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Proposed by Councillor Reid
Seconded by Councillor O'Neill and

Resolved That it be recommended to Council to adopt policy of transfer of fees on remedial notice taking effect.

Street Trading Act (Northern Ireland) 2001

Mr Young asked Members to note the proposed fees as listed in the report advising that a further report will be brought back to this committee at a later date to enable a suitable process and case be made for adoption of fees.

Mr Young also asked Members to confirm the existing Councils' designated areas as listed within the report.

Cinemas (Northern Ireland) Order 1991

Cinema licensing	£375
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Proposed by Councillor Mulligan
Seconded by Councillor Reid and

Resolved That it be recommended to Council to adopt the cinema licensing fee of £375. This fee will be reviewed after a year of operation and this

review may consider setting a different fee for small cinemas of less than 100 seats.

Schedule 2 – Local Government (Miscellaneous Provisions) (NI) Order 1985 Sex Establishments

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to adopt Schedule 2 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 with a commencement date of 1 April 2015.

Sex shop licence	Grant £2,000 Renew £1,000 Transfer £375
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Resolved That it be recommended to Council to adopt the fee of £2,000 for grant of a sex shop licence, £1,000 to renew and £375 to transfer. These fees to be reviewed after a year of operation.

Part V – Local Government (Miscellaneous Provisions) (NI) Order 1985 Acupuncture Etc

Acupuncture / electrolysis / tattooing/ piercing	£50
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Proposed by Councillor S McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to Council to adopt the fee of £50 for registration of acupuncture, electrolysis, tattooing and piercing establishments.

Private Tenancies Order (NI) 2006 Enforcement Action

Article 26 – Private Tenancies Order	Power to charge for enforcement action	Notice of disrepair £50 Notice of unfitness £150
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Proposed by Councillor B McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to Council to adopt fee of £50 for Notice of Disrepair and fee of £150 for Notice of Unfitness.

Betting and Gaming (Northern Ireland) Order 2004

May charge such amount as Council considers necessary to balance income and expenditure	Renew amusement permit (default £250)	£250
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Proposed by Councillor Cuthbertson
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to adopt fee of £250 for renewal of amusement permit. This fee to be reviewed after a year.

Places of Marriage/Civil Partnerships

Places of marriage /civil partnerships Maximum – costs reasonably incurred	Approval	£400 per three years
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Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to adopt the fee of £400 per three years for approval of a place of marriage/civil partnership. This fee to be reviewed after a year.

Councillor Cuthbertson expressed concern and felt that fee should be £400 each year.

Dogs (NI) Order 1983

Collection of unwanted dogs licensed	£15
Collection of unwanted dogs unlicensed	£15
Kennel charges	Same day collection £30 Per overnight stay additional £15

Proposed by Councillor McFlynn
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to adopt fee of £15 for collection of unwanted dogs, both licensed and unlicensed. Kennel charges to be £30 for same day collection and £15 per additional overnight stay.

Poisons (NI) Order 1976

Registration of premises selling poisons / Renewal and amendment of registrations	£5
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Proposed by Councillor McAleer
Seconded by Councillor Reid and

Resolved That it be recommended to Council to adopt fee of £5 for registration of premises selling poisons and for renewal and amendment of registrations.

FIXED PENALTIES – Discretionary

Legislation		
Clean neighbourhoods and Environment Act (N.I.) 2011		
Part 2 Article 29 (A) PCLG (NI) Order 1978 Prescribed £200 minimum £60 for early payment	Vehicles – Unauthorised abandonment	£200 prescribed – (within 7 days £120)
Section 3(1) Section 4(1) Prescribed £100 minimum £60 for early payment	Nuisance parking Repair of vehicles / sales	£100
Part 3 Article 3(1) Litter (NI) Order 1994 Range £50 to £80 default £75 Minimum £40 for early payment	Offence of throw down/drop/deposit and leave litter	£80 (within 7 days £50)
Part 3 Article 12C(1) – Litter Clearing Notice Range £75 to £110 minimum £60 for early payment	Failing to comply – Litter Clearing Notice	£110 (within 7 days £70)
Part 3 Article 13 – Street Litter Control Notice Range £75 to £110 minimum £60 for early payment	Failing to comply – Street Litter Control Notice	£110 (within 7 days £70)
Part 3 – Article 14B Schedule 1A – Free Distribution of Printed Material Range £50 to £80 default	Unauthorised distribution of printed material	£80 (within 7 days £50)

£75 Minimum £40 for early payment		
Part 4 Section 26(1) - Graffiti and Fly-Posting Range £50 to £80 default £75 Minimum £40 for early payment	Offence – Graffiti and Fly-posting	£80 (within 7 days £50)
Dog Control Orders Range £50 to £80 default £75 Minimum £40 for early payment	Breach of dog control orders	£75
Alarm notification area Range £50 to £80 default £75 Minimum £40 for early payment	Failure to nominate key holders in alarm notification area	£75
Section 8(1) Noise Act 1996 as set for district Default £100 Council may set lower levels for early repayment	Night time noise from domestic premises	£100
<u>Private Tenancies (N.I.)</u> Order 2006		
Article 5(B) – PTO (tenancy deposit regs) Maximum one fifth of maximum penalty (i.e.£500)	accepting deposit other than money	£500
Article 65(A)4 –PTO Landlord registration Maximum one fifth of maximum penalty (i.e.£500)	Failure to register /letting without being registered	£500
Dogs order Article 17(1) Range £50 to £80 Default £75 Early payment minimum £50	Keeping dog without licence	£80 Early payment £50
Dogs order Article 22(1) Range £50 to £80 Default £75 Early payment minimum £50	Penalty for stray dogs	£80 Early payment £50

Dogs order Article 35(3) Range £50 to £80 Default £75 Early payment minimum £50	Control of dogs on certain roads and land	£80 Early payment £50
Dogs order Article 30 E (5) Range £50 to £80 Default £75 Early payment minimum £50	Failure to notify transfer	£80 Early payment £50
Dogs order Article 30F(1) Range £50 to £80 Default £75 Early payment minimum £50	Failure to comply with control conditions	£80 Early payment £50

Proposed by Councillor S McGuigan
Seconded by Councillor Mullen and

Resolved That it be recommended to Council to adopt fees for fixed penalties as set out in table above.

Councillor Forde left the meeting at 8.00 pm

E34/14 Receive and consider paper on Managing and Regulating Waste in Northern Ireland

Mr Cassells presented a report which informed Members of the publication by the Department of the Environment (NI) of an Operational Plan in relation to Managing and Regulating Waste in Northern Ireland.

The basis of this Operational Plan came about due to the revoking of a waste management licence in the North West by the Northern Ireland Environment Agency (NIEA) following concerns regarding a waste processing operation and the substantial amount of illegally dumped waste which was unearthed adjacent, but not part of, the location of where the licence was based. The NIEA subsequently commissioned a review the results of which were published in December 2013 (The Mills Report). The DOE has now published their Operational Plan which sets out how they intend to implement the recommendations of the Mills Report, the key themes being:

- 1 Enhanced liaison and partnership working between central and local government
- 2 Working with general industry to promote resource efficiency and legitimate waste disposal

- 3 Creating a compliant waste industry
- 4 Ensuring effective and efficient regulation and enforcement

Councillor Cuddy welcomed the Operational Plan but expressed concern at the likely increased cost of processing waste.

Proposed by Councillor S McGuigan
Seconded by Councillor Reid and

Resolved That it be recommended to the Council endorse the actions of the Department of the Environment in tackling illegal activity in the Waste Industry as set out in the Operational Plan.

Councillor S McGuigan left the meeting at 8.05 pm

E35/14 Receive and consider paper on Recycling and Refuse Collection Policy for Mid Ulster District Council

Mr McAdoo presented the proposed Recycling and Refuse Collection Policy for Mid Ulster District Council. Mr McAdoo highlighted the varying policies and practices currently operated by the existing Councils and how these have been harmonised into a common policy going forward.

Mr McAdoo advised that Cookstown and Dungannon Councils are currently in the process of rolling out the brown bin collection scheme to the remainder of areas without the service. Once this is complete all households in the Mid Ulster District will have the same three bin systems and consideration can then be given to the introduction of a restriction to the size of (new) black bins for residual waste as is currently the case in the Magherafelt District Council area. Mr McAdoo also advised that new waste regulations will have an impact and that this policy should be reviewed annually.

In response to Councillor Reid's question, Mr McAdoo advised that there is no income to Council from brown bin waste.

Councillor McAleer enquired how the public can be made aware of the provision of an extra bin for households with particular requirements for medical reasons.

Mr McAdoo advised that if a household has particular requirements there is an application process for the provision of an additional bin.

Councillor B McGuigan felt that there is still a job of educating the public as to what materials are accepted in each bin. Mr McAdoo agreed that going forward this will be an ongoing process with a common advertising campaign and continued education from the recycling officers.

Proposed by Councillor Reid
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to the Council to adopt the Recycling and Refuse Collection Policy for Mid Ulster District Council for implementation from 1 April 2015.

E36/14 Receive and consider paper on status of Building Control Service Convergence across existing councils

Mr Kelso presented a report on the current status of Building Control Service Convergence across Mid Ulster Councils and the key issues arising, in particular the following;

Document Charging Schemes

Mr Kelso set out the document charging schemes currently in place across the three councils and the proposed fee structure for Mid Ulster District Council as below;

Re-stamping of Plans	£20
Re-Issue of Approval Certificates	£15
Legal enquiries regarding Work	£25
Postal Address Confirmation	£15
Archive Search	£25
Exemption Letter	£15

Councillor O'Neill made reference to the hand delivering of documents by Council officers.

Mr Kelso advised that he would not be aware of the background to this situation but agreed to follow up on the matter.

Councillor Gillespie expressed concern at the proposed increase in document charges.

Mr Kelso advised that the current charges have not been revised since their introduction around ten years ago.

Mid Ulster District Council On-Line Applications

Mr Kelso advised that the current three Councils all operate a hard copy plans based system for all new applications received. To assist in the implementation of an IT focused application process, it is proposed that provision be made available to enable new applications to be digitally submitted from 1 April 2015.

Proposed by Councillor Cuthbertson
Seconded by Councillor Reid and

Resolved That it be recommended to the Council to adopt the proposed document charging scheme as set out above and make appropriate arrangements to pilot the process for receipt of on-line building notices and regularisation applications both from 1 April 2015.

Matters for Information

E37/14 Receive paper on Environmental Health and Building Control Risk Register

Mr Kelso updated Members on the Environmental Health and Building Control Transition Working Group risk register for the transition period 2014-2015.

E38/14 Receive paper on Waste and Technical Services Risk Register

Mr Cassells provided Members with an update on the work of the Waste and Technical Services Transitional Working Group with regards to dealing with the risks identified in the 2014-2015 transition period.

IN COMMITTEE

Proposed by Councillor B McGuigan
Seconded by Councillor Gillespie and

Resolved That item E39/14 is taken in committee.

E40/14 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.35 pm.

CHAIR _____

DATE _____

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Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 6 November 2014 in Magherafelt District Council Offices

Members Present: In the Chair, Councillor Forde (Chair)

Councillors Elattar, Mallaghan (7.09pm), McNamee, Molloy, C O'Neill, T Quinn, Reid, G Shiels and Wilson

Members in Attendance: Councillor Clarke

Officers in Attendance: Mr Tohill, Chief Executive
Mr Barrett, Head of Recreation (DSTBC)
Mr Cassells, Director of Technical Services and Leisure Services (MDC)
Ms Campbell Director of Policy & Development (MDC)
Mr Glavin, Head of Leisure Services (CDC)
Mr Henry, Good Relations Officer (MDC)
Mrs Forde, Mayor's PA/Member Support Officer (DSTBC)
Mr McElhatton, Good Relations Officer (CDC)
Ms McCloskey, PCSP Manager (CDC)
Mr McCreesh, Acting Chief Executive (CDC)
Miss Mullan, Learning & Development Manager (DSTBC)

The meeting commenced at 7.00 pm.

D33/14 Apologies

Councillors Burton, McAleer, McEldowney and Monteith. Councillor Molloy advised that Councillor Mallaghan would be arriving late.

D34/14 Election of Chair for Meeting

The Chief Executive having received apologies for both the Chair and Vice Chair sought nomination for a Member to Chair the meeting.

Proposed by Councillor Wilson
Seconded by Councillor Reid and

Resolved That Councillor Forde act in the position of Chairperson for the Development Committee meeting of 6 November 2014.

Councillor Forde took the Chair.

D35/14 Declaration of Interest

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

D36/14 Briefing on Seek Programme

The Chair, Councillor Forde welcomed the SEEK representative to the meeting.

Miss Mullan drew attention to a powerpoint presentation detailing the aim of SEEK, “to increase the supply of skilled, educated, knowledge workers in our economy and help them gain sustained employment/ self-employment by providing training opportunities/skills development for approximately 60 unemployed people over a three year period.”

Drawing attention to the programme partners, make up of management committee and the transnational element Miss Mullan explained the curriculum of the course emphasising aspects of learning approaches, creative methodologies and the project outcomes. Advising that the current programme was not completed Miss Mullan said previous programme outcomes included 58 persons completing the training of which 21 went into further education training, 8 attained fulltime jobs, 12 attained part-time jobs and one became self-employed. All participants attained qualifications which included ECDL, NVQ levels 2 & 3, ESOL and ECDL.

Councillor Mallaghan entered the meeting during the presentation at 7.09pm

The Chair, Councillor Forde thanked Miss Mullan for the presentation commenting on the project outcomes. Councillor Quinn advised that Cookstown District Council was twinning with a town in Poland and sought clarification of the town visited by SEEK. In response Miss Mullan advised the town was Lobin in the South East of Poland.

In response to Councillor Molloy’s question on the future development of the programme Miss Mullan advised there was a new round of funding becoming available in the coming weeks and SEEK was now dealing with new partners in the cluster by meeting with colleges to establish level of interest. Miss Mullan added that the programme was funded through the Department of Employment and Learning with a core purpose to benefit the unemployed and employers in Dungannon but any widening out across Mid Ulster District Council area would have to be established together with new partners.

Responding to Councillor Wilson’s question on the budget Miss Mullan advised that the current programme was £465k which included match funding from public and in-kind sources.

Miss Mullan left the meeting at 7.15pm.

In response to Councillor Wilson’s request to discuss the programme the Chair, Councillor Forde, advised that the discussion should take place in committee.

Matters for Decision

D37/14 Receive and confirm minutes of the Development Committee meeting held on Thursday 9 October 2014

Proposed by Councillor Mallaghan
Seconded by Councillor Quinn and

Resolved That the minutes of the meeting of the Development Committee held on Thursday 9 October (items D20/14-D32/14), were considered and signed as accurate and correct.

D38/14 Mid Ulster Good Relations Strategy and Plan

Mr Henry advised that the purpose of the report was to update Members on the Good Relations Programmes currently delivered in Cookstown, Dungannon and Magherafelt Councils and to seek direction on the development of the Mid Ulster Good Relations Strategy and Action Plan.

Stating that community relations first began in 1989 as an effort to bring the main traditions together, Mr Henry advised that various events, such as country and western concerts, have been organised as part of the process. Stating that things had moved on Mr Henry advised that the legal basis for Good Relations was borne out of Section 75 of the Northern Ireland Act (1998) which states that 'public authorities are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group'.

Drawing attention to key issues for a thematic approach for Mid Ulster District Council the undernoted issues were listed as areas of priority:

- Our Children and Young People;
- Our Shared Community;
- Our Safe Community;
- Our Cultural Expression; and
- Programme Actions.

Mr Henry referred to information being compiled through the community planning exercise and advised that following on from the 11 December 2014 it was proposed to compile a Mid Ulster District Council Action Plan for Good Relations and present to January committee. Mr Henry indicated that budget implications would be clearer following the forthcoming Good Relations Conference.

It was recommended that Members approve the thematic approach proposed for the development of the Good Relations Action Plan. Managers and Good Relations Officers from the three Council areas will continue to help inform the development of the action plan liaising with OFMDFM.

The Chair thanked Mr Henry for his presentation and asked how it was proposed to measure outcomes. In response Mr Henry advised that outcomes would be measured with questionnaires depicting attitudes before project and after project similar to that done with Peace III.

Councillor Quinn stated that all should realise the importance of Good Relations within communities commending the three officers on exceptional work throughout

the years. Emphasising that the work went well beyond country and western concerts Councillor Quinn stated that hardly a week would pass when he was not in touch with the Cookstown Good Relations Officer who deals regularly with difficult situations. Stating that the role of Good Relations was the responsibility of all Councillor Quinn recalled that in 1989 when Mr Jessie Jackson was visiting Belfast he delivered a speech separately to people on either side of the divide stating that 'racism and sectarianism hinders growth and destroys community spirit.' In response Mr Henry stated that the majority of Good Relations work was the same across the district with some differences for example Dungannon Council had a more diverse population.

Councillor Mallaghan thanked Mr Henry for the presentation stating that the role of the Good Relations officers is not the picture in the paper but the dealing of delicate matters, brawls stopped and hours of preparation prior to events.

Councillor G Shiels stated that he was aware that the success of Good Relations wasn't the 'in your face' approach but the incidental and accidental daily work which did not succeed if standing on ceremony.

Mr Henry stated that the Good Relations Officers would be working closely with the PCSP's action plans.

Proposed by Councillor Quinn
Seconded by Councillor Mallaghan and

Resolved That it be recommended to the Council that approval be granted to the thematic approach proposed for the development of the Good Relations Action Plan and that Managers and Good Relations Officers from the three Council areas continue to help inform the development of the action plan liaising with OFMDFM

D39/14 Policing and Community Safety Partnerships

Ms McCloskey presented a report seeking direction on development of a new PCSP Strategy and Action Plan for 1 April 2015. Advising that the PCSP will mirror the 11 new Council areas Ms McCrystal advised that the recruitment of independent members was launched on 5 November and would close on 29 November 2014. Outlining the range of duties of PCSPs which are set in legislation Members were advised that a strategy and action plan needed to be developed for the new Mid Ulster PCSP. In lieu of guidance from the Department of Justice and NI Policing Board the current PCSP Managers had compiled a paper and attention was drawn to undernoted options.

- 1 Develop and prepare a complete PCSP Strategy and action plan for 2015-2018 for implementation on 1 April 2015.
- 2 Develop a PCSP Strategy for 2015-16 with a one year transitional action plan for 2015-16 and then work with PCSP to develop new action plan for 2016 onwards.

- 3 Prepare a one year transitional strategy and action plan for 2015 and then work with new PCSP to develop new strategy and action plan for 2016 onwards.

Ms McCloskey recommended option three advising that the Managers would also work together on developing common consultation across the three existing PCSPs to help inform the development of the action plan. This consultation would be complementary to the community planning consultation. It was also noted that although not confirmed officially that PCSPs were preparing for a 15% budget cut.

Proposed by Councillor McNamee
Seconded by Councillor Quinn and

Resolved That it be recommended to the Council that option 3, 'Prepare a one year transitional strategy and action plan for 2015 and then work with new PCSP to develop new strategy and action plan for 2016 onwards.' be progressed.

Councillor McNamee stating it would appear that independent members would not be in place until May 2015 asked what their numbers would be on the partnership. Ms McCloskey advised that it would depend on the number of Council members.

Councillor Wilson advised that a query had been raised with him as to whether the attendance allowance would remain the same as that paid currently is £60 per meeting and that although people engaging as independent members were not necessarily doing it for the remuneration it did help.

Ms McCloskey stated that according to a recent press release members of PCSPs would not be remunerated and that the expenses were under review she would clarify and report back.

Councillor Mallaghan indicated that there was an information evening on the process scheduled for 19 November in the Glenavon Hotel, Cookstown but that it was on the same evening as the Fivemiletown Community Planning event.

For Information

D40/14 Development and Regeneration Update

Ms Campbell drew attention to report providing Members with a progress update on the Development and Regeneration Forward Work Plan previously presented to committee. Advising that three business workshops had now been held Ms Campbell further advised that it was planned to consult with the community and voluntary sector by means of a questionnaire.

Stating that a comprehensive report would be brought to the December meeting which would focus on the needs of industry Ms Campbell sought the views of the committee as to whether the consultants should attend the meeting or if Members preferred a workshop approach.

In response to Councillor Wilson's question on the number of businesses Intertrade Ireland had worked with Ms Campbell advised that she would seek clarification.

Members noted that progress was being made on Development and Regeneration and that officers should continue to report to committee.

D41/14 Mid Ulster Council Community Planning Process

Mr McCreesh advised that the purpose of the report was to update Members on progress relating to the Mid Ulster Community Planning process. Mr McCreesh drew attention to the three community planning events held in Cookstown, Dungannon and Magherafelt and stated that with the same energy it was hoped the rural events would attract the same success.

Referring to previous comments regarding consultation with youth, migrant workers and the elderly Mr McCreesh advised that there would be an event in each town for the aforementioned groups including a session for people with disabilities to include physical, learning disabilities and mental health issues as the community plan must reflect all.

Mr McCreesh confirmed that capacity building sessions were planned for January 2015.

With reference to Community Planning Partner Legislation Mr McCreesh drew attention to the consultation document making particular reference to statutory partners named and those that Members feel should be included giving examples of Sport NI, Forestry Commission, NI Water, Probation Board. Drawing attention to page 4 when the presumption is made that all government departments are involved Mr McCreesh emphasised that they should be named to secure input and there was sufficient time for the committee to prepare a response upon which Members could comment.

In response to Councillor Wilson's questions on whether the current list of consultees named had attended local community planning events, Mr McCreesh said he would have to consult individual event registration lists.

Councillor Quinn extended his thanks to all staff for the tremendous effort in delivering the individual events but sought clarity as to whether or not the ethnic minority group ie the travelling community had been consulted as there was permanent sites in the district. Mr McCreesh advised that all groups in Section 75 had been covered but that the Member's point was a valid one and if it was the desire of Members an event would be organised for them.

Councillor O'Neill spoke of the noticeable lack of young people attending the events and that Magherafelt Youth Forum was delighted that their comments would now be taken on board. Mr McCreesh advised that it was proposed to host additional events through schools and youth clubs to ensure the youth voice of Mid Ulster is captured. Stating that in the short time frame available it would be impossible to get everyone Mr McCreesh stated that to date events were successful and the responses would be professionally collated by end of December for evidence.

Councillor Mallaghan commended everyone involved in the community planning events stating that it was no mean feat, over 400 people had participated thanks to the many hands, letters, phone calls and emails. He further stated that all Parties should go back and do work to address the issues on statutory partners as their presence was required. Councillor Wilson concurred and commended everyone involved, stating that the turnout had been phenomenal. Councillor Reid again concurring with previous comments stated that organisations such as boys/ girls brigades, scouts and guiding associations would all provide excellent feedback and it was a good means of collating opinions of all communities suggesting even a questionnaire.

Mr McCreesh stated that questionnaires were in use and that all mechanisms would be used to capture community thought. In relation to staff Mr McCreesh stated that staff at the events had carried out excellent work and with reference to the statutory agencies included in legislation Mr McCreesh stated that a balance would have to be established as a manageable partnership of elected members, statutory agencies and others was required.

Concluding the discussion the Chair, Councillor Forde, emphasised the importance of engaging with young people.

D42/14 Development and Regeneration Risk Register

The Development and Regeneration Risk Register Report was marked read.

D43/14 Sport & Leisure Risk Register

The Sport and Leisure Risk Register Report was marked read.

IN COMMITTEE

Proposed by Councillor Mallaghan
Seconded by Councillor O'Neill and

Resolved That item D44/14-D50/14 be taken in committee.

D51/14 Duration of Meeting

The meeting was called for 7pm and ended at 9.00pm.

CHAIR _____ DATE _____

F

Subject: Temporary Councillor Appointments to NI RDP - LAG

Reporting Officer: Chief Executive

1	Purpose of Report
1.1	To seek Members approval on the temporary appointment of councillors to the Mid Ulster Rural Development Programme Local Action Group.

2	Background
2.1	Members will be aware of the recent announcement by the Minister for Agriculture regarding the NI Rural Development Programme 2014 – 2020 Leader Allocations in which Mid Ulster was allocated £10.16m
2.2	A timetable for LAG animation, application and appointment was prepared by DARD suggesting agreement of the LAG membership by 19 December with the LAG Board formed in early January.
2.3	Under the Local Government Act 2011, the appointment of Elected Members to the LAG Board would be considered as positions of responsibility and nominated at the AGM in March 2015.

3	Key Issues
3.1	To deal with the interim period from January until 31 March 2015, Council's are requested to form a sub group of councillors to fill the positions on the LAG temporarily.
3.2	DARD initially advised that the total numbers on the LAG Board should total between 12 and 18. At a previous meeting of Development Committee, Members suggested that the LAG Board for Mid Ulster should comprise of 25 giving councillors 12 positions on the LAG Board. DARD have advised that this is allowed.

3.3	<p>Temporary appointments to a sub group would not be positions of responsibility and it is therefore recommended that Council agrees to form a sub group of 12 councillors by D’dhont In respect of Mid Ulster District Council as follows:-</p> <p>Sinn Fein – 6 DUP – 2 UUP – 2 SDLP – 2</p>
3.4	<p>Councillors appointed to these temporary positions would then be replaced on the 1 April 2015 by those appointed at the AGM through the normal council nomination process.</p>

4	Resource Implications
4.1	<p><u>Financial</u></p> <p>N/A</p>
4.2	<p><u>Human resources</u></p> <p>N/A</p>
4.3	<p><u>Assets and other implications</u></p> <p>N/A</p>

5	Other Considerations
5.1	<p>DARD has asked that as far as is possible, the councillor positions on LAG Boards are filled in recognition that this is a rural group addressing local rural issues and that in as far as possible the overall composition of the group should be representative of the section 75 groupings in the rural area.</p>

6	Recommendations
6.1	Members approval is sought on the formation of a temporary sub group of 12 councillors, selected by D'dhont, to fill positions on the LAG until 31 March 2015 as outlined above.

7	Documents Attached
7.1	N/A

G

Subject	Attendance at Seminars & Conferences
Reporting Officer	Change Manager

1	Purpose of Report
1.1	To provide an update on seminars and conferences of relevance to members and officers of Mid Ulster District.
1.2	To seek approval for the attendance of members and officers, the payment of attendance fees and associated costs, as incurred.

2	Background
2.1	Three conferences are presented for consideration to agree member and/ or officer representation from Mid Ulster District Council. Details are provided at 2.1.1 - 2.1.3.
2.1.1	Equality & Diversity in Councils (Retrospective Approval Sought) <ul style="list-style-type: none"> Tuesday 11 November 2014, La Mon Hotel & Country Club, Belfast 9am - 3pm
2.1.2	Agriculture & Food Conference: Implementing Going for Growth <ul style="list-style-type: none"> Thursday 4 December 2014, Dunadry Hotel, Templepatrick, Antrim 9am - 1pm
2.2.3	Spatial Planning Capacity Building Visit to Leitrim County Council: All Island Local Authority Forum* <ul style="list-style-type: none"> Friday 12 December 2014, Leitrim County Council, Carrick-on-Shannon 10am - 3pm Organised for Fermanagh & Omagh and Mid Ulster District Councils only, with 10 places available per council. This will be delivered by Planners and Elected Members from Leitrim County Council.

3	Key Issues
3.1	N/A

4	Resources
4.1	<u>Financial</u>
4.1.1	Equality & Diversity in Councils (Retrospective Approval Sought) £40 per person
4.1.2	Agriculture & Food Conference: Implementing Going for Growth £125 per person
4.1.3	Spatial Planning Capacity Building Visit to Leitrim County Council: All Island Local Authority Forum No cost for attending
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	N/A

6	Recommendations
6.1	Consideration is given to member and officer representation from Mid Ulster District Council and retrospective approval for 2.1.1 above.

7	List of Documents Attached
7.1	Appendix 1: Equality & Diversity in Councils Appendix 2: Agriculture & Food Conference: Implementing Going for Growth Appendix 3: Spatial Planning Capacity Building Visit to Leitrim County Council: All Island Local Authority Forum



Equality & Diversity
in Local Councils

Local Government Staff Commission for Northern Ireland Equality and Diversity Conference

Tuesday 11 November 2014
Ballygowan Suite, La Mon Hotel and Country Club

PROGRAMME

- 9.00 am Registration and Refreshments**
Opportunity to visit Stakeholder Stalls in the Ballygowan Suite
- 10.00 am Welcome and Engaging with Key Stakeholders**
Brian Hanna CBE, Chairman,
Local Government Staff Commission for NI
- 10.10 am Keynote Speaker**
Gender Equality at Executive Level in NI Public Sector
Organisations: A Local Government Analysis
Professor Joan Ballantine, University of Ulster
- 11.40 am TEA/COFFEE BREAK**
Opportunity to engage and interact with Stakeholders
- 12.15 pm Keynote Address**
- 12.45 pm LUNCH**

The Local Government Staff Commission for NI, Commission House, 18-22 Gordon Street, Belfast, BT1 2LG

Telephone: 028 9031 3200 Typetalk: 18001 028 9031 3200 Fax: 028 9031 3151
Email: lorna.parsons@lgsc.org.uk Website: www.lgsc.org.uk/new-initiatives/equality-and-diversity/

1.45 pm Showcasing Best Practice

Chaired by Dr Adrian E Kerr, Chief Executive,
Local Government Staff Commission for NI

Northern Ireland Housing Executive Disability Forum

Isobelle Hamilton, NIHE Disability Forum

Craigavon Inclusive, Craigavon Borough Council

Christine Wright, Community Sport Active Inclusion Officer

Challenge of Change, Newry and Mourne District Council

Justyna McCabe, Diversity and Inclusion Projects Co-ordinator

**Disability Best Practice in Belfast City Council: Winners of 2014
and 2012 Irish News Disability Best Practice Employer Award**

Catherine Christy, HR Manager

Women and Peace Building: Sharing the Learning

Bronagh Hinds, DemocraShe

3.00 pm Closing Remarks and Opportunity to Visit Stakeholder Stalls



Agriculture & food conference

Implementing Going for Growth

Thursday 4th December 2014 • Dunadry Hotel, Co. Antrim

SPECIAL

OFFER!

This year's Agriculture and Food conference will bring together key stakeholders to look at the drivers for future growth in the sector and wider issues facing the sector. The theme of the conference will focus on the implementation of the 'Going for Growth' strategy and look at the changes as a result of CAP reform and the new Rural Development Programme.

The conference will include expert speakers on the following issues:

- Going for Growth: the agri-food action plan
- The new Rural Development Programme
- Northern Ireland agriculture in the European context
- The importance of the environment to the food sector
- Global drivers and trends in food production
- Growing the local food industry
- Future outlook for dairy and red meat industries
- Innovation in the agri-food sector

Speakers include:

- Colette McMaster, Director, Food, Farm & Rural Policy Division, Department for Agriculture & Rural Development
- Ian Marshall, President, Ulster Farmers Union
- Tony O'Neill, Chairman, Agri-Food Strategy Board
- Terry A'Hearn, Chief Executive, Northern Ireland Environment Agency
- Conall Donnelly, Economist, Livestock and Meat Commission
- Gerry Boyle, Director, Teagasc
- Joe Gill, Director, Corporate Broking, Goodbody Stockbrokers
- Joe McDonald, Corporate Affairs Manager, NI, Asda
- Michele Shirlow, Chief Executive Officer, Food NI

Full programme available online at www.agendaNi.com/events

Registration

Negotiated by **NILGA**, a special discounted rate of £125 ex VAT (full fee £175) is available for local government elected representatives and officers wishing to attend. This offer is limited, to secure your place at the discounted rate, please contact agendaNi directly on 028 9261 9933 or email

registration@agendaNi.com and reference **NILGA**.

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All Island Local Authority Forum

Spatial Planning
Capacity Building Visit to Leitrim County Council

12th December 2014

10 – 10.30am:	Tea / Coffee & Introductions
10.30 – 11.30:	Role of elected members in the planning process – from lobbyist to decision-maker
11.30 – 12.30	Briefing by Senior Planner on the development & implementation of Area Plans (to include effective civic engagement and the importance of an evidence based approach to planning)
12.30 – 2.00	Lunch & Networking
2.00 – 3.00	Conflict of Interest in the Decision-making process & how best to deal with this