

A

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 June 2015 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

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

Officers in Attendance: Mr A Tohill, Chief Executive
Mrs Canavan, Lead HR Officer
Mrs Campbell, Director of Culture and Leisure
Mr Kelso, Director of Public Health and Infrastructure
Mr McCreesh, Director of Business and Communities
Mrs Mezza, Head of Marketing and Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Lead Finance Officer
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm.

C107/15 Apologies

Councillors Bateson, Glasgow, C O'Neill and Totten

C108/15 Declarations of Interest

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

C109/15

The Chair, Councillor Dillon extended sympathies to the family and friends of Ronan Hughes a young man from Clonoe who lost his life in tragic circumstances, a death which impacted across the country. Councillor Wilson on behalf of the Ulster Unionist Party concurred with the condolences. Councillor Mallaghan also concurred stating that in the past internet protection courses had been hosted for adults in Pomeroy which had not been well attended and that Council should be highlighting the dangers of the internet to parents to look after their young people. The Chair, Councillor Dillon advised that she had spoken to clubs and schools within the area to organise training as although it was a sad time it was also an opportune time to highlight the need for protection and education in this area.

Councillor M Quinn extended sympathies on behalf of the SDLP to the family of Ronan Hughes.

Councillor McLean extended sympathies on behalf of the DUP to the family of Ronan Hughes.

Councillor J O'Neill advised that the Clonoe under 14s team had won the Tyrone League Championship and Féile and requested that the achievements be recognised at a reception.

Councillor McNamee requested that a letter of congratulations be forwarded to Eamon McCrystal who hosted the 'Music in Northern Ireland Show' at the Grand Opera House, Belfast and was a recipient of four Emmy Awards for this.

Councillor Monteith advised that Eoghan Ruadh hurling team won Division Two of the All Ireland Hurling Championship and requested that the achievements be recognised at a reception and also extended good wishes to the Dungannon Clarke's whose football team was participating in competition at the weekend. Councillor Monteith also extended apologies as he would be leaving the meeting early.

Councillor Wilson extended congratulations to fellow Councillor G Shiels who had been awarded an MBE on the Queen's birthday honours list. Speaking with regard to Councillor G Shiels he stated that anyone who knew him was aware of the hard work he carried out especially at the Volunteer Centre in Magherafelt and also in the regeneration of Curran Community Hall as well as his dedication to his duties as a Councillor. Councillor Wilson requested that the Chair, Councillor Dillon write to all those residents of the District who had been honoured. Councillor McLean concurred with this request.

Councillor G Shiels thanked his fellow Councillors for the kind remarks and stated that are thousands of volunteers and officers of Council who take an active role in the local community and that he would complement each and every one.

Councillor Mallaghan requested that congratulations from the Council be passed to Cookstown Boxing Club who had two All-Ireland winners Francis Quinn and Ethan McGuickin and that the two be honoured at a future reception.

C109/15 UNISON Northern Health Branch regarding Residential Homes

The Chair, Councillor Dillon welcomed Ms Marjorie Trimble and Mr Paul McCormick lay representatives of Unison to the meeting.

Ms Trimble made a presentation to Council emphasising that a number of NHS care homes remain under threat and as another round of consultations commence UNISON feel that it is imperative to address Councils on the matter. Ms Trimble advised that nine homes were listed to close including Roxborough House in Moy and Westlands in Cookstown. Highlighting that the consultation runs until the 2 October 2015 Ms Trimble stated that it was the belief of UNISON if the proposals gained approval from the Minister there would be no NHS residential care provision in the Mid Ulster region.

Councillor Mallaghan left the meeting at 7.16pm

Continuing Ms Trimble stated that the resident of the aforementioned establishments together with their family and friends had made their views abundantly clear but that these had been ignored. Ms Trimble appealed to the elected members to endeavour to stop the blatant disregard of public opinion and call for a stop to the annihilation of NHS provision of residential care within Mid Ulster. Making reference to the previous campaign Ms Trimble stated that the people of Mid Ulster many of whom were sick, frail and elderly had protested at Stormont, addressed the Chamber and HSCB meetings supported by their MLA's, local councillors and the submission of a petition of thousands of signatures. Many people witnessed at first-hand the heart ache being caused when a resident of Westlands had been interviewed on the BBC Nolan Show and told how many residents cried themselves to sleep due to the uncertainty of their future.

Ms Trimble stated that UNISON would continue to fight to save all NHS residential care homes as there was a want, a need and despite a well-managed campaign to secure the demise of the homes there was no alternative provision in the Mid Ulster area for residents and emphasised that this was another move to ensure privatisation. Ms Trimble stated that UNISON would be calling for the non-admissions ban to be lifted from the homes and no less than NHS residential service provision in Cookstown. Concluding Ms Trimble called on Members to fight to save residential care as a service, demand re-investment and accept nothing less than NHS residential care for the people of Cookstown and Mid Ulster and lend their support to 'The Peoples Campaign' to save residential care as a much needed service.

The Chair, Councillor Dillon thanked UNISON representatives for the presentation.

Councillor Mallaghan returned to the meeting at 7.20pm

Councillor McNamee stated that the former Cookstown Council fought to retain Westlands Residential Home in the past, he also expressed concern that in speaking to staff they were on a roller coaster of emotion as they are being 'kept in the dark' and any information they are receiving is from the media. Councillor McNamee further stated that during the last campaign prior to the then Health Minister, Mr Poots stated that Westlands would remain open and staff had been told they would be relocated yet relocation would not be a viable option. Councillor McNamee was emphatic that he would support Westlands campaign.

Councillor Wilson concurred with Councillor McNamee's pledge of support to Westlands and stated that the major issue was the current non-admissions policy and posed the question if it dwindles to one person is it viable to keep Westlands open for one. Continuing Councillor Wilson stated that Westlands also provided the meals for the day centre and if resident numbers drop there would be a question mark over who would look after maintenance and other associated costs. Referring to an announcement concerning a residential home in Bangor Councillor Wilson stated that approximately 96% of those who responded to consultation wanted the home to remain open but it was recommended for closure. Councillor Wilson stated that he was reluctant to create a false hope, that the Trust should be keeping all

those concerned informed and that he would support any moves to retain Westlands residential care.

Councillor Monteith echoing the comments of Councillors Wilson and McNamee stated that the word consultation held no meaning as there was no democratic accountability for the actions of the Trust. Stating that the homes were a vital service and should be retained Councillor Monteith commented that any services that had existed 'west of the Bann' were being depleted.

The Chair, Councillor Dillon thanked Members for their comments and the representatives of UNISON for their presentation following which they withdrew from the meeting at 7.25pm.

C110/15 Receive and consider minutes of matters transacted in "Open Business" at Council meeting held on Thursday 28 May 2015

Councillor McKinney requested a correction at page 14 stating that he did not abstain at the vote but voted against.

Councillor McNamee requested a correction at page 15 stating that Malone had lodged the complaint against Cookstown Rugby Club.

Councillor Kearney thanked Members for the expressions of sympathy in relation in relation to the death of his brother Seamus.

Proposed by Councillor J O'Neill
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Meeting of the Council held on Thursday 28 May 2015 (C89/15 – C99/15 and C106/15), transacted in "Open Business" having been printed and circulated were considered and subject to the foregoing signed as accurate and correct.

C111/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Planning Committee meeting held on Tuesday 2 June 2015

Proposed by Councillor J Shiels
Seconded by Councillor McEldowney and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Monday 2 June 2015 (P46/15 – P57/15 and P65/15) transacted in "Open Business", having been printed and circulated were considered and adopted.

C112/15 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Policy and Resources meeting held on Monday 4 June 2015

Proposed by Councillor S McGuigan

Seconded by Councillor McLean

Resolved That the Minutes and recommendations of the Policy and Resources Committee meeting held on Monday 4 June 2015, (PR89/15 – PR98/15 and P103/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

C113/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 9 June 2015

Proposed by Councillor McNamee
Seconded by Councillor McFlynn

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 9 June 2015, (E84/15- E100/15 and E106/15), transacted in “Open Business”, having been printed and circulated were considered and adopted.

C114/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 11 June 2015

Declaration of Interest

Councillor McFlynn declared an interest with regard to D101/15 Cookstown and District Women’s Group

Councillor Burton stated that as Chair of the Development committee she was aware that there was still a number of requests for deputations outstanding and suggested that a special meeting be held to endeavour to reduce waiting time in order that Council may support organisations.

Proposed by Councillor J Shiels
Seconded by Councillor T Quinn

Resolved That the Minutes and recommendations of the Development Committee meeting held on Thursday 11 June 2015, (D99/15 – D114/15 and D121/15) transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

C115/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee (Development Plan and Enforcement) meeting held on Tuesday 16 June 2015

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Monday 16 June 2015 (P66/15 – P73/15) transacted in “Open Business”, having been printed and circulated were considered and adopted.

C116/15 Conferences and Seminars

The Head of Democratic Services referred to details of the undernoted conferences and sought approval for the attendance of Members and council officers, the payment of attendance fees and associated costs as incurred advising that approval for (vi) and (vii) was retrospective.

- (i) EU Funding Event Roe Valley Arts & Cultural Centre, Limavady Friday 26 June 2015.
- (ii) National Association of Councillors – Devolving Power to the Regions, Lytham St Anne’s Friday 26 June – Sunday 28 June 2015
- (iii) Benedict Kiely Weekend, Omagh’s Literary Festival, Strule Arts Centre, Omagh Friday 11 September – Sunday 13 September 2015
- (iv) Northern Ireland Planning Conference Making Planning Work for People, Baby Grand, Grand Opera House, Belfast Tuesday 29 September 2015 9am – 1pm
- (v) The IRRV Northern Ireland Conference 2015, Malone House, Belfast Thursday 1 October 2015 9.30am -1pm
- (vi) Institute of Historic Building Conservation, Northern Ireland Branch Event, Clifton House, Belfast Thursday 14 May 2015 (retrospective approval)
- (vii) Countdown to Zero: The benefits of Zero Waste & Moving towards it, Now City Hotel, Derry Monday 22 June 2015 (retrospective approval)

Proposed by Councillor Buchanan
Seconded by Councillor McGinley and

Resolved That the attendance of Members and officers, the payment of attendance fees and associated costs as incurred be approved for those in attendance.

C116/15 Street Naming, New Housing Development

The Director of Public Health and Infrastructure advised that the purpose of the report was to provide a street name for a new housing development consisting of 75 dwellings at a site North of 42 Tobermore Road, Magherafelt. The Director advised that the request was received too late for consideration at the June Environment

Committee and that as the developer had made a considerable investment he was keen to market the homes as soon as possible.

The Director of Public Health and Infrastructure advised that the developer had proposed to name the development “The Oaks” Tobermore Road, Magherafelt.

Councillor McPeake stated that the development was most welcome in an area of chronic housing need and asked if the name had linkage with the area and was there any cognisance in incorporating the townland in the address. In response the Director of Public Health and Infrastructure advised that there were oak trees on the site and that the name was in keeping with the location. He further clarified that the developer had suggested a number of options none of which included the townland but in response to Councillor McPeake’s suggestion stated that the developer could be asked to incorporate the townland name.

Proposed by Councillor McPeake
Seconded by Councillor Clarke and

Resolved That the new housing development be named The Oaks, Tobermore Road, Magherafelt with the inclusion of the townland name.

Councillor Monteith stated that he had no desire to delay the approval but that he too had an issue of concern around the loss of townland names and suggested that Council should specify within a policy that townland names are incorporated into street naming as townland names will be lost if they are not. Councillor Monteith suggested that the policy be tightened with this aim.

Proposed by Councillor Monteith
Seconded by Councillor Gildernew and

Resolved That Council incorporate the inclusion of townland names within its street naming policy.

Councillor Wilson stated that he supported the inclusion of townland names but emphasised that the development being discussed was in the centre of a village and that Council should be mindful of delaying the developer marketing the houses. Councillor Monteith clarified that his proposal was in moving forward. Councillor McPeake concurred that he did not wish to delay the developer but felt that incorporating the townland name should not do so.

Councillor Cuthbertson stated that similar discussion had taken place in the Environment Committee at which time it had been stated that it was not always practical to include townland names and developers should not be permitted to take the townland identity.

Councillor Mallaghan stated that it may be useful for Members to be reminded of the policy. The Director of Public Health and Infrastructure stated that the policy could be reviewed and brought back to the Environment Committee.

Councillor Clarke stated that he was involved in the original discussion and that he would reiterate the importance of townlands being maintained in urban areas as the townland names had been removed from electoral registers. Councillor Clarke suggested that in the case being discussed he would suggest The Oaks, townland name, then conclusion of the address.

Councillor G Shiels stated that Council should be mindful of developments with names which could adversely impact commercial selling. Councillor McKinney stated that 'The Oaks' was a good name as there were a number of oak trees in the vicinity.

The Chair, Councillor Dillon advised that neither Councillor Monteith nor Councillor McPeake were proposing to change or delay the name but were asking for the townland name to be included in the address.

Councillor Monteith left the meeting at 7.40pm

C117/15 Delegated Authority for Contract Approvals

The Chief Executive advised that project funding totalling £4.5m had been offered to Council for public realm schemes in Dungannon (£1,790k), Cookstown (£2,288k) and Magherafelt (£590k) and that two contracts for Cookstown and Dungannon were scheduled to close Tuesday 30th June and Wednesday 1 July respectively. The Chief Executive advised that given the stringent time scales there would be financial implications in delaying approval of the contracts until the Council meeting on 23 July and thus recommended that delegated authority to award the Public Realm Contracts for Dungannon and Cookstown towns be given to the Policy and Resources Committee at the meeting on Thursday 9 July 2015.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved That delegated authority to award the Public Realm Contracts for Dungannon and Cookstown towns be given to the Policy and Resources Committee at the meeting on Thursday 9 July 2015.

C118/15 Approval of Annual Financial Statements for Mid Ulster Council, the three legacy Councils and other associated local government bodies for the year ended 31 March 2015 or such period as is relevant to the local government body

The Lead Finance Officer stated that Members would be aware that at this time of the year the Council submits its accounts to the Local Government Auditor under audit regulations of 2006. The Officer reported that the Audit Committee had met prior to the Council meeting and recommended that Annual Financial Statements for Mid Ulster District Council, the three legacy Councils, Mid Ulster Shadow Council, SWARD and Mid Ulster Cluster for Peace, for the year ended 31 March 2015 or such period as is relevant to the local government body be approved.

The Lead Officer advised that the key matter for council to bear in mind was that the Local Government Auditor would now review the annual statements for consistency and an update would be given prior to the accounts being published on 31 October 2015.

Proposed by Councillor Wilson
Seconded by Councillor B McGuigan and

Resolved That Annual Financial Statements for Mid Ulster District Council, the three legacy Councils, Mid Ulster Shadow Council, SWARD and Mid Ulster Cluster for Peace, for the year ended 31 March 2015 or such period as is relevant to the local government body be approved.

Matter for Information

C119/15 Consultations notified to Mid Ulster council

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

Proposed by Councillor Sean McGuigan
Seconded by Councillor Wilson and

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

C120/15 Consideration of Motions

C120.1/15 Councillor Cuthbertson to move motion

Councillor Cuthbertson in moving the motion stated that there were currently five park and ride facilities in the district and provision of such sites were on the increase. He stated that there had been complaints regarding anti-social behaviour, thefts and even parts of vehicles being stolen at park and ride facilities. Speaking specifically about the facility at Tamnamore he stated that anti-social behaviour was taking place at night and this was impacting on what was a very valuable asset for any area. Concluding Councillor Cuthbertson stated that if the maximum use of the facilities was to be encouraged, especially for car sharing motorists needed to have the assurance their vehicles were safe.

Proposed by Councillor Cuthbertson, and
Seconded by Councillor Forde that

Mid Ulster District Council calls on Transport NI to install CCTV Cameras at all Park and Ride Facilities across the District. These include facilities at Tamnamore, Ballygawley, Castledawson Roundabout and Craigadick, Maghera. Following recent antisocial behaviour, including theft at these facilities and in particular those at Tamnamore and Castledawson

Roundabout, the Council also calls for these areas to be designated as no alcohol zones.

Councillor Molloy stated that he agreed with the sentiment of the motion, was aware of incidents at Tamnamore and emphasised that park and ride facilities were crucial to the infrastructure and encouraged the use of public transport. Councillor Molloy proposed an amendment to the motion on the basis that the Department for Regional Development was dealing with budgetary constraints and the roads were suffering from ill repair and essential work such as sight lines needed to be prioritised.

Responding Councillor Cuthbertson stated that in relation to park and ride facilities, especially those in the planning, the spend was from the capital budget yet if Councillors contact the engineers regarding potholes there is no money for repairs. Councillor Molloy stated that there were more pressing jobs that needed to be carried out and indeed other capital projects that would take precedence over CCTV.

Proposed by Councillor Molloy
Seconded by Councillor McGinley

That the motion be amended to read:

Mid Ulster District Council calls on Transport NI to install CCTV cameras at all Park and Ride facilities across the District after priority works have been completed and budgetary constraints allow. These facilities at Tamnamore, Ballygawley, Castledawson Roundabout and Craigadick, Maghera. Following recent antisocial behaviour, including theft at these facilities and in particular those at Tamnamore and Castledawson, the Council calls for these areas to be designated as no alcohol zones.

Councillor Kearney in supporting the motion stated that he had been contacted frequently about park and ride facilities and at a recent planning meeting it had been suggested that it would be useful to have toilets and a bus shelter included at the facilities.

Councillor McKinney stated that he had spoken to TransportNI and had been assured that with regard to the facility at Castledawson the PSNI had no records of anti-social behaviour and that the sites in general were well used. Stating that although security systems could perhaps help money may well be better spent on the roads and whilst toilet facilities and bus shelters could be requested, Council did need to be practical.

Councillor Wilson stated that the motion was in two parts the first part referring to Transport NI to install CCTV yet now it was being reported that the PSNI say there is no record of antisocial behaviour. The second part of the motion then referring to designated alcohol zones would be Council responsibility.

The Chair, Councillor Dillon stated that it was her understanding that no alcohol could be consumed in a public area. Councillor Cuthbertson stated that signage was required. The Chief Executive stated that a street must be designated under bye-laws for a sign to be erected and also stated that laybys may be different to streets.

The Director of Public Health and Infrastructure stated that the byelaws had transposed from the legacy Councils and going forward Council would have to make new byelaws and there may be some debate with regard to laybys.

Proposed by Councillor Reid
Seconded by Councillor Burton

That byelaws and alcohol zones be brought to the Environment Committee for discussion

Councillor Cuthbertson stated that he did not accept the amendment to the motion. Councillor Forde IN supporting the motion stated that the problem in Castledawson was that CCTV coverage of antisocial behaviour was private and thus could not be used for prosecution. She stated that she had seen the footage of party buses pulling in at all times of the night hoping to use amenities at KFC and when refused urinating behind hedges and cars when families were dining in the restaurant. Councillor Forde stated that if the facility at Castledawson was to be extended it was necessary to be mindful of families using facilities nearby. Supporting the original motion Councillor Forde stated that CCTV was required for the PSNI to bring prosecutions.

The Chair Councillor Dillon clarified that the first amendment was that proposed by Councillor Molloy. Councillor Reid stated that there appeared to be confusion.

The Chief Executive for clarity stated that once an amendment is moved it must be dealt with prior to voting on the original motion.

Councillor Mclean for clarity stated that he was aware that this was not how it had happened at the Council meeting in May when the original motion was voted on first and then the amendment was not considered to be relevant. Continuing Councillor McLean stated that he understood the procedure of dealing with the amendment first but that it was also his understanding it had to be presented to the Chief Executive prior to the meeting.

The Chief Executive stated that an amendment should be produced in writing but could be brought on the night of the meeting and as this was a short amendment and for expediency the Chair had decided to allow it without it being produced in writing.

Councillor McLean stated that this particular motion did not relate to a political issue but in going forward misunderstandings in process could result in a war of words if procedures were not clear.

The Chair, Councillor Dillon requested that Councillor Reid clarify that his earlier suggestion had been a proposal not an amendment.

Councillor Reid clarified that yes it had been a proposal not an amendment with regard to the alcohol zoning section of the motion and if the PSNI could not prosecute without appropriate signage the Environment Committee should then look at a byelaws policy with a report brought as soon as possible.

Resolved That the Environment Committee of Council consider a report on byelaws and alcohol zones

The Chair, Councillor Dillon called for a vote on the amendment

For	20
Against	14

The Chair declared the amendment to the motion carried.

Councillor Cuthbertson stated he felt it was the wrong attitude to approach TransportNI with and further stated that within the motion the proposal put by Councillor Reid was unnecessary as the latter part of the motion dealt with this.

C120.2/15 Councillor McFlynn to move

Councillor McFlynn stated that as Chair of the Environment Committee she was moving the motion and asked all Councillors to support it as everyone was aware it was the tradition of the country to celebrate in great community spirit with a bonfire and whether it was July, August or October it was time to stop burning tyres.

That this council recognises the dangers posed to the public and to the environment by the illegal burning of tyres at bonfires and similar; strongly opposes this activity; and calls on statutory agencies, landowners, the PSNI, and the fire and rescue service to work with this council, in a co-ordinated multi-agency approach to bring this harmful and irresponsible activity to an end.

Councillor McFlynn stated that there are an estimated 1.8 million used tyres generated in Northern Ireland each year and that each time a tyre was changed the dealer charges a levy to dispose of it properly yet many are tipped at the road side and end up on bonfires in July, August and October. Continuing Councillor McFlynn advised that improper disposal of tyres is causing a major threat to people, animals and the environment giving off thick black smoke and 50 different toxic chemicals when burned and seeping into rivers when dumped. Research proves that there are many reasons why tyres should not be burned and those at risk from the pollution range from young children, the elderly, asthma sufferers, the pollution also contributes to heart disease and cancer whilst the smoke and chemical damage can persist for days while the bonfires smoulder out. At a recent Environment Committee a presentation on the Eco Schools Programme highlighted that 100% of schools in Mid Ulster are participating and it was noted that the youngest of children are being educated in the importance of protecting the environment.

Concluding Councillor McFlynn stated that she would like to encourage community groups who are preparing bonfires not to accept or put tyres on them. Emphasising that the statutory agencies such as the PSNI and NIFRS along with Council generally know where a bonfire is sited Councillor McFlynn called on them to work together and take a leading role where possible to prevent tyres being burned on bonfires and have this dangerous harmful activity stopped.

Councillor Mallaghan proposed the undernoted amendment:

We welcome that the Minister of the Environment through his Agency the NIEA will bring in appropriate measures which adequately deal with used tyres as the current

system does not rigidly control how suppliers do this. That this Council does not clean up the remains from bonfires from any other property that does not belong to Council. On Council property that is used for bonfires, only suitable materials are used and all other materials such as tyres, rubbish, flags, election posters or effigies of individuals are removed. That this Council seeks to prosecute through its powers anyone who illegally dumps any hazardous materials on public or private lands associated to bonfires.

Councillor Mallaghan stated that Sinn Féin were not opposed to bonfires but that all cultural celebrations should be expressed without danger to others and the main issue was health and public safety. Continuing he stated that as well as July, August and Halloween was also included and that he would urge community groups to be responsible and for environmental health and the PSNI to ensure those breaching laws are prosecuted. For clarity he emphasised that Sinn Féin did not oppose bonfires but wanted them conducted safely and responsibly.

Councillor Wilson stated that the amendment changed the motion substantively and that he was ruled out of tabling an amendment in May for that reason. Responding the Chair, Councillor Dillon said the amendment added to the motion and asked Councillor McFlynn if she was prepared to accept the amendment as an extension to the motion. Councillor McFlynn stated that she was happy to accept the amendment

Councillor McLean concurred with Councillor Wilson's comments but stated that it was the Chair's decision. The Chair, Councillor Dillon emphasised that the amendment added to the motion and did not change it.

Councillor Wilson stated that the UUP support the rights of people to celebrate their culture but did not support the use of tyres on bonfires and advised that the Grand Orange Lodge had issued a press release calling for the removal of tyres. Continuing Councillor Wilson advised that many communities were hosting festivals but that there was wide spread concern that traditions were under threat and that he would appeal to Nationalist not to use the situation as a 'stick to beat unionists' as many were working with communities to establish a way forward. Concluding, he stated that the 11th July night bonfires were part of the Unionist culture and would not go away.

The Chair, Councillor Dillon stated that no one said that bonfires should be stopped but the aim was to ensure all bonfires were safe and that Council did not have to pick up the bill and emphasised that it applied to all bonfires.

Councillor G Shiels stated that it may sound a rare place to start but that if you bought beef it could be traced back to the farm. With this in mind he stated that the authorities dealing with tyres should be able to trace them back to the owner and this would stop unscrupulous people who would not dispose of tyres in the proper way. Councillor G Shiels added that a traceability scheme would eliminate dumping of tyres and suggested that the Council write to the Department of the Environment to ask for such a scheme to be introduced.

Councillor McPeake in seconding the amendment stated that it was aimed at bringing equity as he was aware that farmers have been penalised and the single farm payment jeopardized if they burned hedges out of season. He further stated

that businesses pay hefty fees for disposal of plastic, material and the amendment would bring a level playing field for all.

Councillor Cuddy sought clarity regarding the last sentence of the amendment asking if it referred to any type of material as lots of bits and pieces are placed on bonfires which are largely organised by young people and he would have concern for Council staff. If Council and local representatives work with groups much can be achieved and to remove the tyres would have been a good thing but the amendment may lead to someone dumping for example wood being prosecuted by Council staff.

Councillor McLean expressed concerns regarding the timing of the motion as it was the commencement of the protestant unionist cultural celebrations and stated that the SDLP give the thin edge and Sinn Féin push the extra mile. Councillor McLean stated that the DUP support the issue regarding tyres on bonfires and have worked with groups in their areas to ensure celebrations of the protestant culture are responsible and the safety of people and property paramount. Stating that he would have supported the motion but not the amendment Councillor McLean said that all Members would have been better working within their communities.

Councillor Mallaghan noted that every party agrees that the burning of tyres is hazardous and should cease but because Sinn Féin brought the amendment the unionists would not support it.

Councillor T Quinn stated that he took exception to Councillor McLean's comments with regard to the timing of the motion stating that the SDLP had brought it in good faith as they were concerned about people's health and the environment, that it was neither anti unionist nor anti British and such suggestions would not be helpful in building peace and reconciliation. Continuing he stated that the SDLP would encourage everyone to enjoy and celebrate their culture safely and within the law, he also said that the SDLP were all about building relationships and peace, that the burning of tyres was harmful and the motion was not an attack on anyone's culture. He further urged caution to Members on the use of language and urged the press to pay heed to what they print as the onus was on each Member in the Chamber to build community relations, tolerance and respect.

Councillor Cuthbertson stated that if that was indeed the opinion of Councillor T Quinn he should vote against the amendment.

Councillor McFlynn in concluding stated that in a world that was ever changing Council must decide what is best for the environment, burning tyres is a breach of the clean air order and has been illegal for several years. Tyre dealers must operate under the duty of care regulations and their waste tyres should be stored securely. Councillor McFlynn drew attention to the fact that Minister Durkan had set up a tyre action place to audit the disposal of waste tyres and that he was clear that the NIEA would prosecute people who dispose of tyres irresponsibly. It was further stated that Lafarge cement was carrying out experiments to use tyres as an energy source and that it was hoped in the near future waste tyres would not be a problem. Councillor McFlynn called on all to work collectively to address the problem and a few small changes could have a positive impact on the environment. Wherever the bonfires,

Councillor McFlynn called on communities to supervise them properly, keep everyone safe and above all ensure that tyres are not burned.

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

For	21
Against	14

The amendment was carried.

Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Gillespie and

Resolved That items C120/15 to C128/15 be taken in committee.

The press left the meeting at 8.35pm

C129/15 Duration of Meeting

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

CHAIR _____

DATE _____

B

Minutes of Special Meeting of Mid Ulster District Council held on Thursday 25 June 2015 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair (7.15pm)

Councillors Bell, Buchanan, Clarke , Cuddy, Cuthbertson, Gildernew, Gillespie, Mallaghan, McFlynn, McGinley, B McGuigan, S McGuigan, Molloy, J O'Neill, M Quinn, T Quinn,

Officers in Attendance: Mr A Tohill, Chief Executive
Dr Boomer, Area Planning Manager
Mr Cassells Director of Environment & Property
Ms McEvoy, Head of Development Plan and Enforcement
Mr Moffett, Head of Democratic Services
Mrs Forde, Member Support Officer

In Attendance: **Agenda Item 3 TransportNI**

Mr Loughrey, Divisional Manager, TransportNI, Western Division
Mr Black, Engineer, TransportNI
Mr Cuddy, Engineer, TransportNI

The meeting commenced at 7 pm.

SC1/15 Appointment of Chair

The Chief Executive advised that the Chair, Councillor Dillon had been delayed and that an apology had been received for the Deputy Chair, Councillor Ashton and to commence the meeting he sought proposals for a Chair.

Proposed by Councillor McGinley
Seconded by Councillor S McGuigan and

Resolved That Councillor Mallaghan Chair the meeting in the absence of Councillors Dillon and Ashton.

Councillor Mallaghan took the Chair.

SC2/15 Apologies

Councillors Ashton, Bateson, Elattar, Forde, Kearney, McAleer, McFlynn, McPeake, Robinson, G Shiels, J Shiels and Wilson

Councillor Burton entered the meeting at 7.04pm

SC3/15 Declarations of Interest

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

SC4/15 Transport NI

The Chair, Councillor Mallaghan welcomed the delegation from Transport NI.

Mr Loughrey introduced the Section Engineers Messrs Black and Cuddy and tabled a request/enquiry form to allow Members to raise local issues which would be collected at the conclusion of the meeting and TransportNI would respond in due course.

Prior to highlighting the schemes outlined in the previously circulated TransportNI Western Division Annual Report Mr Loughrey drew attention to the key issue facing the organisation, namely a lack of funding within the resource budget which covered pothole repair, grass cutting, gully emptying, winter maintenance, street lighting repair, weed spraying and white line renewal. He advised that the resource budget for the current year was £12.8m some £30m less than in previous years and given that the street lighting and traffic signal energy bill is over £11m and the cost of statutory street lighting inspections is approximately £2m the budget is overspent prior to any works on other resources. He said the Minister was aware of the difficulties and has permitted a skeletal service which will permit:

- Restricted pot hole repair where on busier roads with defects over 20mm will be repaired whilst 50 mm on medium trafficked roads and rural roads will only be repaired if there is major road safety concern;
- Grass cutting once per year between July and September with more frequent cuts at visibility splays at junctions to address safety issues;
- Gully emptying will take place once per year;
- Weed spraying only when there is a statutory duty to treat such as Japanese knotweed;
- Street lighting no money for repairs;
- White lining only limited emergency works such as STOP lines

Mr Loughrey stated that the service could only improve if additional funding was obtained by TransportNI later in the year. Drawing attention to the Western Division Annual Report Mr Loughrey highlighted

The Councillor Dillon entered the room and resumed the role of Chair.

- Page 6 – A5 Western Transport Corridor - The Minister was to bring the project back to the NI Executive following which an environmental statement will be published together with draft Direction and Vesting Orders
- Page 9 – A31 Magherafelt Bypass – The contract was awarded in February 2015 with the dates for completed works being Autumn 2016
- Page 10 - Randalstown to Castledawson – The contractor has been appointed and once the finance is available the project will commence;

- Page 11 – Cookstown Bypass – Publication of the draft Orders and commencement of the statutory consultation process is dependent on the outcome of budgetary settlements;
- Page 13 – Maintenance Operations - Resurfacing schemes in 2014/15 have taken place at a cost of £47 million
- Page 49 – Local transport and safety measures schemes completed in 2014/2015 included the A29 scheme and Tamnamore Park and Ride.
- Page 57 – Local transport and safety measures planned works for 2015/16 have been budgeted at £413k;
- Page 66 – structural works scheduled for the current year to include new structure for Bonds Bridge.

Mr Loughrey advised that budget constraints were affecting all areas of work.

Councillor McNamee sought assurance as to when steps would be seen in relation to the Cookstown bypass stating that development had been stopped and now another preferred route was on the table. Councillor T Quinn also stated that the bypass was long overdue and the public used Westland Road as an unofficial bypass at peak hours and sought clarity on when the budget would be available.

Mr Loughrey advised that any major road scheme commences with a draft plan followed by an environmental statement prior to the actual scheme being published. He said further advised timelines were difficult to define as it could be a four year project which would be dependent on money becoming available to DRD, followed by a selection of schemes to progress.

Councillor Cuthbertson left the meeting at 7.25pm

The Chair Councillor Dillon reminded Members that questions be restricted to strategic not local issues.

Councillor T Quinn advised that all questions were very relevant as public liability claims had totalled some £5m last year and related a recent incident in Cookstown where a lorry shed its load to the road requiring immediate cleaning.

Councillor Clarke raised concerns with regard to a lack of forward planning and careful management of restricted budgets. He highlighted examples such as; Drum Road, Sandholes Road, Clougherby Junction which could have been completed as one project; gateway roads into Dunamore where fresh markings for 30 mph speed limit were laid to be resurfaced a few weeks later; and resurfacing followed by gullies and manholes being cut out at a later date then being filled with inferior product therefore creating a legacy for potholes.

Mr Loughrey stated that the aforementioned were all valid points and sections did endeavour to forward plan works. Mr Cuddy advised that projects at Sandholes and Drum Road had been considered as one but each was a scheme in their own right and it was not possible to merge due to budget constraints. With regard to gullies and manholes Mr Cuddy advised that the practice with asphalt surfaces was that

manholes are covered then cut out as it is more complex to work around and where it is bitmac the iron work is covered then cut out and raised. Councillor Clarke stated that the concern was the quality of the product.

Councillor Cuddy welcomed the Cookstown bypass and stated that discussions had taken place with regard to a bypass from the motorway to the Cookstown Road, Dungannon but this had not progressed in the Dungannon Area Plan. Referring to the time frame to get such schemes delivered Councillor Cuddy requested that a line be identified and protected for a link road. Mr Loughrey stated it could be investigated but with current budget restraints it would not be in the near future.

Councillor B McGuigan welcomed the commencement of the Magherafelt Bypass which had been first mentioned in 1977 and hoped that resources could be identified to complete the Randalstown to Castledawson project. Mr Loughrey concurred with comments.

Councillor S McGuigan expressed concern regarding street lighting in some areas not being switched off in day light hours thus driving energy bills up. Mr Loughrey stated that he would endeavour to have such cases eliminated. Councillor S McGuigan also concurred with previous comments regarding responsible distribution and use of budget to avoid wastage. Commenting on pot holes Cllr S McGuigan stated that on some minor roads the potential for accidents was greater than some of the major roads as visibility issues also had to be considered, with hedges and grass verges not being cut he further stated that one pot hole could meet the required depth for being repaired whilst six around it were left.

Mr Black asked for a list of the roads in question and stated that although TransportNI hands were tied with regards to the depth to qualify for repairs there was a small budget. Councillor S McGuigan stated that he accepted the rationale for repairs but on minor roads in particular ten cars could be damaged and claiming for repairs and thus work should be prioritised. Mr Loughrey stated that TransportNI had to be consistent across all areas.

Councillor McGinley stated that often the public raise issues of inconsistency with him regarding what happens in other areas and sought clarity as to how TransportNI communicated that works and repairs were based on need and not geographical spend. Mr Loughrey stated that TransportNI's main link to the public was through Elected Members and expressed appreciation for their support in communicating such messages.

In response to question posed by the Chair, Councillor Dillon as to whether there had been a scoping exercise carried out to ascertain if areas had been neglected in the past and how need could be addressed Mr Loughrey advised that any area which was falling behind was now being looked at.

Councillor M Quinn left the room at 7.50pm

Councillor Mallaghan referring to consistency stated that sometimes on the same stretch of road there can be a dramatic difference in maintenance with the quality falling from area to area and that in relation to lighting asked if any thought had been given to planned outages when lighting is not required.

Mr Loughrey stated that often road schemes are carried out at different times with the stretch of road in the worst condition being completed first and the remainder placed far down the programme of works. With relation to lighting he advised that that some ideas had been passed to the Minister for consideration.

Councillor M Quinn returned to the meeting at 7.53pm

Councillor Bell sought assurance that the budget would be spent in its entirety as reports from previous years showed money being returned to the Treasury. Mr Loughrey indicated that DRD allocated the budget, often some came late in the year and he was unaware of TransportNI money being returned and emphasised that there would be no question of money going unspent.

Councillor Bell stated that HGV Lorries travelling on roads along the 'Lough Shore' had caused these roads to fall into disrepair which, accompanied with years of neglect, left poor conditions and asked if there was a programme to bring them up to standard.

Councillor S McGuigan left the meeting at 7.55pm.

Mr Loughrey advised that he would speak to the Section Engineer regarding neglect of roads but stressed that 'B' routes were not being funded for major realignment as the focus was on main routes. Councillor Bell emphasised that he was not seeking for a 'B' route to be upgraded but stressed that rural roads were being neglected. Mr Loughrey requested that Councillor Bell submit the detail on the request/enquiry form tabled at the start of the meeting and advised that TransportNI would follow this up.

Councillor McPeake left the meeting at 8.00pm

Councillor Gillespie expressed appreciation for footpaths and works completed on the Mullaghmore Road and Tullyhogue Road. Continuing Councillor Gillespie stated it had been his mantra for some 15 years that the speed limit outside schools should be reduced to 20 mph. Mr Loughrey advised that TransportNI promoted the safer routes to school project but stated that with limited budgets not all routes could be included. The Chair, Councillor Dillon stated that it should be rolled out to every primary school and sought clarity as to whether the rural roads were part of the pilot project. Mr Loughrey stated he would investigate this.

Councillor Burton welcomed the focus on rural roads stating that resurfacing and drainage schemes had helped a lot during the winter months in the Clogher Valley. Continuing, Councillor Burton stated that since 2005 she had requested a footpath between Fivemiletown and Round Lake which had been on the schedule last year but did not appear to be included this year so yet again requested provision of the footpath. With regard to the contact numbers included on the back of the report Councillor Burton sought clarity as to whether these operated 24/7. In relation to the 20mph speed limit outside schools Councillor Burton stated that NILGA were campaigning with regard to same and stated that Council should write to them to support the campaign.

Responding to the query regarding contact hours Mr Loughrey advised that although they may not always be manned after hours in normal circumstances, when there was severe weather forecast additional resource was brought in.

Proposed by Councillor Burton
Seconded by Councillor B McGuigan and

Resolved That Council write to NILGA in support of the 20mph speed limit outside schools

Councillor Burton left the meeting at 8.03pm

Councillor Clarke expressed concern about HGV Lorries using roads where there were weight restrictions in place giving examples of the Dallagh Road. Mr Loughrey advised he would investigate the issue.

SC5/15 Duration of Meeting

The meeting was called for 7.00pm and ended at 8.05pm

Chair _____

Date: _____

C

**Minutes of meeting of Environment Committee of Mid Ulster District Council
held on Monday 6 July 2015 in the Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor McNamee, In the Chair

Councillors Buchanan, Cuddy (7.05 pm), Cuthbertson,
Glasgow (7.08 pm), Kearney, McGinley, B McGuigan,
Mullen (7.01 pm), Mulligan, O'Neill, Totten

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Fox, Lead Building Control Officer (Dungannon)
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr Scullion, Head of Property Services
Mrs Grogan, Committee Services/ Senior Admin
Officer

**Others in
Attendance**

Lough Neagh Rescue
Mr Conor McGuckin
Mr Liam Teague

The meeting commenced at 7 pm.

In the absence of the Chair, Councillor McFlynn, Councillor McNamee, Deputy
Chair took the Chair.

Councillor Mullen entered the meeting at 7.01 pm

E107/15 Apologies

Councillors Burton, Gillespie, McFlynn and S McGuigan.

E108/15 Declarations of Interest

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

E109/15 Lough Neagh Rescue

The Chair welcomed Mr Conor McGuckin and Mr Liam Teague from Lough Neagh
Rescue.

Mr McGuckin provided Members with a presentation on the work carried out by
Lough Neagh Rescue.

Mr McGuckin advised that Lough Neagh Rescue has been serving the community for 25 years with Lifeboat Stations at Kinnego, Ardboe and Antrim. He informed the meeting that Lough Neagh was the largest lough in the British Isles being approximately 20 miles long and 9 miles wide with an average depth in the general body of the lough of 30' (9m) but very shallow round the margins of the lough. He added that the lough was very exposed and in windy conditions can become extremely rough very quickly. It is used extensively by a wide variety of recreational and commercial craft.

He said that Lough Neagh Rescue operated 4 Lifeboats providing a First Response capability to anywhere within its sphere of responsibility and was registered as a Company Ltd by Guarantee with nine volunteer directors being elected annually from their membership. Governance and developing fundraising strategies were undertaken by the board. He added that member collections, annual discretionary payments from local councils, donations from the public, fundraising events and partnership working helped to sustain the organisation.

Councillor Cuddy entered the meeting at 7.05 pm.

He added that rescues ranged from the commercial, leisure boater, jet skier, wildfowlers and tow-ins.

He further stated that Lough Neagh Rescue was regarded as equals among the other Emergency Services within Northern Ireland and regularly trained with agencies such as the Marine Coastguard Agency, NISAR, Ambulance Service, Mountain Rescue, PSNI, NIFR, Airport Fire Service and other SAR teams.

Councillor Glasgow entered the meeting at 7.08 pm.

Mr McGuckin stated that the organisation provided education on incident prevention, to include:

- 10% of volunteer time used on education within the community giving talks to schools, clubs, societies etc.
- Advisory Service to Yacht Club's, Fishermen, Leisure Boaters etc.
- Distribution & creation of Safety Literature including Admiralty Charts
- Third Party Training supplier
- Active members of Marine Safety Bodies (MSA, LNAC, S&N working group).

He added that Lough Neagh Rescue were proud of their achievements to date, which included:

- Over 400 people been rescued
- Over 600 people been assisted
- Major contributor in improvements to Navigation
- 100% voluntary (no paid employees)
- Facilitating Tourism growth

Mr McGuckin anticipated that in the future he hoped that Lough Neagh Rescue would ensure:

- RCP (Response & Continuity Planning) for increased Waterways usage
- Increased presence on Lough Neagh at the Washingbay
- Flood/Swift Water Response Development teams
- Continued partnership with professional agencies
- Emergency Boat Code specification
- Successful completion of its current 5 year strategy
- Sustain its funding

The Chair thanked Mr McGuckin for his presentation and agreed that Lough Neagh Rescue was providing a very valuable service to the community on an annual basis, which was a tremendous achievement.

Mr McGuckin advised that there was a small piece of land at Washingbay and Lough Neagh Rescue would need the help of the Council to retain it.

In response to a query from Councillor McGinley, Mr McGuckin stated that Kinnego Marina and Coney Island were very busy with tourists and recreational activities. There was always a high risk of changeable tides which can prove to be treacherous at times. The use of a personal watercraft was required due to shallow waters.

In response to a query from Councillor O'Neill, Mr McGuckin advised that a jet-ski would only be required at the moment at Washingbay as the response team would have to get to the emergency as quickly as possible to give assistance to the Ardboe Rescue.

In response to a query on the areas of the Lough covered, Mr McGuckin stated that it depended on the Coastguard as they made the decisions as to where Lough Neagh Rescue crews were despatched.

Councillor McGinley asked that a follow up be done on the piece of land at Washingbay and be brought back to Committee.

Mr McGuckin asked Council to consider the possibility of having a Helicopter Landing Pad in Ardboe. He indicated that there would be an issue of tall street lighting at a nearby playpark which would need relocating.

The Chair thanked the representatives from Lough Neagh Rescue for attending.

Lough Neagh Rescue representatives left the meeting at 7.30 pm

The meeting agreed to discuss the Lough Neagh Rescue presentation in Confidential Business.

**E110/15 Confirm minutes of the Environment Committee held on Tuesday
9 June 2015**

Proposed by Councillor McGinley
Seconded by Councillor B McGuigan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 9 June 2015 (E84/15 – E106/15) were considered and signed as accurate and correct.

Councillor Mulligan raised concern about grass cutting being overlooked in the Clogher Valley area and there seemed to be an uneven distribution of services. He said the embankment approaching Augher was very overgrown and needed strimming.

He also advised that he had received a call from an irate resident from Augher village complaining about the lack of bedding plants and hanging baskets in the village and when he tried to contact Environmental Services Department there was no response.

The Head of Property Services advised that a Review of Grass Cutting was ongoing and that all areas previously covered by the three legacy Councils were still being covered. He said that he would follow up the matter and respond to Councillor Mulligan.

In response to a query from Councillor McGinley regarding Tyrone Waste Recycling, the Director of Public Health and Infrastructure advised that the matter had been referred for mediation and follow up.

In response to a query from the Chair regarding Entertainment Licensing and processes in place, the Director of Public Health and Infrastructure advised that he was awaiting a response from the PSNI.

The Chair enquired on an issue surrounding the Glenavon House Hotel, Cookstown which alleged they breached licensing laws by holding a teenage disco in its Sense nightclub. It was stated that alcohol was neither being sold nor taken by teenage children at the Club.

The Director of Public Health and Infrastructure stated that this could have been a test case by the PSNI, but will liaise with PSNI and report back to Committee.

The Director of Environment and Property advised that proposed 40mph speed limit at Clonoe would be implemented by the end of July by TransportNI.

Councillor Glasgow stated that he was trying to make contact with a member of staff within the Environmental Services and it took him 39 minutes to get through and enquired if there was an issue of staff shortages.

The Director of Environment and Property advised that he would investigate the matter.

Matters for Decision

E111/15 Proposed 30mph Speed Limit extension at Moneymore Road, Magherafelt

The Director of Environment and Property presented the previously circulated report to seek the agreement of Members on a proposal from TransportNI to extend the 30mph speed limit at Moneymore Road, Magherafelt.

Proposed by Councillor O'Neill
Seconded by Councillor Mulligan and

Resolved That it be recommended to Council to agree the proposal by TransportNI to extend the 30mph limit at Moneymore Road, Magherafelt

E112/15 Proposed Stretch of 50mph Speed Limit at Moneymore Road, Magherafelt

The Director of Environment and Property presented the previously circulated report to seek the agreement of Members on a proposal from TransportNI to introduce a stretch of 50mph speed limit at Moneymore Road, Magherafelt.

Proposed by Councillor Kearney
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to agree with the proposal by TransportNI to introduce a stretch of 50mph limit at Moneymore Road, Magherafelt.

E113/15 Proposed reduction to 30mph at Mountjoy Road, Brockagh, Ballybeg and the entire Mountjoy Castle Road

The Director of Environment and Property presented the previously circulated report to seek the agreement of Members on the proposal from TransportNI to reduce the 40mph speed limit to 30mph at Mountjoy Road, Brockagh and the Ballybeg Road and to make the entire length of Mountjoy Castle Road 30mph which is currently part 60mph, part 40mph.

Proposed by Councillor Kearney
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to introduce the reduction of speed limits to 30mph at these locations as it will assist in the management of road safety issues.

E114/15 Proposed Disabled Parking Bay at Castlevue, Castlecaulfield

The Director of Environment and Property presented the previously circulated report to seek the agreement of Members on a proposal from TransportNI to introduce a Disabled Parking Bay at Castlevue, Castlecaulfield.

Proposed by Councillor Kearney
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to agree with the proposal by TransportNI to introduce a Disabled Parking Bay at Castlevue, Castlecaulfield.

E115/15 Cemetery System Harmonisation

The Head of Property Services presented the previously circulated report to seek approval to harmonise cemetery record keeping systems and provide streamlined documentation across the new Council area.

Proposed by Councillor Cuthbertson
Seconded by Councillor Mulligan and

Resolved That it be recommended to Council to approve a procurement exercise to harmonise cemetery record keeping systems and provided streamlined documentation across the new Council area.

E116/15 Service Level Agreement – Animal Welfare Services

The Head of Environmental Health presented the previously circulated report to seek council approval to sign a Service Level Agreement between Mid Ulster District Council and Fermanagh & Omagh District Council and Derry City and Strabane District Council for the provision of Animal Welfare services across Mid Ulster area.

Proposed by Councillor Cuddy
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to approve the signing of the SLA for continuing service provision on Animal Welfare Services.

E117/15 Test Purchasing – Sunbed Act (NI) 2011

The Head of Environmental Health presented the previously circulated report advising Members that the purpose of the report was to seek Council approval for test purchasing to be carried out throughout the Mid Ulster District in relation to the use, or hire of sunbeds.

Proposed by Councillor B McGuigan
Seconded by Councillor McGinley and

Resolved That it be recommended to Council to implement a programme of test purchasing to be carried out throughout the District in relation to the use, or hire of sunbeds. Notification that a test purchasing exercise would be taking place within a 3 month time frame would be given.

E118/15 Illegal Dumping of Animal Carcasses

The Head of Environmental Health presented the previously circulated report to seek a Council position on the arrangements for responding to complaints on illegally dumped carcasses on public or private land.

Proposed by Councillor Mulligan
Seconded by Councillor McGinley

Resolved That it be recommended to Council that the following arrangements for complaints received about dumped animal carcasses be adopted:

1. All complaints regarding animal carcasses to be referred to DARD for investigation and action as required under Animal By-Products legislation.
2. Complaints to be referred to NIEA where there is evidence of illegal dumping of carcasses taking place in contravention of the Waste and Contaminated Land legislation.
3. Fallen animals causing an obstruction on the roads to be referred to TransportNI.
4. Where there is a potential for a public health nuisance resulting from a dumped animal carcase, Environmental Health will investigate the nuisance to determine what action if any is required. In the event of nuisance conditions being determined and no other person or organisation being made amenable appropriate arrangements will be made to address the nuisance conditions as required under the Clean Neighbourhood and Environment Act (NI) 2011.
5. Where animal carcasses are dumped on Council owned land and where the person responsible for dumping the carcasses cannot be identified, the Council may in accordance with Animal By-Products Regulations dispose of the carcasses. The disposal of such carcasses would be a matter for the Council's Department of Environment and Property.

E119/15 Service Level Agreement between Mid Ulster District Council and the Energy Performance of Building Team

The Lead Building Control Officer presented the previously circulated report to seek approval from Members on the signing of a Service Level Agreement between Mid Ulster District Council and the Energy Performance of the Building Team, Belfast City Council for the period 1 April 2015 to 31 March 2016.

Resolved That it be recommended to Council that Members approve the signing of the Service Level Agreement and that officers investigate direct funding from Department of Finance and Personnel in future years.

E120/15 Street Naming and Property Numbering

The Lead Building Control Officer presented the previously circulated report asking Members to consider the Street Naming of new residential housing developments within Mid Ulster District Council area.

Councillor McGinley asked for clarity on this policy.

The Director of Public Health and Infrastructure stated that at the June Council meeting issues were raised on the policy approach in referring to townland names in street naming. He added that they can be modified to give townland names more of a prominence if a member so wished.

In response to Councillor McGinley's question about incorporating townland names into street naming, the Director of Environment and Property stated that the townland names were incorporated on nameplates as a legacy from the three predecessor Councils.

Councillor Cuddy stated that he would not want to see too many street names being called after townlands as a lot of streets would be unworkable in larger towns.

Councillor Kearney said that it would be important that the Irish Language Officer checked the spelling of all townlands before proceeding.

Proposed by Councillor Kearney
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to agree the following Street Naming of new residential developments within Mid Ulster:

- a) Site off Moneymore Road, Magherafelt
"Tafelta Rise"
- b) Site off Moneymore Road, Magherafelt
"College Green"
- c) Site off Crewe Road, Maghera
"Crewe Manor"

Matters for Information

E121/15 Building Control Report

As previously circulated Members noted update on the workload analysis for Building Control Services across Mid-Ulster District Council.

Members noted the content of the report.

E122/15 Entertainment Licensing Applications

As previously circulated Members noted the content of Entertainment Licensing Applications across Mid Ulster District Council.

E123/15 Health and Safety Service Improvement Plan and Corporate Risk Service Improvement Plan

As previously circulated Members noted the content of Corporate Risk and Corporate Health and Safety Service Improvement Plans 2015/16.

E124/15 Safety at Sports Grounds (Northern Ireland) Order 2006 on Regulated Stands

As previously circulated Members noted the correspondence from Minister of Culture, Arts and Leisure.

E125/15 Best Kept Large Town Award

The Director of Environment and Property stated that Cookstown had won Ireland's 'Best Kept Large Town' title at an awards ceremony in Dublin.

He said the town faced stiff competition from across Ireland in the annual assessment of villages, towns and urban centres carried out by an expert panel of judges for the 'Tidy Towns' initiative, which considered everything from cleanliness and outward appearance of buildings to public facilities and the natural environment.

The Director of Environment presented the award to the Head of Property Services and congratulated him and his staff on the tremendous achievement.

Members agreed that it should be displayed in the Cookstown offices.

Confidential Business

Proposed by Councillor McGinley
Seconded by Councillor O'Neill and

Resolved That items E126/15 – E133/15 be taken as confidential business.

E134 /15 Duration of Meeting

The meeting was called for 7.00 pm and ended at

CHAIR _____

DATE _____

D

Minutes of Meeting of Planning Committee (Development Management) of Mid Ulster District Council held on Tuesday 7 July 2015 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Mullen, Reid (7.35 pm), J Shiels

Officers in Attendance

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

Others in Attendance

Councillors Ashton (7.10 pm), McGinley (7.20 pm), and T Quinn

Applicant Speakers

H/2013/0223/F -	Mr Larkin
M/2015/0117/F -	Mr Nugent
I/2012/0368/F -	Mr Glencross
	Mr Roleston
H/2014/0393/F -	Mr Diamond
I/2015/0056/O -	Mr Cassidy

The meeting commenced at 7.04 pm.

P74/15 Apologies

Councillor Robinson.

P75/15 Declarations of Interest

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

Councillor Cuthbertson declared an interest in application M/2014/0348/F.

Councillor Kearney, Chair, declared an interest in application H/2014/0393/F advising that he would vacate the Chair when this item was being taken.

**P76/15 Receive and Confirm Minutes of the Planning Committee Meeting
held on Tuesday 2 June 2015**

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That the minutes of the meeting of the Planning Committee held on Tuesday 2 June 2015, (P46/15 – P57/15 & P65/15), were considered and signed as accurate and correct.

Under item P54/15, Work Programme for Sustainability Assessment incorporating Strategic Environmental Assessment, Councillor Cuthbertson requested that representation of the steering group be made up of one from each political party.

The Planning Manager advised of three planning working groups and suggested that a member of planning committee sit on each of these three groups.

Councillor Cuthbertson advised that the Planning Manager's suggestion would exclude one party.

The Planning Manager advised that he noted the Members request and that a decision would be made on representation of working groups at a later date.

Councillor Mallaghan referred to Council's adoption of D'Hondt and that any representation would have to be proportionate the same as every other committee of Council.

The Planning Manager highlighted that this was a not a formal committee but rather a steering group.

(Councillor Ashton entered the meeting at 7.10 pm)

Proposed by Councillor Mallaghan
Seconded by Councillor Bell

That membership of the steering group remains as agreed at June meeting, that is, that Chair and Deputy Chair of Planning Committee sit on the steering group.

Proposed by Councillor Cuthbertson
Seconded by Councillor J Shiels

That membership of the steering group be made up of one from each political party.

Members voted on Councillor Mallaghan's proposal –

For – 10

The Chair declared Councillor Mallaghan's proposal carried.

Matters for Decision

P77/15 Planning Applications for Determination

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

H/2013/0223/F Wind turbine 600m NW of 47 Disert Road, Draperstown for Mr Sean Boyle

Ms Doyle (SPO) presented a report on planning application H/2013/0223/F advising that it is recommended for approval.

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

Mr Larkin acknowledged that the application is recommended for approval and advised he was in attendance to answer any questions in relation to the application.

Councillor Mallaghan enquired if, under the new area plan coming forward, Council would permit wind turbine applications in an Area of Outstanding Natural beauty (AONB) and asked if Council is setting a precedent in approving this application.

The Planning Manager advised that a precedent would not be set, he added that planning decisions taken by Council at the moment are made under legislation laid down by the Department. The Planning Manager advised that going forward Council would be able to create its own planning policy.

Councillor Clarke believed that Council needs to be careful in that decisions being taken now could be used as part of a review in the future.

(Councillor McGinley entered the meeting at 7.20 pm)

The Planning Manager advised that the planning application before Members tonight was of a more modest nature than those presented in previous months and would be sited in a part of the AONB which is not sensitive. The Planning Manager stated that he did not believe there to be any prejudicial impact.

Proposed by Councillor Bateson
Seconded by Councillor McAleer and

Resolved That planning application H/2013/0223/F be approved subject to conditions as per the officers report.

M/2015/0117/F Amended siting arrangement of dwelling initially approved under application M/2014/0351/RM at 490m NE of 90 Derryfubble Road, Dungannon for Mr Alan Weir

Mr Marrion (SPO) presented a report on planning application M/2015/0117/F advising that it is recommended for refusal. Mr Marrion highlighted that the report

states that the amended siting is 80 metres from farm buildings and advised that this should be 43 metres.

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

Mr Nugent advised that the applicant comes from a farming family and that the application is for a dwelling next to the family farm. Mr Nugent advised that approval for dwelling was given in October 2014 however the application before Members tonight is to consider an amendment to the siting of the dwelling – initial permission approved siting of dwelling 12 metres north of farm buildings, amended application seeks to site the dwelling 43 metres north of the buildings.

Mr Nugent referred to similar planning applications for farm dwellings and reflected that none were sited within the 12 metres of farm dwellings as in the case of this application, he also advised that he had sought advice from the Health and Safety Executive who would support the re-siting of this dwelling.

Councillor Glasgow proposed that amended site arrangement be approved.

The Planning Manager advised that the original planning application which proposed the dwelling be sited 12 metres from farm buildings was made by the agent of the applicant but felt that further discussions should mean a compromise can be reached regarding this application.

(Councillor Reid entered the meeting at 7.35 pm)

Councillor McPeake concurred with Councillor Glasgow's comments and felt that it makes sense to re-site the dwelling if possible.

The Planning Manager suggested this application be deferred for further consideration and if agreement is reached in relation to amended siting of the dwelling that authority is delegated to the Planning Manager to approve the application.

Councillor Gildernew seconded Councillor Glasgow's proposal to approve the amended site for dwelling.

In response to the Chair's question, Councillor Glasgow confirmed he was happy with the Planning Manager's suggestion to give this application further consideration.

Resolved That planning application M/2015/0117/F be deferred for consideration of Planning Manager. If agreement is reached in relation to amended siting of the dwelling then authority is delegated to the Planning Manager to approve the application.

Councillor Clarke referred to the maps being shown in the officers presentation not being the same as those provided to Members prior to the meeting and that it would have been useful for Members to have this information prior to the meeting.

The Planning Manager advised that planning officers are working at achieving uniformity with their reports.

**I/2012/0368/F Wind turbine 870m SE of 11 Crancussy Road,
Evishacrancussy, Cookstown for JJ Loughran**

Ms McCullagh (SPO) presented a report on planning application I/2012/0368/F advising that it is recommended for approval.

The Chair advised the committee that requests to speak on the application had been received and invited Mr Glencross followed by Mr Roleston to address the committee.

Mr Glencross objected to this application on the basis that the quarry within which the turbine will be sited is illegal as it does not have adequate planning permission and does not meet relevant mineral legislation.

Mr Roleston, as agent for the application, advised that this planning application was made in 2012 with all necessary paperwork being submitted, Mr Roleston confirmed that planning permission approved the quarry which has been active since 1980.

Mr Roleston advised that 31 letters of objection were received in relation to this application 22 of which came from the same property, the remaining letters received were from properties, the closest being 12 miles from the application site. There are no concerns in relation to Areas of Special Scientific Interest (ASSI).

Councillor Mallaghan asked if the quarry is illegal.

The SPO advised that the quarry does have planning permission and is active.

Speaking in relation to the review of old mineral permissions the Planning Manager advised that this review was not completed by the Department and now falls within the remit of each Council. The Planning Manager added that this application will have no detrimental effect on AONB and that as the distance from the site of the application and the objector is 480 metres shadow flicker and noise are not considered disruptive by legislation.

Councillor Clarke asked for clarification on when the quarry became operational.

The Planning Manager reminded Members that tonight's debate does not relate to whether the quarry is legal or illegal but rather the validity of the application before them.

Proposed by Councillor Glasgow
Seconded by Councillor Shiels and

Resolved That planning application I/2012/0368/F be approved subject to conditions as per the officers report.

The Chair, Councillor Kearney declared an interest in the next application and vacated the Chair. Councillor Bell, Vice Chair, took the Chair for this item)

**H/2014/0393/F Change of access from previously approved H/2013/0316/F
at 60m NE of 10 Mullaghnamoyah Road, Clady, Portglenone
for Eugene McErlean**

The Head of Development Management presented a report on planning application H/2014/0393/F advising that it is recommended for refusal.

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

Mr Diamond advised that this application proposes a separate access to the dwelling which is safer from a road safety aspect than the shared access previously approved. Mr Diamond confirmed that the applicant is unable to obtain a mortgage due to the lender requiring that the property have its own separate access.

The Planning Manager referred to the access issues and asked if alternative access could be made through the field between the dwelling and the road.

Mr Diamond advised that this field is in third party ownership and that access options have been discussed with the owner but found not to be viable.

The Planning Manager suggested that this application be deferred for further consideration.

Proposed by Councillor McAleer
Seconded by Councillor McKinney and

Resolved That planning application H/2014/0393/F be deferred for consideration of Planning Manager. If agreement is reached in relation to amended access to the dwelling then authority is delegated to the Planning Manager to approve the application.

(Councillor Kearney resumed as Chair)

**I/2015/0056/O Infill dwelling and garage 15m E of 8A Rogully Road, Loup
for Thomas McVey**

Ms McCullagh (SPO) presented a report on planning application I/2015/0056/O advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Councillor T Quinn to address the committee.

Councillor T Quinn stated that the proposed application fully complies with policy CTY 8 of PPS 21 in that the proposed dwelling will infill the gap between buildings and would be consistent with the existing character along this stretch of road. Councillor Quinn added that the site will be able to integrate into the existing

landscape and intimated that if this application went to appeal then a decision to refuse would be overturned.

Councillor Cuthbertson again referred to the maps being shown on presentation differing from those provided prior to the meeting.

The Planning Manager noted Members concerns in relation to visual aids.

With regard to the application the Planning Manager advised that if Council approved this application it would be against planning guidance and that should this application be taken to appeal and approval won then this would enable the planning team to change future practice.

Proposed by Councillor Cuthbertson
Seconded by Councillor J Shiels

That planning application I/2015/0056/O be refused.

Proposed by Councillor Mullen

That planning application I/2015/0056/O be approved.

Councillor J Shiels asked on what grounds Councillor Mullen believed the application should be approved. Councillor Mullen advised she did not wish to disclose this information.

As Councillor Mullen's proposal did not receive a seconder and following a vote on Councillor Cuthbertson's proposal, of which eight Members voted in favour, the Chair declared Councillor Cuthbertson's proposal carried.

Members considered the remaining planning applications as per agenda.

I/2011/0156/F Extraction of sand and gravel, passing bays and restoration of site 250m due S of junction of Cavanoneill and Kanaghan Road, Cookstown for LD Aggregates Ltd

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

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That planning application I/2011/0156/F be approved subject to conditions as per the officers report.

H/2011/0536/F Housing development comprising 6 additional dwellings and amendments to previous approval for housing development (H/2001/0260/) at 30m NE of 37 Ballyronan Road, Magherafelt for JFM Construction

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

Proposed by Councillor Bateson
Seconded by Councillor McKinney and

Resolved That planning application H/2011/0536/F be approved subject to conditions as per the officers report.

M/2014/0348/F 43 dwelling and garages with associated site works (phase 2) at site N of 39 Old Omagh Road, Ballygawley for Conkir Developments Ltd

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

Proposed by Councillor J Shiels
Seconded by Councillor McKinney and

Resolved That planning application M/2014/0348/F be approved subject to conditions as per the officers report.

M/2014/0532/F Extension of existing restaurant/takeaway to close in existing covered are to create store and extend restaurant seating area into Unit 3 (change of use) at Units 2 and 3, 28 Thomas Street, Dungannon for BDJ Management Ltd

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

Proposed by Councillor McAleer
Seconded by Councillor Gildernew and

Resolved That planning application M/2014/0532/F be approved subject to conditions as per the officers report.

M/2014/0548/F Retention of modular home at 71c Ballybeg Road, Coalisland for Margaret and Martin McAliskey

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

Proposed by Councillor Bateson
Seconded by Councillor Mallaghan and

Resolved That planning application M/2014/0548/F be refused on grounds stated in the officer's report.

M/2015/0005/F Storage shed for vehicles at Old Clogher School, 4 Augher Road, Clogher for Mid Ulster District Council

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

Proposed by Councillor Gildernew
Seconded by Councillor Reid and

Resolved That planning application M/2015/0005/F be approved subject to conditions as per the officers report.

LA09/2015/0013/F Extension and alteration to dwelling at 51 Knockmore Road, Stewartstown, Dungannon for Mr and Mrs Alan Reid

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

Proposed by Councillor Glasgow
Seconded by Councillor Reid and

Resolved That planning application LA09/2015/0013/F be approved subject to conditions as per the officers report.

H/2015/0017/F Retention of area for car sales at 64 Clooney Road, Curran, Magherafelt for Mr Mark Curry

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

Proposed by Councillor Bateson
Seconded by Councillor Mallaghan and

Resolved That planning application H/2015/0017/F be refused on grounds stated in the officer's report.

I/2015/0034/O Residential development, open scape, landscaping and access from Magherafelt Road; lands adjacent to 32 Magherafelt Road, Money more for Mr J Glover

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

Proposed by Councillor Shiels
Seconded by Councillor Mallaghan and

Resolved That planning application I/2015/0034/O be approved subject to conditions as per the officers report.

M/2015/0049/F Extension to factory building, replacement of factory building roofs, part reconstruction of factory building and replacement office block/showroom at Viewfort, Killymeal Road, Dungannon for Dungannon Window Company Ltd

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

Proposed by Councillor Reid
Seconded by Councillor Bell and

Resolved That planning application M/2015/0049/F be approved subject to conditions as per the officers report.

LA09/2015/0051/F Dwelling and garage in a gap site at 50m SW of 45 Mullanhoe Road, Ardboe for Ronan McGinley

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

Proposed by Councillor Bell
Seconded by Councillor McPeake and

Resolved That planning application LA09/2015/0051/F be approved subject to conditions as per the officers report.

I/2015/0077/F General purpose domestic store/double garage at 21 High Cross Road, Tullyhogue, Cookstown for Mr Keith Wallace

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

Proposed by Councillor Glasgow
Seconded by Councillor Reid and

Resolved That planning application I/2015/0077/F be approved subject to conditions as per the officers report.

M/2015/0158/O Dwelling between 22 and 36 Drumkee Road, Dungannon for Mr Aidan Dolan

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

Proposed by Councillor McKinney
Seconded by Councillor Bateson and

Resolved That planning application M/2015/0158/O be refused on grounds stated in the officer's report.

Deferred Applications for Decision

H/2014/0155/F Two dwellings at sites between 12 and 18 Martinvale Park, Maghera for Mr Tom Scullion

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

Proposed by Councillor McAleer
Seconded by Councillor McKinney and

Resolved That planning application H/2014/0155/F be approved subject to conditions as per the officers report.

H/2014/0273/F Dwelling and garage on a farm at 35m SW of 46 Tirgan Road, Magherafelt for Kevin and Claire Vallely

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

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That planning application H/2014/0273/F be approved subject to conditions as per the officers report.

Matters for Information

P78/15 Report of Delegated Decisions Issued in May 2015

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

P79/15 Sand and Gravel Extraction at Lough Neagh

The Planning Manager asked Members to note correspondence from Department of the Environment in relation to sand extraction from Lough Neagh stating that Council will be asked to provide an opinion to the proposal in the future.

CONFIDENTIAL BUSINESS

Proposed by Councillor J Shiels
Seconded by Councillor McKinney and

Resolved That item P80/15 be taken as confidential business.

P81/15 Chair's Business

The Chair reminded Members that a further Planning Committee meeting will be held on Tuesday 28 July 2015 in Cookstown offices.

P82/15 Duration of Meeting

The meeting was called for 7.00pm and ended at 8.40 pm.

Chair _____

Date _____

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Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 8 July 2015 in the Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Monteith, In the Chair

Councillors Clarke, Elattar, McAleer, McEldowney, McNamee, Molloy, T Quinn, J Shiels and Wilson

Officers in Attendance

Ms Campbell, Director of Culture and Leisure
Mr McCreesh, Director of Business and Communities
Mr Browne, Head of Tourism
Mr Glavin, Head of Leisure
Mr Hill, Head of Parks
Ms Linney, Head of Community Services
Mr McCance, Head of Culture and Arts
Ms McKeown, Head of Economic Development
Mrs Forde, Member Support Officer

Other in Attendance

Agenda Item 3: SGN on Gas to the West

Mr McFarlane, Project Engineer, Mutual Energy
Mr O'Malley, Director, SGN Natural Gas
Mr Potter, Special Projects Manager, SGN

Agenda Item 4: Superstars Club, Cookstown

Mrs McAvoy

The meeting commenced at 7pm

D122/15 Apologies

Chair of Development Committee, Councillor Burton, Councillors Forde, G Shiels and C O'Neill

D123/15 Declaration of Interests

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

Councillor McEldowney declared an interest in Lough Neagh Partnership

Councillor McAleer declared an interest in the Local Action Group

Councillor Clarke declared an interest in Broughderg Development Association

Councillor Wilson declared an interest in Superstars Club and Economic Development business item

Director of Business and Communities declared an interest in Superstars

D124/15 SGN on Gas to the West

The Chair, Councillor Monteith welcomed Messrs McFarlane, O'Malley and Potter to the meeting.

Mr McFarlane gave an overview of the Gas to the West project making reference to the regulated 40 year licence application process for transmission, the connected bid between SGN and Mutual Energy, the proposal to supply gas to eight towns namely Dungannon, Coalisland, Cookstown, Magherafelt, Omagh, Enniskillen, Derrylin and Strabane and the project investment cost of £250m.

Councillor Wilson left the meeting at 7.09pm and returned at 7.11pm.

Mr McFarlane drew attention to the regulatory timeline together with the operational timeline which would see Gas to the West in Strabane by 2016 and in other aforementioned towns by 2017. Making reference to planning implications it was noted that the planning application would be regionally significant, there would be environmental impact assessments, best route options considered and the pre application process would be in two stages with consultation events in each Council area. Attention was drawn to the preferred route.

Councillor Wilson left the meeting at 7.15pm.

Mr O'Malley outlined the economic benefits of the project highlighting that some 40,000 customers would benefit from natural gas, 17,500 of whom would be in Mid Ulster Council area. It was noted that the implementation of the project would support existing and new businesses, create some 200 construction jobs and 20 permanent jobs on its conclusion.

In response to a question from Councillor J Shiels Mr O'Malley advised that all towns contained in the project should have gas by 2017. Mr Potter advised that it may take a decade to have full infrastructure in place to provide gas to towns outside of the project.

Councillor Clarke asked if major industries could be linked into the project to which Mr O'Malley advised that companies would have to make the approach.

Councillor Monteith stated that the three main towns within Mid Ulster would be undergoing public realm schemes and asked if work could be co-ordinated so that schemes were not being completed for roads to be dug up again. Mr McFarlane advised that they had sought such information as they did not want to disrupt communities. Mr Potter advised that although the exact route had not been defined it may be possible to do some work in advance.

The Chair, Councillor Monteith thanked the representatives for the presentation and they withdrew from the meeting.

D125/15 Superstars Club, Cookstown

The Chair, Councillor Monteith welcomed Ms May McEvoy, Superstars Club. Mrs McEvoy made a presentation making reference to the undernoted:

- Founded in 2005 Superstars was a dynamic, caring, innovative organisation which is purely and simply, committed to the enhancement and advancement of the lives of people with learning difficulties.
- Members come from Castlecaulfield, Dungannon, Coalisland, Cookstown, Ardboe, Stewartstown, Ballyronan, Magherafelt and Tobermore.
- Ever growing population of special people, evidenced by the growth of enrolment in two special schools, Kilronan and Sperrinview. Both these schools have seen almost a 300% increase in registration over the past 20 years. The demand transfers into the community when these young people leave school and begs the question “How can the needs of these special people be met in our local areas.”
- Bamford Review of Mental Health and Learning Disability, advocates the collaboration of statutory bodies and social partners:
 - “To identify and tackle factors which can contribute to social exclusion.”
 - “To undertake positive initiatives to improve and enhance the life and circumstances of the most deprived and marginalised people in the community.”
- Superstars aims to address the lack of post school social and leisure provision for people with learning difficulties and in the past decade has grown from strength to strength, offers a wide range of clubs and activities together with a Social Enterprise in centre of Cookstown.
- Its café operates as a social enterprise with up to 20 young people with learning difficulties training each week assisted by volunteers. A case study of the Scheme has been circulated as an example of success throughout the country and assists in providing income for other activities.
- Wages in the past have been part funded by the Office for Disability Issues, UK Government as avid supporters of the project.

Mrs McEvoy stressed the importance of equal opportunities for people with learning difficulties and sought Council support to provide same for training and employment for people with learning difficulties throughout the Mid Ulster area and in assisting Superstars in developing further social enterprise opportunities. Mrs McEvoy showed a short film promoting the social enterprise and highlighting how other businesses pledged support.

The Chair, Councillor Monteith commended Mrs McAvoy on the work of Superstars and stated that they were doing a fantastic job, that the project was very worthwhile and that Council should be leading by example in their support.

Resolved That it be recommended to the Council that a meeting be scheduled with Superstars to explore opportunities of support

D126/15 Receive and confirm minutes of the Development Committee meeting held on Thursday 11 June 2015

Proposed by Councillor Clarke
Seconded by Councillor J Shiels and

Resolved That the minutes of the meeting of the Development Committee held on Thursday 11 June 2015 (items D99/15 to D114/15 & D121/15), were considered and signed as accurate and correct

Matters for Decision

D127/15 Good Relations Plan

The Chair, Councillor Monteith drew attention to the previously circulated report to seek approval for the Good Relations Plan 2015-2016 and sought Members comments.

The Head of Community Development advised that the Good Relations Plan 2015-2016 had been presented to the Good Relations Working Group, that Council was awaiting a letter of confirmation on funding from OFMDFM and in the interim spend was being monitored.

In response to query from Councillor J Shiels regarding 'shared space accessible to all' the Head of Community Development advised that the remit is to ensure that there is a building within communities that everyone feels comfortable using for example, the concept such as Gortalowry House, Cookstown.

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved That it be recommended to the Council that the Good Relations Plan 2015-2016 detailed in the report is approved

D128/15 Picnic in the Park

The Chair, Councillor Monteith drew attention to the previously circulated report to provide an update on 'Picnic in the Park', an event planned to celebrate the re-opening of Dungannon Park on 31 August 2015.

The Head of Tourism advised that the event, which has a budget of £25k, was being organised to celebrate recent park renovations together with the new Mid Ulster District Council and it was hoped to attract 5000 people to the one day event. It was noted that together with live music, workshops and family entertainment, professional kite teams would be the unique selling point.

Proposed by Councillor Wilson
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that approval is granted for the delivery of the proposed Picnic in the Park event on 31 August 2015 with delivery cost at £25k

Declaration of Interest

Councillors Clarke, McEldowney and Wilson declared an interest in the Local Action Group (LAG)

D129/15 Northern Ireland Rural Development Programme 2014-2020

The Chair, Councillor Monteith drew attention to the previously circulated report to provide an update on the LAG formation process and status of the Rural Development Programme 2014-2020. The Director of Business and Communities drew attention to the name of the LAG advising that it would be known as Mid Ulster Rural Development Partnership. He also highlighted that approval was being sought to engage independent facilitation to assist the LAG with the consultation engagement and identification of priorities for its rural strategy costs of which would be reimbursed.

Proposed by Councillor Elattar
Seconded by Councillor J Shiels and

Resolved That it be recommended to the Council that in relation to LAG strategy development, the use of independent facilitation to assist the LAG with consultation engagement and identification of priorities for its local rural strategy be sought. Facilitator costs to be reimbursed from the animation SLA budget from DARD although it was noted that appointment would be subject to DARD acceptance of the use of facilitators as an eligible cost within the scope of the animation SLA.

D130/15 Town Centre Update Report

The Chair, Councillor Monteith drew attention to the previously circulated report which

- (i) Provided an update on progress on the Mid Ulster Town Centre Action Plan 2015/16;
- (ii) Requested permission from members to tender for a digital marketing/ecommerce programme for town centre businesses as included in the Mid Ulster Town Centre Action Plan 2015/16;
- (iii) Provided an update on the annual summer event to be held in Dungannon town centre on Saturday 15th August 2015; and
- (iv) An evaluation report on Cookstown Continental market held in May,

The Head of Economic Development drew attention to the need for the Digital Marketing/E-commerce programme advising that in every £5 spent £1 was spent online thus awareness for traders was essential and approval to procure for a consultant was sought.

Councillor Wilson stated that the ecommerce event was a great idea, that the proposed town centre shop improvement scheme should be promoted as it had been very successful in Cookstown in the past and that the 'Battle of the Buskers' was a superb idea for Dungannon town centre event and commended the Dungannon Traders Association for contributing towards costs.

Councillor McNamee sought clarity on how the town centre shop improvement scheme would be distributed across the main towns. The Head of Economic Development stated that criteria would have to be established and grants awarded on merit of application as thresholds could not be set for towns. The Officer further advised that the scheme applied to both internal and external works and it was anticipated that there would be high demand but in the event that the scheme was oversubscribed it may be programmed in for future years.

Councillor McNamee asked if those who had not availed of the shop improvement scheme in the past would have preference over those who had. The Head of Economic Development advised that criteria would have to be established but shops who had availed before may well apply for an internal improvement as the prior scheme was just external works.

Councillor Wilson commended staff on the Continental Market which had improved year on year.

Councillor Molloy welcomed the 'Battle of the Buskers' event for Dungannon town centre stating that the duration of the public realm works had been a miserable time for traders.

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved That it be recommended to the Council that

- (i) Members note progress is being made on the Mid Ulster Town Centre Action Plan 2015-2016;
- (ii) Approval be granted to place a public tender advertisement in the press to recruit a suitably qualified organisation to deliver a digital/ecommerce programme to town centre businesses in the five towns in Mid Ulster;
- (iii) Members note details of the 'Battle of the Buskers' Summer event in Dungannon town centre in August; and
- (iv) Members note the final evaluation report on Cookstown Continental Market held in May.

D131/15 Economic Development Report

The Chair, Councillor Monteith drew attention to the previously circulated report which provided an update on

- (i) Regional Start Up Initiative;

- (ii) Department of Enterprise, Trade and Investment (DETI) Telecoms Strategy Consultation 2015-2017; and
- (iii) Cessation of Department of Education Funding for Business Education Partnerships.

The Head of Economic Development advised that the DETI Telecoms Strategy Consultation response was scheduled to close on 31 July and thus officers would prepare a draft response which would be circulated to Members for comment, the comments would then be incorporated into the response prior to submission. The Officer also drew attention to the letter received from the Minister of Education regarding the cessation of funding to Business Education.

Proposed by Councillor J Shiels
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that

- (i) Progress be noted on the Regional Start Initiative;
- (ii) Approval be granted for officers to prepare draft response to DETI Telecoms Strategy 2015-2017 and issue to Members to review/comment in advance of submitting the final response to DETI by 31 July 2015.
- (iii) Response received from Minister of Education regarding the cessation of funding to Business Education Partnerships be noted.

D132/15 Lough Neagh Partnership – Core Funding

The Chair, Councillor Monteith drew attention to the previously circulated report concerning a request from Lough Neagh Partnership for core funding for 2015/16 and to review the operational plan for delivery of the destination management plan and a work plan for the Lough Neagh Partnership.

The Head of Tourism drew members attention to the request for funding of £25k advising that in previous years the former councils collectively would have contributed £34,500 thus there was a significant saving. It was further noted that the group were currently applying for Heritage Lottery funding.

In response to Councillor Clarke's queries regarding the Tyrone & Sperrins Destination Joint Working Group the Director of Business and Communities advised that a verbal report would be provided as soon as officers had ascertained the current position.

Proposed by Councillor Clarke
Seconded by Councillor J Shiels and

Resolved That it be recommended to the Council that

- (i) Lough Neagh Partnership be granted £25k as requested subject to funding being secured from all five Councils surrounding the Lough; and
- (ii) Lough Neagh Partnership submit a quarterly update to Council.

D133/15 The Clans Awaken 2016

The Chair, Councillor Monteith drew attention to the previously circulated report regarding the delivery of a festival of activity to take place between 17 June and 25 June 2016 under the working title of 'The Clans Awaken 2016'. It was noted that the cross departmental event would coincide with the official opening of Tullyhoge Fort development and the 400th anniversary of the death of Hugh O'Neill, the last chieftain to be inaugurated at Tullaghoge Fort, 3rd Baron of Dungannon and 2nd Earl of Tyrone.

The Head of Culture and Arts advised that the project had been worked up over a number of years since the 2007 commemorations of the Flight of the Earls and that funding was identified across good relations £20k, arts and culture £15k, events and tourism £15k and it was hoped to attain external funding to offset some costs.

Councillor T Quinn stated that the incoming year would mark a number of important anniversaries and that he welcomed the early programme preparation.

Councillor Wilson stating that he was very supportive of the programme asked if there would be a living history and educational tour incorporated into it. The Head of Culture and Arts stated there would be. In relation to a point queried by Councillor McNamee on clan games, the Head of Culture and Arts advised that the final programme had not been decided but rugby and football and a 'knock out event' had been discussed.

Proposed by Councillor T Quinn
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that approval is granted to progress the delivery of the 'Clans Awaken Event' in 2016 with allocated budget from Good Relations £20k, Arts and Culture £15k and Events and Tourism £15k.

Declaration of Interest

Councillor Monteith declared an interest in Ballysaggart Area Community Association

D134/15 Ballysaggart Lough, Dungannon

The Chair, Councillor Monteith drew attention to the previously circulated report on the development proposals for Ballysaggart Lough. The Head of Parks outlined the recommendations and advised that prior to any significant work being done on the lake that an Environmental Impact Assessment would have to be completed.

Proposed by Councillor Wilson
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that approval is granted to

- (i) Complete initial improvements to visitor facilities and signage at a cost of £5k;
- (ii) Establish a Ballysaggart Project Steering Group; and
- (iii) Create a Ballysaggart Lough Management Plan.

D135/15 Brocagh & District Regeneration Group

The Chair, Councillor Monteith drew attention to the previously circulated report regarding Brocagh & District Regeneration Group's request that Council pay the legal costs associated to their lease agreement with Council. The Head of Parks advised that the lease was in relation to a transfer of lands to the former Dungannon Council for development of play facilities that had now been completed on site.

The Head of Parks sought approval for Council to pay the legal fees to the value of £750 plus VAT and outlay, if any, occurred to Brocagh & District Regeneration Group.

Councillor Wilson expressed concern that a precedent could be set if Council agreed to incur these fees and stated that the group had not requested this at the outset of the agreement.

Councillor Molloy sought clarity as to whether this had been the practice in the former Dungannon Council in the past. Responding the Head of Parks advised that much of the ground in the past for play areas had come from the Northern Ireland Housing Executive and these costs would have been covered by them and that he had no knowledge of such circumstances with community groups.

Councillor J Shiels posed the question as to what would happen if Council went back and said no, would the agreement be revoked. The Head of Parks said the lease agreement was in place. Councillor J Shiels proposed that Council refuse to pay the legal fees.

Councillor McNamee suggested that Officers investigate the situation and establish if there is a reason why Council should pay the legal costs, remarking that paying of insurance for schemes in the past also had to be stopped due to precedents being set. Councillor Wilson stated that he would be in agreement to this as Council must be careful.

The Chair, Councillor Monteith stated that a report should be brought to Committee regarding the request of Brocagh & District Regeneration Group.

Resolved That it be recommended to the Council that a report be brought to September Committee regarding the request from Brocagh & District Regeneration Group

D136/15 Ballyronan Marina and Battery Harbour

The Chair, Councillor Monteith drew attention to the previously circulated report seeking approval to invite public tenders for the necessary works to comply with Water Supply (Water Fittings) Regulation (NI) 2009 at Ballyronan Marina and Battery Harbour.

The Head of Parks advised that the survey referred to in 2.1 of the report should read 2013. He further advised that as outlined in the report, initial work had been carried out but it did not meet the approval of NI Water. He stated that it was recommended that tenders be sought to appoint a suitably qualified company/contractor to carry out the prescribed works as per the specification in accordance with the requirements of Water Supply (Fittings) Regulation (NI) 2009 for works to be completed at both Ballyronan marina and Battery Harbour. It was noted that the estimated value of the contract would be £30k.

Councillor Clarke stated that the facility was important to the Council area and that he would propose for the works to be completed.

Councillor Wilson expressed concern regarding the appointment of the consultants and sought clarity as to whether they had been appointed following a procurement exercise or on the recommendation of NI Water. He urged caution regarding the matter.

The Chair, Councillor Monteith stated that Officers should clarify with the Procurement Section of Council as to whether the consultancy work had been subject to tender. The Head of Parks advised that the work was overdue and Council needed to be proactive in having it completed as formal notice for contraventions had been received and that the information he held would indicate that a procurement process had taken place but that he would seek clarity.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved That it be recommended to the Council that subject to a report detailing procurement procedures had been previously adhered to regarding consultancy work that approval be granted to seek tenders to appoint a suitably qualified company/contractor to carry out the prescribed works as per the specification in accordance with the requirements of Water Supply (Fittings) Regulation (NI) 2009 for works to be completed at both Ballyronan marina and Battery Harbour at a cost of £30k.

Declaration of Interest

Councillor Clarke declared an interest in Broughderg Community Centre and left the room.

Councillor Wilson declared an interest in Project 2 Upgrading Works to Orange Halls.

D137/15 Social Investment Fund Capital Build Programme for Moneymore Recreation Centre

The Chair, Councillor Monteith drew attention to the previously circulated report to provide an update on the progress of the Social Investment Fund Capital Build Programme (SIF) for Moneymore Recreation Centre and to seek approval for CWSAN to procure the same design team for both sets of works included in project one upgrading works to Moneymore Recreation Centre and Broughderg Community Centre.

The Head of Leisure advised that CWSAN had received a letter of offer and sought approval for the Broughderg project to be included in the Terms of Reference to be issued by CWSAN for procurement of the design team for Project one subject to Central Procurement Directorate approval.

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved That it be recommended to the Council that approval for the Broughderg project be included in the Terms of Reference to be issued by CWSAN for procurement of the design team for Project one, subject to Central Procurement Directorate approval.

Matters for Information

D138/15 Tourism Activities – Mid Ulster Hidden Heritage

The Chair, Councillor Monteith requested that Members note the previously circulated Tourism Activities, Mid Ulster Hidden Heritage report.

Councillor Wilson stated that he had previously requested that walking tours of Cookstown be reconvened as in the past they had been excellent but they did not appear to be included. The Head of Tourism advised he would investigate same.

Proposed by Councillor McAleer
Seconded by Councillor McNamee and

Resolved That it be recommended to Council that Members note the report on Tourism Activities, Mid Ulster Hidden Heritage

D139/15 Tourism Activities – Sperrintrek

The Chair, Councillor Monteith requested that Members note the previously circulated Tourism Activities, Sperrintrek report.

Proposed by Councillor Clarke
Seconded by Councillor Molloy and

Resolved That it be recommended to Council that Members note the Tourism Activities, Sperrintrek report

D140/15 Culture and Arts Progress Reports

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

Councillor Wilson commended officers on the great variety of events taking place across the district.

The Head of Culture and Arts updated Members on an event being held on the 1st August in Bellaghy to raise awareness of the Seamus Heaney Project.

Proposed by Councillor McAleer
Seconded by Councillor J Shiels and

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

D141/15 Community Development Report

The Chair, Councillor Monteith requested that Members note the previously circulated Community Development report.

Proposed by Councillor T Quinn
Seconded by Councillor McNamee and

Resolved That it be recommended to Council that Members note the Community Development report

D142/15 The EARLS Project

The Chair, Councillor Monteith requested that Members note the previously circulated EARLS Project report.

Proposed by Councillor Molloy
Seconded by Councillor Clarke and

Resolved That it be recommended to Council that Members note the EARLS project report

D143/15 Leisure Services Progress Report

The Chair, Councillor Monteith requested that Members note the previously circulated Leisure Services Progress report.

Proposed by Councillor McNamee
Seconded by Councillor McAleer and

Resolved That it be recommended to Council that Members note the Leisure Services Progress Report

D144/15 Parks Service Progress Report

The Chair, Councillor Monteith requested that Members note the previously circulated Parks Service Progress report.

Proposed by Councillor McAleer
Seconded by Councillor McNamee and

Resolved That it be recommended to Council that Members note the Parks Service Progress report

CONFIDENTIAL BUSINESS

Proposed by Councillor Molloy
Seconded by Councillor Clarke and

Resolved That items D145/15 – D147/15 be taken as confidential business.

D148/15 Duration of Meeting

The meeting was called for 7pm and ended at 8.20pm

CHAIR _____

DATE _____

F

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 9 July 2015 in the Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor McGuigan, Chair

Councillors Ashton, Buchanan, Cuddy (7.07 pm), Elattar, Forde, Gildernew, McKinney, McPeake, Molloy, T Quinn, M Quinn (7.04 pm), Totten

Officers in Attendance

Mrs Campbell, Director of Culture and Leisure
Mrs Dyson, Head of Human Resources
Mrs Kerr, Head of Finance
Mr Moffett, Head of Democratic Services
Mr O'Hagan, Head of ICT
Mr Tohill, Lead Officer for Finance
Miss Thompson, Committee Services/Senior Admin Officer

The meeting commenced at 7.00 pm.

PR105/15 Apologies

Councillors Mallaghan and McLean

PR106/15 Declaration of Interest

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

PR107/15 Receive and confirm minutes of the Policy and Resources Committee held on Thursday 4 June 2015

In relation to item PR94/15, Mid Ulster Council Draft Procurement Policy, Councillor McPeake indicated that procurement should be wider than the Northern Ireland context as referenced in the minute and be widened to the island of Ireland.

The Lead Officer for Finance advised that no restrictions could be placed on a geographical area and noted the Members comments. He explained that the minutes were not intended to imply that procurements could be restricted to the Mid Ulster District Council area.

Resolved: That the minutes of the meeting of the Policy & Resources Committee held on Thursday 4 June 2015 (PR89/15 – PR98/15 and PR104/15) were considered and signed as accurate and correct

Matters for Decision

PR108/15 Ulster Scots Policy EQIA

Councillor M Quinn entered the meeting at 7.04 pm

The Director of Culture and Leisure presented the previously circulated report in relation to progress of the Ulster Scots Policy, the Director sought approval for an equality impact assessment of the policy to be undertaken.

Proposed by Councillor Gildernew
Seconded by Councillor Forde and

Resolved That it be recommended to Council to conduct an Equality Impact Assessment of the Council's Ulster Scots Language Policy

Matters for Information

PR109/15 Democratic Services Service Improvement Plan

The Head of Democratic Services presented the previously circulated Service Improvement Plan for Democratic Services within Mid Ulster District Council.

Members noted the content of the paper and plan.

PR110/15 Usage of Council 03000 Telephone Number

The Lead Officer for Finance presented the previously circulated report on the introduction of the Council's non-geographic telephone number.

Councillor Cuddy entered the meeting at 7.07 pm

In response to Councillor Gildernew's question regarding direct dial contact with officers the Lead Officer for Finance advised that there is capacity within the system for this option and it would be given consideration in the future.

Councillor Ashton enquired if there is a system whereby calls can bounce back to the switchboard if unanswered after a given number of rings.

The Head of ICT informed Members on how incoming calls are handled and advised of a monitoring system being put in place to record how long a call takes to be answered or if unanswered. He advised that if there are particular problems being encountered regarding call answering these should be brought to the attention of officers.

Councillor Gildernew felt it important that voicemail is not used at reception during business hours.

The Head of ICT acknowledged the comment and advised that this would also be the view held by the Chief Executive.

PR111/15 Service Level Agreement for Council ICT Services

The Head of ICT presented the previously circulated report on a Service Level Agreement for Mid Ulster ICT Services.

Members noted the content of the report.

Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor M Quinn and

Resolved That items (PR112/15 – PR119/15) be taken as confidential business.

PR120/15 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.04 pm.

Chair _____

Date _____

G

Subject Conferences and Seminars

Reporting Officer P Moffett, Head of Democratic Services

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

2	Background
2.1	The following conference/seminar sessions are presented for consideration on member and/ or officer representation from Mid Ulster Council.
2.1	Approval for Attendance
2.1.1	<p><i>27th La Touche Legacy Seminar: Reflections on Great War & Easter Rising 1916</i></p> <ul style="list-style-type: none"> Friday 25 September to Sunday 27th September Greystones Golf Club, Greystones, Co Wicklow
2.1.2	<p><i>Planning Reform in N. Ireland: Progress, Priorities & Next Steps</i></p> <ul style="list-style-type: none"> Tuesday 1st December 2015 9am - 1pm Belfast

3	Key Issues
3.1	N/A

4	Resources
4.1	<u>Financial</u>
4.1.1	<p><i>Planning Reform in N. Ireland: Progress, Priorities & Next Steps</i></p> <ul style="list-style-type: none"> £210
4.1.2	<p><i>27th La Touche Legacy Seminar: Reflections on Great War & Easter Rising 1916</i></p> <ul style="list-style-type: none"> €100 plus accommodation
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	Costs associated will be set against 2015-16 member Conference & Seminar allocations.

6	Recommendations
6.1	Approval for attendance and representation at the conferences, where requested.

7	List of Documents Attached
7.1	<p>Appendix A Planning Reform in N. Ireland: Progress, Priorities & Next Steps</p> <p>Appendix B <i>27th La Touche Legacy Seminar: Reflections on Great War & Easter Rising 1916</i></p>



La Touche Legacy



in association with

Greystones Archaeological and Historical Society

Greystones Golf Club, Greystones

Friday September 25th – Sunday September 27th 2015

2nd Festival of History: 'Reflections on Great War & Easter Rising 1916'

Friday 25th September:

16.00 p.m. Official *Welcome*

16.15 p.m. '*Wartime Diaries of Elsie Henry covering 1916 & World War 1*'
Professor Clara Cullen

17.00 p.m. '*WW1 Soldier James Lawless, 'Knockrath', Church Lane*'
Ms. Eva O'Hara, Loreto Student

17.30 p.m. '*The Psychology of the Fighting Irish*'
Mr. John O'Keeffe

Saturday 26th September:

10.00 a.m. '*Letters of 1916*'

Professor Susan Schreibman

10.30 a.m. '*The 36th Ulster Division*'

Mr. Philip Orr, Historian

11.45 a.m. '*That Easter Dawn – The Personalities of 1916*'

Mr. Turtle Bunbury

12.30 p.m. '*Propaganda During WW1*'

Mr. Ian Kenneally

14.30 p.m. Reflections - Leo Ireton's Shop

Walking Tour of Historic Greystones

20.00 p.m. Seminar Dinner in Greystones Golf Club

Guest Speaker Mr. John Bruton Former Taoiseach

Sunday 27th September:

11.00 a.m. Jim Brennan Memorial Lecture

'The La Touche Soldiers'

Mr. Michael McGinley

Policy Forum for Northern Ireland Keynote Seminar: Planning reform in Northern Ireland: progress, priorities and next steps

Timing: Morning, Tuesday, 1st December 2015

Venue: Central Belfast



Draft agenda subject to change

- | | |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.30 - 9.00 | Registration and coffee |
| 9.00 - 9.05 | <u>Chair's opening remarks</u>
Senior Member of the Legislative Assembly |
| 9.05 - 9.30 | <u>Planning reform in Northern Ireland: the context</u>
Gavan Rafferty , Lecturer in Spatial Planning and Development, Built Environment Research Institute, Ulster University
Questions and comments from the floor |
| 9.30 - 10.30 | <u>Transition of planning powers to local authorities: progress so far and future challenges</u>
<i>Perspectives on the lessons learnt and key remaining challenges following the transfer of planning powers to local authorities and how the 11 new super-councils are managing their increased responsibility. Has well is the new planning system, which aims to 'bring planning closer to the public', succeeding in increasing community access to and participation in the planning process? What has been the private sector experience of the planning system since the transfer of powers? How can a culture of openness and transparency be further encouraged? What measures can be taken to support councils in delivering an effective planning service in the face of budgetary constraints? How can the backlog in planning applications following the transfer of powers be tackled and what further steps should be taken to ensure that decisions on planning applications are made in the most timely and effective manner possible? What can be done to ensure that local authorities are prepared for the transfer of additional powers - in the areas of urban regeneration and community development - ahead of the implementation of the 'Regeneration Bill' in April 2016?</i>
Derek McCallan , Chief Executive, Northern Ireland Local Government Association (NILGA)
John Armstrong , Managing Director, Construction Employers Federation
Gary McGhee , Head of the Planning & Environmental Law Team, Carson McDowell
Senior representative, community planning
Senior representative, industry
Questions and comments from the floor |
| 10.30 - 10.35 | <u>Chair's closing remarks</u>
Senior Member of the Legislative Assembly |
| 10.35 - 11.05 | Coffee |
| 11.05 - 11.10 | <u>Chair's opening remarks</u>
Senior Member of the Legislative Assembly |
| 11.10 - 11.25 | <u>Planning reform: lessons from other jurisdictions</u>
Simon Machen , Corporate Director of Growth and Regeneration, Peterborough City Council and Managing Partner, Peterborough Investment Partnership |
| 11.25 - 12.25 | <u>Planning reform and local economic development</u>
<i>How are the new planning authorities approaching the challenges of facilitating investment and encouraging economic development? What is the likely impact of the Strategic Planning Policy Statement (SPPS), which outlines the Department of the Environment's new approach to regional planning following the introduction of a two-tier planning system in this regard? Has the reformed planning system and the granting of increased powers to local authorities, such as the ability to borrow, encouraged increased investment in large regeneration and infrastructure projects; what other options should be considered to increase investment? Is adopting the 'Town Centre First' policy – which priorities town centres as locations for development – the best approach to encourage the regeneration of urban areas? Do local development plans, which set the context for planning applications, adequately balance environmental and community concerns with economic growth?</i>
Dr Theresa Donaldson , Chief Executive, Lisburn City and Castlereagh District Council
Professor Jim Kitchen , Director, Sustainable NI
Senior representative, investment
Senior representative, retail
Questions and comments from the floor with senior speaker to be announced |
| 12.25 - 12.55 | <u>Implementing reform and next steps for policy</u>
Senior speaker confirmed from the Department of the Environment
Questions and comments from the floor |
| 12.55 - 13.00 | <u>Chair's and Policy Forum for Northern Ireland closing remarks</u>
Senior Member of the Legislative Assembly
Sean Cudmore , Deputy Editor, Policy Forum for Northern Ireland |

H

Subject Consultations notified to Mid Ulster District Council

Reporting Officer Philip Moffett, Head of Democratic Services

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

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

3	Key Issues																								
3.1	<p>The following outlines the open consultations of which Council has been notified:</p> <table><tr><th>Organisation</th><th>Issue</th><th>Closing Date</th></tr><tr><td>Department of the Environment</td><td>Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (NI) 2015.</td><td>13 August 15</td></tr><tr><td>N. Ireland Courts and Tribunals Service</td><td>Proposed Fee Structure for Courts Funds Office</td><td>18 Sept 15</td></tr><tr><td>Department of Justice</td><td>Access and Use of DNA/Fingerprints Data by the Historical Investigations Unit (HIU)</td><td>20 August 15</td></tr><tr><td>Department of Enterprise, Trade and Investment</td><td>Geological Storage of Carbon Dioxide in Northern Ireland – (Access to Infrastructure Regulations and Licensing etc. Regulations) (NI) 2015</td><td>17 Sept 15</td></tr><tr><td>HSC – Northern Health & Social Care Trust</td><td>Proposed Changes in Provision of Statutory Residential Care</td><td>2 October 15</td></tr><tr><td>Department of Agriculture and Rural Development</td><td>Horse Racing (Charges on Bookmakers) Order (NI)</td><td>2 October 15</td></tr><tr><td>Northern Ireland Assembly</td><td>Housing (Amendment) Bill</td><td>4 Sept 15</td></tr></table>	Organisation	Issue	Closing Date	Department of the Environment	Draft Local Government Reorganisation (Compensation for Diminution of Emoluments) Regulations (NI) 2015.	13 August 15	N. Ireland Courts and Tribunals Service	Proposed Fee Structure for Courts Funds Office	18 Sept 15	Department of Justice	Access and Use of DNA/Fingerprints Data by the Historical Investigations Unit (HIU)	20 August 15	Department of Enterprise, Trade and Investment	Geological Storage of Carbon Dioxide in Northern Ireland – (Access to Infrastructure Regulations and Licensing etc. Regulations) (NI) 2015	17 Sept 15	HSC – Northern Health & Social Care Trust	Proposed Changes in Provision of Statutory Residential Care	2 October 15	Department of Agriculture and Rural Development	Horse Racing (Charges on Bookmakers) Order (NI)	2 October 15	Northern Ireland Assembly	Housing (Amendment) Bill	4 Sept 15
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	Minister and Deputy First Minister	Discrimination Legislation (Age Goods, Facilities and Services)	
	Department of the Environment	Draft Fluorinated Greenhouse Gases Regulations NI 2015	31 August 15
	Department of Agriculture and Rural Development	Consultation – Draft (DARD) Children and Young People’s Action Plan 2015-2017	30 Sept 15
	Department of Health, Social Services and Public Safety	Regulations under the Tobacco Retailers Act (Northern Ireland) 2014	4 Sept 15
Documentation on the aforementioned consultations may be provided on request.			

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

5	Other Considerations
5.1	Not applicable

6	Recommendations
6.1	Members review and note the consultations as listed.

7	List of Documents Attached
7.1	Not applicable