

A

Minutes of Meeting of Mid Ulster District Council held on Thursday 21 January 2016 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

Councillors Ashton, Buchanan, Clarke, Cuddy (7.25pm), Cuthbertson, Elattar, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McFlynn, McGinley, B McGuigan, McKinney, McNamee, McPeake, Molloy, Mulligan, C O'Neill, M Quinn, Robinson, J Shiels, and Wilson

Officers in Attendance: Mr A Tohill, Chief Executive
Mr Cassells, Director of Environment and Property
Mr McCreesh, Director of Business and Communities
Ms McKeown Head of Economic Development
Mr Philip Moffett, Head of Democratic Services
Mrs Forde, Member Support Officer

In Attendance: Representatives of Northern Regional College

Professor Scott, Chief Executive
Mr Brankin, Principal Business Development & Transformation
Ms O'Neill, Head of Business Development

Representatives of South West Regional College

Mr McAleer, Director
Mr McAlister, Deputy Chief Executive Officer
Dr Jill Cush, Innovation and Development Manager

Representative of South East Education Authority

Mr Butler, Regional Managing Director

The meeting commenced at 7 pm.

SC1/16 Apologies

Councillors Bateson, Bell, Burton, Forde, Mallaghan, McEldowney, S McGuigan McLean, Monteith, Mullen, J O'Neill, T Quinn, Reid, G Shiels and Totten

SC1/16 Declarations of Interest

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

SC2/16 Northern Regional College

The Chair, Councillor Linda Dillon welcomed representatives from Northern Regional College to the meeting. Ms O'Neill, Head of Business Development and Mr Brankin, Principal of Business Development & Transformation extended apologies for Professor Scott who had been delayed and proceeded to deliver a presentation outlining the college profile, its footprint, delivery of education courses and future plans to support Mid Ulster Economic Development.

Professor Scott arrived at 7.22pm

Councillor Cuddy arrived at 7.25 pm

SC3/16 South West Regional College

The Chair, Councillor Linda Dillon welcomed representatives from South West Regional College to the meeting. Mr McAleer Director, introduced the team and Mr McAllister Deputy Chief Executive outlined the profile of the college focusing on performance indicators, extensive curriculum, innovation centres, virtualisation programme and both scholarship and apprenticeship opportunities. Dr Cush delivered a presentation outlining a proposal for a Centre of Excellence for Engineering to be based at the Dungannon Campus of South West College if the funding application was successful.

SC4/16 South East Education Authority

The Chair, Councillor Linda Dillon welcomed representative from South East Education Authority. Mr Butler, Regional Managing Director outlined the Education Authority Investment Plans and Delivery of services within Mid Ulster, details of existing schools, forthcoming changes within the Education Authority and the development of a policy for sustainable schools.

Councillor S McAleer left the meeting at 8.04pm returning at 8.07 pm

Councillor M Quinn left the meeting at 8.09pm.

SC5/16 Question/Answer

The Chair Councillor Dillon thanked the representatives for their presentations and referred to a recent event at South West College which showcased the excellent range of programmes ongoing and the partnerships with schools, businesses and local employers. The Chair, stated that although competition between education establishments may be healthy she would welcome a partnership approach.

Councillor M Quinn returned to the meeting at 8.12pm.

Councillor Gildernew left the meeting at 8.15pm

In response to Councillor McGinley's question Dr Cush advised that the site identified in the presentation for the proposed centre of excellence for engineering was a football pitch at the side of the South West College Dungannon campus.

Councillors Wilson and Cuddy left the meeting at 8.17pm

Councillor McPeake referred to the South West College proposal for an engineering centre of excellence, acknowledged that it was dependent on the success of a funding application but asked if it would meet the needs of the engineering sector and provide the specialism needed in machinery for young people to upskill. In response Mr McAleer stated that South West College had engaged in worldwide consultation in order to ensure that the proposed centre would be fit for purpose. Mr McAleer also made reference to the innovation centre based at the Enniskillen campus and spoke of the increased opportunities for apprenticeships in recent years. It was also noted, that there had been £5m plus investment in the past few years and Mr McAleer stressed that South West College needed to keep up the pace and emphasised the importance of collaboration. Mr McAleer mentioning the recent difficulties in the economy in China stated that such events would have an impact throughout the world.

Councillor Cuddy returned to the meeting at 8.24pm

Councillor Clarke stated that he represented a remote area of the district and had a particular interest in education. Commending the College on the innovation centres the Councillor stated that the global economy impacted everyone but stressed that the need for more innovation and increased opportunities especially in manufacturing was paramount. With regard to recycling, Councillor Clarke stated that whilst the region was excellent at collecting materials there was a need to use this vital source within the region and thus further investment would improve everyone's future. Councillor Clarke stated that the vast area of the Sperrin's which bordered the Western area was now down to two of three small schools, that the provision of road systems and transport was poor and emphasised the need for collaborative working to maintain what was already there noting that from Draperstown to Strabane there was no post primary school. Councillor Clarke concluded stating that the aforementioned factors were extremely important to the area he represented.

In response Councillor McAleer stated that the rural areas needed better broadband provision which would enable colleges to reach outlying communities through virtualisation programmes.

Councillors McPeake and M Quinn left the meeting at 8.28pm

The Chair, Councillor Dillon emphasised that Council were constantly lobbying for improved broadband coverage and expressed Council's interest in the data collected by South West College regarding rural isolation.

In response to comments regarding small rural primary schools Mr Butler spoke of two schools in Ballycastle as far back as 1960 who had worked in partnership to maintain a sixth form education provision. Speaking with regard to small rural schools Mr Butler stated that some were so small that even to merge they would still fall short of sustainable numbers.

Councillor Clarke and the Director of Business and Communities left the meeting at 8.32pm

Councillor Ashton welcomed the positives highlighted in the presentation such as the community outreach programmes and the proposed engineering centre of excellence. With regard to the schools which are under subscribed Councillor Ashton stated that in the short to medium term they need investment as they may be lacking in for example sports provision and would soon be competing for funding with the whole of Northern Ireland. In response Mr Butler stated there had been a large proportion of investment within the Mid Ulster region and stressed that the challenging question was 'does the Education Authority invest in areas where there is growth or lose it were it is doomed'?

Councillor Molloy made reference to the presentations and commended the honours degree course programmes stating that it was fabulous for local students to be able to gain higher education qualifications locally as it minimised the end debt. Speaking regarding the Education Authority's required number of 105 pupils for primary schools Councillor Molloy stated that the district was a large rural area with many small schools who, if they were to amalgamate, would not have the room required to accommodate all schools and that although it is known that all schools cannot remain functional would there be opportunity to share facilities. Councillor Molloy also stated that many of the strongest leaders in the community had attended primary schools with 40 to 50 students. In response, Mr Butler stated that the 105 is considered and that he himself had defended a small school within the region. Mr Butler made reference to the 'Moy' model and also the 'Omagh' model when facilities had been maximised, continuing he stated that many factors contribute that sometimes smaller schools are kept as they deliver in rural areas.

Councillor Clarke and the Director of Business and Communities returned to the meeting at 8.47pm

Councillor McFlynn spoke of the difficulties of 'statemented' children who don't always achieve GSCE maths and English but who can undertake essential skills and emphasised the need for apprenticeships, practical experience and work placements for those who do not have an academic mind emphasising in particular the importance of opportunity and continuity of same.

Professor Scott stated that whilst there is a focus on higher education, cost was a major factor and often individuals stage their training and development and acknowledged that many students were mature learners. Referring to the vast estate of public facilities, Professor Scott emphasised the challenge of maximising use of these speaking with regard to European countries whose colleges facilitated for example the local library and concert hall. Professor Scott continued stating that when forward planning such options are considered as resources will only get tougher and when getting projects across the line sustainability needs to be a major factor. Professor Scott invited Members and Officers to forthcoming open days at the colleges requesting that they also encourage friends, neighbours, parents and customers to attend the open days and visit the website.

The Chair Councillor Dillon emphasised the need for maximising use of the public estate especially with regard to local schools within community planning. The Chair further stated that the Minister for Education should make it a rule that schools have to be available for community use and such decisions should not be at the discretion of the Board of Governors.

Mr Butler stated that one of the proposed committees for the Education Authority had community for schools on the agenda.

The Chair Councillor Dillon welcomed the opportunities for degree courses as reflecting on her own education stated that if she had had the opportunity to study locally she could have attained a degree but as her family had been unable to support her she had to seek employment as was the case for many. In conclusion, the Chair stated that a small version of community planning was the Council, College and Neighbourhood Renewal working together which had been advantageous. In the future, the Chair stated that community planning was the way ahead.

Mr McAleer on behalf of the College expressed thanks to the Council for continued support and to Members for attendance at events.

SC6/16 Duration of Meeting

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

CHAIR _____

DATE _____

B

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 January 2016 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

Councillors Ashton, Bateson (7.07pm), Bell, Buchanan, Burton, Clarke, Cuthbertson, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, Mallaghan, McAleer, McElDowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McPeake, Molloy, Mulligan, C O'Neill, J O'Neill, M Quinn, T Quinn, Reid, Robinson, J Shiels, Totten and Wilson

Officers in Attendance: Mr A Tohill, Chief Executive
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Ms Linney, Head of Community Services
Mrs Mezza, Head of Marketing Communications
Mr McCreesh, Director of Business and Communities
Mr Moffett Head of Democratic Services
Mr Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7pm

C1/16 Apologies

Councillors Cuddy, Mullen, Monteith, McNamee, G Shiels

C2/16 Declarations of Interest

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

Councillor S McGuigan sought clarity regarding declarations of interest asking if it was sufficient to declare the interest or if a reason for the declaration was required to be given, highlighting the scenario when discussing Planning Applications.

The Head of Democratic Services advised that the maintained Register records the item of business relating to the disclosure made together with the nature of the interest and hence the nature of the declaration should be referenced by members when declaring an interest.

The Chief Executive stated that when a Member declares an interest they should withdraw from the decision making regarding the issue. He indicated that a reminder surrounding the process would be reissued.

In response to Councillor McLean's query the Head of Democratic Services advised that it was good practice to declare the interest and the reason should and it would

not be sufficient to declare the interest and provide the reason at a later date, after the business in question had been considered.

Councillor Bateson entered the meeting at 7.07pm

Referring to the 'Annual Register of Interest' Councillor S McGuigan stated that a Member may not become aware of an interest until later in the year and how should they handle this. In response the Head of Democratic Services advised that if a Member becomes aware of an interest they have a 28 day period to update the annual register and further clarified that a separate list was kept of disclosures recorded at meetings.

C3/16 Chair's Business

Councillor McAleer requested that the Chair host a civic reception for Errigal Ciaran Ladies Minor and Senior teams who both won the Tyrone Club Championships in 2015.

Councillor Wilson requested that a letter of congratulations be sent to Mr Colin Rea who was awarded a BEM for services to young people through the Scout Association and to Mrs Maria Hackett, Head of the Training Department, South West College who had been awarded an MBE for services to skills development in South West Northern Ireland. Councillor Buchanan requested that he be associated with request concerning Mr Colin Rea.

Councillor Wilson requested that a civic reception be hosted to recognise the achievements of three local businesses namely Windell Windows who won the regional Chamber Awards - Small Medium Enterprise award and went on to win the National competition; Workspace Draperstown who won the Social Enterprise of the Year; and The Jungle, Moneymore who in Outdoor NI Awards won the Best Unique Outdoor Experience and Best Thrill Seeking Provider.

The Chair, Councillor Dillon stated that she had requested that officers ensure requests were in line with the policy and if so the achievements would be recognised as requested.

Councillor Clarke acknowledged that the Council meetings were recorded and stated that as a member of the Planning Committee he believed that they too, should be recorded given the important nature of the business and the subsequent implications. Councillor Clarke stated that he didn't know the protocol surrounding recording of meetings but proposed that planning meetings be recorded.

The Chief Executive stated that there was only a legislative requirement to record Council meetings but if the Council considered it to be appropriate to record planning committee meetings the matter could be considered. He indicated that he would receive initial legal opinion from the Council Solicitor as to how recordings may be used given the quasi-judicial nature of the business transacted and review costs to make such recording arrangements.

Councillor Clarke stated that the Planning Committee carried huge responsibilities given its role and remit as they were deciding on matters equivalent to what could be considered by a Council meeting.

The Chair Councillor Dillon asked if it was only the planning committee that Councillor Clarke was proposing to record. Councillor Clarke responded that it was only the Planning Committee. Councillor Cuthbertson stated that he did not think there was a major benefit from recording Planning Committee meetings as the decision was based on the proposal of the application and although discussion does take place it is the sentence detailed in the approval recommendation that is approved. Councillor Cuthbertson reiterated that he saw no need to record the Planning Committee meetings.

Councillor McPeake speaking in terms of the decision making process within planning asked that if there was a legal challenge and there was no recorded vote taken how the situation would manifest itself, for example those who voted for the decision were in breach of the law but those who voted against would not be.

The Chair, Councillor Dillon asked Councillor McPeake if he was proposing a recorded vote at Planning Committee meetings. Councillor McPeake advised that he was seeking clarity and that he would suggest a recorded vote if it was required.

Councillor S McGuigan stated that perhaps meetings should be recorded as the decision made is based on the debate prior to the proposal and at present only the proposer and seconder's names are detailed within the minute. He added that discussion could be viewed as 'here-say' as the decision is then made on evidence that no one will be able to substantiate.

The Chief Executive stated that the information in relation to planning matters was detailed in the officer's report. In response to Councillor McPeake's question regarding a legal challenge, the Chief Executive advised that it would be taken against the Council and not an individual Member unless they had taken a particular action. The Chief Executive clarified that a recorded vote would show who voted for or against a proposal but advised that the Council had delegated authority to the Planning Committee. The Chief Executive concluded that the matter required consideration and stated that he would follow up with a report following consultation with the Council Solicitor.

Councillor McAleer asked, if the recording of Planning Committee meetings was not a legal requirement then what would be the advantage of recording and how could such recordings be used. The Chief Executive advised that if Council held recordings they could be called on as evidence in any future cases.

Councillor McLean stated that he had listened to the debate and that there should not be concern about what was recorded but that Members should consider what they say and stand over it or not speak at all. The Councillor concurred with the Chief Executive that the matter required more thought. In conclusion Councillor McLean stated that in his opinion either all committees should be recorded or none and that he was somewhat sceptical as to why the matter was being raised.

Councillor Kearney stated that if the planning meeting was to be recorded then agents, applicants and members of the public in attendance would also be recorded. Councillor Kearney advised that Belfast City Council were considering the matter and suggested that perhaps Mid Ulster District Council should await the outcome of their investigations.

Resolved That research is undertaken and considered with regard to the recording of Planning Committee meetings.

Matters for Decision

C4/16 Receive and consider minutes of matters transacted in “Open Business” at Council meeting held on Thursday 17 December 2015

Proposed by Councillor T Quinn
Seconded by Councillor Bateson and

Resolved That the Minutes of the Meeting of the Council held on Thursday 17 December 2015 (C231/15 – C244/15 and C251/15), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

C5/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee held on Monday 11 January 2016.

Councillor McFlynn requested that the last sentence of paragraph one of page three of the minute be amended to read, “The Objectors called for a deferral of this application for an office meeting.”

The Chair, Councillor Dillon stated that a member of the public could not seek a deferral it could only be granted by request from a member of the committee.

Councillor Clarke expressed concern that all of the comments he had made at the planning meeting had not been incorporated in the minutes and requested the undernoted amendment be made to the minute at page 15 and 16 Planning applications I/2014/0296/F Wind Turbine at lands 350m N of 25 Ballynagilly Lane Cookstown for Mr D Campton and I/2014/0375/F Wind turbine at lands 270m N of 20 Beaghbeg

Councillor Clarke advised he had been present at the site meetings for these applications at which one viewpoint had been visited in relation to application I/2014/0296/F and two viewpoints in relation to application I/2014/0375/F. The Councillor felt that additional viewpoints should have been included in the visits. The Councillor drew attention to the fact that the Sperrins AONB had been consolidated and reconstituted in 2008 and had been re-drawn in the general area of applications and both areas in question were within the redefined boundary that has been redrawn around the area that currently meets with the AONB standard. In relation to application I/2014/0296/F, the Councillor advised that the proposed turbine would be

located on a prominent site within the Sperrins AONB and that this application would have a massive detrimental impact in the area.

Councillor Clarke referred to the substantial number of objectors to this application with concerns related to health and noise, it was also felt that if this proposal went ahead it would have an adverse effect on sites which could have been used for future replacement dwellings. The Councillor also commented that the owner, who is present this evening, of the lane adjacent to that which is proposed to be used for access to the turbine had not been consulted in the relation to the provision of sight lines.

Councillor Clarke further advised that the Slieve Gallion Landscape Character Area indicated that the hill slopes, particularly those facing south and east are extremely sensitive and part of the wider setting of Cookstown and Magherafelt and was highly sensitive to wind energy development and quoting from the document stated, "they were exposed to long views and provide a visual focus over a wide area."

Referring to application I/2014/0375/F, Councillor Clarke advised that this proposal will also be located within Sperrins AONB but additionally it will be within an area of archaeological significance as the turbine will overlook Beaghmore Stone Circles. The Councillor again advised of numerous objections to this application and re-emphasised that the site visit should have included the view point from the Beaghmore Stone Circles which he visited alone in the following days and stated that the turbine would be clearly viewed from that site.

The Councillor highlighted the significance of this site together with the general Beaghmore area which together with Davagh and Broughderg are part of the area of significant archaeological interest and highlighted in ASAI accompanying map. In relation to the Cookstown Area Plan 'policy con 4' the Councillor drew attention to the statement that particular attention would be paid to the impact of proposals from the "Beaghmore Stone Circles and other critical viewpoints within this area."

In conclusion Councillor Clarke advised that as an example the Broughderg Stone Circles which is a scheduled monument within the Areas of Significant Archaeological Interest document sits about 100feet below the base height of the proposal which is less than one mile to the south and is in complete view from the Broughderg Stone Circle Site.

Councillor Clarke also referred to page three of the ETSU document in which there is a disclaimer for what is written in the report.

Councillor Mallaghan stated that in approving standing orders the Council had delegated powers to the Planning Committee and as such wind turbine applications as aforementioned by Councillor Clarke had been approved. Councillor Mallaghan continued making reference to the Corporate Plan, the commitment to develop tourism in the region through projects such as Davagh Forest and stated that the approval of the wind turbines in his opinion was a huge mistake and an insult to the heritage of the Island as 5000 years ago people had gathered at the site and created a monument to follow the stars. The councillor continued by highlighting that the monument was developed at the same time as Stonehenge in England where the visitor centre was situated two kilometres from the actual stones so it would not impact the view and there would be no way a wind turbine would be approved. The

Councillor concluded stating that the approval of the wind turbines was an outcry and a sad day for Mid Ulster.

Councillor Cuthbertson stated that it was unfair to expect a minute taker to take down 'word for word' the comments of Members that this was not a requirement of Mid Ulster District Council nor the legacy Council of Dungannon and South Tyrone. Councillor Cuthbertson drew attention to the comments of Councillors McPeake and Mallaghan and stated that both had made reference to monuments which were the responsibility of Northern Ireland Environment Agency (NIEA). He added that it was evident from the Planning Officers report that they had consulted with the organisation and Members took guidance from these reports. Councillor Cuthbertson concluded by emphasising that the NIEA governs monuments.

The Chair, Councillor Dillon stated that she accepted that the minutes were not taken 'word for word' but a Councillor should be able to request to have their comments recorded.

Proposed by Councillor Reid
Seconded by Councillor Robinson and

Resolved That the Minutes and recommendations of the Planning Committee meeting held on Tuesday 11 January 2016 (P1/16 – P6/16 and P10/16) transacted in "Open Business", having been printed and circulated, subject to the foregoing, were considered and adopted.

C6/16 **Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Environment Committee meeting held on Tuesday 12 January 2016**

In response to Councillor Glasgow's expression of concern regarding staff response times in relation to members of the public calling at one the Council Offices to enquire about street naming plates the Director of Public Health and Infrastructure advised that he was unaware of any difficulties but would investigate the matter.

Councillor McGinley sought clarity on the request for a deferral at the Planning Committee meeting. The Chief Executive advised that deferrals could only be requested by Members of the Planning Committee. Councillor McFlynn stated that the deferral referred to was not granted. Councillor Cuthbertson stated that anyone can ask for a deferral but the request would not always be considered.

Proposed by Councillor B McGuigan
Seconded by Councillor McFlynn and

Resolved That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 12 January 2016, (E1/16 – E16/16 and E25/16), transacted in "Open Business", having been printed and circulated, were considered and adopted.

C7/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee held on Wednesday 13 January 2016

Proposed by Councillor S McGuigan
Seconded by Councillor M Quinn and

Resolved That the Minutes of the Meeting of the Policy and Resources Committee held on Wednesday 13 January 2016 (PR1/16 – PR7/16 and PR19/16), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

Councillor Mallaghan left the meeting at 7.35pm

Councillor Wilson declared an interest in a matter in Development Committee minutes concerning at800 in that a family member had been offered £15 and not £50.

C8/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 14 January 2016.

Councillor Wilson requested that the location on the minute be amended to Cookstown.

Councillor Wilson referred to matter regarding at800 discussed at Development meeting and expressed concern that they were reluctant to meet with Council. The Councillor stated that he was not opposed to 4G being implemented but emphasised that he did not believe that residents in any area should have to pay to reinstate their Freeview television nor was it acceptable that they be told by at800 to watch television via a skybox. Councillor Wilson referred to a recent meeting with Ofcom and also a newspaper article which stated that at800 were offering payment of £50 as a good will gesture to those who had encountered the problem. Councillor Wilson declared an interest in that a family member had been offered £15 and not £50 as reported in the newspaper.

Councillor Wilson emphasised that people were encountering the problem through no fault of their own and reiterated his disappointment that at800 were reluctant to meet with Council and proposed that the invitation be reinforced.

Councillor Buchanan concurred with Councillor Wilson and stated that anyone experiencing costs to reinstate Freeview television should be reimbursed in full.

Resolved That at800 be requested to meet with Council to discuss customer concerns regarding the 4G rollout across Mid Ulster District

Proposed by Councillor Wilson
Seconded by Councillor T Quinn and

Resolved That the Minutes and recommendations of the Development Committee meeting held on Thursday 14 January 2016, (D1/16 – D15/16 and D26/16) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C9/16 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Special Planning Committee held on Tuesday 19 January 2016

Proposed by Councillor Bateson
Seconded by Councillor Clarke and

Resolved That the Minutes and recommendations of the Special Planning Committee meeting held on Tuesday 19 January 2016, (P11/16 – P16/16 and P18/16), transacted in “Open Business”, having been printed and circulated, were considered and adopted.

C10/16 Conferences and Seminars

The Head of Democratic Services referred to details of the undernoted conferences and sought approval and retrospective approval for the attendance of Members and Council officers, the payment of attendance fees and associated costs as incurred.

- (i) Celebrating Progress and Looking to future of the Regional Community Resilience Group (Red Cross and Regional Community Resilience Group) Thursday 11 February - Long Gallery, Stormont (9.30am-12.30pm)
- (ii) Centre for Cross Border Studies: 2016 Annual Conference Thursday 18 to Fri 19 February - Crowne Plaza Hotel, Dundalk
- (iii) Study Trip to Leuven Institute, Belgium organised by ICBAN on EU Tuesday 16 February to Thursday 18 February - Leuven Institute, Belgium Councillor McPeake to attend.
- (iv) Democratic Government and its Survival: 27th Colmcille Winter School Friday 26 to Saturday 27 February - Colmcille Heritage Centre, Letterkenny
- (v) Presentation and Health & Safety Seminar Thursday 10 March – Dunadry Hotel, Templepatrick (9am – 1pm)
1 officer request to attend: Director of Environment & Property
- (vi) Somme Commemoration and Trip 2016 organised by Somme Association Thursday 30 June to Sunday 3 July 2016

Retrospective Approval

- (i) General Power of Competence Training - NILGA and APSE Event Thursday 28 January (9.30am to 12.30pm)

The Head of Democratic Services advised that four places had been assigned to Council for Members to attend the Somme Commemoration trip 2016 and advised that confirmation was required that the Council would be availing of all four places or they would be released.

Councillor McLean advised that two Members of the DUP would attend the 2016 Somme Trip.

Councillor Wilson advised that two Members of the UUP would attend the 2016 Somme Trip.

Councillor Mulligan advised that he wished to attend the Somme Trip but requested permission to use an alternative tour operator.

Councillor Kearney advised that one Member of the SDLP would like to attend the 2016 Somme Trip.

Councillor J Shiels stated he would relinquish his place to afford the SDLP with an opportunity to attend. Councillor Wilson advised that the UUP would also be happy to relinquish a place to afford the SDLP with an opportunity to attend. The Head of Democratic Services stated that as Councillor Mulligan wished to travel with an alternative Tour Operator that the four spaces allocated from the Somme Association Tour should be allocated two to DUP, one to UUP and one to SDLP.

Councillor Mallaghan sought approval should he wish to attend the Study Trip to Leuven Institute, Belgium organised by ICBAN on EU Activity on Tuesday 16 February to Thursday 18 February - Leuven Institute, Belgium.

Councillor Cuthbertson left the meeting at 7.42pm

The Head of Democratic Services sought approval for the Director of Finance to attend PWC Local Authority VAT Seminar on Wednesday 24 February 2016 in PwC Offices, London at a cost of £300 plus VAT together with travel and subsistence.

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

Matters for Information

C11/16 Consultations notified to Mid Ulster District Council

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

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

C12/16 Correspondence List

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

Resolved That the correspondence contained within the previously circulated report be noted

C13/16 Consideration of Motion

C13.1/16 Councillor McGinley to move

Councillor McGinley made reference to discussion at the Environment Committee meeting of 12 January 2016 stating that the Lough Shore Heritage Group and a local heritage association had contacted him seeking a more appropriate name to a housing development name agreed by the committee and thus he proposed the undernoted motion.

"That Mid Ulster Council rescinds the decision of Council taken to name the development - Ballinderry Bridge Mews, considered and agreed by Environment Committee on 13 October 2015 (Minute E181/15 - Item 1) and ratified at Council Meeting on Thursday 22 October following the request of Triangle Housing Association to have further name options considered"

In response to Councillor Ashton's question regarding the procedure of rescinding decisions the Chief Executive advised that this was allowed for within Council Standing Orders and clarified that the motion was in order with procedures incorporated within the Standing Orders.

Councillor Bell seconded Councillor McGinley's proposal.

The Chair, Councillor Dillon declared the motion carried.

Confidential Business

Proposed by Councillor Mallaghan
Seconded by Councillor S McGuigan and

Resolved That items C14/16 – C28/16 be taken as confidential business.

The press left the meeting at 7.47 pm

Councillor C O'Neill left the meeting at 7.47pm

C29/16 Duration of Meeting

The meeting was called for 7pm and ended at 8.50pm.

CHAIR _____

DATE _____

C

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 2 February 2016 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Reid, Robinson, 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
Ms McKearney, Senior Planning Officer
Ms McNally, Solicitor
Miss Thompson, Committee Services/ Senior Admin Officer

Others in Attendance

Applicant Speakers
LA09/2015/0577/O Mr Gourley
LA09/2015/0702/A Mr Agus
LA09/2015/0743/F Ms Dallas
Mr O'Neill
LA09/2015/0781/O Mr Cassidy
LA09/2015/0951/F Mrs McCrory
Mr Rolston
LA09/2015/1166/O Mr Cassidy
LA09/2015/0695/F Mr Muldoon

The meeting commenced at 7.02 pm.

P19/16 Apologies

Councillor Mullen.

P20/16 Declarations of Interest

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

Councillor McKinney declared an interest in applications LA09/2015/0457/F, LA09/2015/0781/O and LA09/2015/1169/F.

Councillor Bateson declared an interest in application LA09/2015/0483/F.

Councillor Clarke declared an interest in application LA09/2015/0951/F.

P21/16 Chairs Business

The Chair advised that food would be available during the interval of the meeting.

P22/16 Confirm Minutes of the Planning Committee Meeting held on Monday 11 January 2016

Councillor Clarke expressed concern that, at the Council meeting, he had requested that amendments be made to the minutes of the Planning Committee held on 11 January. The Councillor advised that the requested amendments had not been made and questioned why this was.

It was pointed out that the minutes circulated as part of the planning papers were distributed prior to the Council meeting taking place and before the amendments were requested. The Councillor was advised that the council minute would reflect the amendments that were asked for and that the planning minute would be changed thereafter.

Proposed by Councillor Robinson
Seconded by Councillor McPeake and

Resolved That the minutes of the meeting of the Planning Committee held on Monday 11 January 2016, (P1/16 – P6/16 & P10/16), were considered and signed subject to the foregoing amendments being made.

P23/16 Confirm Minutes of the Special Planning Committee (Development Plan and Enforcement) held on Tuesday 19 January 2016

Proposed by Councillor J Shiels
Seconded by Councillor McKinney and

Resolved That the minutes of the meeting of the Special Planning Committee (Development Plan and Enforcement) held on Tuesday 19 January 2016, (P11/16-P16/16 & P18/16), were considered and signed as accurate and correct.

Matters for Decision

P24/16 Planning Applications for Determination

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

M/2014/0531/F Second level school building and sports pavilion with associated pitches, landscaping and car parking. Floodlighting to be added to existing pitch at St Patrick's Academy, 37 Killymeal Road, Dungannon for the Trustees of St Patrick's Academy

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

Proposed by Councillor Reid
Seconded by Councillor J Shiels and

Resolved That planning application M/2014/0531/F be approved subject to conditions as per the officers report.

LA09/2015/0127/F Change of wind turbine (to previously approved under M/2013/0567/F) with 50m hub height and 54m rotor diameter at 307m NW of 55 Mullyneil Road, Caledon for Aircore Mullyneil Road Ltd

Mr Marrion (SPO) referred to addendum to agenda which was circulated prior to meeting and advised that amended plans had been received today which reduces the hub height from 50m to 40m. Mr Marrion suggested that this application now be deferred to consider the new information submitted.

Proposed by Councillor Gildernew
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2015/0127/F be deferred to consider the amended plans submitted.

LA09/2015/0176/F 3 no. additional broiler poultry sheds with 6 no. feed bins, a biomass boiler shed with fuel bin and a storage shed at lands approx. 230m N of 70 Drumgrannon Road, Dungannon for Mr Tommy Troughton

Mr Marrion (SPO) presented a report on planning application LA09/2015/0176/F advising that it is recommended for approval. Mr Marrion referred to addendum to agenda and asked Members to note that the report circulated had an error which limited the number of birds to 34,000 birds in consideration of PPS2. Mr Marrion advised that this should be removed as NIEA have advised they are content with the scheme as described for overall site capacity of 258,500 broilers.

Proposed by Councillor Reid
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/0176/F be approved subject to conditions as per the officers report.

LA09/2015/0250/RM Two storey dwelling and domestic garage at lands approx. 50m SW of 12 Farriter Road, Cabragh, Dungannon for Michael and Ann Kelly

Mr Marrion (SPO) presented a report on planning application LA09/2015/0250/RM advising that it is recommended for refusal. Mr Marrion referred to addendum to planning agenda and advised that further information has been received for a reduced house type, revised siting and reduced levels which will lessen the impact of the proposal significantly. Mr Marrion recommended that this application be deferred for further discussion with the agent in relation to design.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved That planning application LA09/2015/0250/RM be deferred for further discussions with agent in relation to design.

LA09/2015/0457/F Two storey day care nursery with associated car parking and external play areas with ground floor café with access to Main Street at 70 and 74 Main Street, Tobermore for Tobermore Baptist Church.

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 LA09/2015/0457/F be approved subject to conditions as per the officers report.

LA09/2015/0483/F Dwelling at 60m SW of 20 Moss Road, Ballymaguigan, Magherafelt for Claire Bateson

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 LA09/2015/0483/F be approved subject to conditions as per the officers report.

LA09/2015/0577/O Site for dwelling and domestic garage on a farm at lands approx. 100m S of 6 Tullycorker Road, Clogher for Ms Imelda Hackett

Mr Marrion (SPO) presented a report on planning application LA09/2015/0577/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 Mr Gourley to address the committee.

Mr Gourley stated that if the site were to be located close to the existing dwelling the topography of the site would dictate that extensive excavation would be required. Mr Gourley also advised that a shared access with the existing dwelling would not be acceptable to financial institutions.

Mr Gourley indicated that there is an intention to construct farm buildings in the future and felt that visual linkage can be established.

The Planning Manager felt that, setting aside the topography of the site there had been no evidence submitted regarding plans for farm expansion. The Planning

Manager stated that this application could be deferred pending a submission regarding farm expansion and provision of health and safety grounds for siting proposed dwelling away from farm buildings, the Planning Manager asked if the applicant would be prepared to consider a bungalow at this site.

Mr Gourley advised that he would discuss alternative house designs with the applicant.

Proposed by Councillor Gildernew
Seconded by Councillor Bell and

Resolved That planning application LA09/2015/0577/O be deferred for submission of further information.

Councillor Robinson agreed with the decision to defer the application.

In response to Councillor Reid's comment regarding length of time to submit further information the Planning Manager advised that no time limit had been stipulated in this instance.

LA09/2015/0678/F Two semi-detached houses to infill site; alterations to existing gardens and parking; provision of parking to the proposed houses at land between 5 and 7 Kildrum, Galbally, Dungannon for Martin Brannigan

Ms McCullagh (SPO) advised that as per addendum circulated amended plans had been received which reduces this scheme, Ms McCullagh suggested that the application be deferred to consider the new information submitted.

Proposed by Councillor Mallaghan
Seconded by Councillor McAleer and

Resolved That planning application LA09/2015/0678/F be deferred to consider the amended plans submitted.

LA09/2015/0701/A Hoarding at junction of Washingbay Road, Stewartstown and Main Street, Coalisland on lands opposite 2 Washingbay Road for Springisland Supermarket

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

Proposed by Councillor Reid
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2015/0701/A be approved subject to conditions as per the officers report.

LA09/2015/0702/A Hoarding, up-lighting and illuminated static LED display board at 2 Washingbay Road for Springisland Supermarket

Ms McCullagh (SPO) presented a report on planning application LA09/2015/0702/A 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 Agus to address the committee.

Mr Agus advised that the proposed LED signage will be static and that similar signage is not unusual at fuel stations, Mr Agus used the example of Applegreen Service Station on M2 and also referred to tv screen located at Shaftesbury Square junction in Belfast.

Mr Agus advised that the signage will be permanent and located on private ground, Mr Agus also referred to the previous application which had just been approved for advertising hoarding at the same location and felt that the proposed LED signage would not cause any further detrimental effect.

The Planning Manager confirmed with Mr Agus that the signage would remain static and also suggested that it be brightness controlled. The Planning Manager stated that if the applicant was prepared to meet these conditions then TransportNI could be re-consulted regarding the application.

Councillor Mallaghan felt that if the conditions mentioned were imposed then this application could now be approved but accepted further consultation with TransportNI.

The Planning Manager advised that he would be reluctant to recommend approval of the application without further consultation with TransportNI as they currently considered the application dangerous.

Proposed by Councillor Gildernew
Seconded by Councillor Reid and

Resolved That planning application LA09/2015/0702/A be deferred for further consultation with TransportNI, when response has been received the application will be brought back to committee.

Councillor Cuthbertson felt it may be beneficial to discuss policy in relation to signage at a future planning workshop to ensure all such applications are considered equally.

LA09/2015/0703/F Shed for the storage of caravan and general domestic use at 239 Ballygawley Road, Dungannon for Mr Martin McCaul

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

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2015/0703/F be approved subject to conditions as per the officers report.

LA09/2015/0743/F Retention of mobile home as a dwelling to the rear of 11a Cloghog Road, Magheramulkenny, Coalisland for Mr Eamon Graham

Ms McCullagh (SPO) presented a report on planning application LA09/2015/0743/F advising that it is recommended for refusal.

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

Ms Dallas supported the recommendation to refuse this application and felt that if approval was granted it would open the floodgates for similar applications. Ms Dallas emphasised that the application was for a full time, permanent residence however she did not feel substantial evidence had been provided in relation to domestic circumstance or hardship and continued by stating that Mr Graham could live at alternative accommodation within Coalisland which would be approximately one and a half miles away from the proposed site. Ms Dallas also referred to recent PAC rulings which support the recommendation of Council.

The Chair, Councillor Kearney requested that further consideration of this application be deferred until later in the meeting under 'In Committee' business as discussions would refer to personal circumstances.

Councillor Reid felt personal circumstances should not be heard or discussed openly and suggested that such representation should be made to the Planning Manager who would then make a determination on the application.

The Planning Manager advised that Councillor Reid's suggestion would require a change to the Scheme of Delegation and felt that as it is Councillors who are making the determination on an application it is important that they have all information relating to it. The Planning Manager stated that applications in which personal details need to be discussed are handled as sensitively as possible.

Councillor Gildernew stated it would be difficult for Members to make a decision on an application without being aware of all the information pertaining to it.

Councillor J Shiels also felt Members needed to be in receipt of all information.

Councillor McAleer stated that all Councillors operate within a code of conduct.

Proposed by Councillor Gildernew
Seconded by Councillor J Shiels and

Resolved That planning application LA09/2015/0743/F be deferred for consideration later in the meeting during 'In Committee' business.

**LA09/2015/0781/O Single dwelling and garage adjacent to 45 Gortahurk Road,
Desertmartin for John Murphy**

Ms Doyle (SPO) presented a report on planning application LA09/2015/0781/O advising that it is recommended for refusal.

Councillor McKinney withdrew to the public gallery.

The Planning Manager highlighted that this application was being refused as it could not be demonstrated that the farm business had been active and established for more than six years. It was pointed out that the application fell short of this requirement by eight months. As there were no other reasons for refusal, the Planning Manager asked if the applicant would be willing to withdraw this application and resubmit after the eight month period had elapsed when it could be proved that the farm had been established for six years.

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

Mr Cassidy advised that the applicant received his business number in 2002 however he could not use this number until 2010 when probate had been resolved.

Mr Cassidy advised that there would be a reluctance to withdraw this application for eight months as he felt there was adequate paperwork submitted to prove that the farm had been active for six years. Mr Cassidy also advised that the applicant's daughter was getting married.

Councillor J Shiels questioned why there was no mention of the applicant being in receipt of his business number since 2002 within the reporting papers.

Ms Doyle advised that information had been submitted in the last week after papers had been circulated. Ms Doyle also advised that information from DARD confirmed that Single Farm Payments were made from 2005, however DARD advised that they didn't understand why this was done.

Councillor Bell felt that DARD need to provide full detail relating to this farm business in writing as there seemed to be some ambiguity in relation to the information being provided.

The Planning Manager confirmed that verified evidence would be required and stated it would be reasonable to write to DARD to request this information.

The Chair advised that a request to speak had also been received from Councillor McKinney and invited the Councillor to address the committee.

Councillor McKinney declared an interest in this application.

Councillor McKinney asked that the application be deferred until information from DARD could be verified.

Proposed by Councillor Robinson
Seconded by Councillor J Shiels and

Resolved That planning application LA09/2015/0781/O be deferred for an office meeting.

Councillor McKinney rejoined the meeting.

LA09/2015/0951/F Wind turbine with a hub height of 40m and a rotor diameter of 30m and an extension to the existing access laneway at lands approx. 613m SW of 87 Davagh Road, Broughderg for Aegis Power Ltd

Ms McCullagh (SPO) presented a report on planning application LA09/2015/0951/F advising that it is recommended for refusal and added that since the report was circulated fifteen further objections had been received.

Councillor Clarke withdrew to the public gallery.

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

Mrs McCrory advised that her family owns land adjacent to the proposed turbine location and stated that she found it difficult to understand how an application of this type could be approved in such a designated area.

Mrs McCrory stated that the proposed site is within an Area of Outstanding Natural Beauty and Area of Significant Archaeological Interest and that the nearby area is covered by blanket bog. Mrs McCrory stated that the visual impact of the proposal is obvious and advised that the proposed site itself is 900ft above sea level in an open landscape.

Mrs McCrory stated that the proposal will damage valuable assets in the locality and referred to Curlews which feed on the land and archaeological interests such as Dermot and Grainne's Grave and the Kissing Gate.

Mr Rolston, agent for the applicant, stated that this application was made with all necessary documentation provided. Mr Rolston accepted that the application site was within an AONB however there were no concerns raised in relation to noise and commented that the nearest dwelling would be 600m away from the proposal. Mr Rolston felt that Council were rushing into making a decision and requested a deferral of this application to allow further submissions to be made as requested by NIEA.

Councillor McKinney referred to the accusation made by Mr Rolston that Council was not taking proper care in relation to this application.

The Planning Manager advised that the site for this application was within the most highly sensitive area of the AONB, he commented that one turbine had already been permitted in the area however this does not allow the floodgates to open for similar

applications. The Planning Manager advised that he had visited the proposed site and did not feel an office meeting would be beneficial. The Planning Manager referred to the applicant's right of a planning appeal however an objector does not have the same opportunity.

The Council Solicitor advised that the Committee need to have a clear reason for refusing the application.

The Planning Manager stated that even if the applicant submitted the requested additional information the application would still be visually intrusive.

Councillor Glasgow referred to consultees contacted within the report and that there did not appear to be a response received from NIEA.

Ms McCullagh advised that a response was received from NIEA, as listed at a later point in the report.

The Planning Manager advised that as the applicant has stated they want the opportunity to provide the information requested by NIEA then he would be content to defer the application on this basis. The Planning Manager highlighted however that the visual amenity issues would still stand with or without the additional information being provided.

Proposed by Councillor McPeake
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2015/0951/F be deferred to allow the applicant to submit further information for NIEA consultation and await their response.

Councillor Glasgow felt it would be appropriate for the Committee to visit the site of this application.

The Planning Manager agreed that a site visit would be beneficial to help Members understand how different types of wind turbine applications are determined.

Councillor Bell felt the debate in relation to this application beggared belief, the Councillor stated that the proposal was located within a heritage site and that tourism potential within the Sperrins was being put at risk.

The Planning Manager stated that the Council considers each application on its own merits and that Members should be proud of this. The Planning Manager advised there is no embargo on siting turbines within the Sperrins however the difference in sensitivities between different sites are obvious.

Councillor Mallaghan stated he had not heard anything tonight which changed his opinion in relation to visual impact.

Councillor J Shiels felt that each application should be individually determined and agreed there was a need to await the response from NIEA and to also arrange a site visit.

Councillor McAleer proposed refusal of the application given the information provided within the report.

The Council Solicitor referred to the three reasons for refusal given within the report and the need to be clear on why the application should be refused.

The Planning Manager advised that impact on visual amenity would be a sound reason for refusal however as NIEA have requested further information from the applicant it would be sensible to allow this and await the response of NIEA.

Councillor McAleer stated that on advice provided by the Planning Manager she would withdraw her proposal.

Proposed by Councillor Glasgow
Seconded by Councillor J Shiels and

Resolved That a site meeting be organised in respect of planning application LA09/2015/0951/F.

Councillor Clarke rejoined the meeting.

LA09/2015/1010/O Replacement dwelling and garage at 45 Barrack Road, Ballymaguigan for Sarah Lavery

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 LA09/2015/1010/O be approved subject to conditions as per the officers report.

LA09/2015/1069/O Dwelling on a farm adjoining 1 Urbalshinny Road, Maghera for Mr Eamon Logue

Ms Doyle (SPO) presented a report on planning application LA09/2015/1069/O advising that it is recommended for refusal.

Councillor McPeake asked if this application should be considered under development in rural community.

Ms Doyle advised that the case officer has stated that the application falls within development in the countryside but would check this detail.

The Planning Manager advised that it would be important to identify the policy this application falls within and that the application could be deferred.

Proposed by Councillor Clarke
Seconded by Councillor Bateson and

Resolved That planning application LA09/2015/1069/O be deferred for an office meeting.

LA09/2015/1166/O Dwelling and garage 10m W of 59 Kinrush Road, Ardboe for Ciaran Coyle

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

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

Mr Cassidy felt that this application meets policy in relation to clustering as the application site is bounded on three sides with other buildings, Mr Cassidy also referred to a clay pigeon club as a local social facility located opposite the proposed site.

Mr Cassidy advised that it is proposed to replace the current buildings and that these buildings are not listed. Mr Cassidy also felt that policy in relation to infill had been met in that sites on either side of the proposal have been approved. Mr Cassidy requested that the application be deferred for an office meeting.

The Planning Manager did not agree that the policy in regard to infill was being met however he agreed to accommodate an office meeting if a sketch scheme could be provided as to how the current buildings would be converted. Mr Cassidy agreed to this request.

Councillor McPeake sought clarification on map shown by Mr Cassidy which appeared to be different to that being considered by planners.

Mr Cassidy advised that his maps did show approval of sites on either side of the proposal.

The Planning Manager stated he was content for an office meeting to be held.

Proposed by Councillor Reid
Seconded by Councillor McAleer and

Resolved That planning application LA09/2015/1166/O be deferred for an office meeting.

LA09/2015/1169/F 18 no. car parking spaces to the rear of The Cornmill, 2-4 Lineside, Coalisland for Mid Ulster District Council

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

Proposed by Councillor Reid
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2015/1169/F be approved subject to conditions as per the officers report.

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

The meeting recessed at 8.45 pm and recommenced at 9.04 pm.

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

Mr Marrion (SPO) presented a report on planning application LA09/2015/0695/F advising that it is recommended for approval.

Councillor Reid felt that the telecommunications mast was very much needed in the area and proposed approval of the application.

Councillor Cuthbertson seconded Councillor Reid's proposal.

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

Mr Muldoon advised that he was the owner of the adjacent sites and stated he had received correspondence from Council on 26 January which advised that it was considered that only one of the three sites were deemed to have commenced. Mr Muldoon advised that he had since sought advice from a planning solicitor who confirmed that all three sites could be deemed authorised.

Mr Muldoon advised that the proposed mast would be 45m from the front of the closest site in which works are authorised. Mr Muldoon stated that during the office meeting held in November the Planning Manager had advised it would be reasonable to refuse the application based on visual intrusion. Mr Muldoon felt that there had been no opportunity to discuss the application with the applicant as they did not attend the last office meeting and that as an objector does not have right of appeal he requested that the application be deferred.

Councillor Cuthbertson expressed disappointment that it had taken three months to bring this application back to committee during which time the potential had been lost to rectify a 'not spot' area.

Councillor Mallaghan felt that the applicant had lost interest in the application as they did not attend the office meeting in November nor were they in attendance tonight. Councillor Mallaghan stated that the application would be too close to put near a home and felt that not enough regard is being given to visual amenity. Councillor Mallaghan proposed refusal of the application

Councillor Gildernew seconded Councillor Mallaghan's proposal.

Councillor McAleer commented that she would like to see a mast in the area in terms of rectifying a not spot but felt that this application would be too close to neighbouring property. The Councillor felt the applicant had not shown enough commitment to the scheme.

Councillor Clarke concurred with previous comments and felt that the applicant had confined themselves by leaving their application too late. The Councillor felt that the applicant had only made a half-hearted effort with regards to this application and did not believe that the mobile infrastructure project had been designed to deliver on the ground. Councillor Clarke felt that Council have a role to play in identifying potential sites for masts.

Councillor Reid withdrew his proposal to approve the application based on the information put forward tonight.

Councillor Bateson felt that the impact of this application had not changed.

The Planning Manager stated that it was reasonable to take into account the importance of mobile coverage to local residents and businesses but that consideration should also be given to the visual amenity of the development 45m away.

Councillor Cuthbertson felt that part of the blame rests with Council in that the question over the development of sites had only come to light now. The Councillor felt it would be foolish to close the door completely on this application if another service provider could be found to take the mast. Councillor Cuthbertson proposed approval of the application.

Councillor Robinson seconded Councillor Cuthbertson's proposal and commented that no one would want this mast at their front door but that it is necessary for local businesses.

Councillor Gildernew stated that the proposed site for this application was on high ground and could not understand why the applicant could not find an alternative site in the same area.

Councillor McAleer advised that the mobile infrastructure project had been discussed at a Development meeting and suggested the matter be referred to the Director of Business and Communities.

The Planning Manager stated that the Committee needed to make a decision based on planning reasons. The Planning Manager expressed his disappointment in Arqiva and was of the view that this application was a paper exercise as very few schemes were going forward.

Councillor Clarke advised that the mobile infrastructure project was discussed at last month's Development meeting in which it had been agreed to write to government departments regarding infrastructure provision within Mid Ulster and ring fencing of

funding. Councillor Clarke continued that Council should seek to identify sites within the District where masts could be accommodated. The Councillor stated this infrastructure was vital for business, however in the case of this application he supported the proposal to refuse.

The Planning Manager stated that planning officers already have a massive workload and would not have time to seek out potential sites for telecommunications equipment.

The Council Solicitor clarified that the reason for refusal of the application was that it would be detrimental to the visual impact of potential occupiers of the approved dwelling.

Members voted on Councillor Mallaghan's proposal to refuse the application –

For – 9

Resolved That planning application LA09/2015/0695/F be refused as it was considered to be detrimental to the visual impact of potential occupiers of the approved dwelling.

In response to request by Councillor Mallaghan the Planning Manager advised he could provide guidance and information relating to safety of telecommunications masts.

CONFIDENTIAL BUSINESS

Proposed by Councillor J Shiels
Seconded by Councillor Bell and

Resolved That planning application LA09/2015/0743/F continue to be heard as confidential business.

Open Business resumed at 9.50 pm

LA09/2015/0743/F Retention of mobile home as a dwelling to the rear of 11a Cloghog Road, Magheramulkenny, Coalisland for Mr Eamon Graham

Ms Dallas and Mr O'Neill re-entered the meeting.

The Chair, Councillor Kearney advised that the Committee had refused planning application LA09/2015/0743/F on the grounds stated in the officers report.

P25/16 Revisions to the Protocol for Operation of the Planning Committee and Scheme of Delegation

The Planning Manager presented previously circulated report which provided Members with revised Protocol for the Operation of the Planning Committee and Scheme of Delegation.

Members advised they did not receive the questionnaire as described in the report.

Members discussed the Protocol for the Operation of the Planning Committee as follows –

Paragraph 17 -in the absence of any other motions.... – The Council Solicitor stated that this should be changed from motions to proposals.

Paragraph 27 – Councillor Clarke questioned why a decision could be subject to judicial review.

The Planning Manager advised that this is because third parties have no right to a planning appeal.

Paragraph 28 – Councillor Clarke referred to Members taking notes and felt that the minutes should accurately reflect proceedings without the need for further notes being taken.

The Planning Manager stated that if the minutes of a meeting were contested then it would be useful for a Member to have their own notes as indeed Councillor Clarke had used his notes of the January Planning Committee to call for amendments to be made.

Councillor Clarke stated he understood that a minute taker was unable to record everything and that was why he felt there should be an audio recording of the Planning Committee.

Paragraph 17 – Councillor J Shiels asked if there was a need for all planning application reports to be presented by an officer.

The Council Solicitor suggested that an alternative option may be that ‘Members considered’ an officers report.

Councillor Cuthbertson believed that all reports should be read prior to the meeting taking place.

The Planning Manager advised there may be members of the public at a meeting who have not heard the content of an officers report beforehand.

The Council Solicitor advised that a revised Protocol for the Operation of the Planning Committee will be brought back to committee which takes into consideration Members comments as above.

Councillor McPeake requested that amendments are highlighted when the revised document is brought back to committee.

The Planning Manager advised that the Scheme of Delegation is required to be sent to the Department of the Environment if Members were in agreement with the content.

Proposed by Councillor Mallaghan
Seconded by Councillor McPeake and

Resolved That a revised Protocol for the Operation of the Planning Committee be brought back to committee which takes into consideration tonight's discussion. The revised Scheme of Delegation as circulated to be sent to the Department of Environment for approval.

Matters for Information

P26/16 Enforcement Appeal Decisions Received

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

Members noted the content of the report.

P27/16 Schedule of Live Applications Received prior to 1 April 2015

Members noted the content of the report of live applications received prior to 1 April 2015.

P28/16 Report of Delegated Decisions Issued in December 2015

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

CONFIDENTIAL BUSINESS

Proposed by Councillor Glasgow
Seconded by Councillor J Shiels and

Resolved That items P29/16 to P33/16 be taken as confidential business.

Councillor Mallaghan left the meeting at 10.30 pm

P34/16 Duration of Meeting

The meeting was called for 7.00pm and ended at 10.43 pm.

Chair _____

Date _____

D

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 February 2016 in the Council Offices, Ballyronan Road, Magherafelt

Members Present	Councillor S McGuigan, Chair Councillors Ashton, Bateson, Buchanan, Cuddy, Elattar (7.10 pm), Forde, Gildernew, McKinney, McLean, McPeake, Mallaghan, Molloy (7.10 pm), M Quinn, T Quinn and Totten
Officers in Attendance	Mr A Tohill, Chief Executive Mrs Campbell, Director of Culture and Leisure Mrs Canavan, Director of Organisational Development Ms Mezza, Head of Marketing & Communications Mr Moffett, Head of Democratic Services Mr O'Hagan, Head of ICT Mr JJ Tohill, Director of Finance Mrs Grogan, Committee Services Officer
Others in Attendance:	Congress of Trade Unions - Mr Peter Bunting and Mr Kevin Doherty

The meeting commenced at 7.01 pm.

PR020/16 Apologies

No apologies were received.

PR021/16 Declaration of Interest

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

PR022/16 Chairs Business

No business was raised.

PR023/16 Congress of Trade Unions

The Chair, Councillor S McGuigan welcomed to the meeting Mr Peter Bunting and Mr Kevin Doherty from the Congress of Trade Unions.

Mr Bunting advised that the organisation was present here tonight to promote their Charter for Fair Conditions at Work within Mid Ulster District Council area.

Mr Bunting gave a brief synopsis of the work carried out by the organisation and advised it was to encourage decent working conditions and a fair income – at work

and in retirement – which are essential components of any civilised society along with the provision of high quality public services that meet every citizen's needs.

Councillors Elattar and Molloy entered the meeting at 7.10 pm.

The Congress Charter sets out the key elements required to make Northern Ireland the best place in which to work, live and raise a family. A strong economy cannot exist without a fair society.

Wages are worth less than ten years ago. Contracts of employment are shorter and less secure. And when people feel less secure that means that they cannot make long-term plans, such as buying a house.

That insecurity has impacted here in Mid-Ulster more than most Council areas, as so many people were employed in the building trade, and so many of those construction workers have been forced abroad.

Families in Northern Ireland have the lowest level of disposable income in the UK. After essential bills are paid, those in Northern Ireland have a £98 weekly spend, which is half of the UK average of £194.

The sectors where low pay and bad treatment is most prevalent – most of all in retail, in agriculture and in accommodation and food – that unions find it hardest to organise.

This is why the Charter is important. District Councils have little leeway in enforcing rights or creating new ones. It is important to send a message within and outside the Council boundaries that in Mid-Ulster, we expect people to be treated decently.

Mr Bunting advised that the Congress of Trade Unions have identified five core entitlements which they intend to have implemented.

- A Living Wage
- Fair Hours of Work
- Right to Representation & Collective Bargaining
- Respect, Equality & Ethics at Work
- Fair Public Procurement

To date, the campaign has focussed on seeking support for the Charter from members of the NI Assembly, Westminster and MEPs.

Congress is asking Elective Representatives of the 11 District Councils to pledge their support for fairness at work and the principles outlined in the Charter, and that each Council puts down a motion supporting the Charter, and that Councillors sign the pledge card.

He indicated that a possible draft motion of support of the Charter and its principles could be:

The Congress Charter for Fair Conditions at Work seeks a societal consensus as to what constitutes fair conditions of employment. The Charter identifies five key principles which, as a minimum, should be respected by every employer: a living wage, fair hours of work, the right to representation and collective bargaining, to be treated with dignity when at work and fair public procurement. This Council supports and advocates the implementation of the Congress Charter for Fair Conditions at Work.

The Chair, Councillor S McGuigan thanked Mr Bunting for his presentation and asked members for any comments.

In response to Councillor Mallaghan's query regarding whether all Council employees receive the living wage, the Director of Organisational Development advised that an audit was being conducted at present to identify which employees are not earning the living wage, with the hope that it would be operational by 1st April 2016.

Proposed by Councillor Mallaghan
Seconded by Councillor McPeake

That the Policy & Resources Committee support the Motion brought by Congress of Trade Unions for recommendation to full Council.

Councillor McLean enquired about procurement in relation to the Charter and raised concern about restrictions which are put in place in the tendering process.

Mr Bunting advised that it involved a lot of detail and would forward on response to the Chief Executive on concerns raised by Councillor McLean for circulation to Members.

Councillor McLean referred to Community Buildings being included alongside major projects and felt that you don't get something for nothing, that costs are included in the tender so it's hard to justify.

Mr Bunting stated that this was working very well in England, Scotland and Wales as it helps the long and short term unemployed and apprenticeships.

Councillor Bateson referred to lower disposable income for residents here compared to England, Scotland and Wales and asked what the uptake was on Union membership for these regions.

Mr Bunting advised that there needs to be a correlation, ultimately better pay and conditions elsewhere, but there is a higher number of Trade Union members in Northern Ireland with a lot more membership in Public Sector compared to Private Sector.

The Chief Executive advised that as this was his first read of the draft Motion and as there is a lot of detail in the document, more time would be needed to review the contents of the Charter before a report can be brought back to Committee and to Council for approval.

Councillor Mallaghan enquired if the Officer team would have enough time to bring back to Council.

The Chief Executive felt that it may not be possible but he would attempt to bring forward to Council.

The Chair, Councillor S McGuigan thanked the representatives of the Congress of Trade Unions and at which they left the meeting.

Councillor McLean left the meeting at 7.30 pm and returned at 7.35 pm.

PR024/16 Receive and confirm minutes of the Policy and Resources Committee held on Wednesday 13 January 2016

Proposed by Councillor Bateson
Seconded by Councillor Mallaghan and

Resolved: That the minutes of the meeting of the Policy & Resources Committee held on Wednesday 13 January 2016 (PR001/16 – PR007/16 and PR016/16) were considered and signed as accurate and correct.

Matters for Decision

PR025/16 Policy on Illuminating (Lighting Up) Council Properties

The Head of Democratic Services drew attention to the previously circulated report to consider the adoption of a Policy on Illuminating (lighting up) Council Properties of Mid Ulster District Council namely Burnavon Arts and Cultural Centre, Bridewell and Ranfurly House Arts & Visitor Centre.

Councillor McPeake felt that it was a good idea and recommended approval on the basis of it being reviewed after 1 year.

Councillor Gildernew felt it may be worth considering including the two towers at the Hill of the O'Neill, Dungannon.

Councillor Ashton referred to dates, hours of illumination and chosen charities and asked how this would be dealt with.

After discussion the Chair, Councillor S McGuigan suggested that illumination of buildings should be up to 1 week, and if two charities request the same date then split the week between them, to be lit during day and night with monitoring taking place to see how the project is working after a period of time.

Proposed by Councillor McPeake
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council to approve the Policy on Illuminating Council Properties to include:

- a) Illumination of buildings to be up to one full week
- b) If two charities request same date then split the week between the two
- c) Illumination hours will be continuous
- d) The outworking of the Policy to be reviewed after 1 year

Councillor Mallaghan left the meeting at 7.45 pm.

PR026/16 Proposed 2016-17 Improvement Objectives

The Head of Democratic Services drew attention to the previously circulated report to present members with draft corporate level Improvement Objectives for period 2016-2017 commencing 1 April 2016.

Proposed by Councillor McLean
Seconded by Councillor McPeake and

Resolved: That it recommended to the Council to approve the Improvement Objectives as outlined in report, for the remaining Council term, subject to annual review.

PR027/16 Review of Operational Arrangements for Committees

The Chief Executive drew attention to the previously circulated report to update the committee on the Policy & Resources Committee workshop held on Tuesday 26 January to review the operational arrangements of committees.

Proposed by Councillor Gildernew
Seconded by Councillor McLean and

Resolved: That it be recommended to the Council to approve the arrangements agreed for the operation of council committees as discussed at the Policy & Resources Workshop held on Tuesday 26 January 2016.

PR028/16 Internet Policy for Consultation

The Head of ICT drew attention to the previously circulated report to consider the draft Internet Policy and comment as part of the policy development and adoption of same.

Proposed by Councillor McLean
Seconded by Councillor Elattar and

Resolved: That it be recommended to the Council to approve the draft Internet Policy.

PR029/16 Progress to Quarter 3 of 2015-16 on Performance Improvement Arrangements

The Head of Democratic Services drew attention to the previously circulated report to provide Members with monitoring information to the end of Quarter 3 (Oct-Dec) for

review of performance against the Council's Statutory (7 in total) and Corporate Key Performance Indicators (KPI's). The report also provided a Q3 progress against the Council's Corporate Improvement Objective and overview of Council's Service Improvement Objective and overview of Council's Service Improvement Plans (SIPS) for 2015/16.

Councillor Cuddy felt that it was good to see the structure and enquired if the Chief Executive was happy with the progress.

The Chief Executive stated that he was very pleased with the continued progress, with staff continuing to work hard.

Councillor McLean raised concern regarding larger planning applications on missing their target and incomplete information. Mid Ulster needs bigger projects for development and wouldn't like to see things dragging. He stated that he was aware of the difficulties with change and appreciated how hard staff were working.

Resolved: That it be recommended to the Council that Members note the contents of the report on Progress to Quarter 3 of 2015-16 on Performance Improvement Arrangements.

PR030/16 Advanced Diploma in Civic Leadership and Community Planning

The Director of Organisational Development drew attention to the previously circulated report to provide members with information regarding the Ulster University Advanced Diploma in Civic Leadership and Community Planning 2016.

Councillor McPeake felt that the course was very useful and would encourage anyone interested to register.

The Chief Executive indicated payment for any member could be met from annual allocations for Conferences and Training.

Resolved: That it be recommended to the Council that approval be granted for any member interested in the Advanced Diploma in Civic Leadership & Community Planning to contact the Learning & Development Manager, who will advise regarding the Application Process.

Confidential Business

Proposed by Councillor Forde
Seconded by Councillor M Quinn and

Resolved: That items (PR031/16 to PR039/16) be taken as confidential business.

PR040/16 Duration of Meeting

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

CHAIR _____

DATE _____

E

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 February 2016 in Council Offices, Ballyronan Road,
Magherafelt**

Members Present	Councillor McFlynn (Chair) Councillors Buchanan, Burton, Cuddy (7.45 pm), Cuthbertson, Gillespie, Glasgow, Kearney, McGinley, B McGuigan, S McGuigan, McNamee, Mullen, Mulligan, J O'Neill, Totten
Officers in Attendance	Mrs Caldwell, Principal Environmental Health Officer (Public Health, Housing and Health and Wellbeing) Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services Mr McAdoo, Head of Environmental Services Mrs Patterson, Principal Environmental Health Officer (Health and Safety and Licensing) Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services/ Senior Admin Officer
Others in Attendance	Agenda Item 4 – Northern Ireland Fire and Rescue Service Equality Officer – Ms Davidson Area Commander – Mr Gallagher Assistant Chief Fire Officer – Mr Thompson

The meeting commenced at 7.03 pm

E26/16 Apologies

None.

E27/16 Declarations of Interest

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

E28/16 Chair's Business

None.

E29/16 Northern Ireland Fire and Rescue Service (NIFRS)

The Chair, Councillor McFlynn welcomed representatives from Northern Ireland Fire and Rescue Service and invited them to make their presentation.

Mr Gallagher proceeded with a powerpoint presentation and advised that NIFRS have commenced consultation in relation to proposed changes to crewing arrangements. One of the proposed changes within the consultation identified that Dungannon station would benefit from additional day duty cover to support the existing retained duty cover currently available. Members were advised that wholetime day duty cover would enhance prevention, protection and emergency response from Monday-Friday 0800-1800 hrs.

Councillor Mulligan asked if the proposed changes to crewing would require a recruitment process to be carried out or whether existing staff would be redeployed. The Councillor also asked if there has ever been a situation where the level of risk to crews has been stretched.

Mr Gallagher paid tribute to retained staff and advised that the current consultation follows a risk assessment of the risk levels across all 67 fire station areas in Northern Ireland over a five year period. The assessment indicated that in 11 station areas, including Dungannon, the risk levels and resources are not effectively matched. Mr Gallagher advised that there will be no need for recruitment of further wholetime staff as staff will be redeployed, he did comment however that a recruitment exercise for retained firefighters at the Dungannon station will be carried out in the near future due to planned retirement within current staffing.

Councillor Cuthbertson referred to the risk assessment carried out which indicated that the risk was high in Dungannon and asked if a difference had been found in the number of emergency calls received during daytime, night time and weekend. The Councillor also expressed concern that retained staff will only be on duty from 7pm during the week and at weekends meaning that firefighters would no longer be in a position to attend local community information events.

Mr Gallagher advised that profiling of calls indicated that most emergency calls are received outside of day time hours and that if this protocol was followed through it would mean wholetime staff would be required at night. Mr Gallagher advised that a pilot of the proposed crewing changes had been conducted at Enniskillen station the impact of which had not been as bad as expected. Mr Gallagher advised that retained staff will continue to be 'on call' during the day should there be a need for a second pump. In relation to community protection events Mr Gallagher stated that he understood that local people liked to see their local firefighters, he continued that if there are events taking place during the day then these would be covered by the wholetime staff.

Councillor Cuthbertson referred to daytime staffing and felt that the risk could be increased during this time as retained staff will have little incentive to stay close to the town if they are not on duty.

Mr Gallagher advised that NIFRS are currently looking at different ways of structuring retained staff to ensure there is adequate cover at all times.

Councillor S McGuigan felt that the consultation appeared to be an agenda to reduce costs rather than the risks associated. The Councillor asked how staff were briefed on the proposed changes and if the proposals will mean redundancies within existing staff.

Mr Gallagher advised Members that all stations have been consulted with regarding the proposed changes and that no redundancies will be required as a result of the proposals being made. Mr Gallagher was confident that the proposed changes to crewing arrangements will drive down risk.

The Chair, Councillor McFlynn referred to the rural nature of the Mid Ulster area and expressed the importance of sat navs on rescue vehicles being up to date. The Councillor also asked if there is facility for staff counselling particularly after attending an incident where there had been a fatality.

Mr Gallagher stated that NIFRS probably had the best fleet within the UK and advised that all rescue vehicles were fitted with an on board mobile data computer which updates daily. With regard to staff counselling, Mr Gallagher advised that a robust protocol was in place, NIFRS also have a partnership with Carecall and have in house occupational health.

In response to Councillor Buchanan's question Mr Gallagher stated he would welcome and encourage a formal response from Council on the consultation regarding crewing arrangements.

The Chair, Councillor McFlynn commended NIFRS for the work they do in the community and thanked them for their presentation following which the representatives withdrew from the meeting at 7.35 pm.

Resolved That it be recommended to Council to respond to NIFRS consultation on proposed changes to crewing arrangements.

Councillor Burton stressed the importance of the fire service continuing to attend events run by Council and that Council should retain its link with local fire stations.

Councillor Gillespie referred to the knowledge base of local firefighters which is particularly helpful when attending calls in rural areas.

E30/16 Receive and confirm minutes of the Environment Committee meeting held on Tuesday 12 January 2016

Proposed by Councillor McNamee
Seconded by Councillor Mulligan and

Resolved That the Minutes of the Meeting of the Environment Committee held on Tuesday 12 January 2016 (E1/16 – E16/16 and E25/16) were considered and, subject to the foregoing, signed as accurate and correct.

Matters for Decision

E31/16 Department for Regional Development proposals to Mid Ulster Council

Members considered previously circulated report which sought Members approval in relation to proposals from Department for Regional Development /TransportNI to

abandon a length of 339m of the B122 Murley Road, Fivemiletown under the (Abandonment) Order (Northern Ireland) 2016.

Councillor Burton referred to the advertising of these types of proposals and felt there was an opportunity for DRD to advertise more widely in local newspapers.

The Director of Environment and Property advised he would bring the Members comments to the attention of DRD.

Resolved That it be recommended to Council to endorse the proposal for an abandonment order at B122 Murley Road, Fivemiletown as submitted by the Department for Regional Development.

E32/16 TransportNI proposals to Mid Ulster Council

Members considered previously circulated report regarding proposals from TransportNI to introduce measures to enhance safety and development of the transport network with a range of transport projects.

Resolved That it be recommended to Council to endorse the proposals submitted by TransportNI as follows –

- Proposed 40 mph Speed Limit – Mullaghteige Road, Edendork Road and Mullaghmarget Road, Dungannon
- Traffic Calming Proposals – Mullaghboy Road, Bellaghy

E33/16 Grounds Maintenance – Small Meadows Pilot Project

The Head of Property Services presented previously circulated report which sought approval to proceed with a Mid Ulster Small Meadows Pilot Project which seeks to use land more sustainably in regard to grass cutting.

Councillor Cuddy entered the meeting at 7.45 pm during presentation of the above report.

Councillors Burton and Mulligan both expressed concern as to how the project will be received by the public. Reference was made to a similar scheme at Ballygawley Roundabout which often looked overgrown with a lot of weeds coming through. Councillor Mulligan questioned how weed growth would be controlled and Councillor Burton asked how this project would affect future sponsorship of flowerbeds/roundabouts.

In response, the Head of Property Services advised that previous sustainable land use initiatives, both in this Council and other Councils, had received positive and negative reviews and that suitable areas will need to be identified within the District for this project. Members were advised that the project would be managed carefully in terms of weed growth. The Head of Property Services also advised that Council will continue will flowerbed sponsorship and will advertise for this in the near future.

In response to Councillor S McGuigan's question the Head of Property Services advised that, for areas that don't qualify under this project Council will try to continue to maintain current standards with regard to grass cutting.

Councillor Kearney referred to the timing of the grass cutting which is proposed for late August/September and suggested an earlier cut (in July) and a later cut if required. The Councillor also asked if there is an intention to use any treatments such as fertiliser on the areas identified within the project.

The Head of Property Services advised that the Councillor's suggestion in relation to the cutting of grass can be considered, he further advised that there are no plans to use any treatments on the lands identified under this project.

The Chair, Councillor McFlynn felt that if there are a large amount of complaints in relation to this project then there will be a need to review.

The Head of Property Services confirmed that this will be a pilot project that will be kept under review.

Resolved That it be recommended to Council to approve the use of Councils Landfill Tax monies (£50,000) to fund the Mid Ulster Small Meadows Project.

E34/16 Property Services Scale of Charges for 2016/17 – Cemeteries

The Head of Property Services presented previously circulated report in relation to proposed scale of charges for cemetery services for the period 1 April 2016 to 31 March 2017.

Councillor S McGuigan referred to double charges for services to non-residents and asked where information in relation to residency comes from.

The Head of Property Services advised that this information is usually received via an Undertaker.

Councillor Buchanan queried how the proposed charges had been derived and was advised that 5% had been added to existing 2015/16 charges with the result being rounded to the nearest pound.

In response to Councillor McNamee's question the Head of Property Services advised that very few burials of non-residents take place within the District.

Councillor McGinley referred to the Old Cross Cemetery in Moortown and asked who is responsible for its upkeep.

The Head of Property Services advised that the Old Cross Cemetery is maintained by Council with regards to grass cutting and upkeep of boundaries but not the graves themselves.

In response to Councillor Burton's question the Head of Property Services advised that Council maintain a number of cemeteries across the District and agreed to provide this detail to Members.

Resolved That it be recommended to Council to approve the proposed scale of charges for cemetery services for the period 1 April 2016 to 31 March 2017 as follows –

Fee Category	Existing Charge (2015/16)	Proposed Charge (2016/17)
1. Purchase of grave plot	£125.00	£131.00
2. Interment Charge	£125.00	£131.00
3. Burial of Ashes	£60.00	£63.00
4. Exhumation	£250.00	£263.00
5. Approval Fee: Erection of Headstone or Memorial	£40.00	£42.00
6. Administration Fee: Search/Re-issue/Transfer of Certificate	£15.00	£16.00

E35/16 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding street naming of new residential housing developments within Mid Ulster.

Members considered the naming of new residential developments within Mid Ulster as follows –

- 1 Site off Drumreagh Crescent, Newmills

Proposed by Councillor Buchanan
Seconded by Councillor Burton and

Resolved That it be recommended to Council to name new development off Drumreagh Crescent, Newmills as Blackberry Lane.

- 2 Site off Tamnamore Road, Killyman

Councillor Cuthbertson felt that in order to avoid any confusion as there were already developments in the nearby area ending in 'Meadows' and 'Manor' that this development should be called 'Clarefield Grange'.

Proposed by Councillor Cuthbertson
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to name new development off Tamnamore Road, Killyman as Clarefield Grange.

- 3 Site off Bush Road, Dungannon

Proposed by Councillor Mullen
Seconded by Councillor Gillespie and

Resolved That it be recommended to Council to name new development off Bush Road, Dungannon as Derrywinnin Heights.

4 Site off Derrycourtney Road, Caledon

Proposed by Councillor Burton

Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to name new development off Derrycourtney Road, Caledon as Derrycourtney Manor.

5 Site off Gortgonis Road, Coalisland

Proposed by Councillor J O'Neill

Seconded by Councillor Burton and

Resolved That it be recommended to Council to name new development off Gortgonis Road, Coalisland as Millview Meadow.

6 Site off Washingbay Road, Coalisland

Proposed by Councillor J O'Neill

Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to name new development off Washingbay Road, Coalisland as Annaghmore Meadows.

7 Site off Ballinderry Bridge Road, Coagh

Councillor Burton proposed that the development be named Oak Wood.

Councillor McGinley expressed thanks that, following request from the local community group, further naming options were able to be brought for Members consideration. Councillor McGinley proposed that the development be named Killetra.

In response to Councillor Cuthbertson's question the Chair advised that Killetra was not a townland name but referred to the locality of the development.

Councillor Burton withdrew her proposal.

Proposed by Councillor McGinley

Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name new development off Ballinderry Bridge Road, Coagh as Killetra.

E36/16 Licensing of Cinemas

Members considered previously circulated report which provided the terms and conditions for Film Exhibition Licensing in accordance with The Cinema (Northern Ireland) Order 1991 for Mid Ulster District Council.

Resolved That it be recommended to Council to adopt the Terms and Conditions for Film Exhibition Licensing under Cinema (NI) Order 1991.

**E37/16 Safety at Sports Grounds (Northern Ireland) Order 2006 Part III –
Safety of Stands at Other Sports Grounds**

The Principal Environmental Health Officer (Health and Safety and Licensing) presented previously circulated report which provided Members with an update on the current status on the Safety at Sports Grounds (Northern Ireland) Order 2006 and the inclusion of regulated stands. Members were asked to make a decision regarding the ‘determination of regulation’ for relevant sports grounds.

Councillor S McGuigan asked if there was any funding available, particularly for smaller clubs, to meet legislative requirements.

The Principal Environmental Health Officer advised that she was not aware of any funding availability at the moment however Council Officers would continue to work closely with clubs.

In response to Councillor B McGuigan’s question the Principal Environmental Health Officer advised that clubs required to be regulated have been advised of the legislative process and agreed to provide updates to the Committee regarding progress.

Proposed by Councillor S McGuigan
Seconded by Councillor Burton and

- Resolved** That it be recommended to Council to ‘regulate’ the following spectator stands as below in accordance with Article 13 of the Safety at Sports Grounds (Northern Ireland) Order 2006 –
- Coalisland GFC, Annagher Hill, Coalisland
 - Moy Tir na Og GAC, 24 Benburb Road, Moy
 - Dungannon Swifts FC, Stangmore Park, Dungannon (North Stand)
 - Pomeroy Plunkett’s GAC, Canankeeran Road, Pomeroy
 - Glen GFC, Falgortrevy GAC, Maghera
 - Ballinascreen GFC, 6 Corrick Road, Draperstown
 - Tobermore FC, 20 Maghera Road, Tobermore

E38/16 Clean Neighbourhood Programme

The Principal Environmental Health Officer (Public Health, Housing and Health and Wellbeing) presented previously circulated report which advised Members of Clean Neighbourhoods programmes of work in relation to graffiti, flytipping and litter.

In response to Councillor S McGuigan’s question the Principal Environmental Health Officer advised that since April 2015, Council were continuing to send referrals to NIEA and that these were being dealt with, the officer highlighted however that once the budget is spent NIEA will no longer accept referrals as per their communication in December 2014.

Councillor McGinley referred to Ardboe Aerodrome which has been a dumping hot spot in the past and the difficulties in identifying land ownership in that area.

The Director of Public Health and Infrastructure advised that because dumping had been a problem in the past the legacy council undertook work to identify landowners in the Aerodrome area. The Director agreed to update Councillor McGinley further on the programme of work undertaken.

Councillor Burton felt that there is no protection for rural landowners whenever dumping takes place on their property and asked how many offenders had been prosecuted.

The Director of Public Health and Infrastructure advised that NIEA are the primary regulator in relation to fly-tipping, he further advised that Council can instigate some processes in relation to illegal dumping however main enforcement controls rest with NIEA.

Councillor McNamee asked if funding had been set aside to continue schemes of work with regard to graffiti, flytipping and litter.

The Director of Public Health and Infrastructure advised that a maximum of £15,000 had been included within this year's budget utilising existing staff resources.

Councillor B McGuigan spoke in relation to graffiti removal and the need for these type of instances to be dealt with promptly. The Councillor also highlighted a current issue regarding advertising by a business in Draperstown in which posters are chained to trees.

The Principal Environmental Health Officer referred to the previous success of the scheme in the legacy Cookstown area in which the statutory enforcement role was complemented by a Clean Neighbourhood Programme. The officer advised that in relation to the concerns raised regarding flyposting there may be an opportunity to issue fixed penalty notices, the officer also accepted the need for instances of graffiti to be dealt with quickly.

Councillor Kearney referred to the enforcement role of Planning in respect of infill of sites.

Resolved That it be recommended to Council that, in addition to its statutory enforcement role, a Clean Neighbourhood Programme be taken forward similar to that of the legacy Cookstown Council.

Matters for Information

E39/16 Northern Ireland Local Authority Collected Municipal Waste Management Statistics Report for July to September 2015 (Q2)

The Head of Environmental Services circulated information in relation Mid Ulster EcoSpeak 2016 competition which takes place on Wednesday 9 March. The officer advised that this is a separate competition to Northern Ireland Youthspeak and asked for Members participation on the judging panel.

The Chair, Councillor McFlynn and Councillors Burton, Glasgow and Kearney agreed to sit on the judging panel with other interested Councillors to put their name forward.

The Head of Environmental Services presented previously circulated report which advised Members of the Councils performance in relation to recycling and landfill diversion as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for the quarter 1 July to 30 September 2015 with the following being noted –

- Mid Ulster District Council had the highest household recycling rate during the quarter.
- Mid Ulster District Council has the highest waste arisings per household.
- Mid Ulster District Council only utilised 17% of the available annual allowance during the second quarter and for the six month period April to September 2015 the figure is 34% which is the second lowest utilisation of the eleven Councils.

The Chair, Councillor McFlynn commented on the excellent work of the recycling officers within Council.

Councillor Cuddy asked if any further market changes are foreseen in respect of blue bin material and how Council could counter for these.

The Director of Environment and Property advised that the current blue bin contract is only set to run for twelve months from January 2016 and that a number of Councils, Mid Ulster amongst these, have met to discuss their concerns in relation to the market for blue bin material. The Director advised that a number of service delivery models are being considered which will offer a more transparent process and give Councils more authority within any potential contract.

The Director of Environment and Property also advised that Members need to be mindful of future issues related to residual waste, he pointed out that officers have already looked at the remaining life of Council landfill sites and commented that there should be no difficulty in Mid Ulster District Council meeting the 50% recycling target by 2020. The Director reflected however that consideration should also be given to the fact that as a country emerges from recession it is often found that the amount of waste increases. An increase in population will also affect the amount of waste being produced. The Director highlighted that, by 2030, waste targets are expected to be –

- 65% waste recycled
- 10% waste to landfill
- 25% recoverable waste

E40/16 Tullyvar Landfill Site – Joint Committee Update

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

E41/16 Building Control Workload Analysis

Members noted previously circulated report which provided an update on the workload analysis for Building Control across Mid Ulster District Council.

E42/16 Entertainment Licensing Applications

Members noted previously circulated report which provided an update on Entertainment Licensing Applications across Mid Ulster District Council.

E43/16 Statutory Food Hygiene Rating Scheme

The Principal Environmental Health Officer (Health and Safety and Licensing) presented previously circulated report which updated Members on the requirements of the Food Hygiene Rating Bill and the requirement for Councils to participate in the scheme and for food businesses to display their food hygiene rating.

Members noted the content of the report.

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Burton and

Resolved That items E44/16 – E55/16 be taken as confidential business.

E56/16 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.43 pm.

CHAIR _____

DATE _____

F

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Wednesday 10 February 2016 in the Council Offices, Ballyronan Road,
Magherafelt**

Members Present

Councillor Burton, In the Chair

Councillors Clarke, Dillon, Elattar, Forde, McAleer (7.22 pm),
McEldowney, McNamee, Molloy, Monteith (7.20 pm),
C O Neill, T Quinn (7.22 pm), Reid (7.25 pm), G Shiels (7.16
pm) and Wilson (7.16 pm)

**Officers in
Attendance**

Ms Campbell, Director of Culture and Leisure
Mr McCreesh, Director of Business and Communities
Mr Brown, 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
Mr McCormick, Seamus Heaney Centre Manager
Ms McKeown, Head of Economic Development
Ms Mezza, Head of Marketing & Communications
Ms Grogan, Committee Services Officer

**Others in
Attendance**

Agenda Item 4: Firmus Energy
Paul Stanfield, Jonathan Strain and Ciaran Brennan

The meeting commenced at 7.10 pm.

D027/16 Apologies

None.

D028/16 Declaration of Interests

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

D029/16 Chair's Business

The Chair, Councillor Burton advised that Agenda Item 23 would now be considered after item 16.

D030/16 Firmus Energy

The Chair, Councillor Forde welcomed to the Committee Paul Stanfield, Jonathan Strain and Ciaran Brennan from Firmus Energy.

Mr Stanfield gave a brief synopsis of the work carried out by Firmus Energy and advised that the organisation provided Natural Gas to homes and businesses as outlined:

Benefits of Natural Gas for your home:

- **Easy to budget** – With a pay as you go meter you simply pay for what you use
- **Constant supply** – Natural gas is piped underground to your home
- **Secure** – No concerns about fuel theft, spillages or cleaning up
- **Versatile** – As well as instant heat and constant hot water for showering, you can cook, tumble dry, enjoy a real flame fire and BBQ with natural gas
- **More ways to save** – By using energy efficient natural gas appliances and heating controls
- **Best use of your space** – No need for an oil tank
- **Cleaner** – Natural gas burn 30% more cleanly than oil

What to expect from a new natural gas heating system:

- **New high efficiency boiler** – New SEDBUK 'A' natural gas boilers have rated efficiencies of 90%
- **New temperature controls** – An appropriate set of heating controls makes it easy to keep your home at a comfortable temperature
- **Power flushing** – As part of the oil conversion the heating system is power flushed. This removes the build-up of dirt etc.
- **High efficient boiler** - Most new gas boilers are compact and 'cupboard fit' design with concealed connections

Natural Gas Appliances:

- **Natural Gas Cookers** – Cooking with natural gas can provide quick and easy temperature control, which is why most chefs choose to cook with natural gas
- **Natural Gas Tumble Dryers** – By switching to a natural gas tumble dryer you can not only save money on your running costs but you can also do your bit for the environment by reducing your carbon emissions. Many natural gas tumble dryers have an automatic shut-off sensor that stops tumbling as soon as the load is dry
- **Natural Gas BBQ** – A natural gas BBQ can make summer dining easy
- **Natural Gas Fires** – Cosy, clean and instant; a gas fire looks great whether you choose the traditional style with imitation coals or modern fire with pebbles or stones

Connecting to Natural Gas:

- 1) **Installation Costs** – Agree installation costs with you Gas Safe Registered Installer. You will find a full list of Firmus Energy registered installers for your local area by visiting www.firmusenergy.co.uk or call 0800 032 4567 and the relevant list will be issued to applicant's home address
- 2) **Sign the Gas Application Form (GAF)** – Applicant will need to sign a gas application form. Contact local Firmus Energy Advisor who will arrange with the applicant to get this form completed
- 3) **Inform Building Control** – Remember to notify Building Control, at local Council Office of plans to switch to natural gas

4) Fitting Your Meter

Within three to four weeks of receipt of gas application form, our Contractor will contact applicant about fitting their meter, which will connect their home to the gas network. Notification will be three to four days in advance of the work commencing, although the work will take place outside their home, so they don't need to be there. Just leave the area clear for access.

5) Contact Your Gas Safe Registered Installer

Once your meter has been fitted, applicant will contact their chosen Gas Safe Registered Installer to schedule a start date for the work inside their home. This work normally takes between two and three working days.

Benefits of Natural Gas for your business:

- **Central heating**
- **Water heating**
- **Catering**
- **Tumble drying**
- **Gas for processes**

Natural Gas Appliances:

- **Natural Gas Cookers & BBQs**
- **Natural Gas Tumble Dryers**
- **Natural Gas Appliances**

Environment:

- **Reduce your Company's Carbon Footprint**
Natural gas burns 30% more cleanly than oil or coal so is easier on the environment. On top of that, a new high efficiency boiler is less wasteful on your operating costs whilst also reducing your boiler maintenance costs. Improving your company carbon footprint enables you to pass these greener credentials onto your customers or help your business to secure vital contracts.

Whatever your reasons are for improving your carbon footprint, switching to firmus energy natural gas can help your business achieve the highest standards of environmental performance.

Firmus Energy's Corporate Values

Firmus Energy's four values reflect what they are, how they do things and where they increasingly want to be:

- **Empathy** – Put their customers first. Deliver great customer service by focusing on understanding and meeting the needs of customers; simply, efficiently and courteously
- **Clarity** – Keep it simple. Listening carefully and communicate clearly. Aim for a shared understanding

- **Integrity** – Open and honest and won't let you down. Work in an ethical and straightforward way and honour the commitments and promises that are made
- **Teamwork** – Work together as one team

Why Firmus Energy?

- Help their customers become more energy efficient
- 1st class customer service
- 100% Firmus Energy staff are City & Guilds trained
- Just around the corner
- Care for the communities they work with through their CSR initiatives

Firmus Energy & the Local Community

- Dedicated CSR Committee
- Staff chosen Charity of the Year Total money fundraised for Shine NI in 2015 totally over £10k
- Over 100 'giving back' hours was committed to the 'warming communities' campaign in 2015
- In 2016 staff will choose its New Charity of the Year
- Bringing Natural Gas to Claremont, Moy, Blackwater town & Banbury

Firms Energy Gas Network

- **North-West**
Derry/L'derry, Limavady, Coleraine, Bushmills, Portstewart, Ballymoney and Ballymena
- **South-West**
Antrim, Lurgan, Craigavon, Portadown, Banbridge, Armagh and Newry
- **Total mains length** – c1,000km
- **Total customers** – c25,000

High Level Numbers

- Plan to invest over £2m installing c22km of infill gas mains
- Make gas available to over 1,400 homes and commercial premises
- Work ongoing in Charlemont, next phase Moy followed by Blackwatertown and Benburb
- Duration of mains work – approx. 14 months

The Chair, Councillor Burton thanked the representatives from Firmus Energy for their impressive presentation and asked Members for their comments.

Councillor Dillon enquired how much it would cost for the average homeowner to switch to gas.

Councillor McAleer entered the meeting at 7.22 pm.

Mr Stanfield stated that costs would be approximately £2,000 and this would include a new boiler, chimney, electrics and an up to date system. There are interest free payment options available to spread the cost of installation and pay as you go metering.

In response to a query from Councillor Clarke regarding the lifeline of the infrastructure, Mr Strain advised that it would be approximately 65 years before there was a need to replace the infrastructure.

Councillor Reid entered the meeting at 7.25 pm.

The Chair, Councillor Burton thanked the representatives for their attendance at which they withdrew from the meeting.

D031/16 Receive and confirm Minutes of the Development Committee held on Thursday 14 January 2016

Proposed by Councillor McNamee
Seconded by Councillor Forde and

Resolved: That the minutes of the meeting of the Development Committee held on Thursday 14 January 2016 (D001/16 to D026/15 and D016/16 to D025/16), were considered and signed as correct and accurate.

Matters for Decision

D032/16 Economic Development Report

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

- Regional Start Initiative Update
- New Business Start Programme
- 4G Mobile Services and TV Interference
- Mobile Phone Coverage – Dungannon Town Centre
- Association of Town Centre Management

The Head of Economic Development updated the Committee on the current situation in relation to 4G Mobile Services and TV Interference. She advised that following the Council Meeting on 28 January 2016, an invitation was extended to Mr Ben Roome, CEO at800 on 2 February 2016, inviting him to meet with Council regarding ongoing issues raised by residents. Mr Roome telephoned a member of staff to decline the invitation advising that this is the same letter which he received before and that Council had not yet responded to his request to provide details of customer concerns. The staff member advised Mr Roome that Council was not collecting details of customer concerns but were in fact providing any complainants with at800's details to liaise with them directly. The Head of Economic Development advised that a further letter was sent from the Council Chair, Councillor Linda Dillon dated 8 February 2016, reiterating the need for a meeting with Mr Roome. An email response was received from Mr Roome on 10 February 2016 advising that his earlier requests for details on customer

concerns are still outstanding and as such he is unable to accept this invitation, but noted he would be writing to Councillor Dillon on the matter.

Councillor McNamee advised that he was very disappointed with Mr Roome's response and with at800's Customer Services Department. He said that the public should be made aware of concerns regarding at800's service, as they are planning to maildrop over one thousand letters to residents in Dungannon and Magherafelt.

Councillor Wilson advised that a meeting had been held with Mr Jonathan Rose from Ofcom in December 2015 to raise concerns on behalf of Cookstown residents. Councillor Wilson advised that Mr Rose had said where similar work had taken place in other areas, there are approximately between 1 and 3 complaints per area whereas Mid Ulster is experiencing far in excess of these figures.

Councillor Wilson felt that Mr Roome was showing nothing but contempt towards the Council and suggested writing to the Minister of Enterprise, Trade and Investment to relay how this issue was affecting residents.

Councillor Wilson said this was proving a difficult issue to resolve and thanked economic development staff for their perseverance on the matter.

Councillor Reid raised concerns about inadequate Vodafone coverage in the Dungannon and Donaghmore vicinity and further afield.

Councillor Elattar also raised concerns regarding coverage, faults and customer service provided by O2 within the rural community. She advised that she tried to raise residents' concerns as an elective representative through their customer services team, but they refused to speak to her as she wasn't a customer.

The Chair, Councillor Burton felt that Council should be able to lobby on behalf of residents.

The Head of Economic Development advised that Council staff will soon embark upon a broadband and mobile phone scoping study to elicit from residents and businesses where the current 'not spots' exist, as previous studies undertaken by the legacy Councils are now out of date.

The Head of Economic Development updated members on the situation in relation to mobile phone coverage in Dungannon Town Centre. She advised that O2 reported that coverage in Dungannon town centre is good to very good, however as a result of O2's modernisation programme and the roll out of 4G, customers may experience intermittent service to their mobile devices. The Head of Economic Development advised that Vodafone advised that coverage in Dungannon town centre was good however, they said in some instances problems may exist within business properties that prevent the penetration of signals indoors due to the types of insulation used in premises. In response to request for a site visit to one business currently experiencing no signal indoors, Vodafone stated they do not conduct individual site visits and that problems should be relayed to their technical team.

Councillor Molloy referred to South West College's event for engineering businesses held on 10 February 2016 and advised that it would be in the Council's best interest to support it as much as possible. The Head of Economic Development agreed and advised that she was working with the College on the matter.

The Director of Business and Communities advised that it is important the two Colleges serving the Mid Ulster Region; Northern Regional College and South West College work together where possible, to benefit the area.

Proposed by Councillor Molloy
Seconded by Councillor Wilson and

Resolved: That it be recommended to the Council that approval be given to:

- **Regional Start Initiative and New Business Start Programme** – Members to note progress on the Regional Start Initiative Programme and New Business Start Programme
- **4G Mobile Service and TV Interference** – Members to await outcome of response from Mr Roome to the Council Chair
- **Mobile Phone Coverage – Dungannon Town Centre** – Members to note progress and lobby the mobile phone providers to take on board concerns raised by Councillors on behalf of local residents and businesses.
- **Association of Town Centre Management** – Annual membership of the Association of Town Centre Management at a cost of £495+Vat to be paid from existing economic development budgets.

D033/16 Events Review 2015

The Head of Tourism drew attention to the previously circulated report to review and critically evaluate the Council's portfolio of the strategic events which were delivered during 2015 and make recommendations for improvement for 2016/17.

Councillor Molloy referred to events and advised what may work in one area may not work in another and should resist the temptation to roll out across other areas.

Councillor Monteith raised concern about the marketing campaign for Christmas in Dungannon, and he felt that it was more to promote Mid Ulster Council and not shopping. He said that he had received negative feedback from traders and felt that it's up to the Council to work alongside traders.

Councillor Monteith stated that there was a need to fully utilise the Hill of the O'Neill for new events and other enhancements as there was only two strategic events scheduled to take place this year. This isn't showing good value for money with £12m being spent on its refurbishment.

Councillor Dillon requested that the events team organise two events to coincide with International Women's Day in March, one at the beginning and one at end of the month. The Head of Tourism stated that they could organise two events within the timescales. It was anticipated that the events would cost in or around £3,000 and could be delivered within this budgets between Economic Development and Tourism.

Councillor Forde referred to Maghera Firework Display and advised that in previous years the walkway got very mucky and felt that it was a good idea to incorporate the Walled Garden to set off the fireworks from the Rectory.

She advised that she attended the Christmas Market in Strasbourg and advised that it had an exceptional festive atmosphere unlike Magherafelt Christmas Market.

Councillor Forde enquired if the Christmas Market could be moved elsewhere instead of the town centre as there was a huge problem with traffic management and Traders not gaining any profits. She also asked that consideration be given to trying to investigate ways to enhance the whole festive atmosphere.

The Head of Tourism advised that the Christmas Market used to be held in the Old Market Yard at Rainey Street and when this become unavailable there was no other option but to move it to the town centre as the carparks had by-laws.

Proposed by Councillor Dillon
Seconded by Councillor C O'Neill and

Resolved: That it be recommended to the Council to proceed with the Women's Events to coincide with International Women's Day.

Councillor G Shiels felt that the three main towns should have their own separate identity to enhance their attractions and enquired if the presence of a bypass would prove a better site.

The Head of Tourism agreed that traffic management in Magherafelt town was a major challenge and would hope that the implementation of the bypass would prove positive.

The Director of Business and Communities stated in brief:

- That when delivering an event, an annual review should be carried out to raise the bar for further events
- That the three main trading towns should not lose their identity with a balance needed between them.
- That The Hill of the O'Neill needed to be utilised to gain the recognition of being the Beacon of the District.

The Chair, Councillor Burton agreed that the Christmas Markets needed to be enhanced to encourage people to come out and attend. There is also a need to make them a named visitor attraction so as not to compete with other areas.

Councillor G Shiels left the meeting at 8.10 pm.

Resolved: That it be recommended to the Council that Members agree that Officers develop and schedule a list of strategic events for incoming year 2016/17 and take into account a number of new strategic events for Mid Ulster.

D034/16 Magherafelt & District Motor Club

The Head of Tourism drew attention to the previously circulated report to seek permission from the Council for the use of the Magherafelt & District Motor Club to use the all-weather playing fields at the former High School Grounds, Tobermore Road, Maghera.

Proposed by Councillor McNamee
Seconded by Councillor McEldowney and

Resolved: That it be recommended to the Council to grant approval for the use of the former High School Grounds, Tobermore Road, Maghera for Magherafelt & District Motor Club to hold its annual rally, subject to Council being fully indemnified from loss or damage.

D035/16 DCAL Sub-Regional Stadia Programme for Soccer

The Head of Leisure drew attention to the previously circulated report to update Members on the Consultation response to DCAL on their Sub-Regional Stadia Programme for Soccer.

Councillor Wilson stated that this report was much better than the previous one, but there was no mention of volunteers or grant funding outside the Belfast area. This could have a detrimental impact on smaller clubs and felt that the Council should be fighting to take care of their clubs.

Councillor Reid advised that he had been approached by a small soccer team which used facilities at Castlecaulfield in the past but are unable to do so now due to the pitch being waterlogged and asked if a funding initiative could be identified to help the team.

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved: That it be recommended to the Council that the Head of Leisure liaise with Councillor Wilson on comments he wished to be added and the revised response be circulated to the members of Development Committee for approval before being submitted to DCAL by 22nd February 2016 subject to Council approval.

D036/15 Outdoor Recreation NI Request for Funding for the Continuation of the MountainBikeNI Consortium

The Head of Leisure drew attention to the previously circulated report to seek a decision on continuing support for the financial year 2016/17 for the Outdoor Recreation NI (ORNI) led consortium of Councils with Mountain Biking facilities.

The Head of Leisure advised that if Members wanted to see Blessingbourne's proposal this can be circulated.

The Chair, Councillor Burton felt that Blessingbourne Mountain Bike Trail should be granted the same recognition as Davagh Forest Trails.

Proposed by Councillor Wilson
Seconded by Councillor Molloy and

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

1. A contribution of £16,666 being made to the MountainBikeNI consortium, towards the cost of employing a Mountain Bike Marketing Officer for 2016/17 only and that the workings of the consortium to be reviewed for the following year. This is to subject to agreement on budgets for the next financial year and all consortium partners agreeing to provide funding at the levels presented in 3.1 (*as listed below*) and if this is not the case then a further report would be brought back to Council for consideration:

Newry, Mourne and Down District Council Rostrevor Trails (National Trail) Castlewellan (National Trail)	£23,332
Mid Ulster District Council Davagh (National Trail) Blessingbourne (Regional Trail)	£16,666
Belfast City Council Barnetts Demesne (Regional Trail)	£5,000

2. Proceed with the advertising campaigns costing £9,250 over 2016/17, subject to agreement on budgets for next year and to Officers being satisfied with the value of the campaigns
3. Not agreeing to ORNI's proposal of a three year plus three year sponsorship opportunity being offered but agree to a one year opportunity only with a possible one year extension subject to MUDC approval in line with other partner Councils direction.

D037/15 Forest Recreation Audit

The Head of Parks drew attention to the previously circulated report to seek formal adoption of the Forest Recreation Audit Report 2015.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved: That it be recommended to the Council that the Forest Recreation Audit Report be adopted as a template of potential development for the Mid Ulster Council area.

Matters for Information

D038/15 Holiday World Shows, Belfast & Dublin

The Head of Tourism drew attention to the previously circulated report to inform Council of Mid Ulster Council Tourism Staff promotion at Holiday World, Belfast (15-17 January) & Dublin (22-24 January).

Proposed by Councillor McNamee
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that Members note the report on Holiday World Shows, Belfast & Dublin.

D039/15 Leisure Services Progress Report

The Head of Leisure drew attention to the previously circulated report to update Members of the progress being made regarding activities in Leisure Services and highlight events that will be occurring in the future.

Proposed by Councillor Clarke
Seconded by Councillor M Quinn and

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

D040/15 Parks Service Progress Report

The Head of Parks drew attention to the previously circulated report to update Members of the progress being made regarding activities associated to the Parks Services and highlight events or consultations that will be occurring in the future.

Councillor Monteith referred to Park Lake and felt that it should be utilised better to support both game and coarse angling. He stated that this should be encouraged as this Council has been the only one not considering it.

The Head of Parks advised that the Council is in continued consultation with user groups to develop sustainable angling opportunities for both game and coarse anglers to the lake.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

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

D041/15 Culture and Arts Progress Report

The Head of Culture and Arts drew attention to the previously circulated report to update Members on the progress being made in Culture and Arts Services and highlight events that have occurred during the months of January. Also to identify events and activities within Culture & Arts Services that will be occurring in the future.

Proposed by Councillor Monteith
Seconded by Councillor Wilson and

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

Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Molloy and

Resolved: That items (D042/16 to D053/16) be taken as confidential business.

D054/16 Duration of Meeting

The meeting commenced at 7.10 pm and ended at 9.25 pm.

CHAIR _____

DATE _____

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Minutes of Special Meeting of Mid Ulster District Council held on Thursday 11 February 2016 in the Council Offices, Circular Road, Dungannon

Members Present: Councillor Dillon, Chair

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

Officers in Attendance: Mr A Tohill, Chief Executive
Ms Campbell, Director of Culture & Leisure
Ms Canavan, Director Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mrs Mezza, Head of Marketing Communications
Mr McCreesh, Director of Business and Communities
Mr Moffett Head of Democratic Services
Mr Tohill, Director of Finance
Mrs Forde, Member Support Officer

The meeting commenced at 7pm

SC7/16 Apologies

Councillors Forde, Mallaghan, McLean and J Shiels

SC8/16 Declarations of Interest

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

SC9/16 Chairs Business

None.

Matters for Decision

SC10/16 Minimum Revenue Provision Policy

The Director of Finance drew attention to the previously circulated report regarding the 2016/2017 Minimum Revenue Provision Policy and drew attention to the amendment which would allow Council to match its MRP with associated loan principal repayment schedules where it is deemed appropriate. The Director outlined that in general, the amendment would not have a material impact but would offer Council the flexibility to calculate Rate estimates on a more practical basis. The

Director recommended that Council approve the 2016/2017 Minimum Revenue Provision Policy.

Proposed by Councillor S McGuigan
Seconded by Councillor McGinley and

Resolved That the 2016/2017 Minimum Revenue Provision Policy be approved.

SC11/16 Robustness of the Estimates

The Director of Finance drew attention to the previously circulated report on the robustness of the Rate Estimates for 2016/2017 and drew attention to key issues outlined in the report in particular that the rates were prepared, in so far as possible, on a zero base basis; relevant Directors and budget holders consulted; consideration given to implementing decisions of Council in relation to capital projects and other initiatives; and, on the basis of assumptions and information provided to Council by third parties for example Department of the Environment and Land and Property Services.

Proposed by Councillor McGinley
Seconded by Councillor S McGuigan and

Resolved That the report and associated comments of the Director of Finance in relation to the robustness of the rates be noted

SC12/16 Adequacy of Council's Reserves for 2016-17

The Director of Finance drew attention to the previously circulated report on the adequacy of Council's reserves drawing attention to the key issues outlined in the report.

In response to Councillor S McGuigan's query the Director of Finance advised that the cash reserve to fund landfill site closures detailed within the key issues at 3.9 referred to landfill sites in Cookstown and Magherafelt and that Tullyvar was funded separately.

The Director of Finance stated that the Council reserves as outlined in the report were adequate, advised that Council also had an overdraft facility and requested that Members note the report.

Proposed by Councillor McGinley
Seconded by Councillor McPeake and

Resolved That Members note the report Adequacy of Council's Reserves for 2016-17

SC13/16 Estimates of Income and Expenditure for financial year 1 April 2016

The Director of Finance drew attention to the previously circulated report regarding the Estimate of Income and Expenditure for financial year 1 April 2016/2017 and highlighted the key issues contained within it.

The Director of Finance sought approval to increase the District Rate Poundage by 1.7% (from the 2015/16 District Rate Poundage), which would, given the calculations involved, in turn also reflect a 1.7% increase in the District Non-domestic and domestic Rates.

Councillor B McGuigan drew attention to the issues he had raised at the Special Policy and Resources meeting held on Wednesday 10 February regarding gaps in funding in relation to the Arts and the need to have funding available to address inequalities across the district. Advising that since his request he had learned that for every £1 funded by Council a similar amount in match funding could potentially be secured from central government. The Councillor therefore advised that his previous request for £100k would be halved thus together with a £10k re-profiling of funds within the existing proposed Arts budget would reduce the amount requested to £40k. The Councillor named two groups within the area he represented which he felt could, like other groups, potentially benefit from such funding and highlighted that other external funding could be availed of by the groups, if the groups were initially funded by their Council. Councillor B McGuigan spoke of the strong community focus of community groups, how they were nurturing emerging talent and the wide range of activities they provided within the District. In conclusion the Councillor stated that many community groups had not been in a service level agreement with their legacy Council and emphasised the importance of supporting such groups in order that the exceptional work they deliver is maintained.

Councillor B McGuigan proposed to make an additional £40k available for the Arts.

Councillor McPeake highlighted the £65k included within the proposed Rate Estimates for sports capital grants; this budget provision was a carryover from the former Magherafelt District Council. He noted that during the current year (2015/16) the original sports capital grant budget had been augmented by an additional £90k, which represented the 2014/15 income share received in 2015/16 that was provided for within the terms of the Management Agreement between RM Fitness Ltd trading as Pulse Fitness for the operation of Greenvale Leisure Centre. The Councillor stated that there was no guarantee of similar monies being available within the current year and thus proposed to include an additional £100k within the proposed capital sports grant budget for 2016/2017.

Councillor McPeake made reference to the Irish Language Policy, the forthcoming Ulster Scots Policy and the expectation within the community to have adequate resources to support, for example, bursaries which over 200 children had availed of in the current year. Councillor McPeake suggested that an additional £50k be included in the budget estimates for the provision of bursaries and other items of expenditure together with an additional £20k to fund signage which would be consistent with the Council's language policies. The Councillor stated that it was pointless having policies without the resources to deliver them. Referring to his previous suggestion that the Rate Estimates also include an appropriate amount to

fund additional administrative support for all regional and minority language matters, he noted the Chief Executive's previous comments in relation to the ongoing review of business support arrangements within Council and stated that whilst there was appeared to currently be an administrative burden on the existing staff within the department, he accepted a further increase in staff numbers prior to the conclusion of the business support review would be premature. He therefore confirmed that he was no longer requesting that the Rate Estimates be increased to fund additional administrative support.

Councillor McPeake summarised by proposing that an additional £100k be included in the Rate Estimates for Sports Capital Grants and an additional £70k for regional and minority languages.

Councillor Wilson stated that, whilst he fully supported the Arts, he felt that Councillor McGuigan's naming of specific community groups could be interpreted as potentially discriminating against other community groups and sought clarification as to how, if approved, the additional £40k funding would be allocated.

In response Councillor B McGuigan stated he had only named groups that he was aware of but any group should be able to apply to avail of the additional funding as the allocation should be through a managed application process. He stated that, whilst he had named certain community groups that he was familiar with, if there was no additional money in the budget no community group could access any funding.

The Chair, Councillor Dillon, in response to Councillor Wilson's concerns, clarified that, on a regular basis during Council and Committee discussions, Members named community groups which were known to them. She emphasised that the Council was discussing the 2016/17 Rate Estimates and would not be making decisions tonight in relation to which community groups could or would be awarded funding in 2016/17. She added that the decisions being taken at this meeting were as to what money should be available for such and other purposes in 2016/17.

Councillor Wilson replied that he thought that naming any group could be interpreted as putting them at a distinct advantage relative to other groups and emphasised that Council needed to address service level agreements with community groups. However, he acknowledged that it was the 2016/17 District Rate which was being discussed at the meeting.

The Chair, Councillor Dillon stated that she did not agree with Councillor Wilson's assessment and felt it was not unreasonable for any Member to refer to a community group they were familiar with.

Councillor McPeake stated that he was aware of the two groups mentioned by Councillor B McGuigan and stated that both were known to Council, had grown stronger year on year and emphasised that their growth to date had not been reliant on the support of Council.

In response to Councillor Cuthbertson's comments regarding spend in relation to minority languages the Director of Culture and Leisure stated that sign language classes had been funded through minority languages budget as had an Irish

language programme and that she could, if required, provide more detail in relation to spend in the future. Councillor Kearney stated that he had attended the sign language programme.

Councillor M Quinn stated that the SDLP were opposed to any increase in the District Rate and emphasised that the proposed 1.7% increase in District Rate Poundage was too high and that they would be very concerned if the proposed increase was further raised. The Councillor spoke of the difficult economic climate, the fact that many people were struggling to pay for food and heat and stated that a 1.7% rise on top of the 3% rise last year was unacceptable. The Councillor continued stating that, instead of the Council raising the District Rate Poundage, areas of Council expenditure should be identified to trim back and that such cutbacks should start with Members' allowances and could, for example, look at waste management costs and the costs of running leisure centres. He was emphatic that the rate payer should not be used as a bank by the Council. The Councillor made reference to recent comments made by Magherafelt Chamber of Commerce and acknowledged that the financial pressures previously notified to Members during discussions in relation to the 2016/17 Rate Estimates, e.g. the rise in national insurance costs were crippling. The Councillor stated that he was a realist and noted that a rise would be needed to maintain services and promote rural development. He stated that whilst he concurred with making more money available for the arts and minority languages he believed that Council should seek greater efficiencies when agreeing its 2016/17 Rates Estimates. Councillor M Quinn suggested a 0.8% rise in the District Rate Poundage.

Councillor McEldowney confirmed that she too had completed the sign language course referred to by the Director of Culture, Arts and Leisure and stated that even to have basic skills was money well spent.

Councillor Cuddy stated that the previous £37m budgetary spend on services and grants had delivered and he noted that, instead of Council maintaining same, the proposal was to increase the budget by an additional £2m. he also noted that Council's long term debt had recently raised from approximately £5.5m to approximately £12.5m. The Councillor made reference to a recent meeting with the DSD Minister at which it had been stated the DSD would face a 6.5% cut to its budget next year. Councillor Cuddy expressed disappointment at the Sinn Féin party for seeking additional monies at this late stage, stating if they had raised the issue earlier consensus could have been reached in the Chamber. Referring to earlier comments in relation to the spend on the Arts in the northern area of the district, the Councillor made reference to the Council's commitment to the Seamus Heaney Centre. He emphasised his disappointment at the request made and the fact that the former Magherafelt District Council had delivered little in the way of sponsorship to the Arts. Councillor Cuddy made reference to the economy and the information from advice services which indicated that people were suffering. He stated that the three legacy councils had run different but reasonable organisations, but their financial prudence was being lost. The Councillor stated that 'pet' projects needed to be set aside and emphasised that the organisation should work for all. Councillor Cuddy concurred with comments made by Councillor M Quinn and stated that Council needed to deliver services effectively and that senior management focus should be on achieving savings.

Proposed by Councillor M Quinn
Seconded by Councillor Cuddy

That the Rate Estimates be reduced so that a 0.8% in the Domestic Rate Poundage is achieved.

The Chair, Councillor Dillon stated that she took exception to Councillor Cuddy's comment on 'pet' projects as all Members were concerned with their own areas.

Councillor Cuddy stated that he would withdraw the comment but stated that the principle is that all should look at the 'bigger picture.'

Councillor McPeake stated that proposals were brought to the Special Policy and Resources Committee and as such the choreography of striking the District Rate was such that this meeting was the only opportunity to bring these proposals. With regard to the comments made by Councillor M Quinn, Councillor McPeake expressed an interest in learning of how the Councillor would propose to reduce the budget by such amount as would reduce the proposed increase in the District Rate Poundage of 1.7% by 0.9%.

Councillor S McGuigan sought clarity as to the position of other councils in regard to the striking of their District Rate, if the Chief Executive and management team felt the proposed District Rate was justified as Members had to make a decision based on delivering an excellent service. The Councillor emphasised that Members had already received the Officers recommendation in the previously circulated reports and suggested that the Council needed to move forward.

Councillor Ashton stated that in both the legacy Councils in which she had served pride had been taken in being at the lower end of the councils' District Rate table and that she wished Mid Ulster District Council to be the same. The Councillor stated that money was tight and acknowledged that everyone wanted projects in their own areas. However, not all rate payers participated in the arts nor minority languages. Councillor Ashton stated that the DUP would not support a further increase in the District Rate Poundage and noted that this was the second year of the newly formed Council. She said that everyone needed to 'tighten belts' and that the DUP would support through both efficiency and underspend a 0.8% rise in the District Rate Poundage. She stated that she would further propose a review every quarter of the Council's finances by the Policy and Resources Committee to identify in-year underspends and the funding of new projects through these surpluses.

Councillor Cuddy in response to Councillor McPeake stated that there was a difference between strategic and operational decisions and that he felt Council should have a strategic approach. The Councillor stated that in the former Dungannon area the District Rate Poundage had, since the reorganisation of local government, increased almost 8% which was unfair. The Councillor further stated that the UUP wanted to work with all parties to deliver a mature balanced programme in local government but proposals this evening, if accepted, would mean an additional £400k would have to be found and if the Rate Support Grant

disappeared, Council would have major problems as the reserves were at the lower end of the recommended scale and the Seamus Heaney Centre would be costly.

Councillor Elattar stated that she was glad that Councillor Cuddy had withdrawn his earlier comments regarding 'pet' projects as the two organisations her colleague had referred to were providing intergenerational and cross community programmes as well as addressing mental health issues in rural areas. Referring to community planning, the Councillor asked how Council could deliver without an adequate budget. Councillor Elattar stated that whilst 'pet' projects had been withdrawn some Members had 'pet hates' and made reference to comments made by Councillor Ashton regarding the Irish language when money was sought for minority languages. The Councillor also emphasised that the Seamus Heaney Centre was a major project.

Councillor Cuddy stated that the former Magherafelt District Council had not sponsored the organisations highlighted and emphasised that the close party relationship enjoyed in the former Dungannon and South Tyrone Borough Council had been lost. He stated that the Council could not continue to put the previously mentioned £2.4m on the Rates year on year as people would not support it.

The Chair, Councillor Dillon stated that there were issues in all areas and Mid Ulster District Council would not neglect its responsibility.

Councillor M Quinn stated that in order to identify savings Council could look at its leisure centres for savings, an audit could be carried out on council property and lands excess to requirements sold. He felt that each department could look for savings and cuts as necessary.

Councillor McPeake stated that Councillor Quinn's comments did not address his question as all departments had been trimmed to the bare minimum necessary to deliver the Council's existing services.

Councillor C O'Neill left the meeting at 7.50 pm

The Chief Executive outlined some costs which Council had no control over such as the increase in cost for blue bin waste; end of national insurance rebate and various inflationary rises. He stated that even if Council wanted to stand still in terms of service delivery these costs would still have to be met together with addressing the needs of the community. The Chief Executive stated that the implementation of the proposed reduction to the proposed District Rate Poundage increase would not come without consequences. He made reference to the Council's previous decision to become a 'living wage employer' which was an example of a decision which could not be implemented without cost. The Chief Executive stated that he would ask the Chair to adjourn for his Senior Officer team to discuss the proposed reduction in the proposed District Rate Poundage.

Councillor C O'Neill returned at 7.57 pm

Councillor McKinney sought clarity as to how Councillor M Quinn would propose to deliver the proposed 0.8% increase in Domestic Rate Poundage. The Councillor

made reference to previously mentioned potential savings and stated that value for money was required. He said that Council represented the people of Mid Ulster and it had to make the area attractive for business and encourage the development of quality jobs. He stated that to add another £400k would increase the District Rate Poundage by 0.5%.

Councillor McPeake stated that the additional expenditure proposed was £210k and not £400k.

Councillor McKinney corrected his calculated increase in District Rate Poundage to be 0.25% but stated that the future was not bright.

Councillor McGinley made reference to some Members' comments regarding "11th hour business" and stated that three parties appeared to have agreed a 0.8% increase in the District Rate Poundage beyond even the 11th hour. The Sinn Féin party, however, had attended meetings and proposed what they thought would be workable. The Councillor sought clarity as to where the proposed cuts were to come from.

Councillor Cuthbertson stated that since budget and Rate discussions had commenced the DUP party made a commitment to ensure the District Rate was kept as low as possible and that they were aware of the increased costs faced by Council. However, they had to be mindful of the people who had elected them, thus they supported the proposed increase in District Rate Poundage of 0.8%. Referring to businesses in particular, the Councillor stated "if you were 'up against a brick wall' even another £20 can be difficult". The Councillor concluded that he did not want to face Linen Green businesses, householders in Coalisland or on the Lough Shore who had lost all in the recent storms if the District Rate Poundage rose in the amount suggested by Sinn Féin.

Councillor Monteith asked where a 1.7% rise in District Rate Poundage would put Council on the councils' District Rates league table, could services be delivered on the basis of a 0.8% increase and referred to the fact that he was a Member of the Development Committee which had discussed grants since November and he had never heard of a risk to sports development funding. If it was at risk, the Councillor sought for clarity as to how much this could be. He stated that Members had a legal obligation to listen to the opinion of the Chief Executive and sought the Chief Executive's views in relation to the debate.

The Chief Executive, in response to Councillor Monteith, stated that with a 1.7% rise in District Rate Poundage Council would be third lowest on the Northern Ireland councils' District Rates league table. With regard to delivering services on the basis of a 0.8% in District Rate Poundage, the Chief Executive stated that 1.7% was required to deliver Council services as Council presently understood them to exist. He further added that a District Rate Poundage rise less than requested would significantly impact on the provision of Council services and result in a reduction in Council employment. He reminded Members of the recent launch of the Mid Ulster District Council Local Economic Development Strategy at Stormont which would require finance to deliver. The Chief Executive stated he could not recommend a striking of a District Rate which would deliver an increase in the District Rate

Poundage of less than 1.7% and still confirm the delivery of the full range of Council services.

The Director of Culture and Leisure in relation to Sports Capital Grants reminded Members that in 2015/2016 the budget had been made up of £65k from the former Magherafelt District Council and £90k income share from Greenvale Leisure Centre. She pointed out that, whilst she could not be absolutely sure at this stage of the financial year, it looked like the income share from Greenvale Leisure Centre for 2016/2017 would be significantly lower than the £90k in the previous year.

Councillor Ashton stated that the DUP believed the saving could be made from utilising 2015/16 in-year underspends identified by the Director of Finance in previous meetings together with further streamlining of the costs of service provision. The Councillor emphasised that there was no issue with any organisations named previously in the meeting but asked what would happen if the said groups were not successful in the grant application process. Concluding Councillor Ashton stated that she felt that by identifying any department for additional budget allocation was opening up a minefield.

Councillor Bell stated that he felt that the political parties other than Sinn Féin were being disingenuous as if the proposed increase in the District Rate Poundage was reduced, the Council would be financially hamstrung. He said that the suggestions to reduce the proposed increase were a political stunt when how the cuts necessary to deliver the proposed reduction had not been put down on paper.

The Chair, Councillor Dillon stated that the discussion was becoming fractious.

Councillor Clarke emphasised that the amount of overheads the Council would face in the incoming year had been clearly stated and that he believed that the Chief Executive and Directors had been appointed to do a job that includes streamlining of costs. He felt that to indicate that they had done otherwise indicated a lack of confidence in them. The Councillor stated that the facts had been presented to cut costs by in excess of half a million pounds and asked what could the Council do to deliver savings on such a scale, cut leisure provision for example. Councillor Clarke stated that much of the discussion was optics for the press and that Members had been elected by the people of Mid Ulster to lead a Council which was good for them and the area. He said that the proposal by Officers was the general thrust for delivery in the future.

The Chief Executive referred to Councillor Monteith's questions and stated that without a 1.7% rise in the District Rate Poundage he could no longer provide an assurance that the Council would be able to meet the recommended level of reserves.

Councillor Bell left the meeting at 8.15pm and returned at 8.16pm.

Councillor Kearney made reference to the restoration of the Rates Support Grant by Minister Durkan and that whilst there were still challenges he requested that a letter of thanks be forwarded for the restoration. In regard to businesses Councillor Kearney stated that Members had been approached by Magherafelt Chamber of

Commerce who had highlighted difficult trading conditions and whilst all remembered the launch of the economic plan in Stormont businesses were still suffering the aftermath of last year's Rate increase. The Councillor made reference to the fact that working in an MLA's office meant he had seen at first-hand the difficulties people were facing with austerity, the difficulties of biomass problems, single farm payments and that although there was much to celebrate such as the village plans and public realm schemes there was a need to be prudent. Referring to the former Magherafelt District Council, Councillor Kearney stated they had found other forms to support the Arts. Councillor Kearney stated he would be delighted to support only a 0.8% increase in the District Rate Poundage and suggested that the answers to the necessary cost reductions could be found in the ranks of the Officers.

The Chair, Councillor Dillon stated that whilst Minister Durkan had restored part of the Rates Support Grant much was still owed to councils and she wished that she shared the Member's confidence in him. She stated that there was much to celebrate such as the Seamus Heaney Centre, Public Realm Schemes and Village Plans. The Chair, Councillor Dillon stated that officers had presented the report together with the figures and enquired on Members' faith in the report presented to them by senior officers.

Councillor McGinley stated that the conversations being had were somewhat reckless and were now exhausted and that he would need clarification of where the savings could be saved from

Councillor McGinley proposed that, as by his calculation the additional £210k, when added to the Rate Estimates presented by the Officers, would result in an increase in District Domestic Rate Poundage of approximately 1.95%, the Council approve revised Rate Estimates that included the additional £210k of expenditure and the associated District Domestic Rate be struck that would deliver an approximate increase in District Domestic Rate Poundage of approximately 1.95%.

Councillor Wilson stated that the UUP had every faith in Officers but it was a Member's role to scrutinise. The Councillor sought clarity on the reserves, the under-spend and suggested that new figures be produced. Councillor Wilson proposed that the meeting be adjourned.

Councillor Bell acknowledged that the decision to raise the Rate was difficult but in order to move forward Members needed to work as one Council and have mutual understanding and agreement.

Councillor McPeake seconded the proposal of Councillor McGinley that revised Rate Estimates that included the additional £210k of expenditure be approved and the associated District Domestic Rate be struck that would deliver an approximate increase in District Domestic Rate Poundage of approximately 1.95%.

In response to Councillor Wilson's questions the Director of Finance clarified that, at the Special Policy and Resources meeting held on the previous evening, underspend had been identified as including the items of potential 2015/16 expenditure which had not yet been incurred such as the £100k allocation towards the Council's General Power of Competence, £125k on restructuring and

reorganisation of working practices, £50k for local government auditor in relation to performance improvement, £100k potential for business rate payers regarding appeals for rate evaluation, £73k to reflect the implementation of becoming a living wage employer. The Director made further reference to additional funding in the Rates Support Grant of £326k but acknowledged that it was not at the level it should be. The Director continued that the grant for the Seamus Heaney Centre of £980k together with underspend in Economic Development of £900k were planned to roll forward to projects in 2016/17. The Director also made reference to underspend in culture and leisure £140k and projected environment and property of £200k in relation to underspend in fuel. The Director stated that members would have been aware of the figures which total almost £2m but it would not be a sensible approach to use this balance to reduce the rates as once money is cut it is gone forever and some of the underspend identified will be utilised in the coming year. The Director also emphasised that some surpluses contributed to the adequacy of the reserves.

Councillor Elattar left the meeting at 8.30pm

The Director of Finance highlighted a scenario in order to achieve a district rate increase of 0.8% that Council could do so by, for example, closing Cookstown Leisure Centre but then other costs would inevitably occur. The Director outlined a description of reserves and concurred with the Chief Executive that the reserves were only adequate if the district rates increase was 1.7%.

Councillor Elattar returned to the meeting at 8.33pm

Councillor Molloy concurred with the Director of Finance's comments and stated that money set aside for projects needed to be spent in developing sites and the underspend in economic development needed to be spent in the economy. The Councillor also stated that there was a rapidly growing population in the southern area of the district and Council needed to enhance services as he personally did not get elected to cut them but rather to improve.

Councillor Robinson left the meeting at 8.35pm

Councillor Bateson stated in jest that another Chief Executive and Finance Officer could deliver 0.8% but in order to keep the social fabric of the district and in fact to enhance it the rates increase presented was required.

Councillor Robinson returned to the meeting at 8.37pm

Councillor S McGuigan stated that before the meeting adjourns to summarise the facts officers had sought a rise of 1.7%, Sinn Féin had asked for 1.95% but how did those proposing 0.8% hope to make it work.

The Chair, Councillor Dillon stated that Officers had advised Members what was required to deliver services and to adjourn the meeting it may take a number of hours for officers to reconsider and present new figures.

The Chair Councillor Dillon stated the meeting would adjourn for ten minutes.

The Chief Executive stated Officers could not reconsider within that time limit.

The meeting adjourned at 8.40pm

The meeting recommenced at 9.09pm

The Chair Councillor Dillon called the meeting to order to consider proposals.

Proposal One

That the rise in rates be approved at 0.8%

Councillor M Quinn stated that the SDLP Party had met as a group and considered the comments of the Chief Executive and Director of Finance and withdrew the proposal of 0.8%. Councillor M Quinn stated they would put their trust in the officers.

The Chair, Councillor Dillon stated that this is what she would have expected.

Proposal Two

Proposed by Councillor McGinley
Seconded by Councillor McPeake

That the rise in rates be approved at 1.95%.

Councillor McPeake also stated that 1.7% was very tight and even with 1.95% there would be no additional spend and people needed to reflect on this.

Councillor Wilson stated he had no comment

Councillor Ashton requested that a vote be taken.

Councillor Cuthbertson stated that it was disappointing that no movement, compromise or efficiencies could be agreed. The Councillor stated that Councils were amalgamated to save money and that perhaps Council should take a lead from Stormont and look at reducing departments to save money. In response, the Chair, Councillor Dillon stated that there had been redundancies resulting from the amalgamation of Councils and that if staff could be done without she would be open to suggestions but in reality the staff employed were required.

The Chair called for a vote on proposal two

For	23
Against	13

Resolved

That revised Rate Estimates that include the additional £210k of expenditure be approved and the associated District Domestic Rate be struck that would deliver an approximate increase in District Domestic Rate Poundage of 1.95%

Strike the Non- Domestic and Domestic District Rate for 2016/17
in the amount of 23.1969 and 0.3081 respectively

SC14/16 Duration of Meeting

The meeting was called for 7.00pm and ended at 9.15pm

CHAIR _____

DATE _____

H

Subject Conferences & Seminars - February 2016

Reporting Officer P Moffett, Head of Democratic Services

1	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for attendance and the payment of registration/ attendance fees and associated costs, as incurred.
2	Background
2.1	The following seminar/ conference sessions are presented for consideration of representation from Mid Ulster Council.
2.1	Approval for Consideration of Attendance
2.1.1	<i>Chief Executive's Forum: Women's Leadership Conference Leading the Future</i> <ul style="list-style-type: none"> · Friday 11 March in Titanic, Belfast (8.45am - 4.30pm) <ul style="list-style-type: none"> ○ Director of Organisational Development ○ Director of Culture & Leisure
2.1.2	<i>Balancing the Books: Local Council income generation, trading and investment</i> <ul style="list-style-type: none"> · Friday 11 March in the Mount Conference Centre, Belfast (9.30am-12.45pm)
2.1.3	<i>New Northern Ireland Planning System One Year on: Getting it Right</i> <ul style="list-style-type: none"> · Thursday 24 March, Riddell Hall, Belfast (8.50am - 1.10pm)
2.1.3	<i>Awarding Public Contracts Lawfully & Skilfully within NI Procurement Rules</i> <ul style="list-style-type: none"> · Tuesday 10 May, Hilton Hotel Waterfront, Belfast (9.30am - 4pm) <ul style="list-style-type: none"> ○ Head of Environmental Services
2.2	Retrospective Approval
2.2.1	There are occasions when meeting timetabling and short notification for registration does not permit council approval being secured before attendance at seminar and conference by members and/ or staff. Retrospective approval is sought for attendance as detailed in Appendix B to this report.

3	Key Issues
3.1	N/A

4	Resources
4.1	<u>Financial</u>
4.1.1	<i>Chief Executive's Forum: Women's Leadership Conference Leading the Future</i> · £80 per person
4.1.2	<i>Balancing the Books: Local Council income generation, trading and investment</i> · £75 per person
4.1.3	<i>New Northern Ireland Planning System One Year on: Getting it Right</i> · £115 per person
4.1.4	<i>Awarding Public Contracts Lawfully & Skilfully within NI Procurement Rules</i> · £184 per person

5	Other Considerations
5.1	Costs associated will be set against 15-16 member Conference and Seminar allocations.

6	Recommendations
6.1	Approval for attendance at the conferences/ seminars by members and council officers as required.

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



CHIEF
EXECUTIVES'
FORUM

28 January 2016

Women's Leadership Conference: Leading for the Future

Friday 11 March 2016

08:45 - 16:30

Titanic, Belfast



Inspiring business
Northern Ireland

Once again IoD NI and the Chief Executives' Forum are organising this conference which will be held at Titanic Belfast. The speaker line-up includes Deborah Mitchell, founder of the global skincare empire, Heaven; Colette Kidd, Head of Talent Development at Kainos and Dame Mary Peters, President of the Mary Peters Trust, which supports rising new sports stars. Planet K2 will address their expertise in sports performance improvement to the workplace.

Speakers will cover topics such as agile working, improving performance, recruiting Generation Z, tackling new markets and the impact of changing technology. Susan Hayes Culleton, an outstanding event chairperson, will host the day, which will feature the popular Marketplace, showcasing the produce of companies run by local business women.

The cost for this event:

- Early bird tickets purchased before 31st January 2016 are £80 + VAT
- Tickets purchased after 31st January 2016 are £90 +VAT

Please note, on-line registration is for credit card payments only with access through the REGISTER link below.

Alternatively, if you wish to be invoiced, please contact Julie-Anne Clarke at email: julie-anne.clarke@iod.com, telephone: 02890 683224.



APSE Northern Ireland Seminar

Friday 11 March 2016, The Mount Conference Centre, Belfast

Balancing the books

Local council income generation, trading and investment

A free event for APSE members



Seminar programme

9:30 Registration and coffee

10:00 **Welcome - Cllr Martin Reilly, Derry City and Strabane District Council, Chair of APSE NI**

A commercial approach for local authorities

- Managing the risks of income generation and trading
- Set your policies, know your resources
- The role of internal and external audit in the agenda

Speaker: Louise Mason, Assistant Auditor General, Financial Audit and Local Government Auditor, NI Audit Office

Assets for investment

- What can you invest in for new financial returns?
- Staying on the right side of your financial duties
- Using new and existing assets
- Managing your asset base for effective income generation

Speaker: Alan Bermingham, Policy and Technical Manager, CIPFA NI

Break 11:10 am – 11:30 am

Using your legal powers for income generation

- Busting the myth about the need for a trading company
- 10 things you can do using your charging powers
- Taking a risk but acting with due diligence?

Speaker: Andrew Uprichard, APSE Associate

Reviewing your service to support a new culture of commercial income

- Where we were at the start of our journey?
- What were the fundamental building blocks including service and business planning?
- What were the main issues and how did we overcome them?
- What are the key successes?

Speaker: Mel Henley, APSE Associate and former Head of Streetscene Services, Chesterfield Borough Council

Income from charging and third party sources

- Fees and charges: Have you gone back to basics?
- Bidding for external funding pots
- Using your community assets to deliver on the big policy challenges

Speaker: Caroline Davies, Public Open Space Manager, Knowsley Council

12:45 Networking lunch & close

About the seminar

The local government environment continues to change. Whether it is new powers, new functions, reduced budgets, expected future cuts or just completing the day job whilst bedding in the new councils, officers and councillors need to be aware of new approaches and options.

Trading and charging has gone on for many years within local authorities, so raising income is not new. However, the pressure to make sure councils are making the most of their opportunities to raise income remains. It is vital they have a well-considered approach, clear policies and fair charges which will benefit the public, the local authority and those paying the charges. As funding is squeezed and the demand for services grows, this pressure will grow over the coming years rather than diminish.

Should the approach be to continue to salami slice our services or to seek out new sources of income to help balance the books? This seminar will explore the legal and accountancy framework for income generation, charging and trading models and new models of investment led income generation.

Speakers from the NI Audit Office and CIPFA will talk about putting in place a framework for income generation, risk management and using your assets as well as accountability and governance. There will also be a session on what your legal powers allow you to do as a council raising income.

Speakers from case study councils will also focus on practical and operational issues showcasing income generation through frontline service delivery in street scene, park and public realm and environmental services.

There will be adequate time for delegates to ask questions and debate the topics as well as highlighting where their councils are currently engaged in this agenda.

The New Northern Ireland Planning System:

One Year On Getting It Right

Half-day Seminar Programme

Tuesday 24 March 2016.

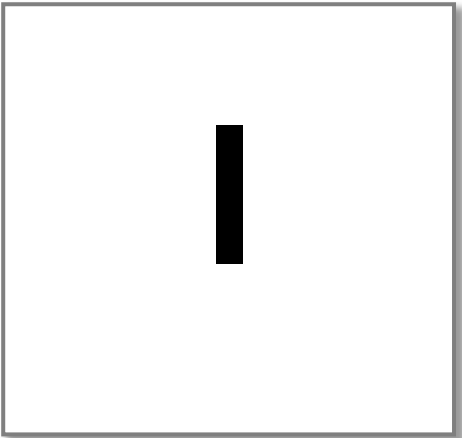
Riddell Hall, Queen's University Belfast, Stranmillis



TIME	EVENT	SPEAKER
08:50	Registration and networking	
09:20	Chairman's introductions and welcome	Seamus McKee <i>Evening Extra, BBC Radio Ulster</i>
09:25	Setting the context	Michael Gordon <i>Office Director, Turley</i>
SESSION ONE – A YEAR IN REVIEW: PROGRESS TO DATE		
09:30	A better planning system for all: is the new regime delivering?	Angus Kerr <i>Director, Planning Policy, Department of the Environment</i> <i>Invited</i>
09:45	Challenges and opportunities: the local government perspective	Phil Williams – <i>Director, Planning & Place, Belfast City Council</i> <i>Confirmed</i>
10:00	View point: stakeholders give their assessment	John Armstrong <i>Chief Executive, Construction Employers Federation</i> <i>Confirmed</i> Carol McTaggart <i>Group Director of Development, Clanmill Housing Group</i> <i>Invited</i> Rachel Anderson <i>Chair, Northern Ireland Renewable Industry Group</i> <i>Invited</i>
10:15	Panel discussion	Michael Gordon, Angus Kerr, Phil Williams, John Armstrong, Carol McTaggart, Rachel Anderson.
11:00	Break (refreshments served)	Opportunity to network
SESSION TWO – GETTING IT RIGHT: DELIVERING THE RIGHT OUTCOMES		
11:25	Unlocking the potential: empowering councils to create a better environment and stronger economy	Liam Hannaway <i>Newry, Mourne & Down District Council</i> <i>Invited</i>
11:40	The English Perspective: delivering the right outcomes for the community	Alice Lester <i>Programme Manager, Planning Advisory Service, Local Government Assoc.</i> <i>Invited</i>
11:50	Councillors Code of Conduct: managing risk	Karen Blair <i>Managing Director, Cleaver Fulton Rankin</i> <i>Confirmed</i>
12:00	Local Development Plan: creating sustainable communities	John Linden <i>Head of Planning, Antrim & Newtownabbey Borough Council</i> <i>Invited</i>
12:10	The Final Word: removing barriers to investment	Alan Bill <i>Managing Director, Graham Construction Ltd</i> <i>Invited</i>
12:20	Panel discussion	Liam Hannaway, Alice Lester, Karen Blair, John Linden, Alan Bill.
13:05	Concluding remarks	Seamus McKee
13:10	Light buffet lunch served	Opportunity to network

Appendix B Retrospective Approval Sought

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Energizing Local SME Growth (NILGA)	13 January	1 employee	Ballymena	No
Performance Improvement Forum	22 January	2 employees	Ballymena	Yes
Training in Test Administration for Human Resources	1 - 2 February	2 employees	Antrim	Yes
NHS Choices Weight to Health Programme	7 January 9 February	2 employees	Ballymena	No



Subject:	Mid-Ulster Councils response to a Pre-application Consultation request from DOE on the proposed Gas to the West project.
Reporting Officer:	Melvin Bowman
Contact Officer:	Dr Chris Boomer

1	Purpose of Report
1.1	The Council have been asked to respond to a Consultation request received from the Department in relation to a Pre-Application Discussion case (LA09/2016/0011/PAD) Gas Pipeline - Portadown to Fivemiletown.
1.2	When formally submitted the planning application will be dealt with by DOE given its regional significance.

2	Background
2.1	Members of the Planning Committee on the 15 th Sept 2015 previously agreed the applicant's proposed 'Community Consultation Strategy' on the pipe line and there are ongoing discussions with the proposed operator on this process.
2.2	SGN & Mutual (appointed to build and operate) have had initial discussions with the Councils Planning Department and are keen to do a follow up meeting with the Council to update it on where the project is and their Phase 2 PACC programme.
2.3	SGN and Mutual intend to serve the PAN (Pre-Application) notification on the Department before the end of February and hold 6 public events between 14 th - 30 th March with a view to an application being submitted by end of May.

3	Key Issues
3.1	The attached route map provides details of the emerging route corridors. Members will note that the High Pressure Pipe Line will lie within the pink shaded area with the lower pressure connections following more definite road corridors.
3.2	The Department should ensure that any sensitive areas either in terms of archaeological or natural heritage interest are fully protected and that full consultation is carried with NIEA to determine any impact.
3.3	The Health and Safety Executive should be consulted on any potential safety concerns that may affect existing property within the strategic study area in relation to establishing safe separation distances and to provide guidance on how the Council determine new applications which may be submitted within the route corridor.

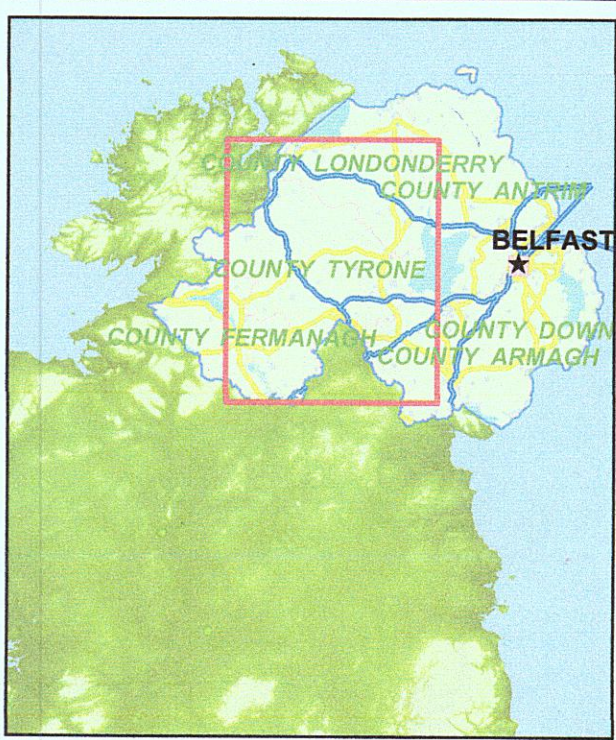
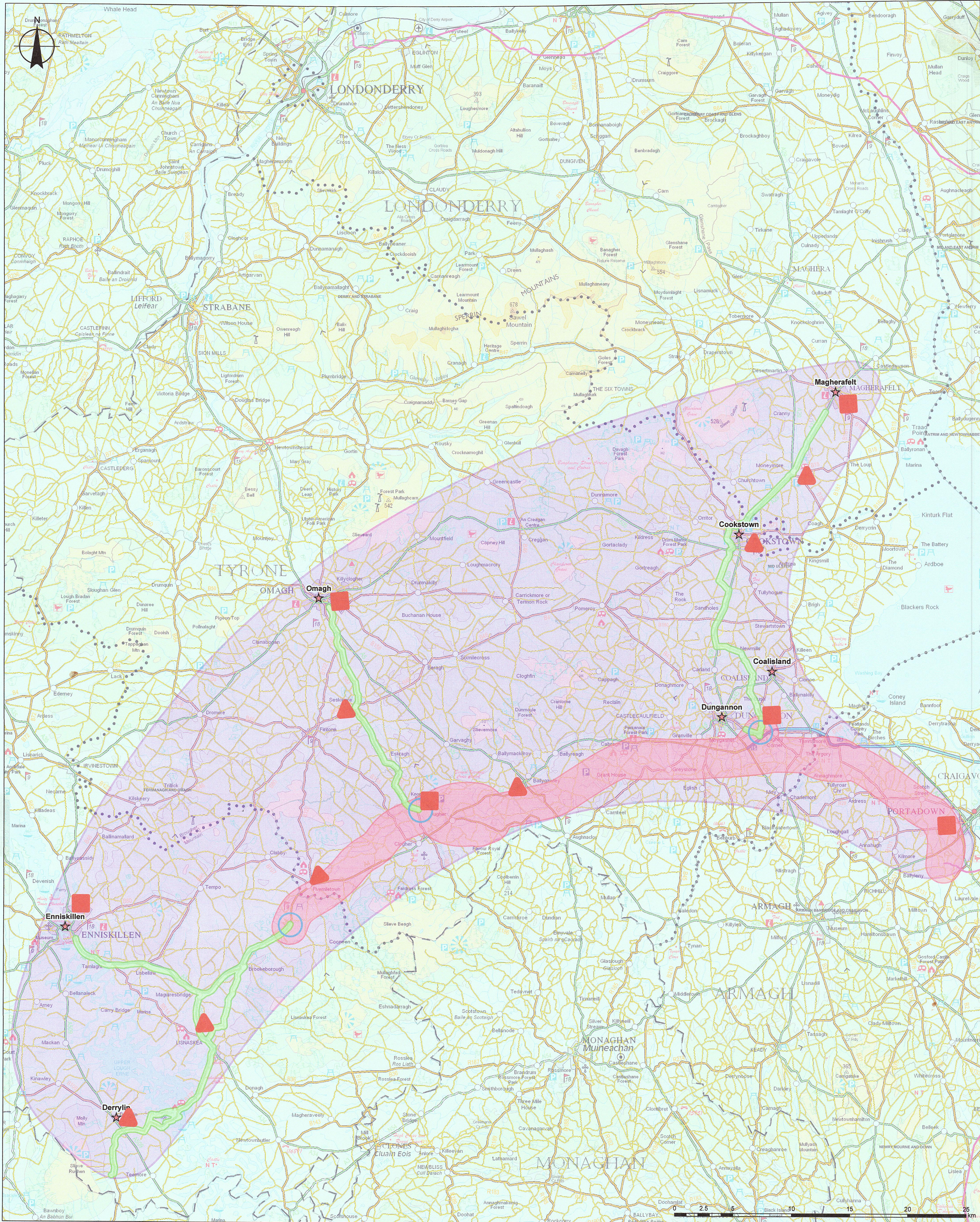
3.4	The Council recognize that there will be many benefits coming from the Gas to the West project, not just helping the local economy but also in attracting businesses and jobs and support the provision of this key project subject to careful consideration of the potential human and environmental impacts of the pipeline by DOE.
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4	Resources
4.1	<u>Financial</u> N/A
4.2	<u>Human</u> N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> N/A
4.4	<u>Other</u>

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	<p>That the Council agree the Pre-application response to DOE as follows:</p> <p>Whilst Mid-Ulster Council welcomes the Gas to the West project and regards it as a development which will help the local economy and attract businesses and jobs, given that the project is still at an early stage in relation identifying the final route of the pipeline, and whilst SGN & Mutual (appointed to build and operate) have had initial discussions with the Councils Planning Department, Mid-Ulster Council would reserve the right to comment on the final gas pipe route when this has been agreed in order to consider all potential environmental and human impacts which the agreed route may have on Mid-Ulster Council area.</p>

7	List of Documents Attached
7.1	(1) Strategic Study Route Map.



Legend

- ★ Gas to the West Licensed Towns
- Local Government Districts
- Existing Gas Pipelines
- Gas to West Strategic Study Area
- HP Pipeline Emerging Route Corridor
- IP Pipeline Emerging Route Corridor
- AGI Search Area

CLIENT



PROJECT

SGN Gas to the West

TITLE

Strategic Study - Emerging Route Corridors
Overview Map

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Subject:	Planning Department's response to a consultation request from DoE for the proposed windfarm at land approx. 12km to the west of Draperstown, 2km to the north of Broughderg adjacent to the B47.
Reporting Officer:	Karen Doyle
Contact Officer:	Dr Chris Boomer

1	Purpose of Report
1.1	To provide members with a report on the above application which will provide the basis of a consultation response to the Strategic Projects Team, DoE.

2	Background
2.1	The Strategic Project team at the Department of Environment have requested a consultation response from Mid Ulster District Council on planning application LA10/2015/0292/F for the Erection of 36 Wind turbines (comprising 11 turbines with a maximum tip height of 126.5m and 25 turbines with a maximum tip height of 140m), associated transformers and switchgear at the base of each wind turbine, hardstanding areas for erection cranes at each turbine, internal access tracks and site access, operations building and wind farm substation compound and building, on site electrical cables, a parking area, two temporary construction compounds, five permanent meteorological masts and all ancillary works including borrow pits, peat storage, spoil deposition, forestry removal and minor works to the public highway between site and Magherafelt to facilitate turbine delivery at Land Approximately 12km To The West Of Draperstown Co Derry/Londonderry 2km To The North Of Broughderg Adjacent To The B47.

3	Key Issues
3.1	The access to the proposed windfarm is sited in the Mid Ulster District Council area with the 36 turbines being located in the Fermanagh and Omagh District Council area. The proposed access will be taken through a heavily wooded area in Mullaghturk Mountain which was the subject of a recent Planning Appeal following a legal challenge in the High Court to the decision made by the Planning Appeals Commission. Mullaghturk Mountain is part of the Sperrins Area of Outstanding Natural Beauty (AONB). The designation has been in existence since 1968 when it was introduced in order to protect the high scenic value of the Sperrins and to ensure that any development could be integrated into the landscape.

3.2	<p>The proposal is located on high ground overlooking the Sixtowns section of the Omagh to Draperstown road, one of the main scenic routes of the Sperrins. The area is busy with travellers touring by car, walking, hiking and cycling. Mullaghturk Mountain provides a backdrop to Beaghmore an area of significant archaeological interest (ASAI). The Beaghmore Stone Circles is the focal point of the ASAI, and has been described as one of the most iconic archaeological complexes on the island of Ireland. There are other sites of historic interest where visitors and tourists use Beaghmore as a point to enjoy the Sperrin's landscape.</p>
3.3	<p>In the supplementary guidance to PPS 18: "Wind Energy Development in NI's Landscapes" it is recognised that the Landscape Character Area 24 South Sperrin is generally of high scenic value with most of this area being unspoilt in character and has many valued characteristics and features that make it highly sensitive to change. Whilst it states that further east the valleys have a more open form and there is extensive forestry the character of the landscape appears better suited to wind energy development. However it states that this is outweighed by the very wide visibility of this part of the South Sperrins. Mullaghturk is then specifically acknowledged as appearing as a focal point and the landscape is very sensitive to wind energy development.</p>
3.4	<p>Having carried out a site visit and following an assessment of the Magherafelt Area Plan, the Strategic Planning Policy Statement and all relevant policies and other material considerations it is our recommendation that the application should be objected to on the following basis.</p> <ol style="list-style-type: none"> 1. Mid Ulster District Council have concerns with regards to the impact on the visual amenity and landscape character of this part of the Sperrins Area of Outstanding Natural Beauty by reason of the number, scale, size and siting of the turbines and the high sensitivity of the landscape and this is contrary to Policy RE1 of Planning Policy Statement 18. The cautious approach to wind energy development required by the SPPS in the AONB is of note as is the appropriate weighting test to be applied to any socio economic benefits put forward in support of the application. 2. Mid Ulster District Council is concerned that the site lies in the Sperrins AONB and are concerned the proposed windfarm would be detrimental to the environmental quality if the AONB by reason of lack of sensitivity to the distinct character and the landscape quality of the area. 3. Mid Ulster District Council have concerns with regards to the potential damage to the intrinsic character and quality of the tourism assets of both the Sperrins AONB and the Beaghmore Stone Circles Complex by reason of the unacceptable visual impact. 4. Mid Ulster District Council are concerned that the development would have an unacceptable adverse impact on built heritage interests by

	adversely impacting upon the setting, the public access and approaches to critical public views from and within, and the enjoyment of the Beaghmore Stone Circle Complex, a regionally important monument in State Care.
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4	Resources
4.1	<u>Financial</u> N/A
4.2	<u>Human</u> N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> N/A
4.4	<u>Other</u>

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	That Mid Ulster District Council advise the Strategic Projects Team at DoE of their concerns with the proposed development.

7	List of Documents Attached
7.1	N/A

K

Subject	Revised Housing Growth Indicators (HGI's) 2012-2025
Reporting Officer	Chris Boomer Planning Manager
Contact Officer	Sinead McEvoy

1	Purpose of Report
1.1	To provide members with details of the draft HGI's for Mid Ulster, how they relate to the previously published HGI's and consideration of how they revised figures have been calculated by DRD.

2	Background
2.1	The purpose of this paper is to advise members on the proposed Revised Housing Growth Indicators (HGI's), which have been recently been released by the Department of Regional Development (DRD) to enable local councils to make comment before they are adopted in their final form.
2.2	HGI's are mainly used as a guide by planning authorities in the creation of Local Development Plans, in order to ensure that adequate housing land is available for the incoming plan period and are intended to underpin one of the RDS's key objectives of achieving balanced regional growth. It is of course important to remember that HGI's are to <u>be used as guidance</u> rather than being seen as a cap on housing development or indeed, as a target to be achieved.
2.3	The Revised HGI's for Northern Ireland as a whole have been set at 94,000 for the period 2012-2025 (7,230 houses per year). This represents a reduction in absolute terms from the previous figure of 190,000 for the period 2008-2025 (11,176 houses per year).
2.4	The previous HGI figure for the three legacy Council districts for the period of 2008-2025 was set at 13,300 and when broken down over the 17 year period of 2008-2025 equates to a yearly pro rata figure of approximately 780 new houses per year.
2.5	The Revised HGI figures are compiled in line with the new council boundaries and cover the period of 2012-2025. With specific reference to Mid Ulster, a Revised HGI of 9,500 has been assigned. When broken down over the 13 year period this equates to a yearly pro rata figure of approximately 730 houses per year which equates to a 6.3% reduction in the HGI figure allocated to Mid Ulster.

3	Key Issues
3.1	For Mid Ulster the Revised HGI's as recently presented by DRD will mean a reduction in housing growth by approximately 50 houses per year until 2025. While there has been a reduction in the HGI for Mid Ulster, when compared to other LGD areas the district seems to have fared relatively well in that the reduction of the HGI does not appear to have been as severe as that experienced in other areas. For

	example Fermanagh and Omagh have seen a 54.4% reduction while Derry and Strabane is a 63% reduction and Causeway Coast and Glens will experience a 45.7% reduction.
3.2	Where HGI's are reduced, it would be expected to be shown that the demand for housing is lessening. However, household size in Mid Ulster is forecast to fall over the life span of the revised HGI's. For example, from 2015-2030, the average household size in Mid Ulster is forecast to fall from 2.88 – 2.83. Household size in Mid Ulster appears to have reached a peak in 2008 and remained static but is forecast to fall consistently throughout the remainder of the plan period. This situation is also borne out by the fact that Mid Ulster has an ageing population, as was shown in an earlier LDP position paper. An ageing population will be an important factor in reducing household size. An overall fall in household size will mean that there is a higher demand for housing.
3.3	Completion rates for new dwellings are also on the rise in Mid Ulster as demonstrated in Table 8 of the attached paper. The fact that more dwellings are being built, would obviously suggest that there is an increasing demand for housing.
3.4	It is felt that the downward revision of HGI's across Northern Ireland which has been experienced in the last 3 sets of figures has been reflective of the economic downturn experienced over those years. However, Mid Ulster, in recent years has shown a level of growth in terms of jobs which far outweighs that of any other district. The DETI census of employment for 2013 showed that from 2011-2013, there was a 5.2% increase in jobs in Mid Ulster. The district with the closest rate of job percentage growth was Armagh Banbridge and Craigavon with a figure of 2.6%. ¹ Therefore, it appears to short sighted to restrict the HGI to the lowest level of growth since the 2006 projections were issued.
3.5	Therefore, it is felt that over the timespan of the new HGI's the continued growth in Mid Ulster will see the district require a greater level of housing than that which has been ascribed to it by HGI's which are reflective of poorer economic times.
3.6	Given the relatively high amount of job creation in Mid Ulster, the continued upward number of housing completions and the falling household size, it is felt that the HGI figure which is now assigned to Mid Ulster in these revised figures should have a degree of flexibility built into it. An indicative figure of 10% flexibility would allow a HGI of 10,450 and we would therefore have a growth rate of around 800 houses per year.

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

¹ DETI census of employment 2013.

4.4	<u>Other</u>
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5	Other Considerations
5.1	N/A

6	Recommendations
6.1	<p>Members are requested to consider to consider the attached report and agree the recommendation that a response is issued to DRD in respect of the Revised HGI's to state that Mid Ulster Council does not accept the Revised HGI on the basis that:</p> <ul style="list-style-type: none"> · The Revised figures do not appear to take account of the projected fall in household size in Mid Ulster which will invariably lead to an increasing demand for housing. · The Revised figure does not appear to take into account the increasing housing completion rate in Mid Ulster which points to an increasing demand for housing. · It appears somewhat short sighted to base the HGI's to the lowest level of growth since the 2006 projections were issued. Mid Ulster Council would therefore suggest that a 10% flexibility allowance be built into these figures in order to allow figures more akin to the HGI figure for the period 2008-2025. · Any further review of the HGI's should take place at a 5 year interval so as to ensure it does not add unnecessary confusion to the creation to a new Local Development Plan. ·

7	List of Documents Attached
7.1	- Mid Ulster Revised Housing Growth Indicators (HGIs) 2012-2025



Mid Ulster Revised Housing Growth Indicators (HGI) 2012-2025

Revised Housing Growth Indicators 2012-2025

Purpose: To provide members with details of the draft revised HGI's for Mid Ulster, how they relate to the earlier HGI's and consideration how the revised HGI's have been calculated.

Content: The paper provides:

- (i) The revised HGI's for Mid Ulster and how they relate to the previous HGI's and the implications.
- (ii) Consideration of the Revised HGI's for some of the other LGD's
- (iii) Consideration of how the Revised HGI's have been calculated.

Recommendation: That the Council note the contents of the report and agrees that a response be forwarded to Department for Regional Development along the lines set out in the paper.

1.0 Introduction

1.1 The purpose of this paper is to advise members on the proposed Revised Housing Growth Indicators (HGI's), which have been recently been released by the Department of Regional Development (DRD) to enable local councils to make comment before they are adopted in their final form.

1.2 HGI's are mainly used as a guide by planning authorities in the creation of Local Development Plans, in order to ensure that adequate housing land is available for the incoming plan period and are intended to underpin one of the RDS's key objectives of achieving balanced regional growth. It is of course important to remember that HGI's are to be used as guidance rather than being seen as a cap on housing development or indeed, as a target to be achieved.

1.3 The Revised HGI's for Northern Ireland as a whole have been set at 94,000 for the period 2012-2025 (7,230 per year). This represents a reduction in absolute terms from the previous figure of 190,000 for the period 2008-2025 (11,176 per year).

2.0 Changes to HGI for Mid Ulster

2.1 The *previous* HGI figures in the RDS 2035 cover the period 2008-2025 and stipulate the housing need for each former LGD within the Mid Ulster District as follows.

FORMER LGD	HGI FIGURE (2008 -2025)
COOKSTOWN	3,700
DUNGANNON	5,000
MAGHERAFELT	4,600
TOTAL	13,300

- 2.2** This figure of 13,300 when broken down over the 17 year period of 2008-2025 equates to a yearly pro rata figure of approximately 780 new houses per year.
- 2.3** The Revised HGI figures are compiled in line with the new council boundaries and cover the period of 2012-2025. With specific reference to Mid Ulster, a Revised HGI of **9,500** has been assigned. When broken down over the 13 year period this equates to a yearly pro rata figure of approximately 730 houses per year.
- 2.4** The *previous* HGI's when projected over the same time period as the Revised HGI's would give a figure of 10,140 (780 x 13). Therefore, the Revised HGI for Mid Ulster has been reduced by a total 640 houses over the new time period (2012-2015) which equates to a **6.3% reduction**.
- 2.5** Of particular interest in the consideration of the revised figure is that over the Local Development Plan period (2015 - 2030), the rate of growth advised by the Revised HGI's would produce 10,950 houses (730 x 15), whilst the rate of growth advocated by the *previous* HGI's would have produced 11,700 houses (780 x 15). This represents a loss of 750 houses over the plan period.
- 2.6** The out workings of the above figures are laid out in the tables below:

PREVIOUS HGI vs REVISED HGI – HOUSES PER YEAR

	HGI	TIME PERIOD	NUMBER OF YEARS	GROWTH PER YEAR
PREVIOUS	13,300	2008-2025	17	780
REVISED	9,500	2012-2025	13	730

Table 1

PREVIOUS HGI vs REVISED HGI – OVER 2012-2025 PERIOD

	PRO RATA / PER YEAR FIGURE	HOUSING NEED 2012-2025	DIFFERENCE IN HOUSING NEED NUMBERS	% CHANGE
PREVIOUS	780	10,140		
REVISED	730	9,500	640	-6.3%

Table 2

PREVIOUS HGI vs REVISED HGI – OVER LOCAL DEVELOPMENT PLAN PERIOD

	PRO RATA / PER YEAR FIGURE	HOUSING NEED PLAN PERIOD	DIFFERENCE IN HOUSING NEED NUMBERS	% CHANGE
PREVIOUS	780	11,700		
REVISED	730	10,950	750	-6.4%

Table 3

Revised HGI's in Other LGD's

- 2.7** When compared to other LGD areas, Mid Ulster seems to have fared relatively well in that the reduction of the HGI does not appear to have been as severe as that experienced in other LGD's.
- 2.8** The table below shows the comparative reductions suffered by various other districts. Unfortunately not all of the new LGD's can be compared in the context of the Revised HGI's. This is because the HGI figure for some former LGD areas was included in either a Belfast Metropolitan Urban Area (BMUA) total or a BMUA hinterland total. So for example, when assessing the comparison between the previous HGI's and the revised HGI's for Mid and East Antrim, previous figures for the former LGD areas of Larne and Carrickfergus are not available because these would have been included in the BMUA hinterland total.
- 2.9** All figures for a comparison exercise in the table 4 below are rounded to the nearest 10.

TABLE 4 - RELATIVE LOSS OF HGI FOR MID ULSTER COMPARED TO OTHER LGD AREAS

LGD	TOTAL PREVIOUS HGI (2008-2025)	PRO RATA / PER YEAR FIGURE	FIGURE FOR 2012-2025 PERIOD	REVISED HGI FIGURE 2012-2025	DIFFERENCE IN HOUSING NEED	% REDUCTION
MID ULSTER DISTRICT	13,300	780	10,140	9,500	640	-6.3%
ARMAGH BANBRIDGE & CRAIGAVON	21,300	1,250	16,250	14,400	1,850	-11.3%
CAUSEWAY COAST & GLENS	16,100	950	12,350	6,700	5,650	-45.7%
DERRY AND STRABANE	17,600	1,040	13,520	5,000	8,520	-63.0%
FERMANAGH AND OMAGH	12,900	760	9,880	4,500	5,380	-54.4%
NEWRY MOURNE AND DOWN	20,800	1,220	15,860	10,900	4,960	-31.2%

PREVIOUS HGI FIGURES

REVISED
HGI

DIFFERENCE

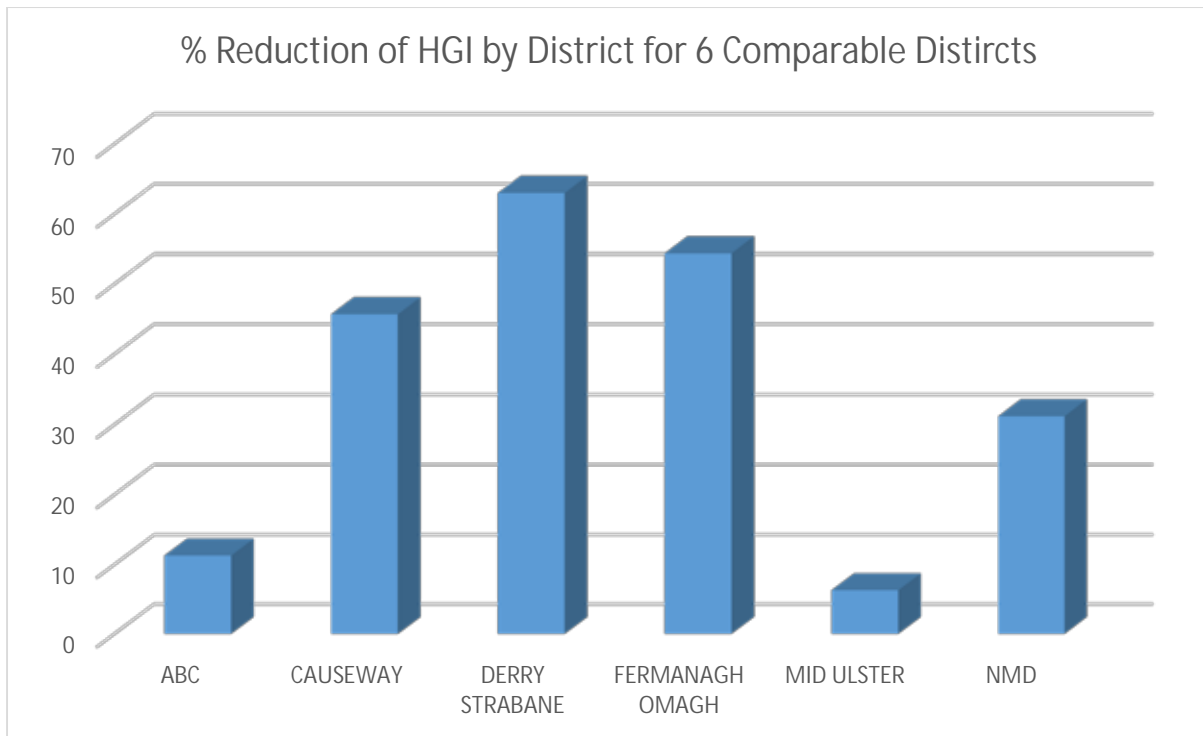


Figure 1

- 2.10** It is apparent from the above tables and graphs that the revised HGI's will have a far less severe impact on Mid Ulster in terms of reducing the projected housing growth, than the rest of the districts which were considered. Of the relevant districts, only Armagh, Banbridge and Craigavon have a comparable reduction to Mid Ulster.

Revised HGI's and Household Projections

- 2.11** The 2012 based Household Projections, compiled by NISRA, project a growth in household numbers in Mid Ulster of 6,758 from 2012-2025 (48,424 – 55,182). Over the incoming plan period (2015-2030), the projections show a growth in household numbers of 8,166 (49,754 – 57,920). Therefore, over the plan period, the revised HGI's show a rate of growth which is 34% greater than that projected by NISRA's Household Projections;

$$\begin{aligned}
 &10,950 \text{ (HGI pro rata figure for plan period)} - 8,166 \text{ (household proj. figure)} = \mathbf{2,784} \\
 &(2,784 / 8,166 = 0.3409) \times 100 \\
 &= \mathbf{34\%}
 \end{aligned}$$

- 2.12** In other words, the Revised HGI's allow 34% headroom for growth above and beyond that predicted by the Household Projections

3.0 Consideration of DRD calculation of Revised HGI's

Rising demand for housing

- 3.1 The last three sets of HGI's for Mid Ulster have shown a continuous downward revision since 2006, as shown in Table 7 below.

HOUSEHOLD PROJECTIONS	GROWTH PER YEAR FOR MID ULSTER
2006-2021	960 (14,400 / 15)
2008-2023	880 (13,200 / 15)
2012-2025	730 (9,500 / 13)

Table 7

- 3.2 Where HGI's are reduced, it would be expected to be shown that the demand for housing is lessening. However, the evidence below will show that demand in Mid Ulster is rising.
- 3.3 Household size in Mid Ulster is forecast to fall over the life span of these revised HGI's. For example, from 2015-2030, the average household size in Mid Ulster is forecast to fall from 2.88 – 2.83. Household size in Mid Ulster appears to have reached a peak of 2008 and remained static but is forecast to fall consistently throughout the remainder of the plan period.
- 3.4 The trend of falling household size is also borne out by the fact that Mid Ulster has an ageing population, as was shown in an earlier LDP position paper. An ageing population will be an important factor in reducing household size. An overall fall in household size will mean that there is a **higher** demand for housing.
- 3.5 Completion rates for new dwellings are also on the rise in Mid Ulster as demonstrated in Table 8 below. The fact that more dwellings are being built, would obviously suggest that there is an increasing demand for housing. Figures for 2015 are only available up until Q3 but a projection can be done for the whole year based on the first 3 quarters.

YEAR	HOUSE COMPLETION IN MID ULSTER
2011	432
2012	488
2013	515
2014	572
2015	560**

Table 8 ** Figures only available for q1-q3 (420) so a projection carried out to get figure of 560.

- 3.6** The factors above would suggest that demand for housing is increasing in the Mid Ulster District. It is felt that the downward revision of HGI's across Northern Ireland which has been experienced in the last 3 sets of figures has been reflective of the economic downturn experienced over those years. However, Mid Ulster, in recent years has shown a level of growth in terms of jobs which far outweighs that of any other district. The DETI census of employment for 2013 showed that from 2011-2013, there was a 5.2% increase in jobs in Mid Ulster. The district with the closest rate of job percentage growth was Armagh Banbridge and Craigavon with a figure of 2.6%. ¹ Therefore, it appears to short sighted to restrict the HGI to the lowest level of growth since the 2006 projections were issued.

JOB GROWTH IN NORTHERN IRELAND, BY DISTRICT (SOURCE – DETI CENSUS OF EMPLOYMENT, 2013)

DISTRICT COUNCIL AREA	SEPT 2011	SEPT 2013	2011-2013 CHANGE	% CHANGE
ANTRIM AND NEWTOWNABBEY	54,387	55,083	696	1.3%
ARMAGH BANBRIDGE CRAIGAVON	66,476	68,225	1,749	2.6%
BELFAST	206,696	210,424	3,728	1.8%
CAUSEWAY COAST AND GLENS	38,381	39,340	959	2.5%
DERRY AND STRABANE	50,469	50,255	-214	-0.4%
FERMANAGH OMAGH	38,147	38,449	302	0.8%
LISBURN AND C'REAGH	51,924	51,485	-439	-0.8%

¹ DETI census of employment 2013.

MID AND EAST ANTRIM	42,246	42,432	186	0.4%
MID ULSTER	45,599	47,967	2,368	5.2%
NEWRY MOURNE AND DOWN	50,150	51,185	1,035	2.1%
NORTH DOWN AND ARDS	37,166	37,059	-107	-0.3%

3.7 Therefore, it is felt that over the timespan of the new HGI's the continued growth in Mid Ulster will see the district require a greater level of housing than that which has been ascribed to it by HGI's which are reflective of poorer economic times.

3.8 Given the relatively high amount of job creation in Mid Ulster, the continued upward number of housing completions and the falling household size, it is felt that the HGI figure which is now assigned to Mid Ulster in these revised figures should have a degree of flexibility built into it. An indicative figure of 10% flexibility would allow a HGI of 10,450 and we would therefore have a growth rate of around 800 houses per year.

Vacancy Rates

3.9 Mid Ulster is a predominantly rural district and as such, if the Northern Ireland House Condition Survey Report is to be taken as accurate, should have a higher vacancy rate of 7.2%. The vacancy rate assigned to Mid Ulster in the revised figures methodology is 3,800 which is approximately 6.3% of the total number of property vacancies in Northern Ireland.

3.10 It could potentially be argued therefore, that the vacancy rate should be higher for Mid Ulster and that if this were so, then the overall HGI would be increased for the district, based on the methodology used in the revised figures. However, this approach is one which could be problematic because by arguing that Mid Ulster has a relatively high vacancy rate, it could potentially be counter argued that we should be directing our population towards these houses; a result of which could be a further lessening of the HGI figure for our district.

3.11 Research carried out in for the preparation of the LDP in Position Paper 2 shows that Mid Ulster may have a vacancy rate as low as 5.1% so the figure assigned by the revised HGI methodology may be reflective of the current situation.

4.0 Review of the HGI's

4.1 At a recent Local Development Plan working group meeting a representative of DRD indicated verbally that the HGI's would be again reviewed in 3 years' time

in 2018. There are immediate concerns with this approach as Mid Ulster Council will be deeply involved in the creation of the new LDP for the District. The publication of revised HGI's in the middle of this process would be problematic to the plan creation given that all forward planning will have been based on the Revised HGI's which we are currently considering.

- 4.2** It is therefore suggested that the HGI's are reviewed every 5 years, in line with the time period which is placed upon councils by The (Planning) Local Development Plan Regulations (Northern Ireland) 2015 for the review of their Local Development Plans.

5.0 Conclusions and Recommendation

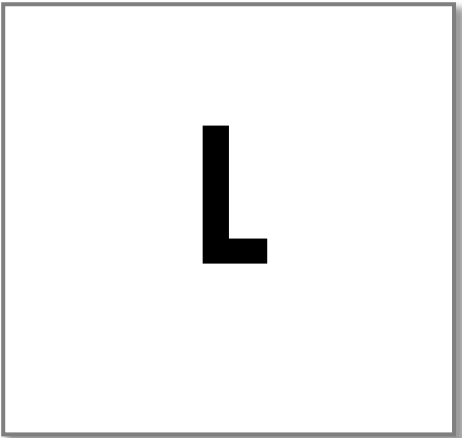
- 5.1** For Mid Ulster the Revised HGI's as recently presented by DRD will mean a reduction in housing growth by approximately 50 houses per year until 2025. The reduction in the HGI for Mid Ulster does compare favourably to that presented to the other districts and will still allow a rate of growth considerably above that predicted by the 2012 NISRA household projections.

- 5.2** However, there are valid concerns about the fact that evidence shows a rising demand for homes in Mid Ulster and that this appears not to be accommodated by yet another downward revision of the HGI figure. It therefore appears somewhat short sighted to restrict the HGI to the lowest level of growth since the 2006 projections were issued and the council would suggest that a 10% flexibility allowance be built into these figures in order to allow figures more akin to the previous counterparts.

6.0 Recommendation

- 6.1** It is recommended that members note the report and agree that a response is issued to DRD in respect of the Revised HGI's to state that Mid Ulster Council does not accept the Revised HGI on the basis that:

- The Revised figures do not appear to take account of the projected fall in household size in Mid Ulster which will invariably lead to an increasing demand for housing.
- The Revised figure does not appear to take into account the increasing housing completion rate in Mid Ulster which points to an increasing demand for housing.
- It appears somewhat short sighted to base the HGI's to the lowest level of growth since the 2006 projections were issued. Mid Ulster Council would therefore suggest that a 10% flexibility allowance be built into these figures in order to allow figures more akin to the HGI figure for the period 2008-2025.
- Any further review of the HGI's should take place at a 5 year interval so as to ensure it does not add unnecessary confusion to the creation to a new Local Development Plan.



Subject Delegated Authority Request to Development Committee for Contract Award

Reporting Officer A McCreesh, Director of Business & Communities

1	Purpose of Report
1.1	To consider the use of 'Delegated Authority' powers in respect of Contract approval for Davagh Forest Visitor Hub Design Team.

2	Background
2.1	As Members will be aware, Council is currently preparing an application for the Dark Skies project to be submitted to the Rural Tourism Scheme under the new Rural Development Programme.
2.2	The Council in conjunction with Outdoor Recreation NI is in the process of preparing an application with a green book appraisal for the Dark Skies project at Davagh Forest. The first call for this application closes on 20 th April 2016. To achieve this deadline Outdoor Recreation NI need to have all costings and figures prepared and agreed with the Council's project team before the end of March.
2.3	Accordingly Council is seeking to acquire through the tender process architectural services to prepare detailed concept design and specific costings, including outline proposals for structural design and specific costings to RIBA stage two, with an option of project managing the entire project, if Council are successful with the DARD application. The RIBA stage 2 stage will outline project specifications and costings, which are required for the green book appraisal and in advance of submitting the application to DARD.

3	Key Issues
3.1	To meet such stringent timescales, permission is sought from Council for delegated authority to the Development Committee for consideration of the Davagh Forest Design Tender on 10 th March 2016.

4	Resources NA
4.1	<u>Financial</u> – N/A

4.2	<u>Human</u> – N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> - NA
4.4	<u>Other</u> – NA

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	That Council delegate authority to the Development Committee to deal with the Davagh Forest Visitor Hub Design Team tender on Thursday 10 th March 2016.

7	List of Documents Attached
7.1	N/A

M

Subject Consultations notified to Mid Ulster DC - February 2016

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>Proposed Special Areas of Conservation for harbour porpoise with the Joint Nature Conservation Committee (JNCC) and the Natural Resources Wales (NRW).</td><td>19 April 2016</td></tr><tr><td>Charity Commission</td><td>Consultation on draft accounting and reporting guidance for charities.</td><td>11 Mar 2016</td></tr><tr><td>The Housing Executive</td><td>Consultation on Sustainable Rural Communities: A Review of Housing Executive Rural Housing Policy</td><td>21 Mar 2016</td></tr><tr><td>NI Fire & Rescue Service</td><td>Consultation on NIFRS Corporate Communications Strategy 2015 - 2020</td><td>18 April 2016</td></tr><tr><td>Northern Ireland Policing Board</td><td>Consultation on the Draft Annual Policing Plan 2016-17</td><td>26 Feb 2016</td></tr><tr><td>Department of Justice</td><td>Consultation on establishment of Domestic Violence Disclosure Scheme in NI</td><td>29 April 2016</td></tr><tr><td>Department of the Environment</td><td>Amendment to Pollution, Prevention and Control (PPC) regulations – changes to the certification and testing of petrol vapour recovery equipment</td><td>28 Mar 2016</td></tr><tr><td>Department of Agriculture and Rural Development</td><td>Public Consultations on 3 policy areas: 1. Options for Future Support to Areas of Natural Constraint 2. Designation of Areas of Natural Constraint 3. Review of CAP Coupled Support Options</td><td>29 April 2016</td></tr></table>	Organisation	Issue	Closing Date	Department of the Environment	Proposed Special Areas of Conservation for harbour porpoise with the Joint Nature Conservation Committee (JNCC) and the Natural Resources Wales (NRW).	19 April 2016	Charity Commission	Consultation on draft accounting and reporting guidance for charities.	11 Mar 2016	The Housing Executive	Consultation on Sustainable Rural Communities: A Review of Housing Executive Rural Housing Policy	21 Mar 2016	NI Fire & Rescue Service	Consultation on NIFRS Corporate Communications Strategy 2015 - 2020	18 April 2016	Northern Ireland Policing Board	Consultation on the Draft Annual Policing Plan 2016-17	26 Feb 2016	Department of Justice	Consultation on establishment of Domestic Violence Disclosure Scheme in NI	29 April 2016	Department of the Environment	Amendment to Pollution, Prevention and Control (PPC) regulations – changes to the certification and testing of petrol vapour recovery equipment	28 Mar 2016	Department of Agriculture and Rural Development	Public Consultations on 3 policy areas: 1. Options for Future Support to Areas of Natural Constraint 2. Designation of Areas of Natural Constraint 3. Review of CAP Coupled Support Options	29 April 2016
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	Documentation on the aforementioned consultations may be provided on request.
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4	Resources
4.1	<u>Financial</u> - N/A
4.2	<u>Human</u> - N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> - N/A
4.4	<u>Other</u> - N/A

5	Other Considerations
5.1	Not applicable

6	Recommendations
6.1	Members review and note consultations notified to Council.

7	List of documents attached
7.1	Not applicable.

N

Subject:	DETI application for mineral prospecting licence
Reporting Officer:	Emma McCullagh
Contact Officer:	Dr Chris Boomer

1	Purpose of Report
1.1	To provide members with, (i) information on the Council's response to DETI in relation to a Mineral Prospecting licence application

2	Background
2.1	DETI has received an application from Dalradian Gold Ltd for mineral prospecting rights under section 11 of the above Act in respect of an area in Counties Londonderry and Tyrone (shown on attached map).
2.2	Dalradian Resources Inc. is a Toronto Stock Exchange listed gold and silver exploration and Development Company. Their corporate office is in Toronto while the majority of our operations are carried out in Northern Ireland through our wholly-owned subsidiary Dalradian Gold Ltd. Our principal project is the Curraghinalt high grade lode gold deposit near the town of Omagh, in County Tyrone, Northern Ireland.
2.3	Early in 2013 Dalradian Gold Ltd they submitted an application for planning permission that will allow them to carry out an underground exploration development program, including the extraction of a bulk sample. While they await receipt of that permission they are working on a new resource estimate at Curraghinalt and testing the exploration potential of elsewhere on their 84,000 hectare property.
2.4	Consideration is at present being given by DETI to the issue of a prospecting licence over this area for a period of six years. Before coming to a decision on the matter DETI is required, in accordance with sub-sections 11(4) and 11(5) of the Act to serve on the each affected Council, notice of its intention to grant the licence and to take into account any representations which are made to it
2.5	Before coming to a decision on the matter DETI is required, in accordance with sub-sections 11(4) and 11(5) of the Act to serve on the each affected Council, notice of its intention to grant the licence and to take into account any representations which are made to it

3	Key Issues
3.1	MUDC would have concerns that insufficient information has been provided under A.1 of Part 16- Mineral Exploration of The Planning (General Permitted Development) Order (Northern Ireland) 2015, in relation to (a) details of plant and operations, anticipated timescales, or has it quantified the amount to be extracted,(b) if any of the operation is within an ASSI or site of archaeological interest (c) the explosive charge or (d) the height of any structures, to be able to confirm if the proposed works would require planning permission.
3.2	NIEA have however confirmed that the submitted location map coincides with a number of ASSI's. Therefore it is concluded that development is not permitted by Class A as parts (a) – (d) have not been met.
3.3	An EIA determination may be required to be carried out and if deemed necessary an Environmental Statement should accompany any planning application.

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	N/A

6	Recommendations
6.1	The Council determine that under Part 16- Mineral Exploration of The Planning (General Permitted Development) Order (Northern Ireland) 2015, development for the proposal is not permitted under Class A.1, and that a mineral prospecting licence should not be given, until permission has been sought and granted.

7	List of Documents Attached
7.1	<p>(1) Location map showing minerals prospecting licence</p> <p>(2) Proposed Consultation Response to DETI</p>

Minerals Prospecting Licence, October 2015



Department of
**Enterprise, Trade
and Investment**

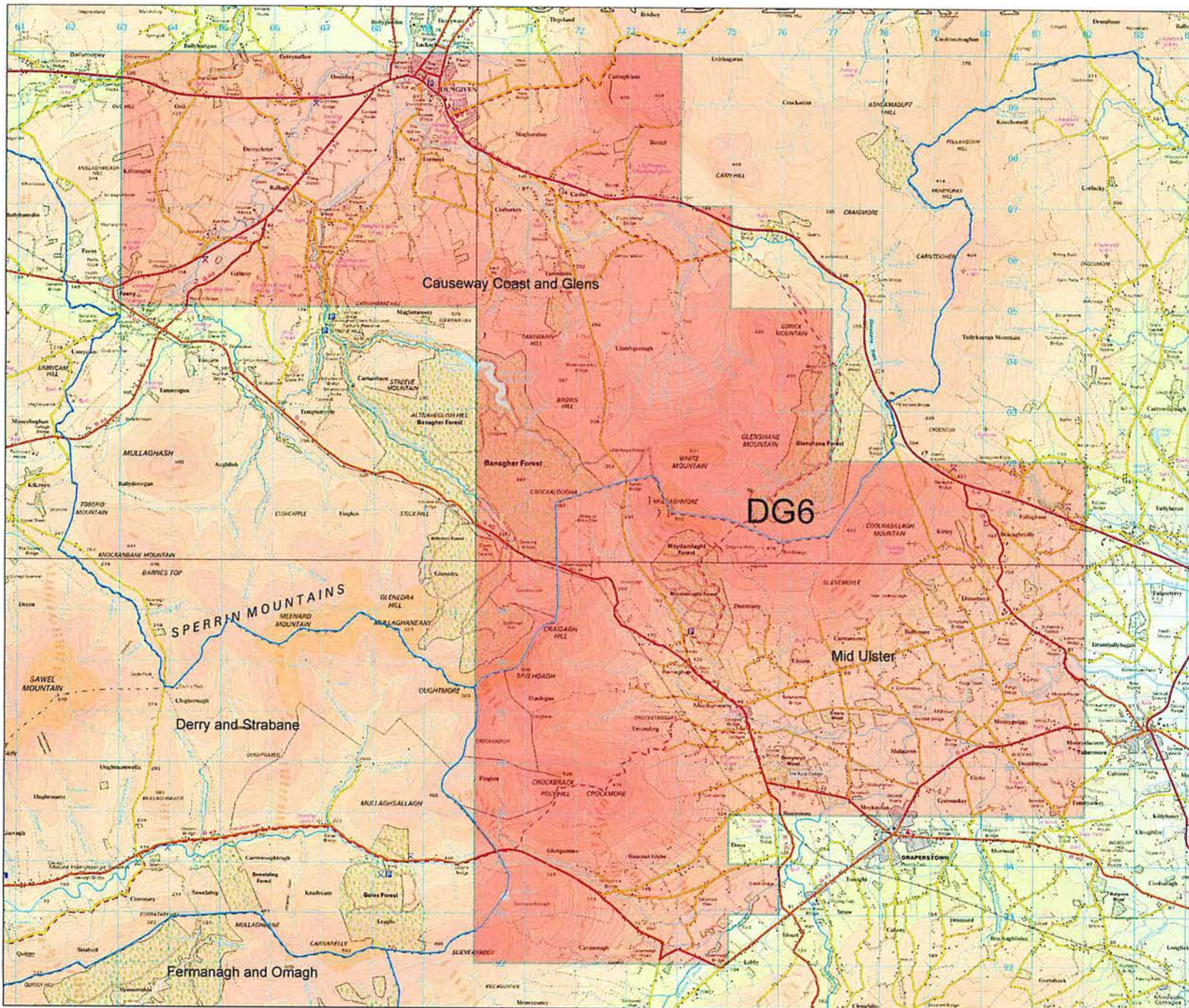
www.detini.gov.uk

Minerals Branch

Dalradian Gold Ltd.
DG 6 Dungiven

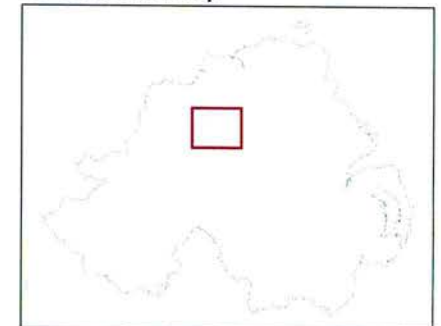
Causeway coast and Glens LGD
Derry and Strabane LGD
Mid Ulster LGD

69.4 sq. miles
178 sq. kilometres



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Location Map



Document (2)

Proposed Consultation Response to DETI

Dear Sir,

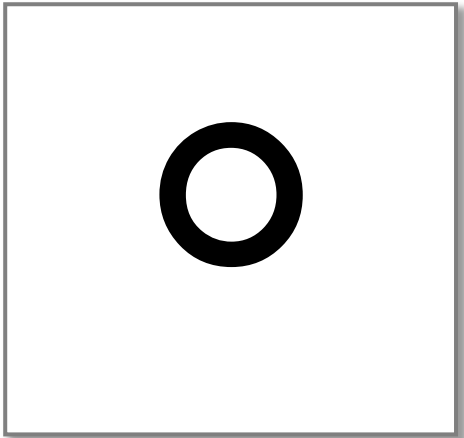
Re – Mineral Licence for prospecting for Dalriado Gold

In response to your consultation dates 5th February 2015 on the above matter, Mid Ulster Council would like to advise that no planning permission has been granted for the proposed prospecting.

Under the provision of Part 16 of The Planning (General Permitted Development) Order (NI) 2015, development is not permitted if the developer has not previously notified the Council in writing giving details of the location of the proposed development, target minerals, details of plant and operation and anticipated time scales. Mid Ulster District Council have not been notified by the developer. The information provided by DETI is insufficient to make a determination and suggests that the proposal goes beyond exploration to include extraction which will require planning permission. Furthermore as the prospect area includes Areas of Special Scientific Interest, prospecting within these areas will require planning permission. Permission will also be required for any exploration of sites of archaeological interest.

Mid Ulster District Council trusts that you will take these comments into account and relay them to the developer.

Dr Chris Boomer
On behalf of Mid Ulster District Council



Subject	Correspondence to Council
Reporting Officer	P Moffett, Head of Democratic Services

1	Purpose of Report
1.1	Provide correspondence received to be brought to the attention of Council.

2	Background
2.1	<p>This paper makes reference to and provides correspondence received from:</p> <ul style="list-style-type: none"> Ben Roome, Chief Executive of at800 in response to a request from Council to meet with him and/ or a nominated representative to discuss customer concerns which have arisen as a across Mid Ulster District Council area as a result of 4Groll out.

3	Key Issues
3.1	4G is in the process of being rolled out across Mid Ulster and Members have previously raised concerns over problems being experienced by customers. It was previously agreed that a meeting be sought from and held with at800 representatives. Appendix A provides the response received from at800 following an approach made for a meeting to discuss customer concerns.

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	N/A

6	Recommendations
6.1	That council notes receipt of correspondence to Councillor Dillon, Chair, Mid Ulster District Council

7	List of Documents Attached
7.1	Appendix A: Letter from Ben Roome, Chief Executive of at800

10 February 2016

Councillor Linda Dillon
Mid Ulster District Council
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Dear Councillor Dillon

RE: 4G rollout Mid Ulster District Council

Thank you for your invitation to meet with Mid Ulster District Council on 18 February 2016.

I am very concerned when viewers and local representatives raise issues about our support. When I was first invited, on 18 January, to meet with Mid Ulster District Council I requested further information on the specific nature and number of issues the council wished to discuss. I have yet to receive any further information. I'll set out why this would be needed to assess the council's invite, later in this letter. First, I'd like to give some background on DMSL and our work in the District.

We were set-up by the government, and are funded by mobile operators, to provide free support to viewers that rely on free-to-air terrestrial television should their TV be affected by new mobile masts. An independent Oversight Board, reporting to Government and Ofcom, monitors our work: <https://www.gov.uk/government/groups/4gtv-co-existence-oversight-board>.

I understand that Ofcom's director for Northern Ireland, Jonathan Rose, met with Mid Ulster Council in December to respond to concerns about mast activations and their impact on TV, and also outlined how we work.

We send postcards to households we believe may experience interference due to new mobile masts. We are always looking to improve our prediction model. We provide phone and online support and advice, free filters for all households, and engineer support for eligible households. Our support does not usually extend to homes with access to cable and satellite television services. However, we do aim to support any households where an occupant is over 75, is registered blind or partially sighted or receives employment and support allowance. We do not provide engineer support to communal properties, but provide free communal filters to be fitted by landlords or property managers.

People who contact us asking to be compensated for work completed by other companies are reviewed on a case-by-case basis. In assessing these claims we consider the viewer's eligibility for our support, whether we believe the household received postcards in advance of mast activation, and any goodwill gesture when we feel we have not met an appropriate standard of service.

To expand this a little, where households reliant on Freeview have not received a postcard, are unaware of our service, and incur costs to fix problems caused by 4G masts, consideration is given to refunding the full amount. Where we have sent postcards to households warning of possible disruption to Freeview within the previous three months, we consider compensation of up to £50.

I previously provided Mid Ulster District Council, via Shirley McIntyre, with detailed data about our recent work in the area and would be happy to provide updates as requested.

We have restored Freeview to many homes across the district and compensated all eligible viewers when this has been requested.

Regarding requests for compensation from Mid Ulster, I can provide a small update to the previous figures. We have now had 45 reimbursement requests since October 2015. Of these, five were declined due to the households having access to cable or satellite TV services, and 40 offered either full or partial reimbursement or compensation as a gesture of goodwill.

Out of the 40 offered payment, 27 were provided with a full refund, 11 were offered £50 as we'd sent postcards to the properties within the previous three months, one was offered £15 as a gesture of goodwill for the cost of filters we would have supplied free of charge; and one was provided with £30 for general inconvenience due our engineer missing an appointment. We are currently responding to a viewer who has approached Citizens Advice unhappy at having been offered £50 as a partial reimbursement for work.

A note on the £50 figure: when our scheme was established, it was determined that viewer support should be provided via a £50 voucher for Freeview-only households to use against the cost of a home engineer visit and that viewers should arrange this support independently. We have expanded the support we offer by providing our own, accredited engineers to restore Freeview and make no charge for this. However, we do still use the £50 amount to reimburse viewers we've contacted in the previous three months who go on to pay for other companies to address interference.

Finally, should viewers be unhappy with the service we provide and our resolution to any complaint, an independent arbitrator - CISAS - is available to assess their case. The information about this and how we work is set out here: <https://at800.tv/about/code-of-service-and-commitment/>. No complaints have been raised with our independent arbitrator from viewers in Mid Ulster.

The information I have – in terms of mailing, contact centre support, engineer visits, compensation and reimbursement - leads me to believe that we are providing appropriate support to people in Mid Ulster. The government specified the policies we use to consider whether viewers are eligible for our support. We have gone further and expanded the support available beyond this mandated level. The 4G/TV Co-existence Oversight Board's role is to ensure that we are fulfilling the objectives of the government policy and any additional support that has been subsequently agreed.

It is for these reasons that I have asked the Council to clarify the specific issues it wishes to discuss before agreeing to a meeting. Do feel free to call me any time to discuss the topic. My mobile number is below.

Finally, should any residents in the Mid Ulster area experience new disruption, they should get in touch with at800 on 0808 13 13 800 (Freephone) or www.at800.tv

Yours sincerely



Ben Roome

Chief executive officer

Digital Mobile Spectrum Ltd. / at800

+44 7827 300 203

8 February 2016

Mr Ben Roome
Chief Executive
at800
83 Baker Street
London
W1U 6AG



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Dear Mr Roome

4 G Roll Out - Mid Ulster District Council

Mid Ulster District Council considered 4G Roll Out at their Council meeting on Thursday, 28 January 2016. Members reiterated the need for an urgent meeting to be convened with at800 and representatives of OFCOM to discuss customer concerns which have arisen across the Mid Ulster area as part of the roll out of 4G services during the past few months, and to identify a possible way forward.

Council therefore extends an invitation to you, and/or a nominated representative of at800 to attend a meeting with Council members as follows:

Date: Thursday 18 February 2016
Time: 5:45pm – 7:00pm
Venue: Mid Ulster Council Offices, Dungannon.

Should this date be unsuitable, please provide other options within the next two weeks and we will endeavour to accommodate this.

As many of the issues relate to the areas near the masts you may wish to also bring along representatives from your partner organisations to respond to operational questions from Members. If so, I would be grateful if could you include their contact details in your reply.

Yours sincerely

Councillor Linda Dillon
Chair

Cc: Jonathan Rose, OFCOM