

**A**

**Minutes of Meeting of Planning Committee (Development Plan and Enforcement) of Mid Ulster District Council held on Tuesday 15 September 2015 in Council Offices, Burn Road, Cookstown**

**Members Present**

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Mullen, Robinson, J Shiels

**Officers in Attendance**

Dr Boomer, Planning Manager (7.17 pm)  
Ms Gildernew, Senior Planning Officer  
Ms McEvoy, Head of Development Plan and Enforcement  
Mr McGibbon, Senior Planning Officer  
Ms McKearney, Senior Planning Officer  
Miss Thompson, Committee Services/Senior Admin Officer

**Others in Attendance**

Mr McRandall, DOE Historic Buildings Unit

The meeting commenced at 7.01 pm.

**P97/15      Apologies**

Councillors Glasgow and Reid.

**P98/15      Declarations of Interest**

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

**P99/15      Minutes of the Planning Committee Meeting held on Tuesday 28 July 2015**

Councillor Bell referred to item P88/15 – DOE Decisions on ‘Out of Town’ Retail and asked that his comment be amended to reflect.. “That the Council needed to be conscious of not being progressive **enough** in its thinking when considering proposals for ‘out of town’ retail, especially in circumstances where town centres do not have the capacity to accommodate such **services**.”

Councillor Clarke referred to item P94/15 – Environmental Assets and asked that his comment be amended to reflect.. “That **the unique archaeological and geological features of the Sperrins within Mid Ulster District council area** should be considered for World Heritage Site status.”

Proposed by Councillor Bateson  
Seconded by Councillor McPeake and

**Resolved** That the minutes of the Planning Committee (Development Plan and Enforcement) held on Tuesday 28 July 2015 (P83/15 – P94/15 and P96/15) were considered and subject to the foregoing, were signed as accurate and correct.

## **Matters for Decision**

### **P100/15 Landscape Assessment Paper**

Mr McGibbon (SPO) presented the Landscape Assessment paper as previously circulated which highlighted to Members the areas within the Council area that are vulnerable to change.

Councillor Gildernew referred to map three within the report and asked what the potential is for future development within the areas highlighted as being vulnerable.

The Head of Development Plan and Enforcement advised that this Landscape Assessment paper should be read in conjunction with the Development Pressure Analysis paper which is next to be discussed on agenda. The identification of vulnerable areas does not mean there will be no further development in that area but that the type of development will have to be considered and controlled more carefully in those areas.

In response to Councillor Clarke's question as to how "High Sperrins" is defined within the report the Head of Development Plan and Enforcement advised that this refers to the summits and steep upper slopes.

Councillor Clarke also referred to the fact that mineral extraction within the Sperrins is subject to planning permission however forestry activities do not fall under such permissions. The Councillor felt that the effect of such forestry activities can be dramatic and can totally change the landscape in addition to local water quality and the damage to local roads. The Councillor commented that such activities are of a commercial nature with no local benefit.

*The Planning Manager entered the meeting at 7.17 pm*

Councillor Bell voiced concern with regard to the potential restriction of development in vulnerable areas and how future targets can then be met.

The Planning Manager advised that in all matters officers are the advisors but Members are the decision makers and that what this Landscape Assessment paper is essentially saying is that in the main, existing policy is more than adequately protecting the countryside from excessive development pressure, however there may be a case in particular areas, such as the edge of Lough Neagh, to consider introducing additional protection.

Councillor Clarke commented that due to application/agent costs the public in general will not seek planning permission for something that is not likely to be approved, however, that is not to say there is no need.

Councillor McPeake referred to maps within report and apparent stringent boundary around Moyola floodplain.

Mr McGibbon explained that the areas recognised as being vulnerable were transposed onto the Mid Ulster map for the purposes of being a visual aid, the lines on the map are not a firm indication.

Councillor J Shiels asked if development within the areas highlighted on the map will not be allowed in future.

The Planning Manager advised that the next paper on the agenda – Development Pressure Analysis – will look at the possible restrictions to the types of development within vulnerable areas.

*Councillor Mullen left the meeting at 7.35 pm*

#### **P101/15      Development Pressure Analysis Paper**

Mr McGibbon (SPO) presented the Development Pressure Analysis paper as previously circulated which advised Members on the areas where significant development pressure has occurred and/or where local rural character is under threat.

It was noted that broadly speaking the development pressure analysis shows little evidence of significant adverse pressure across the district thus suggesting that both PPS18 and PPS21 have been generally effective, with some exceptions, in maintaining rural character. Exceptions include the Lough Neagh Fringes where it is recommended that an area of protection is introduced to conserve the lough shore. In addition, it was recommended that an area of protection from high structures be introduced to conserve the character of the High Sperrins and Clogher Valley Escarpments.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McAleer and

**Resolved**      That Council agree with the content of the Landscape Assessment Paper.

Proposed by Councillor J Shiels  
Seconded by Councillor Robinson and

**Resolved**      That Council agree with the content of the Development Pressure Analysis Paper.

## **P102/15      Open Space, Recreation and Leisure Position Paper**

The Head of Development Plan and Enforcement presented the above paper as previously circulated which provided Members with an overview on the provision of open space, recreation and leisure within the council area now and options for addressing the future needs of the district up to 2030.

The Planning Manager advised that the term “surplus pitches” contained within the report should not be misunderstood in that there is not space to give away.

Councillor McAleer commented that Knockmany Forest is not included on the list of open spaces and advised that this is a well used area that is not recognised and has no facilities ie. Toilets, play areas.

Councillor Clarke also commented that Davagh Forest and Lough Fea is not mentioned within the paper.

The Planning Manager advised that there is no difficulty advocating rural amenities however the paper before Members has focused on an urban needs analysis which has set parameters, a rural needs analysis would be more difficult to assess as there are no parameters set against this. The Planning Manager felt that it would be appropriate to include a comment within the paper in relation rural amenities that are outside of Council control.

Councillor Mallaghan referred to the need to give greater thought to the location of play areas in the future.

Councillor J Shiels referred to the pitch at Upperlands which is unusable at the moment due to changes within the club and asked if any protection can be given to pitches.

The Planning Manager advised that if the pitch was within an urban area an element of protection could be given, however this was not necessarily the case for a pitch in a rural location.

Proposed by Councillor Gildernew  
Seconded by Councillor McAleer and

**Resolved**      That Council agree with the content of the Open Space, Recreation and Leisure paper with additional comment to be included in relation to rural amenities outside of Council control.

## **P103/15      Tourism Position Paper**

The Head of Development Plan and Enforcement presented the Tourism paper as previously circulated which provided Members with an overview of tourism within Northern Ireland and Mid Ulster including an outline of the Tourism Strategy for Mid Ulster.

Councillor Robinson advised that there is also a golf club in Aughnacloy and Fivemiletown which could be included in paper.

Councillor Bell commended officers on the excellent paper and the need to develop Mid Ulster to its full potential as a tourist destination.

The Planning Manager commented that having a range of activities in place is a selling point in any area and suggested that the final policy needs to recognise the value of activity based tourism.

Councillor Clarke commented that tourists are visiting the area but are not staying due to lack of accommodation and expressed the need for a range of accommodation facilities to be put in place. Employment in the area would also receive a boost as a result.

Proposed by Councillor McAleer  
Seconded by Councillor J Shiels and

**Resolved** That Council agree with the content of the Tourism paper with recognition to be given to activity based tourism.

**P104/15 Proposed Pre-Application Community Consultation on Gas to the West Project**

The Head of Development Plan and Enforcement presented previously circulated paper regarding the proposed pre-application community consultation on the Gas to the West project.

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell and

**Resolved** That Council note the content of the report by RPS on the pre-application community consultation strategy in respect of the Gas to the West project.

**CONFIDENTIAL BUSINESS**

Proposed by Councillor Mallaghan  
Seconded by Councillor McAleer and

**Resolved** That items P105/15 to P109/15 be taken as confidential business.

**P110/15 Duration of Meeting**

The meeting was called for 7.00pm and ended at 10.55 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

**B**

**Minutes of Special Meeting of Mid Ulster District Council held on Thursday 17 September 2015 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Dillon, Chair

Councillors Ashton, Bateson, Bell, Buchanan, Burton (7.08pm), Clarke, Cuddy, Cuthbertson, Ellatar, Gildernew, Gillespie, Glasgow (7.25pm) Mallaghan (7.03pm), McAleer, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, Monteith, Mullen, J O'Neill, M Quinn, T Quinn, Robinson, J Shiels, Totten and Wilson

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Mr Kelso, Director of Public Health and Infrastructure  
Mr McCreesh, Director of Business and Communities  
Mr Moffett, Head of Democratic Services  
Mrs Forde, Member Support Officer

**In Attendance:** **Agenda Item 3 Northern Ireland Housing Executive**

|                |                          |
|----------------|--------------------------|
| Mr C McQuillan | South Regional Manager   |
| Mr M Dallat    | Area Manager             |
| Ms M Bradley   | Housing Services Manager |
| Ms M Conway    | Regional Planner         |
| Mr S Semple    | Strategic Planner        |

**Agenda Item 4 NI Water**

|             |                                     |
|-------------|-------------------------------------|
| Mr B Gowdy  | Director of Engineering Procurement |
| Mr G Millar | Head of Wastewater Networks         |
|             | Capital Delivery                    |
| Mr B O'Kane | Local Area Field Manager            |
| Mr P Cullen |                                     |

The meeting commenced at 7.00pm.

**SC10/15 Apologies**

Councillors Forde, Glasgow, Kearney, McNamee, McEldowney, McLean, McPeake Molloy, Mulligan, C O'Neill, G Shiels and Reid

**SC11/15 Declarations of Interest**

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

*Councillor Mallaghan entered the meeting at 7.03pm*

## **SC12/15      Syrian Refugee/Asylum Crisis**

The Director of Business and Communities advised that following the special meeting of Council on 10 September to discuss the humanitarian refugee and asylum crisis unfolding across Europe officers had undertaken research with local charities, Churches and businesses, consulted with Belfast City Council who had taken advice from the NI Refugee and Asylum Forum and had then reported findings to the Party Representatives group to discuss way forward. The Director sought approval for the undernoted:

- (i) Promote, through the Chair, in local paper and Council website to encourage people to donate monetary contributions to charities detailed in the report;
- (ii) Issue letter to British and Irish Governments together and European Union urging them to do more to resolve the humanitarian and refugee crisis across Europe and the Middle East. The letter to Government to include the commitment of Mid Ulster District Council to work with them in responding to providing asylum and refugee humanitarian support for people who come to the district.
- (iii) Convene and lead through the Chair, a community planning forum discussion with all relevant agencies, community, Churches and charities to prepare for refugee and asylum seekers coming to the area.

Proposed by Councillor McGinley  
Seconded by Councillor T Quinn and

**Resolved** That recommendations outlined at (i), (ii) and (iii) above be progressed.

Councillor McGinley thanked the Director of Business and Communities together with his team of officers for the work completed in a short time frame which were all practical outcomes.

*Councillor Burton entered the meeting at 7.08pm*

## **SC13/15      Northern Ireland Housing Executive**

The Chair welcomed representatives from Northern Ireland Housing Executive (NIHE) to the meeting. Mr McQuillan introduced representatives and made a presentation regarding the Mid Ulster Housing Investment Plan 2015-2019 previously issued to Members and indicated that feedback regarding the Housing Investment Plan would be welcome.

The Chair, Councillor Dillon thanked Mr McQuillan for the presentation and drew attention to the dire need for rental accommodation in Coalisland where it was proving impossible for a single person to get rental accommodation as they could not achieve the 140 points required for social housing irrespective of personal circumstances and the fact that their family was living nearby. Drawing attention to proposed changes in rent allowance which would not permit homes with more than one bedroom to be let to single people the Chair, Councillor Dillon acknowledged that there had been recent planning approval for housing association accommodation in

the middle of Coalisland and sought clarity on NIHE plans to address the severe housing need which never seemed to abate.

The Chair, Councillor Dillon raised concern regarding facilities for people with disabilities stating that in recent times lifts were being offered in homes where there were children, were being installed in the main living area, which may not have a large floor area and although when it was not practical to build on another room a lift was an alternative more and more the recommendation for a lift was becoming more the norm even when the Occupational Therapist suggests a long term life expectancy.

Responding Mr McQuillan stated that Coalisland had rapidly expanding populations which was relatively young and it was difficult for the NIHE to attain sites to build social housing. In terms of single people he advised that there had been 51 people in housing stress last year with only 9 allocations. Continuing Mr McQuillan advised that 25 new properties were being provided through the Housing Association that they would note the concern and were endeavouring to work towards providing more homes. In relation to Welfare Reform Mr McQuillan indicated that if it comes in there would be less housing benefit and none for people under 25 which would mean many would not be able to avail of accommodation.

In regard to extensions –v-lifts Mr McQuillan advised that up to 10 cases can be investigated per day with a ratio of 2:1 extensions to lifts being provided and emphasised that the NIHE were led by recommendation from health officials with a range of factors to be considered including, alternative accommodation, life expectancy and that often the best solution was for people to rehouse to suitable accommodation but that this was not always available. Responding to the question if the health of everyone in the home was taken into account Mr McQuillan advised that it was not unusual to receive recommendation for more than one person in the home.

Responding to Councillor McAleer's question regarding the long term planning for social housing provision and specification for new builds to eliminate disability access issues Mr McQuillan advised that the NIHE endeavour to look at a five year horizon, waiting lists, re-lets, other social housing providers and planning. Using Coalisland as an example he stated that it was very difficult to secure sites for social housing development as land owners often did not want to sell but that they did try to match provision with needs and it was necessary to have key sites developed into community planning. Mr Semple outlined the Department of Social Development year on year budgeting for such issues advising that it was under review and that accessibility was of utmost importance and that NIHE and most housing associations were designing towards this.

Councillor Wilson expressed thanks to the staff in the Cookstown NIHE office and sought clarity on the current number of vacant properties. Also with regard to anti-social behaviour it was asked if this could be broken down into specific areas in order that it may be addressed through the community plan.

Councillor B McGuigan also expressed concern regarding younger couples endeavouring to obtain points for social housing advising that if they were in private rental accommodation they were unable to score sufficient points and asked how the problem could be addressed.

Responding to the queries aforementioned Mr McQuillan advised that there was currently 6 void properties in Cookstown and 36 void properties across Mid Ulster which represented 0.9% of the housing stock in the area, that good housing management indicates you should run at less than one percent so thus this was good and turnover of stock was required to facilitate need. Regarding anti-social behaviour Mr McQuillan stated he would provide a breakdown by district through to estate level.

With regard to young couples in housing stress if their housing costs were 30% more of total income Mr McQuillan advised that this would qualify them for additional points and that there was local housing allowance rates he also stated that individuals should go to their local office at which time staff would try to address issues.

Councillor S McGuigan welcomed the report stating that although progress had been made on houses of multiple occupation (HMO) he asked if the issue was emerging again and also regarding welfare reform if joint tenancy agreements was an option being investigated if people were in properties they could no longer afford. Responding Mr McQuillan stated that officers were reporting a lower number in the area than what had been anticipated but that at this stage there was no satisfactory answer but officers were working with colleagues in the benefits system to compile the register. He further clarified that if people were all of the one family it was not treated as a 'HMO' but for health and safety compliance they did need to know. In relation to joint tenancies Mr McQuillan advised they would encourage single people to participate in such a scheme and although they could not force people to do this welfare reform would impact on affordability.

*Councillor Ashton left the meeting at 7.45pm*

Councillor Monteith expressed his exasperation with the haphazard social housing provision in Dungannon over the past 20 years, referring to the shocking cost of private rents, the severe housing stress caused by it, the lack of appetite to tackle the issue and questioned if there was analysis to show both housing stress and inability to afford rent.

*Councillor Wilson left the meeting at 7.52pm*

Responding Mr McQuillan stated that the issue of housing allowance was out of NIHE control and that there was no analysis regarding housing stress due to cost as the system worked on a point business. Referring to provision of new build social housing Mr McQuillan stated that it was difficult to attain sites, that they continued to work with housing associations and that Fold Housing were working on site identification at present.

*Councillor Wilson returned to the meeting at 7.57pm*

Mr McQuillan made reference to sites detailed in the report to which Councillor Monteith responded many of them had appeared for the past six years but no progress had been made. Councillor Monteith making further reference to the report and outlining concerns especially in the lack of consultation with elected representatives stated that there had been lack of strategic involvement year on year and stated that a strategic task force to include officials of council, councillors and

strategic people from NIHE should be formed to tackle the social housing deprivation and associated problems.

*Councillor Quinn left the meeting at 7.58 pm returning at 8.00pm*

*Councillor Wilson and Quinn left the meeting at 8.00pm*

The Chair Councillor Dillon concurred with Councillor Monteith's comments stating that elected Members should be consulted with at the outset as they were left with the problems created by various agencies. Responding Mr McQuillan stated that it was hoped with community planning and indeed the planning process many issues raised would be addressed.

*Councillors Quinn and Wilson returned to the meeting at 8.03pm*

Councillor Bateson raised the issue of halting sites for the Travelling Community referring to results of surveys conducted in the past which highlighted need.

*Councillor M Quinn left the meeting at 8.05pm*

Responding Mr McQuillan advised currently there was no plans to provide additional halting sites but that much work had been done at the site in Coalisland and many travellers had settled within the community. He also advised there was halting sites in Antrim, Craigavon, Strabane and Toomebridge and usage had diminished and stated that feedback from the Travelling Community would indicate that additional sites were not required.

*Councillor M Quinn returned to the meeting at 8.10pm*

Councillor Cuddy commented that with the powers afforded to new Councils especially through community planning and its partnership approach that it would be hoped the difficulties raised could be eradicated.

*Councillor Bell left the meeting at 8.14 pm returning at 8.15pm*

Councillor T Quinn expressed his thanks for the NIHE staff in Cookstown and referred to the Killymoon project emphasising the greater sense of community spirit which had resulted from it and stated that he would like to see funding made available and it rolled out into other areas. Mr McQuillan concurred with the success and responding to Councillor T Quinn's further questions regarding the 36 unoccupied dwellings stated that the turnaround time in securing new tenants was usually 20 days. He further clarified that all anti social behaviour incidents was classed under the one heading and that it was not a major issued in Mid Ulster District Council region.

*Councillor Cuddy left the meeting at 8.17pm*

Councillor Cuthbertson sought an update on programme of works on Eastvale estate and also in Ballynakelly to which the NIHE stated they would provide him with an update.

In response to Councillor Bell's concerns regarding public money being spent on bringing projects to planning level then them not being delivered Mr McQuillan advised that reasons varied. Councillor Bell stated that moving forward the local planners would work progressively to overcome planning obstacles.

The Chair councillor Dillon thanked the NIHE for their presentation and emphasised the need for all agencies to work collectively to deliver on the ground and stated that some of the policy that NIHE had to adhere to highlighted how the department was letting everyone down.

*Councillors Gildernew, Monteith and J O'Neill left the meeting at 8.25pm*

*The Chief Executive and Director of Business and Communities left the meeting at 8.26pm*

## **SC14/15      Northern Ireland Water**

The Chair welcomed representatives from NI Water to the meeting. Mr Gowdy introduced representatives and made a presentation regarding the structure, investment plans, capital works campaigns, initiatives and campaigns throughout the Mid Ulster District Council.

The Chair, Councillor Dillon thanked Mr McQuillan for the presentation and sought clarification as to when works in Knockmany Park would progress and also when Roads could be adopted within development, in response Mr Millar advised that it was hoped to commence works in October and that they would be completed by March 2016. The Chair, Councillor Dillon made reference to the historical underspend and investment in infrastructure and sewers not being adopted in developments whereby the developer is long gone. Responding Mr Millar advised there was a number of estates throughout the country where sewers were not up to standard and thus NI Water would not adopt them and stated that a mechanism needed to be put in place for 'ghost estates' where development was incomplete. The Chair, Councillor Dillon stated that the development she was referring to was fairly established and requested that NI Water report back regarding the issue.

The Chair, Councillor Dillon sought clarity on emergency arrangements with the onset of winter months and also noted the 5.4% spend listed for Mid Ulster and sought clarity as to how it equated with spend in other Council areas. Mr Gowdy advised that many lessons had been learnt following the big freeze of five years ago and also more recent industrial action and that Council was welcome to the view plans regarding same. With regard to capital spend Mr Gowdy advised that the decisions were based on need but that he would provide figures on capital spend across the 11 Council areas.

*Councillor Wilson left the meeting at 8.46pm*

Councillor McAleer thanked NI Water for issues which had been resolved in Ballygawley and expressed surprise at the number of wells in use and people not having mains water due to the expense of bringing water from the pumping stations. Mr Gowdy clarified that NI Water allowed £1500 for water to be brought to a new home and the home owner then had to provide the shortfall which could be up to £3000 and that the problem was more acute in this region.

*Councillor Mullen left the meeting at 8.52pm*

Councillor McAleer made reference to an area whereby there was ten houses without mains water and the quote given to provide same was very expensive. Responding Mr Gowdy requested that Councillor McAleer provide him with the details and he would report back.

Councillor McGinley sought clarification as to whether drinking water was provided from Lough Neagh as he had heard it was used for waste water. Mr Gowdy clarified that drinking water is provided from Lough Neagh that NI Water were aware of discharges but emphasised they had no effect on drinking water.

Councillor Bell made reference to work regarding public sewage and asked if it was possible to have work carried out on Mullen Road similar to that carried out on Killymuck Road. Mr Gowdy advised that he would investigate and report directly back to Councillor Bell.

*Councillors Cuthbertson, Mallaghan and McAleer left the meeting at 8.55pm*

Councillor Clarke stated that he came from one of the highest parts of the district and it was no surprise to him that there were people without mains water as it was over forty years since he was involved in getting whatever infrastructure there was, stating that at that time there had been areas missed which still haven't been updated since 1972. The Councillor referred to the £10k subsidy from DARD but stated that he was aware of one instance that ten house holders priced delivery of mains water and the quote was in the region of £250k so even with the subsidy the cost to individuals was still extortionate. Stating that it was an inequality that must be addressed Councillor Clarke stated that in 2015 there must be a way of delivering water to the region. Councillor Clarke made further reference to waste of money and resources highlighting an example where it must have costs tens of thousands to lay 50 meters of pipe due to lack of knowledge of the infrastructure in place and its location.

*Councillors S McGuigan and J Shiels left the meeting at 9.03pm*

Responding Mr Gowdy advised until there was investment in NI Water the situation would remain stating that he was fully aware of the problems as he had worked in the particular area. With regard to the ten houses seeking mains supply he requested that Councillors write to NI Water and then he could investigate if some sort of network could be provided to deliver mains water supply. With regard to the replacement of water pipes he asked for specific location and he would investigate same. Councillor Clarke responded that he could take him to the exact location as it was on his land and with regard to supplying water to the area in question he stated if it was piped to the highest point it would service all.

Councillor Gillespie welcomed treatment works at Altmore and Donaghmore and sought clarification regarding the timeframe for works between Carland to Cookstown. Mr Gowdy confirmed that it was a £1.5million investment programme which would last approximately eight months so thus it should be completed by the spring.

Councillor McKinney stated that he understood the need for additional housing but that the sewers in smaller areas is not fit for purpose and additional workload and asked if there was forward planning to address the issues. Councillor McKinney concurred with Councillor Clarke's comments regarding the loss of general knowledge of the existing infrastructure.

Responding Mr Gowdy advised there was a programme for rehabilitation of existing sewers. Mr Millar further advised that this was within his remit and in considering future plans he would consult with council and planners in order to ascertain which areas should be prioritised and that it would be necessary to liaise regarding planned gas pipe laying and roads etc. Acknowledging that staff had been reduced he advised that much of the knowledge regarding infrastructure had been captured both electronically and digitally.

Councillor Robinston sought an update regarding the pumping station at Glencull, the provision for waste water in Ballygawley as existing system was running on full capacity as was the sewage works what plans there was for Augher and for mapping as he was aware of that workers had spent days looking for a valve to turn water supply off when there had been a burst pipe.

*Councillor M Quinn left the meeting at 9.11pm*

Mr Millar responded that he was aware of the issue at Glencull and that Ballygawley and Augher were on a programme for refurbishment. With regard to mapping issues he stated that it was sometimes difficult to locate valves as areas changed over the years.

*Councillor M Quinn returned to the meeting at 9.14pm*

Councillor Burton sought updates on ongoing issue from 2008/09 of the treatment works in Fivemiletown and the stench occurring behind the play area especially in the summer time; the pumping station at Glabby Road, Fivemiletown which sometimes caused flooding in a nearby estate; and the case of a home in Castlecaulfield that was experiencing sewer water log, stench and sewage in the back garden following building of the school. Mr Millar advised that he would report back on all issues.

*Councillor Burton left the meeting at 9.21pm*

Councillor Glasgow stated that architects were approaching him stating that the sewage pipes in Cookstown could not cope and sought clarification as to whether there was plans to upgrade the system. Responding Mr Millar advised that this had been an issue and certain areas of the network in Cookstown area could not cope with additional flow, continuing he advised that often they divert storm water away as the percentage of sewage was 20% with 80% rain water thus if the latter was diverted the sewers would cope but it was essential that NI Water was in at design stage of developments. Mr Millar also advised that he would report back on any planned upgrades and capital investment for the Cookstown area.

*Councillor Robinson left the meeting at 9.26pm*

Responding to Councillor Bateson's query regarding expenditure on water mains Mr Gowdy advised he did not know exactly but could advised that millions of pounds had been spent in installing water meters and due to current legislation even though water charging was not introduced they were still duty bound to install and this was a huge waste of resources.

The Chair Councillor Dillon concluding stated that although the action plans were in place regarding emergency situations these needed to be shared with Council and a report brought to the Environment Committee in order that Members were fully briefed. Mr Kelso stated that staff had had some discussions with the NI Water team and that more detailed would be provided.

#### **SC15/15      Duration of Meeting**

The meeting was called for 7.00pm and ended at 9.30pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

C

**Minutes of Meeting of Mid Ulster District Council held on Thursday 24 September 2015 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Dillon, Chair

Councillors Ashton, Bateson, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Ellatar, Forde, Gildernew, Gillespie, Kearney, Mallaghan, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Molloy (7.05pm), Monteith, Mullen, Mulligan, C O'Neill, J O'Neill, M Quinn, T Quinn, Robinson, J Shiels, G Shiels, Totten and Wilson

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Ms Campbell, Director of Culture & Leisure  
Ms Canavan, Lead HR Officer  
Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Mrs Mezza, Head of Marketing Communications  
Mr Tohill, Director of Finance  
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm.

**C164/15 Apologies**

Apologies were received on behalf of Councillors Glasgow and Reid,

**C165/15 Chairs Business**

Acknowledging that to date there is no policy Councillor B McGuigan requested that once in place a civic reception be hosted for European Champion tug of war team from Ballnascreen. Outlining recent successes Councillor B McGuigan made reference to the team's success in United Kingdom Championships whereby they maintained their gold title and now the European Championship. The Chair Councillor Dillon stated that the request would be added to the reception list for consideration and in the meantime that a letter would be forwarded congratulating the team on their achievements.

Councillor Burton requested that a letter of congratulations be forwarded to Castlecaulfield Horticultural Society and also that a civic reception be hosted to acknowledge their achievement in attaining first place in Ulster in Bloom in the small village category. Stating that the group formed in 2005 and had grown from strength to strength Councillor Burton commended their ongoing successes in both the annual Flower Show and continuing success in the Ulster in Bloom competition. Making reference to the outstanding floral displays throughout the village of Castlecaulfield the Councillor commended the leadership of Mr Armstrong and Mrs McKenna and the team work of the whole society.

*Councillor Molloy entered the meeting at 7.05pm*

The Chair Councillor Dillon stated that once the reception policy criteria was determined that if the request did not meet it she would host a Chair's reception for both Castlecaulfield Horticultural Society and neighbouring Donaghmore Horticultural Society and in the meantime a letter of congratulations would be sent.

Councillor McLean requested that once the reception criteria was approved that both Marcus and Matthew Wenlock be considered for a civic reception for their achievements in drumming championships.

**Resolved** That the aforementioned be recognised at forthcoming civic reception and letters as requested be forwarded by the Chair.

#### **C166/15      Declarations of Interest**

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

#### **Matters for Decision**

#### **C167/15      Receive and consider minutes of matters transacted in "Open Business" at Council meeting held on Thursday 27 August 2015**

Councillor Clarke requested that item C157.1/15 the support for his motion be amended to undernoted:

Supporting the motion Councillor Clarke stated that in the North of Ireland in 1993 milk production was 1439 million litres, from 4596 holdings whilst in 2013 it was 1979 million litres from 2684 holdings. This represented a 38% increase in production from a region which had been an exporter of from 75% to 85% of its dairy product over that period. Councillor Clarke added that supply and demand makes an impact on producer returns.

Continuing Councillor Clarke stated that the Minister for Agriculture had endeavoured to raise the issues and that there should be a joint approach throughout the Island of Ireland to the common problems experienced in the farming industry where over 50% of milk produced was purchased by companies in both parts of Ireland. Calling for a proactive approach to the difficulties for all sectors of farming throughout Ireland Councillor Clarke emphasised that the structure of farming families at the heart of rural communities would disappear for ever if all producers did not receive a sustainable return.

Proposed by Council lor B McGuigan  
Seconded by Councillor Clarke

**Resolved** That the Minutes of the Meeting of the Council held on Thursday 27 August 2015 (C148/15 – C157/15 and C163/15), transacted in "Open

Business” having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

**C168/15      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee (Development Management) held on Tuesday 1 September 2015.**

Proposed by Councillor Robinson  
Seconded by Councillor Bell

**Resolved**      That the Minutes and recommendations of the Planning Committee (Development Management) meeting held on Tuesday 1 September 2015 (P97/15 – P105/15 and P107/15) transacted in “Open Business”, having been printed and circulated were considered and adopted.

**C169/15      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee held on Thursday 3 September 2015**

Proposed by Councillor S McGuigan  
Seconded by Councillor Monteith

**Resolved**      That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 3 September 2015 (PR121/15 – PR126/15 and PR132/15), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

**C170/15      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 8 September 2015**

Councillor Mulligan requested that the date at E144/15 be amended from 7 October until 14 October 2015.

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

**Resolved**      That the Minutes and recommendations of the Environment Committee meeting held on Thursday 8 September 2015, (E135/15 – E158/15 and E167/15), transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

**C171/15      Receive and consider minutes of matters transacted in “Open Business” at the Special Council meeting held on Thursday 10 September 2015**

Proposed by Councillor McGinley  
Seconded by Councillor J Shiels and

**Resolved** That the Minutes of the Special Meeting of the Council held on Thursday 10 September 2015 (SC6/16 –SC9/15), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

**C172/15 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 10 September 2015**

Councillor Wilson requested that D150/15 Councillor G Reid be amended to Councillor G Shiels.

D153/15 Councillor Dillon requested that her comment be amended to read: Councillor Dillon requested a paper on 2016 centenary events across the Council area to include Coalisland because of the direct link Coalisland has to the Easter Rising and Dungannon because of its connection to Thomas Clarke.

D155/15 Councillor Dillon advised that there was a playpark in Brackaville and that paragraph four should be amended to read: Councillors Dillon and Reid agreed that a playpark is still badly needed in Brocagh and this should be investigated.

Proposed by Councillor T Quinn  
Seconded by Councillor C O'Neill

**Resolved** That the Minutes and recommendations of the Development Committee meeting held on Thursday 10 September 2015, (D149/15 – D169/15 and D177/15) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

**C173/15 Conferences and Seminars**

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

- (i) CIPFA Conference, Northern Ireland  
Thursday 8 October, Hilton Hotel, Templepatrick
- (ii) Shaping Place Lives – Place making Symposium for Councils,  
Thursday 22 October, Mossley Mill, Newtownabbey (invitation extended to Planning Committee Chair and Committee Members)
- (iii) The New General power of Competence, NILGA  
Wednesday 28 October, Glenavon Hotel, Cookstown  
Thursday 29 October, Lough Neagh Discovery Centre, Craigavon

Councillor S McGuigan to attend event at Cookstown

- (iv) Association of Irish Festival's Events Annual Conference 2015

Friday 6 November and Saturday 7 November, Ballinasloe, Co Galway.

- (v) RICS Planning and Development Conference, NI  
Tuesday 3 November, Belfast
- (vi) Infrastructure in Northern Ireland, policy Forum for Northern Ireland  
Seminar  
Thursday 4 February 2016, Central Belfast

Proposed by Councillor McGinley  
Seconded by Councillor Gillespie and

**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**

#### **C174/15 Consultations notified to Mid Ulster 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

#### **C175/15 Consideration of Motions**

##### **C175.1/15 Councillor McPeake to move**

Councillor McPeake drew attention to the motion undernoted that this Council agrees to:

Review and where appropriate, remedy its provision of defibrillators across its entire public estate to ensure no gaps exist in adequate service provision. This needs to include our leisure facilities, Council offices, Community centres and areas of high public footfall;

Undertake a programme of training for staff who have daily contact with the public in the use of Defibrillators and CPR; and

The Council Chairperson in her civic role being requested to bring together charities and campaign groups working in this field along with local Chamber of Commerce Reps and other key stakeholders to shape an action plan for adequate provision of PAD's (Publically Accessed Defibrillators) in town centre locations alongside provision in shopping centres and highly populated areas.

In moving the motion, Councillor McPeake advised that each year within the North of Ireland 1,400 people suffer an out of hospital cardiac arrest and that the current survival rate for out of hospital cardiac arrest is 7.5% and stated that

research has shown that using a defibrillator in conjunction with administering CPR can increase survival rate to over 70% whilst allowing time for paramedics to arrive on the scene;

In May 2015, all parties in the Assembly supported a motion calling on the Minister for DCAL to conduct a feasibility study to look at the potential for an interactive map based register of defibrillators across all departments, including arms lengths bodies and also called on the Executive to devise a strategy that will see an increase in provision of defibrillators in public buildings and to ensure compatibility with the systems deployed by the Ambulance Service.

Councillor McPeake then described Defibrillators (AED Automated External Defibrillator), their use and highlighted that although training is available a person did not have to be specifically trained to use it.

Acknowledging that Mid-Ulster Council currently deploys AED's in its premises in Cookstown Leisure Centre, Dungannon Leisure Centre, Mid-Ulster Sports Arena, Meadowbank Sports Arena, Moneymore Recreation Centre and Ballyronan Marina Councillor McPeake stated there was still quite a number of sites without them and requested that the deficits be speedily addressed. Councillor McPeake continued stating that whilst the Council AED's were intended for use by Council employees who have been trained and who hold current certification in both the use of AED's and CPR there should however be no prohibitions, in the absence of a trained operator, or any person willing to use the AED in an emergency (this is in accordance with Resuscitation Council Guidelines (UK) Provision of Council owned AED's comes with it responsibilities in order to maintain the safe use of these devices. Councillor McPeake further stated that an up-to-date record of all certified AED responders based at each location and regular checking and maintenance of the devices themselves needed to be maintained together with refresher training.

In addition to the request seeking AED provision and cover within the Council owned estate Councillor McPeake advised that the motion also sought to examine facilitation of AED's in other public areas within the district especially those areas of high footfall. To this end Councillor McPeake requested that Council Officers carry out a scoping exercise on the most advantageous and appropriate places for their location.

Councillor McPeake continued commending the great work being carried out locally within Community and Voluntary organisations, the GAA and further advised that some local businesses provide AED access within their areas of responsibilities. Speaking in regard to the GAA community Councillor McPeake stated that GAA clubs have all got their own AED's and trained up responders and related an instance when he witnessed one in use which assisted in saving the life of a young man. Advising that the Tyrone based Cormac Mc Anallen Trust was created after the sudden death in 2004 of the Tyrone Minor Football Captain and now provides advice and assistance for communities and groups wishing to create responder units themselves Councillor McPeake stated that such responder units had been created in rural areas such as Broughderg, Blackwater and Slaughtneil and when suspected cardiac arrest situations occur locally the volunteers respond to local 999 calls and can almost always appear on the scene and begin administering

resuscitation before the Ambulance arrives. Councillor McPeake commended their work and that of other organisations who are in the process of creating similar responder units.

Concluding Councillor McPeake stated that he was seeking Council through the leadership of the Chairs office to engage with all relevant stakeholders together with local and regional groups to maximise the amount of defibrillators accessible to constituents. Councillor Peake further requested that Council does what it can to increase the provision of defibrillators within its estate and on the streets of the district and this would lead to a safer and better place to live.

Councillor Cuthbertson supported the motion and advised that the local Free Presbyterian Church had obtained a defibrillator through Craigavon Cardiac Care, 18 people had been trained in its use and stated that if the motion was successful Council should also facilitate training for the use of such community based defibrillators.

Councillor Kearney expressed his support for the motion also stating that all buildings which were not private homes had to have a fire extinguisher yet more people die of cardiac arrest and thus a change in legislation should be sought to ensure defibrillators were in buildings also. Councillor Kearney stated that as good practise a register be drawn up of all defibrillators in the district and held within the Councils Emergency Plan.

Councillor Clarke seconded the motion stating that he was a member of a responder group which was formed five years ago, that three defibrillators covered a 40 square mile radius and there were nine trained users. Councillor Clarke emphasised the importance of training, and maintenance especially to ensure batteries were kept charged. Emphasising the importance of a scoping study to establish existing defibrillators and trained users and then ensuring provision where gaps occur could lead to many lives being saved as a minute or even five could make such a difference.

Councillor G Shiels expressed his support relating a story told on a regional radio show which highlighted if an ambulance crew had to choose between two emergencies involving cardiac arrests the one with the defibrillator would be given priority.

Councillor Burton supporting the motion suggested that Council investigate purchasing defibrillators in bulk and in turn selling them at cost to community groups endeavouring to raise money in order to have a defibrillator in the local community.

*Councillor Bell left the meeting at 7.30pm*

The Chief Executive stated that Officers would investigate this issue as part of the scoping study and bring a report back to Council. The Chief Executive advised that Council defibrillators had been used twice in recent months once in Cookstown Leisure Centre and once in Magherafelt on the Main Street so already Council staff were playing a vital role.

*Councillor Bell returned to the meeting at 7.32pm*

Responding to comments Councillor McPeake stated that he was heartened by the support the motion had received and whilst it was appropriate for a report to come to Council in ways to help the community it was essential that Council identify and fill the existing gaps across the Council estate. Concluding Councillor McPeake stated that it was a major piece of work but there was no limit to how Council can help provision of defibrillators throughout the District.

### **Confidential Business**

Proposed by Councillor J Shiels  
Seconded by Councillor S McGuigan and

**Resolved** That items C176/15 to C182/15 be taken as confidential business.

*The press left the meeting at 7.35pm*

### **C183/15 Duration of Meeting**

The meeting was called for 7pm and ended at 7.47 pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**D**

**Minutes of Meeting of the Special Development Committee of Mid Ulster District Council held on Tuesday 29 September 2015 in the Council Offices, Burn Road, Cookstown**

**Members Present**

Councillor Burton, Chair

Councillors Clarke (7.12 pm), Elattar, Forde, McEldowney, McNamee, Molloy, Monteith, C O'Neill, T Quinn (7.04 pm), J Shiels and Wilson

**Officers in Attendance**

Ms Campbell, Director of Culture and Leisure  
Mr McCreesh, Director of Business and Communities  
Mr Browne, Head of Tourism  
Mr McCrory, PCSP Programme Manager  
Mrs Grogan, Committee Services Officer

**Agenda Item 3: Mindwise**

Edward Gorringer & Lee Campbell

**Agenda Item 5: Ulster GAA**

Ryan Feeney

**Agenda Item 6: NI Strategic Migration Partnership**

Ken Bishop & Mary Kerr

**Agenda Item 7: Alzheimer's Society**

Mona McGlade & Sharon Crooks

**Agenda Item 9: Agewell Partnership**

Marie Devlin, Eileen McGuigan, Geraldine Hughes & Ursula Scullion

The meeting commenced at 7.03 pm.

**D178/15 Apologies**

Councillors Dillon, Reid and G Shiels.  
Moortown GAA.

**D179/15 Declaration of Interests**

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

## **D180/15      Mindwise**

The Chair, Councillor Burton welcomed Mr Edward Gorringe and Ms Lee Campbell to the meeting.

Mr Gorringe gave a brief synopsis of the work carried out by Mindwise and highlighted the fact that 1 in 4 people will experience some kind of mental health problem in the course of a year. He explained the damaging impact stigma and discrimination has on those with mental health issues and encouraged the council help break down this stigma by promoting mental health and wellbeing in their community (appendix 1).

He asked that the Council consider appointing a Mental Health Champion to promote mental health and wellbeing within the council area and ensure that mental health is considered in community planning decisions.

*Councillor Clarke entered the meeting at 7.12 pm.*

The Chair, Councillor Burton thanked Mr Gorringe for his impressive presentation and asked for members comments.

In response to a query from Councillor Elattar regarding the process of being referred to Mindwise, Mr Gorringe advised that once a person has been diagnosed with mental health issues they will be referred by their GP, Social Worker or Health Trust to the organisation.

Councillor J Shiels stated that there is a stigma attached to mental health and would fully support the request from Mr Gorringe of appointing a Mental Health Champion.

The Chair, Councillor Burton advised that if the organisation were willing to collect old furniture from Tullyvar Landfill site, they would be welcome to use it for their News Style Furniture projects.

The Chair, Councillor Burton thanked Mr Gorringe and Ms Campbell for their attendance and asked that a letter be sent to the Council so that the Party Leaders can make a decision.

The representatives of Mindwise withdrew from the meeting at 7.25 pm.

*Councillor Wilson left the meeting at 7.26 pm and returned at 7.30 pm.*

## **D181/15      NI Strategic Migration Partnership**

The Chair, Councillor Burton welcomed Mr Ken Bishop and Ms Mary Kerr to the meeting.

Mr Bishop gave a brief synopsis of the work carried out by NI Strategic Migration Partnership and advised that it is a multi-agency, cross-party and cross-departmental body working to reflect the regionally specific needs of Northern Ireland in the development and implementation of UK policy.

The NI Strategic Migration Partnership works across spheres of government, private and voluntary sectors in the region to ensure that Northern Ireland is a welcoming place for migrants, refugees and asylum seekers, and supports the retention and integration of people in a way which meets skills and labour requirements to support future economic growth. The partnership ensures that Northern Ireland's needs and concerns with regards to immigration are recognised within the constraints of a UK-wide strategy. It will play a strategic leadership, advisory and co-ordination role for migration in the region. NI Strategic Migration Partnership is an independent body made up of relevant stakeholders and is hosted by its lead partner NILGA (appendix 2).

The Chair, Councillor Burton thanked the group for their presentation and asked for members comments.

Councillor Molloy advised that there is a large and diverse number of settled migrants and asked how often the research is updated.

Ms Kerr explained statistics are drawn from the Office of National Statistics ie. NISRA but there is a need for new research or agency organisation for a one stop website for up to date information.

Councillor Wilson felt that the statistics outlined on the Mid-Ulster Profile may not show a true reflection for the Mid Ulster area, unless the base figure is known.

The Director of Business and Communities to get a detailed profile from Representatives of NI Strategic Migration Partnership and circulate to members.

The Director of Business and Communities advised that Officers from Community Development, Arts & Culture etc would like to sit down with NILGA and keep up to date.

The Director of Business and Communities advised members that there would be no conflict of interest in any form regarding NILGA.

The representatives of NI Strategic Migration Partnership left the meeting at 7.45 pm.

The Chair, Councillor Burton advised that an apology had been received from Moortown GAA club who were due to make a presentation to the meeting tonight.

## **D182/15      Ulster GAA**

### ***Declaration of Interest***

The following Councillors declared an interest in the Ulster GAA.

Councillors Clarke, Elattar, McEldowney, McNamee, Molloy, Monteith and C O'Neill.

The Chair, Councillor Burton welcomed Mr Ryan Feeney to the meeting.

Mr Feeney gave a brief synopsis of the work carried out by the Ulster GAA and advised that the GAA is the world's largest volunteer sporting, cultural and community organisation with over 1.2 million members of 3,000 clubs located in 54 countries across the world. The GAA promotes the indigenous sports of the island of Ireland namely Hurling, Gaelic Football, Camogie, Handball and Rounders in addition to the promotion of Irish Culture, Language and Pastimes. The GAA is an amateur sporting body governed by volunteers. The Ard Chomhairle (Central Council) of the GAA comprises delegates from GAA units across the world and oversees the governance and policy direction of the GAA (appendix 3).

The Chair, Councillor Burton thanked Mr Feeney for this comprehensive presentation and felt it was interesting to see the amount of time allocated to Health and wellbeing at which she asked for members comments.

In response to Councillor Forde's question regarding young people getting involved in Road Safety initiatives, Mr Feeney advised that the Ulster GAA run a very successful campaign called "Live to Play", which is a Road Safety Programme which raises awareness and educates members on how best to stay safe on the roads. The Campaign has enabled Ulster GAA to promote the message in Schools and Clubs and at major Ulster Championship Football and Hurling fixtures. The PSNI, Fire Service and the media are also involved in the campaign.

In response to Councillor McNamee's question regarding update on O'Neill Park, Mr Feeney advised that this has been put on hold due to the situation at Casement Park as it's the priority.

Councillor Monteith stated the primary schools and 4 main clubs in Dungannon are working very hard to integrate the migrant children into the GAA. He felt that there is a need for the GAA outside Dublin to be more proactive in integrating the migrant population into the GAA by providing toolkits for clubs i.e Interpreters etc.

Mr Feeney said that he would take on board Councillor Monteith's sentiments but advised that the GAA have launched their "New Irish" campaign which welcomes many migrants who now live in our communities. A DVD has been translated into 12 different languages which has been a useful tool in helping to introduce the GAA to newcomers which outlines all of the various skills of hurling and gaelic football.

The Chair, Councillor Burton thanked Mr Feeney for his attendance and asked that an update be provided to Councillor Monteith on integration of the migrant population.

Mr Feeney withdrew from the meeting at 8.02 pm.

*Councillor Wilson left the meeting at 8.03 pm.*

## **D183/15      Alzheimer's Society Partnership**

The Chair, Councillor Burton welcomed Mona McGlade and Sharon Crooks to the meeting.

Ms McGlade gave a brief synopsis of the work carried out by the Alzheimer's Society in working with people with dementia.

Dementia is an umbrella term to describe Alzheimer's, Vascular, Lewy Body, Korsakoff's, CJD and Fronto-temporal which affects 19765 people in Northern Ireland, with 1317 people being from Mid Ulster area. It is estimated that one in three people will experience dementia. This costs the government over £26 billion per year with family carers saving the UK over £11 billion per annum.

The service provided in the Mid Ulster area involves one-to-one visits, support groups, dementia information programmes, dementia friendly communities, awareness raising, side-by-side service, activity clubs/friendship groups/social outings, advocacy and the provision of a helpline (appendix 4).

Ms Crooks gave an overview of what it's like on a daily basis to be a Carer for her mother and the invaluable help received from the Alzheimer's Society.

The Chair, Councillor Burton thanked Ms McGlade and Ms Crooks for their presentation and commended them on their invaluable work toward the Alzheimer's Society.

In response to a query from the Chair, Councillor Burton regarding referrals to the Society, Ms McGlade advised that this could take up to 2 or 3 years as it could take time to come to terms with the condition.

Councillor Forde commended the Alzheimer's Society work and all the Carers who devote so much of their time looking after loved ones and enquired how aware is the public of the organisation.

Ms McGlade advised that leaflets are displayed in local libraries, Doctors surgeries and community halls, with advertisements being carried in the Mid Ulster Mail and the Derry Post.

The Chair, Councillor Burton suggested contacting COSTA to advertise in their community newsletter.

The Director of Business and Communities said that officers within Community Development would meet up with the Organisation and see how community awareness can be progressed.

Councillor Elattar suggested that adverts could be displayed on PCSP screens in post Primary Schools and towns to help promote the campaign.

The PCSP Manager advised that the screens are only in the Magherafelt part of the district, but if the information was sent to him that he would put them on.

The representatives from the Alzheimer's Society left the meeting at 8.18 pm.

*Councillor C O'Neill left the meeting at 8.19 pm.*

## **D184/15      Agewell Partnership**

### ***Declaration of Interest***

The Chair, Councillor Burton declared an interest in Agewell Partnership at which she vacated the Chair, but did not leave the room.

Councillor Monteith, Vice Chair took the Chair.

The Chair, Councillor Monteith welcomed to the meeting Marie Devlin, Eileen McGuigan, Geraldine Hughes & Ursula Scullion.

Ms McGuigan gave a brief synopsis of the work carried out by the Agewell Partnership stating that it was a Partnership of statutory and community/voluntary organisation providing a unique service supporting Older and Vulnerable people within the Mid Ulster Community to help them live safely and comfortably in their own homes.(appendix 5)

Ms McGuigan explained that Agewell Partnership's aim was to:

- Improve health and well-being
- Reduce isolation
- Improve security and safety
- Reduce fear of crime
- Make communities more aware of what matters to older people
- Reduce poverty levels, including fuel poverty
- Help organisations to work together better for the benefit of older people

Ms McGuigan outlined 3 options for the future of Agewell Partnership:

- Option 1:      End Project
- Option 2:      Big Lottery "People and Communities Northern Ireland" Fund
- Option 3:      Cocktail of funding from various Stakeholders

The Chair, Councillor Monteith thanked Ms McGuigan for her presentation and asked members for any comments.

Councillor J Shiels commended the work that is being carried out by the organisation and having witnessed their daily work routine, from office staff to workmen doing home maintenance, it's a brilliant service provided and everyone involved in the organisation deserves credit and felt that Option 1 should not even be considered.

Councillor Molloy felt that there needed to be a value put on the service to show the investment i.e. staff and volunteers etc.

Councillor McEldowney stated that the Health Service should know that "prevention was better than cure".

Ms McGuigan agreed and felt that support needs to come from the political arena as demands on the organisation is very high. Hospitals are releasing patients far too

early which is causing a strain on the organisation, which is why there is a tremendous need for support from the Council.

In response to a query from Councillor Elattar regarding lobbying the Trust at Committee, the Director of Business and Communities said that he would take this on board.

Councillor Forde said that she wouldn't like to see the organisation being forced to close and would do all she could to keep the project going.

Councillor Forde advised that there is a need to see where the funding can be sourced and as a Council will try to do all that is possible.

The Director of Business & Communities advised that there is 3 plans of action:

1. The PCSP Manager is developing a Business Plan on Finance Framework & Structure for Post 16.
2. The Chief Executive & himself to meet the Public Health Agency next week and to raise the issue of Agewell Partnership.
3. Council representatives previously met the Northern Trust & Southern Trust regarding the closure of Westland & Roxborough House Care Homes, but felt it would be more proactive if all organisations involved in trying to stop the closure of the facilities came together and work on one agenda.

The Chair, Councillor Monteith thanked the representatives from Agewell Partnership at which they withdrew from the meeting.

#### **D185/15      Duration of Meeting**

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

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**E**

**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 6 October 2015 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Kearney, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Mullen, 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 McNally, Solicitor  
Miss Thompson, Committee Services/ Senior Admin Officer

**Others in Attendance**

Councillors Gillespie, B McGuigan, McLean, Molloy, Monteith, J O'Neill and M Quinn

**Applicant Speakers**

|                  |              |
|------------------|--------------|
| M/2013/0430/F    | Ms Patterson |
|                  | Ms Muldoon   |
| M/2015/0126/F    | Mr Currie    |
| M/2015/0145/F    | Mr Kelly     |
| M/2015/0165/O    | Mr Kelly     |
| LA09/2015/0087/O | Ms Jobling   |
| H/2014/0356/F    | Mr Cassidy   |
| H/2014/0438/O    | Ms Jobling   |

The meeting commenced at 7.05 pm.

**P111/15 Apologies**

Councillor Reid.

**P112/15 Declarations of Interest**

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

Councillor Cuthbertson declared an interest in application M/2013/0430/F.

Councillors Clarke and Mallaghan declared an interest in application I/2015/0111/F.

Councillor McPeake declared an interest in application H/2014/0356/F.

**P113/15      Receive and Confirm Minutes of the Planning Committee Meeting held on Tuesday 1 September 2015**

Proposed by Councillor Bell  
Seconded by Councillor Clarke and

**Resolved**      That the minutes of the meeting of the Planning Committee held on Tuesday 1 September 2015, (P97/15 – P105/15 & P107/15), were considered and signed as accurate and correct.

Councillor McAleer requested that, due to the lengthy nature of this meeting, a comfort break be taken at 9.00 pm.

Proposed by Councillor McAleer  
Seconded by Councillor Mallaghan and

**Resolved**      That the meeting recess for a comfort break at 9.00 pm.

**Matters for Decision**

**P114/15      Planning Applications for Determination**

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

**M/2013/0430/F      Change of use from existing dwelling to 4 apartments at 10 and 10a Circular Road, Dungannon for Mr Robert Carson**

Mr Marrion (SPO) presented a report on planning application M/2013/0430/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 Patterson in the first instance to address the committee.

Ms Patterson stated that concerned residents of Circular Road were happy with the officers recommendation to refuse this application. It was felt that if the proposed development were to go ahead it would change the character of the area and would be of significant detriment particularly in relation to additional traffic movements which, due to the nature of the road, would be dangerous. Ms Patterson also commented that local residents feel that this property was not, and never had been two dwellings.

Ms Muldoon advised that this application was previously brought before Dungannon & South Tyrone Borough Council once as a refusal and then as an approval but was subsequently withdrawn due to number of objections raised. In reference to parking issues, Ms Muldoon felt there is no intensification of use as the proposal provides four car parking spaces, which is within the remit as there are two dwellings.

The Planning Manager queried why the proposal stated change of use from existing dwelling as a singular and not two dwellings as claimed to be. He advised that there was no official planning status that there are two dwellings and claimed that sufficient time had passed to submit a certificate of lawful development. He also advised that regardless of whether there was one or two dwellings the change to four was an intensification.

The Planning Manager advised that as Roads Service had raised concern regarding intensification, increased traffic movements and road safety on Circular Road, and that as there was insufficient contrary evidence, in his view the Council should take on board the comments of Roads Service.

Councillor Glasgow asked if improvements were made to access and visibility splays if this would help the proposal move to approval.

Mr Marrion (SPO) advised that this had been investigated and that to get the adequate visibility splays would require use of gardens of houses on either side of proposed property and this was not a feasible option.

Proposed by Councillor Mallaghan  
Seconded by Councillor Mullen and

**Resolved** That planning application M/2013/0430/F be refused on grounds stated in the officer's report.

**M/2015/0126/F      Conversion from shops/offices to 3 flats at 9, 10 and 11  
Feeney's Lane (Thomas Street car park), Dungannon for  
Mervyn Gregg**

Mr Marrion (SPO) presented a report on planning application M/2015/0126/F advising that it is recommended for refusal.

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

Mr Currie advised that the building under proposal was last occupied 3-4 years ago and that the surrounding area has a high commercial vacancy rate. In relation to open space, Mr Currie advised that the proposed development is close to open space areas, and that with regard to parking, there is spare capacity in nearby car parks, the proposed development will also be close to the town centre and transport links.

The Planning Manager advised that description of proposal should be amended from flats to townhouses.

Mr Currie was in agreement with this.

Councillor Cuthbertson felt that the applicant in this case is finding difficulty in getting a commercial use for the properties under proposal and that as there are other flats

and townhouses in the area he requested a deferral to take another look at the issues relating to this application.

The Planning Manager stated that he would be unable to change the situation relating to this application and to defer the application would not assist. However based on the arguments presented by Mr Currie and Councillor Cuthbertson it would be reasonable for Members to take a different view from the officer and he did not foresee any prejudice on Members making a decision on the application before them.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McKinney and

**Resolved** That planning application M/2015/0126/F be approved with appropriate conditions applied.

Councillor Mallaghan felt that consideration needs to be given to the lack of amenity when setting conditions for this approval.

Members voted on Councillor Cuthbertson's proposal –

For 14

The Chair declared Councillor Cuthbertson's proposal carried.

**M/2015/0145/F      Agricultural building and improved agricultural access  
100m SE of 11 Dungorman Road, Bernagh, Dungannon for  
Joseph Kelly**

Mr Marrion (SPO) presented a report on planning application M/2015/0145/F advising that it is recommended for refusal.

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

Mr Kelly requested an office meeting to further discuss the application.

The Planning Manager reviewed the application with Mr Kelly and asked if he would consider moving the location of the proposed shed.

Mr Kelly stated he would be reluctant to move the location of the shed.

The Planning Manager suggested that this application be withdrawn and office meeting arranged to discuss issues with a view to a new application being made.

Mr Kelly agreed to this course of action.

**Resolved** That planning application M/2015/0145/F be withdrawn. Office meeting to be arranged.

**M/2015/0165/O      Two dwellings between 33 and 35 Cookstown Road,  
Dungannon for Raymond McCann**

Mr Marrion (SPO) presented a report on planning application M/2015/0165/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 Kelly to address the committee.

Mr Kelly felt that no consideration had been given to dwellings at nos 36, 37 and 39 Cookstown Road and that the proposed site fulfils CTY8 when viewed from Cookstown Road. Mr Kelly did not feel there is a stipulation that the lineage of dwellings had to be continuous and concluded by stating that the proposed development will not change the character of the area.

Councillor Gildernew stated that there has been little development in the surrounding area in recent times and that the proposal is well set back from the road.

The Planning Manager stated that it would be difficult to treat this application as infill however there may be some scope under CTY2A which deals with a single dwelling in a cluster. The Planning Manager asked Mr Kelly if the client would be prepared to explore dealing with this application under policy CTY2A.

Mr Kelly advised that his client would be prepared to explore this matter further.

Proposed by Councillor Gildernew  
Seconded by Councillor Robinson and

**Resolved**      That planning application M/2015/0165/O be deferred for an office meeting.

**LA09/2015/0087/O Infill single storey dwelling 20m N of 43A Belagherty Road,  
Ballyronan for Lisa McCloskey**

Ms Doyle (SPO) presented a report on planning application LA09/2015/0087/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 Ms Jobling to address the committee.

Ms Jobling advised that there is a case of need due to personal circumstance regarding this application.

The Planning Manager requested that this item be suspended until he had an opportunity to discuss circumstances of application with Ms Jobling privately.

**Resolved**      That planning application LA09/2015/0087/O be suspended until the Planning Manager had spoken to agent. This item to be reconvened at a later stage of tonight's meeting.

**H/2014/0356/F      Fun farm, animal pens and associated parking at 45m NE of  
47 Magherafelt Road, Castledawson for Mr Adrian Cudden**

Ms Doyle (SPO) presented a report on planning application H/2014/0356/F advising that it is recommended for refusal.

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

Mr Cassidy referred to other development in the area and that this proposal is appropriate to its location and would be no detriment to neighbouring properties. Mr Cassidy advised that the farm is active and established and meets criteria in terms of farm diversification.

In response to the Planning Manager's question regarding who will run the facility Mr Cassidy advised that it will be the applicant. When asked if the applicant would accept a condition that it is only the applicant that can run the facility Mr Cassidy replied that condition would be acceptable. The Planning Manager also asked if all existing farm buildings are fully utilised to which Mr Cassidy advised they were.

Councillor Bateson asked why the Planning Manager had put such an emphasis on who would run the proposed facility. He commented that farm diversification proposals would not normally conflict with the rural character of the area and that the KFC located close by the proposed site is definitely not in keeping with rural character.

The Planning Manager advised that the nature of farm diversification should be to help the farmer stay on their farm by generating another income stream, the reason he questioned Mr Cassidy on this was that if it was intended that another party would run the facility then a scheme of farm diversification would not be accepted.

Councillor Mallaghan felt that the proposal seemed appropriate in terms of farm diversification and referred to the need to consider the tourism angle, as the proposal is located close to the Heaney Centre, and ensuring there are a variety of activities in an area for all visitors.

In response to Councillor McKinney's question Ms Doyle (SPO) advised that the size of the farm is 10.35 hectares. Councillor McKinney felt that this farm probably does need some sort of diversification to make it viable and that there are no other similar facilities in the nearby area.

The Planning Manager accepted Members views on what constitutes farm diversification but felt there are some aspects of the proposal that require further clarity.

Proposed by Councillor J Shiels  
Seconded by Councillor McAleer and

**Resolved**      That planning application H/2014/0356/F be deferred for an office meeting.

**H/2014/0438/O      Dwelling and garage S of 10 Ballynian Lane, Swatragh for Richard Dempster**

Ms Doyle (SPO) presented a report on planning application H/2014/0438/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 Ms Jobling to address the committee.

Ms Jobling felt that the critical point of this application was whether there is visual linkage between the buildings, she stated that the proposal is fully consistent with policy and that there is visual linkage between buildings at the proposed location.

Councillor B McGuigan concurred with Ms Jobling's comments, he advised that the proposed site has good boundaries and that the ground level of the site is at its lowest point.

The Planning Manager asked Ms Jobling if the applicant would consider withdrawing this application.

Ms Jobling advised that the applicant will move to appeal if the application is not approved.

Proposed by Councillor J Shiels  
Seconded by Councillor Cuthbertson

That planning application H/2014/0438/O be refused on grounds stated in the officer's report.

Councillor Clarke highlighted the problem with policy and that the ten year rule does not fit in rural areas. The Councillor felt that this issue needs to be addressed by Council.

The Planning Manager advised that the application needs to be considered under existing policy and that any change to policy would need to be brought forward through the development plan. He commented that Council is giving the benefit of the doubt to applicants whilst ensuring credibility and maintaining control.

Councillor B McGuigan referred to appeal costs for applicant.

Councillor Bell commented that Council seems to be shutting the door on rural dwellings.

Councillor McAleer felt that the applicant needs to consider the Planning Manager's suggestion of withdrawing the application.

The Planning Manager advised Members that if the applicant moves to appeal and wins their case then this gives Council the opportunity to change their practices in future.

Members voted on Councillor J Shiels proposal –

For 8

The Chair declared Councillor J Shiels proposal carried.

The meeting recessed at 9.05 pm and recommenced at 9.20 pm.

**LA09/2015/0087/O Infill single storey dwelling 20m N of 43A Belagherty Road,  
Ballyronan for Lisa McCloskey**

Item reconvened from earlier in meeting.

The Planning Manager advised he was now aware of personal circumstances relating to this application and would support deferring the application to explore whether a possible exception could be made.

Proposed by Councillor McKinney  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2015/0087/O be deferred for an office meeting.

The Planning Manager apologised to Ms Jobling who had mistakenly taken an earlier conversation to mean that she would not be given opportunity to present a case on this application and made it clear that it had not been his intention to cause upset.

Members considered the remaining planning applications as per agenda.

**I/2013/0311/F 50kw wind turbine with a max height of 32m at 230m W of  
131 Drumenny Road, Ardboe for Kate Quinn**

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

Councillor Robinson asked if there had been some misunderstanding as to why the applicant had not submitted the further information required.

Ms McCullagh advised that the applicant would be aware of the process and had been reminded on several occasions of the need to submit information.

Proposed by Councillor J Shiels  
Seconded by Councillor Bell and

**Resolved** That planning application I/2013/0311/F be refused on grounds stated in the officer's report.

**I/2013/0325/F      Regularisation of existing washing plant site at  
Magheraglass sand and gravel pit 270m N of 65  
Knockaleery Road, Magheraglass for Creagh Concrete  
Products Ltd**

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

Proposed by Councillor Mallaghan  
Seconded by Councillor J Shiels and

**Resolved**      That planning application I/2013/0325/F be approved subject to  
conditions as per the officers report.

**H/2014/0241/F      Extension to existing Brockaghboy Windfarm comprising 4  
wind turbines, associated transformers, permanent  
anemometer mast, new site access tracks, gates,  
substation, site control room, electrical cabling, temporary  
site compound, new site entrance, road improvement works  
and all other associated works at land approx. 1.76km S of  
Dowlins Bridge, Drumbane Road, Garvagh for  
Brockaghboy2 Wind Farm Ltd**

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

Councillor Robinson referred to earlier decision regarding single wind turbine which  
was refused and stated that he would find it difficult to now approve a wind farm.

The Planning Manager advised there are a number of factors which require  
consideration with regard to single wind turbines and stated that wind farms make a  
significant contribution to electricity supply.

In response to Councillor Glasgow's question Ms Doyle (SPO) advised that the  
electricity supply generated by this application will feed into the grid.

Proposed by Councillor Bateson  
Seconded by Councillor McPeake and

**Resolved**      That planning application H/2014/0241/F be approved subject to  
conditions as per the officers report.

**M/2014/0392/F      Retention of change of use from redundant agricultural  
building to a timber engineering (joinery) workshop at 36  
Rossmore Road, Dungannon for Glenfort Timber  
Engineering Ltd**

**M/2014/0401/F      Retention of office and ancillary accommodation at timber  
engineering (joinery) workshop at 36 Rossmore Road,  
Dungannon for Glenfort Timber Engineering Ltd**

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

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell and

**Resolved** That planning applications M/2014/0392/F and M/2014/0401/F be approved subject to conditions as per the officers report.

**H/2014/0426/F      Alterations to change existing shop unit into a dwelling at 2 Barrack Road, Ballymaguigan for Mr and Mrs Young**

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

Proposed by Councillor McKinney  
Seconded by Councillor Bell and

**Resolved** That planning application H/2014/0426/F be approved subject to conditions as per the officers report.

**H/2015/0002/F      Change of access to previously approved under H/2013/0347/RM at lands 120m SE of 27 Glenomna Road, Draperstown for Mr Martin Bradley**

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

Councillor McPeake requested an office meeting in relation to this application and referred to a similar application which was granted. The Councillor also stated that the proposed new access will only require around half of the 130m hedge removal suggested in the officers report.

The Planning Manager agreed to further discuss the application.

Proposed by Councillor McKinney  
Seconded by Councillor McAleer and

**Resolved** That planning application H/2015/0002/F be deferred for office meeting.

Councillor Cuthbertson asked why the existing lane could not be used as access.

Councillor McPeake advised that it was not possible to get adequate visibility splays without gaining control of third party land and this was not a feasible option.

**I/2015/0111/F      Retention of timberframe business and erection of ancillary office (superseding approval I/2010/0018/F & I/2010/0019/F) at lands opposite and to the rear of 79 Dunnamore Road, Cookstown for Leadon Timberframe and D McAleer**

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

Proposed by Councillor McAleer  
Seconded by Councillor Robinson and

**Resolved** That planning application I/2015/0111/F be approved subject to conditions as per the officers report.

**LA09/2015/0104/F Dwelling and garage of rural character at 250m SE of 5 Glenquilly Road, Moneymore for Mr Robert Carmichael**

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

Ms Doyle (SPO) highlighted that there appeared to be some confusion regarding a further application being submitted prior to the original application lapsing. She advised that the agent for the application stated that the application under consideration was submitted within the timeframe but was sent to previous office used by planners in Ballymena. Ms Doyle advised that investigations indicated that the application was not received at Ballymena offices and confirmed that this application was only received by Mid Ulster Council on 21 April 2015, six weeks after original application lapsed.

Councillor Mallaghan declared an interest in this application and requested to speak on it.

Councillor Mallaghan requested an office meeting in relation to this application due to the confusion regarding submission of application as stated above.

Proposed by Councillor J Shiels  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2015/0104/F be deferred for an office meeting.

Councillor Clarke commented that PPS14 had eliminated continuous approvals and the need for this to be addressed.

**LA09/2015/0138/O Dwelling on a gap site adjacent to 82 Lurgylea Road Galbally for Mr Shayne Tierney**

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

Ms Doyle (SPO) advised that since issue of report further information had been received in relation to this application and suggested an office meeting be called.

Proposed by Councillor Gildernew  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2015/0138/O be deferred for an office meeting.

**LA09/2015/0412/F Retention of 2 existing sheds and extension of domestic curtilage. Shed 1 domestic and agricultural storage; shed 2 domestic garage at 15 Drumaspil Road, Dungannon for Mr Robin Burke**

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

Proposed by Councillor Robinson  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2015/0412/F be approved subject to conditions as per the officers report.

**LA09/2015/0463/O Dwelling and garage opposite 20 Killary Lane, Stewartstown for Seamus Carrow**

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

Councillor Bell requested an office meeting for this application stating that the agent has additional information to provide but is currently out of the country and unable to attend tonight's meeting.

Proposed by Councillor Bateson  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2015/0463/O be deferred for an office meeting.

**LA09/2015/0475/O Gap site for dwelling and double domestic garage between 22 and 22A Cloghog Road, Cookstown for Messrs Brian and Lesley McGlaughlin**

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

Proposed by Councillor Bateson  
Seconded by Councillor Mallaghan and

**Resolved** That planning application LA09/2015/0475/O be refused on grounds stated in the officer's report.

**LA09/2015/0636/F Public realm improvements comprising: resurfacing of existing footways with natural stone; granite kerb; landscape proposals comprising semi-mature planting; raised planters and shrub planting; new street furniture – seating, litter bins and cycle racks, new feature lighting columns; plinth for future artwork; formalisation of existing on-street parking arrangements and surface treatment to carriageways at lands adjacent to Broad Street, Market Street, The Diamond, Queen Street and Rainey Street in Magherafelt for Mid Ulster District Council**

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

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

Proposed by Councillor Bell  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2015/0636/F be approved subject to conditions as per the officers report.

**LA09/2015/0652/O Replacement dwelling at 130m NW of 78 Aughrim Road, Castledawson for Eric Watterson**

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

Ms Doyle (SPO) advised that since issue of report an amended scheme had been submitted and suggested that this application be deferred to further consider the additional information provided.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2015/0652/O be deferred to consider additional information provided.

**LA09/2015/0688/O Replacement dwelling at 150m SE of 12 Motalee Lane, Magherafelt for Mr G McCullagh**

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

Councillor Bell requested an office meeting for this application stating that the map provided by officers within report was misleading.

*(Councillor Mullen left the meeting at 10.05 pm)*

Members were shown further photographs of building in question and were of the opinion that it would have been a dwelling at some stage in the past.

The Planning Manager advised that a condition of approval would have to be that the replacement dwelling be sited “in situ” of the current building.

Proposed by Councillor Clarke  
Seconded by Councillor McPeake and

**Resolved** That planning application LA09/2015/0688/O be approved under condition that replacement dwelling is sited “in situ” of the current building.

**H/2014/0077/F Farm dwelling and garage approx.200m E of 5 Ballynian Lane, Swatragh for Mr T Quinn**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Cuthbertson and

**Resolved** That planning application H/2014/0077/F be refused on grounds stated in the officer’s report.

**M/2014/0566/O Housing development between Annagole Park and Lisnahull Park, Dungannon for Glengannon Inns Ltd**

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

Proposed by Councillor Gildernew  
Seconded by Councillor Bateson and

**Resolved** That planning application M/2014/0566/O be approved subject to conditions as per the officers report.

**P115/15 Wind Turbine Working Group**

The Chair, Councillor Kearney stated that, as agreed at the Planning Committee meeting on 16 June 2015, consideration be given to producing guidance with regard to wind turbine applications. Representation was sought to sit on a working group which will look at preparation of guidance for wind turbine applications.

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell

That representation of working group be made up by d’hondt.

Proposed by Councillor Cuthbertson  
Seconded by Councillor J Shiels

That representation of working group be made up of one from each party.

Councillor McPeake stated that d'hondt had been the principle used by Council for nominating to committees etc and for continuity should also be used in this instance.

Members voted on Councillor Mallaghan's proposal –

|         |   |
|---------|---|
| For     | 8 |
| Against | 5 |

The Chair declared Councillor Mallaghan's proposal carried and sought nominations to the working group.

It was felt that the Chair and Vice Chair of the Planning Committee should sit on the working group. Representation to the working group to be made up as follows –

Sinn Féin – Councillors Bell and Clarke

SDLP - Councillor Kearney

UUP - Councillor Glasgow

DUP - Councillor Robinson

### **Matters for Information**

#### **P116/15 Report of Delegated Decisions Issued in August 2015**

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

#### **P117/15 Appeal Decisions Received**

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

The Planning Manager advised that the three cases presented were legacy applications which had reached a determination under Department guidelines and gone forward for appeal on that basis.

Members noted the content of the report detailing recent decisions by Planning Appeals Commission.

### **CONFIDENTIAL BUSINESS**

Proposed by Councillor Mallaghan  
Seconded by Councillor J Shiels and

**Resolved** That items P118/15 and P119/15 be taken as confidential business.

**P120/15      Duration of Meeting**

The meeting was called for 7.00pm and ended at 10.47 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

**F**

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 8 October 2015 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor McGuigan, Chair

Councillors Ashton, Bateson, Buchanan, Cuddy, Elattar, Forde, Gildernew, McKinney, McLean, McPeake, Molloy, T Quinn and Totten

**Officers in Attendance**

Mrs Canavan, Lead Human Resources Officer  
Ms Campbell, Director of Culture and Leisure  
Mr Kelso, Director of Public Health and Infrastructure  
Ms McNally, Council Solicitor  
Ms Mezza, Head of Marketing Communications  
Mr Moffett, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr J Tohill, Lead Officer for Finance  
Mrs Forde, Member Support Officer

The meeting commenced at 7.00 pm.

**PR133/15 Apologies**

Apologies were received for Councillors Mallaghan and M Quinn.

**PR134/15 Declaration of Interest**

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

**PR135/15 Receive and confirm minutes of the Policy and Resources Committee held on Thursday 3 September 2015**

Proposed by Councillor Buchanan  
Seconded by Councillor Forde and

**Resolved:** That the minutes of the meeting of the Policy & Resources Committee held on Thursday 3 September 2015 (and PR121/15 – PR126/15 and PR132/15) were considered and signed as accurate and correct

**Matters for Decision**

**PR136/15 UN Association for Northern Ireland**

The Head of Democratic Services presented the previously circulated report in relation to UN Association for Northern Ireland's request that Council participation in the 70<sup>th</sup> Anniversary of the founding of the United Nations ON 24 October 1945.

*Councillor Cuddy entered the meeting at 7.03pm*

Councillor Molloy remarked that whilst he had no difficulty with the request it did appear to be a strange anniversary to celebrate.

Councillor McLean asked if there would be a benefit to the area and suggested that the matter be delegated to the Chair/Deputy Chair.

The Head of Democratic Services stated that as detailed in the letter received from the United Nations a school within the region has also been contacted and Council may mark the occasion with perhaps a photocall or a reception.

Proposed by Councillor McLean  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to the Council that the request from UNA Northern Ireland be delegated to the Chair/Deputy Chair of Council.

#### **PR137/15 NILGA – Member Networks Representation**

The Head of Democratic Services presented the previously circulated report seeking consideration and agreement for representation from Council to the undernoted Member networks being established by NILGA.

- Community Planning and Wellbeing Member Network; and
- Planning & Regeneration Member Network.

*Councillor Bateson entered the meeting at 7.07pm*

Members discussed options such as parties nominating Members and use of d'hondt. For clarity Councillor McPeake a representative of NILGA stated that the intention was to invite one elected Member from each Council to serve in order to ensure geographical representation on each Network. Councillor Cuddy suggested that the matter be referred to Party Representatives group.

**Resolved** That it be recommended to the Council that representation to NILGA Member Networks be discussed at Party Representative Group Meeting.

#### **PR138/15 Gifts and Hospitality Policy**

The Head of Democratic Services presented the previously circulated report regarding a gifts and hospitality policy for Council. Referring to the key issues detailed in the report Officer advised that the policy links with the 'Acceptance and registration of gifts and hospitality' contained within the NI Code of Conduct for Councillors and the maximum value for which Gifts and Hospitality may be accepted had been set at £20.

Proposed by Councillor McLean  
Seconded by Councillor Gildernew and

**Resolved** That it be recommended to the Council that the Managing Acceptance of Gifts and Hospitality Policy be adopted with the maximum value for which Gifts and Hospitality may be accepted be set at £20.

### **PR139/15 Irish Language Policy EQIA**

The Director of Culture and Leisure presented the previously circulated report regarding the Irish Language Policy EQIA drawing specific attention to the key issues which outlined details of the consultation, the Equality Impact Assessment under the guidance of the Equality Commission and subsequent report together with recommendations with regards to further action in the undernoted areas. It was also noted that a letter had been received from Ballynakelly CPLC. The Director sought approval for recommendations outlined in the report

- Implementing the policy without any deterioration in the timeliness and quality of service;
- Underpinning the outworking of the policy with best value principles;
- Clarifying the detail of the Courtesy Code and Human Resource Planning at an early stage of implementation;
- Promoting a good and harmonious environment; and
- The draft policy be referred to the Good Relations Working Group for consideration and mitigation as per the groups Term of Reference.

Councillor McLean stated that as a group the DUP did accept that the policy would go through but noted their disappointment that the comments and issues tabled by the unionist people were minimised within the report. This said, Councillor McLean stated that he did agree that the policy be managed through good relations working group.

Councillor McPeake stated that he welcomed the report, was not surprised by aforementioned comments and stated that the report should be managed through good relations on the basis of promoting awareness as it was lack of awareness which created the misapprehensions and fears. Referring to the synopsis of monitoring of responses Councillor McPeake stated that he was disappointed that most objectors were from the protestant community yet the Irish language had strong links to the protestant community. Speaking of the launch of the Irish Language policy in the legacy Council of Magherafelt, Councillor McPeake related that Linda Ervine who had links to the Progressive Unionist Party and was a fluent Irish speaker, had been a guest speaker at the launch yet members of the unionist community had not attended. In conclusion, Councillor McPeake stated there was a major piece of work to be carried out in creating awareness of the Irish language.

Councillor Cuddy stated that he was not against the Irish language but had concerns regarding costs of promoting it. Drawing attention to statistics in the report Councillor Cuddy highlighted that 64% of the community was Catholic, had attended Catholic schools had been taught Irish to GCSE level yet only 6% knew the language and had not taken the opportunity to learn it when it was freely available to them. Councillor Cuddy also stated that many people resident in his community were speakers of minority languages and were asking what Council was doing to promote their language. In conclusion, Councillor Cuddy stated that the Presbyterians for many years had kept the Irish language alive and he had no difficulty with the Irish language

being promoted but felt it was the remit of other organisations to do this and asked for caution over costs as he would much prefer to see jobs being introduced.

Councillor McLean referring to earlier comments stated that Linda Ervine had links to the Progressive Unionist Party which was not representative in the region and her invitation by the legacy Council of Magherafelt to the launch of the Irish Language Policy had merely been a token gesture. Referring to the promotion of the Irish language Councillor McLean stated that the Sinn Féin party was the largest group on Council, it was not the job of unionists to sell the Irish language policy which Sinn Féin had used as an election tool.

Councillor Buchanan stated that insufficient consideration had been given to those respondents who had opposed the policy, the effect the implementation of the policy will have on the unionist work force and the fact that only two people responded in Irish.

Councillor Molloy referring to aforementioned comment of Councillor Cuddy regarding whose remit it was to promote the Irish language asked if Council should also refrain from promoting sport as other organisations done this.

Councillor Cuddy stated that the Irish language had a role to play but said he felt that the role was being overemphasised and Council should take a sensible and mature approach.

Councillor Ellatar stated that Council had an obligation to promote the Irish language and stated that more young people were learning Irish and attending Irish speaking schools.

Councillor McPeake stated that the issues lie with people who do not want the Irish language at all and referred to comments of Councillor McLean in the legacy Council when he stated he would use every tool possible to prevent the Irish Language policy being introduced.

Councillor McLean clarified the circumstances in which the statement referred to by Councillor McPeake was made stating that the DUP took political risk and attended workshops to discuss the policy and only lip service was paid to them.

The Chair, Councillor McGuigan sought a way forward.

Proposed by Councillor McLean that the policy be referred to Good Relations

The Director of Culture and Leisure stated that approval was required for all of the recommendations within the report which would be ratified at Council prior to being referred to the Good Relations Working Group;

Councillor McLean withdrew his proposal.

Proposed by Councillor Gildernew  
Seconded by Councillor McPeake

That it be recommended to Council that the recommendations of the EQUIA Decision Report in relation to the Irish Language Policy be approved and that the policy is referred to the Good Relations Working Group.

The DUP and UUP recorded their objections

|         |   |
|---------|---|
| For     | 7 |
| Against | 6 |

**Resolved** That it be recommended to Council that the recommendations of the EQIA Decision Report in relation to the Irish Language Policy be approved and that the policy is referred to the Good Relations Working Group.

### **For Information**

#### **PR140/15 Email Disclaimer**

The Head of ICT presented the previously circulated report regarding the Email Disclaimer proposed for use on all Council emails. The Head of ICT advised Members that this would apply to those who used 'midulstercouncil.org' email and for those who used other email providers should consider applying similar to their outgoing emails.

**Resolved** That it be recommended to the Council that Members noted and approved the disclaimer text for emails.

#### **PR141/15 Draft Organisational Policies for Mobile Telephony, Print Management and Email and Instant Messaging**

The Head of ICT drew attention to the previously circulated report detailing organisational policies for mobile telephony, print management, email and instant messaging. The Officer referred to the convergence of the three existing mobile contracts and sought approval to tender for same.

Councillor Molloy referred to the mobile telephones issued for which Councillors obtained their own sim contracts and sought clarity as to their position if a freedom of information request was submitted. Responding the Head of ICT stated that if the contract was held by Council, yes it would be subject to freedom of information but if it was held by an individual Councillor it would not be.

In response to Councillor McLean's query regarding information held on Council server relating to 'midulstercouncil.org' email addresses used by Members the Head of ICT stated that the information was held on Council server but that within Freedom of Information legislation there was significant exemptions with regard to personal data. The Council Solicitor confirmed that information held on personal email account or Council email account was subject to Freedom of Information if it related to Council business.

The Lead Finance Officer stated that anyone can submit a Freedom of Information request but Council can only respond with information that it holds.

The Chair stated that the report should be considered in Committee Business.

**Confidential Business**

Proposed by Councillor Molloy  
Seconded by Councillor McLean and

**Resolved** That items (PR142/15– PR149/15) be taken as confidential business.

**PR150/15 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.42pm

Chair \_\_\_\_\_

Date \_\_\_\_\_

**G**

**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 13 October 2015 in Council Offices, Ballyronan Road,  
Magherafelt**

|                               |   |
|-------------------------------|---|
| <b>Members Present</b>        | Chair, Councillor McFlynn (Chair)<br><br>Councillors Buchanan, Burton (7.02 pm), Cuddy,<br>Cuthbertson, Gillespie, Glasgow, Kearney, McGinley,<br>B McGuigan, S McGuigan, McNamee, Mulligan, J O'Neill  |
| <b>Officers in Attendance</b> | Mr Cassells, Director of Environment and Property<br>Mr Kelso, Director of Public Health and Infrastructure<br>Mr Lowry, Head of Technical Services<br>Mr McAdoo, Head of Environmental Services<br>Mrs McClements, Head of Environmental Health<br>Mr Scullion, Head of Property Services<br>Mr Wilkinson, Head of Building Control<br>Miss Thompson, Committee Services/ Senior Admin Officer |
| <b>Others in Attendance</b>   | Agenda Item 3 - Dr Ian Humphreys, Chief Executive,<br>Keep Northern Ireland Beautiful   |

The meeting commenced at 7.00 pm

**E173/15      Apologies**

Councillors Mullen and Totten.

**E174/15      Declarations of Interest**

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

The Chair, Councillor McFlynn and Councillor B McGuigan both declared an interest in Magherafelt Advice Centre.

**E175/15      Keep Northern Ireland Beautiful**

The Chair welcomed Dr Humphreys, Chief Executive of Keep Northern Ireland Beautiful to the meeting and invited him to make his presentation.

*(Councillor Burton entered the meeting at 7.02 pm)*

Dr Humphreys outlined the numerous programmes run by Keep Northern Ireland Beautiful such as Blue Flag, Eco Schools/Homes, Adopt a Spot, Green Flag, Big Spring Clean and Marine Survey. Dr Humphreys highlighted Blue Flag awarded at Ballyronan Marina and Green Flag awarded at Dungannon Park.

Dr Humphreys referred to the National Benchmarking Report which is soon to be published, this survey sets out issues and costs related to litter, dog fouling etc across all Council areas.

Dr Humphreys also highlighted the Live Here Love Here campaign which aims to change behaviours by creating a sense of community pride in an area. The campaign delivers media advertising, supports local volunteering and offers a small grants programme. Dungannon and South Tyrone Borough Council was one of the legacy Councils involved in the campaign.

The Chair, Councillor McFlynn thanked Dr Humphreys for his presentation and stated that littering is a major issue for Council which needs to be addressed.

In response to Councillor Cuddy's question Dr Humphreys advised that Keep Northern Ireland Beautiful is a local charity with links to international networks. Dr Humphreys felt that Northern Ireland is at a benefit in having a campaign such as Live Here Love Here.

Councillor B McGuigan felt that Councils need to keep a focus on issues related to litter and was supportive of the campaign.

In response to Councillor McGinley's question Dr Humphreys advised that the monetary input from Council to participate in the Live Here Love Here Campaign is approximately £20,000 per year, he advised that half this money will come back to Council to support local community groups with the rest of the money going towards media advertising and support for volunteering.

*Dr Humphreys left the meeting at 7.18 pm*

Councillor McGinley felt that the £20,000 monetary input being requested could be used within Council to establish and promote its own campaign.

The Director of Environment and Property advised that Keep Northern Ireland Beautiful had only written to Council regarding the Live Here Love Here campaign after this year's budget had been set, the amount being requested was £21,000. The Director felt the point raised by Councillor McGinley was worth exploring.

Councillor Cuddy felt that Council needed to get value for money and referred to past participation in Live Here Love Here by Dungannon Council and asked Head of Environmental Health to explain rationale for becoming involved with the campaign at that time.

The Head of Environmental Health explained that Dungannon had previously run its own dog fouling campaign at a cost of £2,200 for two weeks and it was felt that the Live Here Love Here campaign offered value for money compared to that cost. She advised that Dungannon contributed £8,000 to participate in the campaign, half of this came back to local community groups with the rest going towards localised media advertising and support for volunteering.

Councillor Cuthbertson felt that the Live Here Love Here campaign is a good source of funding for local groups who wish to adopt a local area.

The Chair, Councillor McFlynn suggested that a report be brought back to committee on costs/benefits of Council establishing its own environmental campaign.

Councillor McGinley asked if there is a timeframe in which Council has to indicate whether it wants to participate in the Live Here Love Here campaign.

The Chair, Councillor McFlynn felt that this decision should be made as part of the budget setting process.

The Director of Environment and Property advised that the Live Here Love Here campaign runs within a financial year meaning there is some time before a decision needs to be taken on whether Council wants to participate. He advised that Council does a lot of work itself in relation to environmental education and initiatives and focus needs to be given to where the best return on investment will be.

Councillor B McGuigan requested that report be brought back to committee which provides detail on all environmental initiatives that Council is involved in.

**Resolved** That it be recommended to Council that a report be brought to future committee which will look at how Council could establish its own environmental campaign. Detail of environmental initiatives Council are involved with to also be provided.

**E176/15      Receive and confirm minutes of the Environment Committee meeting held on Tuesday 8 September 2015**

The Director of Environment and Property referred to item E143/15 and asked that the minute be amended to reflect .... That Dungannon did not **divert** any residual waste **from** landfill.

Proposed by Councillor McNamee  
Seconded by Councillor Gillespie and

**Resolved** That the Minutes of the Meeting of the Environment Committee held on Tuesday 8 September 2015 (E135/15 – E158/15 and E167/15) were considered and, subject to the foregoing, signed as accurate and correct.

**Matters for Decision**

**E177/15      Service Level Agreement between Mid Ulster District Council and Magherafelt Advice Centre**

*The Chair, Councillor McFlynn and Councillor B McGuigan declared an interest in this item.*

The Head of Environmental Health presented previously circulated report seeking approval to sign an Interim Service Level Agreement between the Council and Magherafelt Advice Centre for the continuing provision of energy efficiency services within the legacy Magherafelt District Council area from 1 April 2015 up to 31 March 2016. It was noted that there is a financial commitment of £10, 426 which is fully funded by Public Health Agency.

Proposed by Councillor McNamee  
Seconded by Councillor Kearney and

**Resolved** That it be recommended to Council to approve the interim Service Level Agreement between Council and Magherafelt Advice Centre for the continuing provision of energy efficiency advice services within the legacy Magherafelt area for the period 1 April 2015 to 31 March 2016.

**E178/15 Service Level Agreement between Mid Ulster District Council and Mid and East Antrim Borough Council**

The Head of Environmental Health presented previously circulated report seeking approval to sign a Service Level Agreement between the Council and Mid and East Antrim Borough Council for the provision of specialist environmental protection services. In an amendment to the report it was highlighted that Mid Ulster District Council will cover 25% of the total employment cost, this amounts to £15,000 per annum, the agreement will take effect from 1 April 2015 and shall remain in force unless the provision of a shared service is no longer deemed necessary. It was noted that the SLA is to include Causeway Coast and Glens and Antrim and Newtownabbey Councils and will be dependent on all Councils agreeing to the SLA content.

Proposed by Councillor S McGuigan  
Seconded by Councillor Buchanan and

**Resolved** That it be recommended to Council to approve the Service Level Agreement for the provision of specialist environmental protection services from 1 April 2015 subject to all Councils agreeing to the content of the SLA.

**E179/15 Winter Maintenance – Footpath Snow/Ice Clearance**

The Head of Property Services presented previously circulated report regarding winter maintenance arrangements between Council and TransportNI for clearance of town centre footpaths during prolonged periods of ice/snow. The three legacy Councils all had agreements with TransportNI in respect of this matter in the past.

Councillor Glasgow sought assurance that Council would receive payment for any clearance costs.

The Head of Property Services advised that respective Councils had received payment for any clearance events in the past.

In response to Councillor Cuddy's question the Head of Property Services advised that there were three clearance events triggered in the past.

In response to Councillor McNamee's question the Head of Property Services advised that there is some clarification required with regard to the duration of a clearance event and this needs to be defined within the agreement.

Councillor S McGuigan asked if the three legacy councils had similar agreements with TransportNI in the past. The Head of Property Services advised that the three legacy agreements were all broadly similar.

Proposed by Councillor McNamee  
Seconded by Councillor S McGuigan and

**Resolved** That it be recommended to Council to enter into discussions with TransportNI to reach an agreement that clearly sets out specific contractual arrangements should the need for council assistance be required to clear town centre footpaths during prolonged periods of ice/snow.

#### **E180/15 Houses in Multiple Occupation (HMO) Bill**

The Head of Environmental Health presented previously circulated report which considered a response to the consultation relating to the Houses in Multiple Occupation (HMO) Bill.

**Resolved** That it be recommended to Council to submit consultation response regarding the Houses in Multiple Occupation (HMO) Bill as detailed within report.

#### **E181/15 Street Naming and Property Numbering**

The Head of Building Control presented previously circulated report in relation to the street naming of new residential developments within Mid Ulster.

In response to Councillor McNamee's and McGinley's comments in relation to the use of a townland name Members were advised that a townland or locality can be used as a basis for naming, it was also noted that the Pointer system automatically includes the townland in the address of any development.

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

- 1 Site off Ballinderry Bridge Road, Coagh

Proposed by Councillor McGinley  
Seconded by Councillor Cuddy and

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

- 2 Site off Derrycourtney Road, Caledon

Proposed by Councillor Burton  
Seconded by Councillor McGinley and

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

### 3 Site off Washingbay Road, Coalisland

Proposed by Councillor J O'Neill  
Seconded by Councillor B McGuigan

That development off Washingbay Road, Coalisland be named Eanach Mor.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Buchanan

That development off Washingbay Road, Coalisland be named Annaghmore Meadows.

Councillor Cuthbertson sought clarity on whether this matter is addressed within the draft Irish policy currently being progressed through Council.

Councillor Cuddy also sought clarity on whether dual language signage would be provided if development was named in Irish.

The Director of Public Health and Infrastructure advised that clarification on both matters will be provided.

Members voted on Councillor J O'Neills proposal –

For 8

The Chair declared Councillor J O'Neill's proposal carried subject to clarity being sought in relation to the draft Irish policy and dual signage.

**Resolved** That it be recommended to Council to name new development off Washingbay Road, Coalisland as Eanach Mor subject to report being brought to future committee providing clarification on Council's Irish Language Policy and dual language signage.

The Director of Public Health and Infrastructure advised that the street name approved as above will not be issued until clarification has been brought back to this committee.

Councillor Cuthbertson referred to problems within previous legacy council in relation to naming developments just by a townland name, he suggested that to avoid future difficulties additional names should be added such as Meadows, Avenue etc.

Councillor Kearney requested that to ensure accuracy, any Irish language street names coming forward in future be notified to the Irish Language Officer.

### 4 Site of Moor Road, Coalisland

Proposed by Councillor J O'Neill  
Seconded by Councillor and

**Resolved** That it be recommended to Council to name new development off Moor Road, Coalisland as Moor Park.

## **Matters for Information**

### **E182/15      Technical Competence for Waste Management Facilities**

The Head of Environmental Services presented previously circulated report regarding changes to the Technical Competence requirements for operators of authorised waste management facilities in Northern Ireland.

Members noted the content of the report.

### **E183/15      Bin-Ovation Application**

The Head of Environmental Services presented previously circulated report in relation to the launch and function of the Bin-Ovation App for Mid Ulster District Council residents.

In response to Councillor Cuddy's question the Head of Environmental Services advised that subscription for the app was paid by Magherafelt Council prior to 1 April 2015 therefore Mid Ulster Council inherited one years usage of the product, up until 31 March 2016, free of charge. Subscription per annum after 31 March 2016 will be £6,500.

Councillor B McGuigan referred to liners for kitchen caddies and felt that these should be made available for purchase at reception of Council offices in Cookstown, Dungannon and Magherafelt.

The Head of Environmental Services advised that a paper on this matter will be brought to a future committee.

Members noted the content of the report.

### **E184/15      Disposal/Sale of Surplus Fleet and Plant**

The Head of Environmental Services presented previously circulated report regarding the disposal and sale of surplus fleet and plant from Mid Ulster District Council.

Members noted the content of the report.

Councillor Burton felt there are other options available to Council when disposing of items such as bringing an auctioneer on site to handle a sale. The Councillor asked for information relating to commission costs for recent auctions.

**Resolved**      That it be recommended to Council that detail of commission costs related to recent sale of surplus fleet and plant be provided in future report to committee.

### **E185/15      Maghera Walled Garden**

The Head of Property Services presented previously circulated report in relation to the refurbishment of Maghera Walled Garden.

**Resolved** That it be recommended to Council to undertake a visit to Maghera Walled Garden.

**E186/15 Property Services Annual and Service Tender Alignment**

The Head of Property Services presented previously circulated report regarding the alignment of property services annual and service tenders.

Councillor S McGuigan felt that it is important to explain to suppliers that the tendering process is changing within council.

The Chair, Councillor McFlynn, suggested a meet the buyer type event to advise suppliers of changes to Council's tendering process.

**Resolved** That it be recommended to Council to organise an information session regarding changes to Council's tendering process.

**E187/15 Lough Neagh Rescue – Deputation Follow Up**

The Head of Property Services presented previously circulated report which provided update in relation to a recent deputation from Lough Neagh Rescue.

Councillor McGinley thanked officers for the work done in assisting Lough Neagh Rescue to enhance its service.

Proposed by Councillor McGinley  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to Council to grant approval to review the lease and facility maintenance at rescue station located at Battery Harbour.

**E188/15 Tullyvar Landfill Site – Joint Committee Update**

The Head of Environmental Services presented previously circulated report updating Members on the business of Tullyvar Joint Committee.

Members referred to forthcoming site visit to Tullyvar in which the Minister of the Environment would also be in attendance.

Councillor Cuddy felt that Tullyvar has brought success in the past and will continue to have potential in the future.

**E189/15 Building Control Workload Analysis**

The Head of Building Control presented previously circulated report regarding the workload analysis for Building Control across Mid Ulster District Council.

Members noted the content of the report.

## **E190/15      Entertainment Licensing Applications**

The Head of Building Control presented previously circulated report regarding Entertainment Licensing applications across Mid Ulster District Council.

Members noted the content of the report.

Councillor Cuthbertson referred to recent problems in Moy in which people arrived by bus in the village to attend licensed premises, many of these people were already drunk on arrival and were not allowed into the licensed premises leaving them to cause disturbances throughout the village. The Councillor asked who has responsibility in a case such as this.

Councillor McFlynn advised of various approaches taken to tackle similar problems experienced in Cookstown and Magherafelt.

The Director of Public Health and Infrastructure suggested that an inter-agency approach be taken with police, premises owners and bus operators to discuss issues relating to how people get to and from licensed premises and places of entertainment.

### **Confidential Business**

Proposed by Councillor McNamee  
Seconded by Councillor B McGuigan and

**Resolved**      That items E191/15 – E197/15 be taken as confidential business.

## **E198/15      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 9.10 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**H**

**Minutes of Meeting of the Development Committee of Mid Ulster District Council  
held on Thursday 15 October 2015 in the Council Offices, Ballyronan Road,  
Magherafelt**

|                               |   |
|-------------------------------|---|
| <b>Members Present</b>        | Councillor Burton, In the Chair<br><br>Councillors Clarke, Dillon, Elattar, Forde, McAleer, McEldowney, McNamee, Monteith, C O'Neill, T Quinn, Reid, J Shiels and Wilson  |
| <b>Officers in Attendance</b> | Ms Campbell, Director of Culture and Leisure<br>Mr McCreesh, Director of Business and Communities<br>Mr Browne, Head of Tourism<br>Mr Glavin, Head of Leisure<br>Mr Hill, Head of Parks<br>Ms Linney, Head of Community Services<br>Ms McKeown, Head of Economic Development<br>Ms Grogan, Committee Services Officer |
| <b>Others in Attendance</b>   | <b>Agenda Item 3: Pension Wise</b>  |

The meeting commenced at 7.04 pm.

**D178/15      Apologies**

Councillors Molloy, G Shiels and Reid.

**D179/15      Declaration of Interests**

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

*Councillor McEldowney declared an interest in Lough Neagh Partnership and LAG.*

*Councillors Clarke and Forde declared an interest in LAG.*

*Councillor McAleer declared an interest in Knockmany Forest.*

**D180/15      Pension Wise**

*Councillor Wilson left the meeting at 7.08 pm and returned at 7.10 pm.*

The Chair, Councillor Burton welcomed Ms Conagh McCann to the meeting.

Ms McCann gave a brief synopsis of the work carried out by Pension Wise and advised that it's a free and impartial government service defining contribution pension options for individuals.

Ms McCann stated that Pension Wise launched at the end of March 2015 and involves the HM Treasury, Citizens Advice, The Pensions Advisory Service and Financial Conduct Authority.

The service is aimed at people who are over 50, which have a defined contribution pension and are close to retirement decision.

Pension Wise through their guidance session provides:

- 30 – 45 minute face-to-face advice
- Explains new freedoms and options
- What it means for your circumstances
- Shopping around, takes and scams
- Next steps
- Summary letter

In response to Councillor Forde's query regarding an employer's contribution to an employee's pension, Ms McCann advised that an employer contributes 3% to the scheme. Every employee has the right to be automatically entered into the pension scheme and if the employee is not interested then they will have to opt out themselves. The Government is trying to encourage individuals to join pension schemes in the workplace.

Councillor Wilson stated that he wasn't aware of the service and was encouraged that the public can now gain advice without paying for independent advisors. He asked if there was much uptake in change of Government rules.

Ms McCann stated that the role of the organisation is about promotion of the free service, with uptake in Northern Ireland coming out on top as its more a personal service with face-to-face advice rather than over the telephone.

Councillor Dillon advised that she was also unaware of the service but suggested a list of Advice Centres being forwarded to Ms McCann so that the service can be promoted to the public and professional advice given.

Councillor Wilson also suggested that posters be circulated to all local companies and ask them to display in their notice boards to make employees aware of the scheme.

The Chair, Councillor Burton suggested getting in contact with COSTA to advertise in their newsletter to the rural communities.

The Chair, Councillor Burton thanked Ms McCann for her presentation and she withdrew from the meeting.

**D181/15      Receive and confirm minutes of the Development Committee meeting held on Thursday 10 September 2015**

Proposed by Councillor McNamee  
Seconded by Councillor Clarke and

**Resolved:** That the minutes of the meeting of the Development Committee held on Thursday 10 September 2015 (D149/15 to D177/15 and D170/15 to D176/15, were considered and signed as accurate and correct.

In response to a query regarding town centre rates from Councillor Monteith, the Director of Business and Communities advised that an update will be brought to the November meeting.

### **Matters for Decision**

#### **D182/15 Social Investment Fund Capital Build Programme for Moneymore Recreation Centre Update Report**

*Councillor Clarke declared an interest in Social Investment Fund.*

The Head of Leisure drew attention to the previously circulated report to update members on the progress of OFMDFM's Social Investment Fund Capital Build Programme (SIF) for Moneymore Recreation Centre and get agreement on the approach to be adopted for the implementation.

Proposed by Councillor McNamee  
Seconded by Councillor Dillon and

**Resolved:** That it be recommended to the Council to approve the arrangements between Mid Ulster District Council and CWSAN for the construction of Moneymore Recreation Centre as detailed:

- a) CWSAN's developed Draft Project Agreement which defines the Purpose of the Project Agreement, Scope and Duration, nature of the relationship between MUDC and CWSAN and Programme for works. Officers to review the document and enter into negotiations with CWSAN over the next few weeks before finalising.
- b) The project due to commence at the end of October 2015 and expected to take up to 16 months to complete to January 2017.

#### **D183/15 Pomeroy Forest Car Park**

The Head of Parks drew attention to the previously circulated report and sought approval to engage with Forest Service (NI) in relation to an extension of existing car parking facilities at Pomeroy Forest to accommodate increased visitor numbers to the site.

In response to a query from Councillor J Shiels regarding planning permission, the Head of Parks advised that none has been sought yet, but permission was being sought in principle to move forward as there is a need to progress forward due to Health & Safety issues at the forest.

Councillor McNamee felt that Pomeroy Forest should be categorised as a Priority One as it's very pivotal within the local community. There are many activities taking place seasonally including their "Santa's Magical Forest" which generates a large gathering. Carparking is badly required due to the Health and Safety aspect.

Councillor Clarke advised that the Forest Service should be approached seeking a contribution as they have continuously funded other certain Forest parks throughout the years. There is a need for an even distribution of funding throughout.

The Director of Culture and Leisure stated that if any member would like an area not mentioned to be considered in the forest recreation audit, just let it be known.

Proposed by Councillor Dillon  
Seconded by Councillor Wilson and

- Resolved:** That it be recommended to the Council to:
- i) Progress the car park extension project proposal with Forest Service NI.
  - ii) Make application to Planning Department for appropriate statutory approval.
  - iii) Seek funding to complete the project. Estimated project cost £30k.

#### **D184/15      Seamus Heaney Project, Education Programme**

The Director of Culture and Leisure drew attention to the previously circulated report to update members on the progress of the Seamus Heaney Project, Education Programme.

To date several meetings and discussions have taken place between Culture and Arts Services staff and representatives of the Verbal Arts Centre, finalising the content and timescale for delivery of key aspects of the Education programme that will be part of their remit to deliver, namely:

- Creative Writing Project – an introduction to Seamus Heaney and his work (aimed at primary schools).
- Storytelling Project – Using ICT and film making techniques to encourage students to explore the work of Heaney and the landscape that influenced his work. An additional element of this project will involve school children getting involved in digital journalism.
- Poet and Poem Project – Introducing poets and their poetry to GCSE and A Level students across eight Post Primary Schools in the immediate catchment area of the Seamus Heaney Project. A second element of the project will be engaging with pupils with severe learning difficulties in the work of Seamus Heaney through the use of music.
- Reading Rooms Project – which works with marginalised with vulnerable people and use poetry and prose to engage with these groups through a series of educational, health and wellbeing and creative sessions.

It's anticipated that the various projects will commence in October 2015 with all being completed by June 2016 to coincide with the opening of the facility.

Funding of £26,455 has been awarded from the Arts Council. Mid Ulster District Council is required to match fund the programme with £26,524. The budget for this

can be met within existing financial resources available under The Seamus Heaney project.

Councillor Dillon stated that it was vitally important that cross community involvement be demonstrated as Seamus Heaney was known internationally.

Councillor Wilson said that he was fully supportive of the programme but would like to see a breakdown of the costs for the project as £53k was quite sizable.

Councillor J Shiels enquired what was going to be different from the school curriculum.

The Director of Culture and Leisure advised that over 3 to 4 months Officers went to all primary and secondary schools in the Magherafelt area and liaised with pupils and teachers on what they required. Teachers advised they would like to see teaching in a different type of way. The Education programme would provide facilitators and tutors which may help in the progress of reading and writing as it's a different practical way of teaching.

The Director of Culture and Leisure also stressed that she was conscious that schools outside the Magherafelt area were not included in the pilot scheme, but it's anticipated to be rolled out across Mid Ulster in the future.

Councillor C O'Neill welcomed the proposed education programme and advised that every opportunity to provide education should be fully supported.

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

**Resolved:** That it be recommended to Council to note the contents of the report and approve that the programme be delivered in partnership with the Verbal Arts Centre and that the Council provides the necessary match funding of £26,524.

**D185/15      Lighting up Council Arts and Cultural venues as part of "Purple Lights for Hope" Campaign – 1<sup>st</sup> November 2015**

The Director of Culture & Leisure drew attention to the previously circulated report and sought a decision from the Council regarding externally lighting up Council Arts & Cultural venues (Burnavon Theatre and Ranfurly House) "Purple" as part of Pancreatic Cancer UK's "Purple Lights for Hope" campaign on 1<sup>st</sup> November 2015 (Part of Pancreatic Cancer Awareness Month).

Councillor J Shiels suggested including The Bridewell Centre in the campaign.

Councillor Wilson suggested investigating the possibility of this being an ongoing campaign for different charities, with a monthly colour change for a different charity.

Councillor Burton suggested advertising the campaign through the website and a press release.

Councillor T Quinn said that it was important that buildings across Mid Ulster are lit up so it can raise awareness of Pancreatic Cancer.

Proposed by Councillor McNamee  
Seconded by Councillor Wilson and

**Resolved:** That it be recommended to the Council that permission be granted to the lighting up of Burnavon Theatre, Ranfurly House and the Bridewell Centre in the colour Purple from Saturday 31<sup>st</sup> October – Monday 30<sup>th</sup> November to coincide with Pancreatic Cancer UK's Purple light of Hope Cancer awareness campaign for the month of November.

#### **D186/15      Forest Recreation Audit 2015**

The Head of Parks drew attention to the previously circulated report to update members on progress and the submission of the Forest Recreation Audit Report 2015.

Councillor Wilson raised concern regarding admission prices to Drum Manor Forest Park and felt that it was being discriminated against by the Forestry Service. He suggested writing to the Forestry Service inviting them to a meeting to discuss the issue.

Proposed by Councillor Wilson  
Seconded by Councillor Forde and

**Resolved:** That it be recommended to Council to send written submission to the Forestry Service inviting them to a future meeting to discuss admission prices at certain Forest Parks.

Councillor J Shiels referred to Upperlands Forest Park and River Walk which included the Beetling Mill. He advised that they are all in need of repair and is working with the local community group and the Director of Business and Communities in trying to find ways to try and achieve this.

The Head of Parks advised that any member looking to have an area included in the audit to advise him so that it can be taken on board.

Councillor McAleer referred to Knockmany Forest and advised that it's located far from any leisure facilities in the Clogher Valley area. The forest is vital as it caters for walkers, runners, horse-riding and children's activities to name among a few.

The Chair, Councillor Burton agreed that Knockmany Forest is vital to the Clogher Valley area and was encouraged to see Caledon and Brantry all being included in the top Priority areas.

Councillor Dillon agreed with Councillor Wilson's suggestion of writing to Forestry Service regarding admission charges on certain forests including Loughgall, as the prices prove expensive.

Councillor Clarke said that there is a need for correlation between the Forestry Service and the Councils.

The Director of Culture and Leisure advised that it was important not to be too concerned about the current priorities of forests, as the forests are only given a priority rating because of their current facilities. This does not necessarily mean there is a linkage between priority and future funding.

The Director of Culture and Leisure advised members that any comments would be welcome and can be made to herself or the Head of Parks to take back to Outdoor Recreation NI.

**Resolved:** That it be recommended to the Council that:  
i) Members are to forward any comments or amendments of the audit report to the Head of Parks and that the audit be brought to a future committee meeting for further consideration.

#### **D187/15 Tyrone and Sperrins Tourism Destination Partnership Update**

*Councillors Clarke, Dillon, T Quinn and J Shiels all declared an interest in Tyrone and Sperrins Tourism Destination Partnership.*

The Head of Tourism drew attention to the previously circulated report to update Mid Ulster District Council about the previous activities of the Tyrone and Sperrins Destination Partnership and to seek Council approval to provide financial assistance for marketing activities up until 31<sup>st</sup> March 2016.

Proposed by Councillor McNamee  
Seconded by Councillor Wilson and

**Resolved:** That it be recommended to the Council that Mid Ulster District Council provide financial support of up to £5,000 in the current financial year for a tactical tourism marketing campaign subject to both Omagh/Fermanagh and Derry/Strabane Councils providing same.

#### **D188/15 Lough Neagh Partnership/Landscape Heritage**

The Head of Tourism drew attention to the previously circulated report to present a proposal from the Lough Neagh Partnership to support projects to be funded under the Heritage Lottery's Landscape Partnership measure. To seek support in principle for the five year Heritage Lottery Landscape Partnership programme. To seek approval to establish a Partnership Agreement with the Lough Neagh Partnership with a year one financial commitment.

Match funding requirement in year one 2016/17 of £35,400  
Match funding requirement in Year 2 – 5 £63,659

Total £99,059

Councillor Dillon stated that it would be unwise of the Council to not pursue the opportunity as they are gaining the biggest benefit.

Proposed by Councillor Dillon  
Seconded by Councillor Clarke and

**Resolved:** That it be recommended to the Council that approval be given to Lough Neagh Partnerships request to consider match funding for £99,059.50 over the five year period with the year 1 commitment of £35,400.

## **D189/15      Economic Development Report**

*Councillor Wilson declared an interest in Cookstown Enterprise Centre.*

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

1. Regional Start Initiative
2. New Suite of Business Development Programmes
3. Draft Response to Department for Employment and Learning's Consultation on the development of a new Further Education Strategy
4. Broadband Update

Councillor McNamee said that he welcomed the new suites of business programmes, especially the Tender Programme, and anticipates they will bring new business opportunities to Mid Ulster.

Councillor Wilson referred to the Draft Response to Department for Employment and Learning's Consultation on the development of a new Further Education Strategy and stated that the response was very comprehensive and fully endorses its content.

Members were invited to submit any additional comments on the draft response to the Head of Economic Development within the next few days.

Councillor Wilson raised concerns about poor broadband facilities across Mid Ulster. He advised that BT was awarded £4m to improve broadband services by enabling fibre cabinets but what they failed to do was upgrade their exchange networks to allow customers to avail of improved broadband services via that also.

Councillor Clarke agreed with Councillor Wilson and stated that there is a lack of detailed information from BT regarding their future plans. He said that BT should be in a position to service a box only 200 yards from a house.

Councillor McAleer asked for an update on the Mobile Infrastructure Project. The Head of Economic Development indicated that work is ongoing and that a full update would be provided at the next meeting.

Proposed by Councillor T Quinn  
Seconded by Councillor McNamee and

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

**1. Regional Start Initiative**

Note progress to date on the Regional Start Initiative including Invest NI's agreement to formally extend the existing delivery agent's contract to 31 March 2016 and review it on a monthly basis thereafter, up to 21 October 2016.

**2. New Suite of Business Development Programme for Mid Ulster**

Develop and procure a new suite of business development programmes for Mid Ulster, funded from Council's economic development budget, to include the following:

- **High Growth Programme** to support those businesses with the potential to grow quickly and create jobs.
- **Business Development Programme** (general support programme which includes a wide range of supports such as sales, marketing, exporting, business plan preparation etc)
- **Tender Programme** to assist local businesses identify new work opportunities and help them prepare professional tender bids.
- **Product and Process Development Programme** to assist companies to develop new or existing product/process ideas, test their viability before taking to market.
- **Digital On-Line Programme** to assist businesses grow their online presence and generate increased trading opportunities.

**3. Draft Response to Department for Employment and Learning's**

**Consultation on the development of a new Further Education Strategy**

Council's draft response to the Department for Employment and Learning's consultation on the development of a new Further Education Strategy for NI.

**4. Broadband Update** to note the following:

- Questionnaire to be issued in the coming weeks to seek input from businesses and residents on their individual broadband problems and map the results to evidence where there prevailing blackspots exist.
- Meeting convened with business owners who have raised broadband issues with Council and representatives from BT Openreach, Broadband Voucher Scheme etc, to help address the specific problems raised.

**D190/15      Blackwater Regional Report**

The Head of Economic Development drew attention to the previously circulated report to update members on the achievements to date of the Blackwater Regional Partnership and relocation of the Blackwater office base and to consider new opportunities for funding from the EU Interreg V Programme and Co-operation theme of the new Rural Development Programme.

Councillor Monteith raised concern about the proposed cycle route only going through one part of the district and felt that there should be an even share sought before proceeding.

The Head of Economic Development advised she had recently been made aware of the issue and would explore opportunities to determine if other parts of Mid Ulster can be included in the route after which an update will be provided at the next meeting.

In response to Councillor McNamee's query regarding the relocation of Moy office, the Director of Business and Communities advised that this was a management issue based on best utilising the staff located in his section.

Proposed by Councillor Monteith  
Seconded by Councillor Shiels and

**Resolved:** That it be recommended to the Council to adopt the recommendations in the report on the condition that more areas in Mid Ulster District are considered for inclusion on the proposed cycle route.

#### **D191/15 Northern Ireland Rural Development Programme 2014-2020**

The Director of Business and Communities drew attention to the previously circulated report to update members on the status of the Rural Development Programme 2014-2020 and advised that it was information.

**Resolved:** That it be recommended to the Council that Members note progress with LAG information and strategy development.

#### **D192/15 Town Centre Update**

The Head of Economic Development drew attention to the previously circulated report to update members on progress being made with Town Centre Action Plan.

Councillor Dillon said it was a very positive meeting with very sensible opportunities for Coalisland and added that it was encouraging to know that the smaller towns are not being neglected.

Proposed by Councillor Dillon  
Seconded by Councillor Monteith and

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

- Work up design and costings to assist with making an application to DSD's Revitalise Scheme for small environmental improvement works around Cornmill Heritage Centre, subject to securing local DEA Members agreement, and if successful, procure contractors to undertake the works and complete the project by 31 March 2016.
- Council to co-fund the DSD Revitalise Scheme to the value of 10% of eligible costs from existing economic development budgets.
- Noting progress regarding Mid Ulster Shop Improvement Scheme.
- Annual subscription to Journal of Urban Regeneration & Renewal for fee of £230.

Councillor Monteith raised the issue of the Public Realm Scheme in George's Street, Dungannon and advised that he was dismayed to find that car parking spaces were to

be lost due to the implementation of footpaths. He said that traders and stakeholders were previously advised by DSD that this would not be the case and suggested writing to them raising traders concerns.

The Director of Business and Communities advised that he in conjunction with the Director of Public Health & Infrastructure and the Town Centre officers had met with traders from various streets throughout Dungannon town since April 2015. George's Street was included in some of these discussions, and as always there are differing perspectives regarding the impact of public realm improvements. He advised that he would liaise with the Director of Public Health and Infrastructure to provide any clarity needed by members and traders.

In response to Councillor J Shiels query regarding the Shop Improvement Scheme, the Head of Economic Development advised that strong interest has been registered with Council already from town centre businesses, following the press release being published in the local newspapers to raise awareness of the scheme opening in October.

Proposed by Councillor Monteith  
Seconded by Councillor Shiels and

**Resolved:** That it be recommended to Council to write to DSD advising of Traders concerns that footpaths should not result in the loss of more car parking spaces.

#### **D193/15      Year of Food 2016**

*Councillor McAleer declared an interest in Flavour of Tyrone.*

The Head of Tourism drew attention to the previously circulated report to inform Council of Year of Food designated by Tourism NI for 2016 and proposed plans to participate in this within the region.

Councillor McNamee suggested getting the ethnic communities involved as there is now a high percentage of various cultures within our district.

The Chair, Councillor Burton suggested involving Castlecaulfield Horticultural Show and Clogher Valley Show.

Councillor Wilson suggested involving Dunman Creamery in Cookstown and Bakeries or anything else which could be incorporated into the plans.

Proposed by Councillor Monteith  
Seconded by Councillor McNamee and

**Resolved:** That it be recommended to Council to become part of Tourism NI Year of Food programme and to work up and programme of events and activities for Year of Food as detailed:

- a) Adding a barbecue element to the busking festival events planned for the region. Targeting local butchers and suppliers to get engaged and perhaps

adding a competitive element i.e. best sausage. These ties in with schedule for YOF for August – Love NI Meat.

- b) Increase membership of the Good Food Circle across Mid Ulster Council region, target – 5 new members.
- c) Produce a Good Food Circle recipe book featuring local restaurants signature dishes utilising local produce.
- d) Develop a series of taste events in SW College and our Good Food Circle restaurants, possibly also working in foraging theme.
- e) Explore the possibility of working with Loughry College or similar to host a “free from” event with local food producers.
- f) Good Food Circle to host a restaurant week across the Mid Ulster District Council region.
- g) Highlight Year of Food through Dungannon and Magherafelt Christmas markets
- h) Work with Clogher Valley Show to develop the food offer at the show.

#### **D194/15      Dark Skies Observatory and Davagh Mountain Bike Trail Head Development RDP Rural Tourism Scheme Application**

The Head of Tourism drew attention to the previously circulated report to seek a decision on further expenditure to allow an application to be made to DARD’s RDP Rural Tourism Programme.

Proposed by Councillor McNamee  
Seconded by Councillor Clarke and

**Resolved:** That it be recommended to the Council to proceed with the procurement of Trails Designers, Architects lighting study and work to allow Dark Sky Park status application.

#### **Matters for Information**

##### **D195/15      Seamus Heaney Centre Update**

The Chair, Councillor Burton requested that members note the previously circulated report on Seamus Heaney Centre Update.

Councillor Wilson suggested that the Centre should be promoted as a shared space, with both communities in Bellaghy being involved as didn’t want to see it getting off on the wrong footing. He advised that it would be worthwhile liaising with Churches in the area encouraging members to get involved.

Councillor Dillon advised that discussions has already taken place and are currently working on the involvement of other communities as it’s important that its seen as a cross community project.

The Director of Culture and Leisure stated that Officers have engaged with people in Bellaghy and different options are being put together to get cross community support,

including working with schools. She advised a Manager had been appointed and will be in place within the next couple of weeks.

The Director of Culture and Leisure agreed to liaise with Councillors Wilson and McLean regarding engagement with the communities in Bellaghy.

In response to Councillor J Shiels query regarding security of site, the Head of Culture and Leisure advised that the Head of Capital Projects has been in discussion with the Contractors and measures have been put in place.

#### **D196/15      Leisure Services Update Report**

The Chair, Councillor Burton requested that Members note the previously circulated report on Leisure Services Update.

Proposed by Councillor Monteith  
Seconded by Councillor Dillon and

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

#### **D197/15      Parks Service Progress Report**

The Chair, Councillor Burton requested that Members note the previously circulated report on Parks Services Progress.

Proposed by Councillor Monteith  
Seconded by Councillor Dillon and

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

#### **D198/15      Culture and Arts Progress Report**

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

Proposed by Councillor Monteith  
Seconded by Councillor Dillon 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 J Shiels

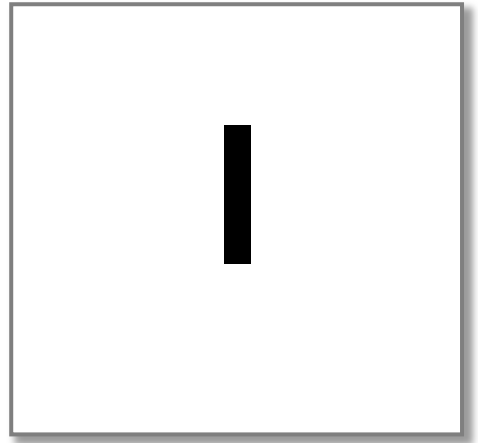
**Resolved:** That items (D199/15 to D207) be taken as confidential business.

**D208/15      Duration of Meeting**

The meeting was called for 7 pm and ended at 10 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**Subject** Conferences & Seminars

**Reporting Officer** P Moffett, Head of Democratic Services

|          |  |
|----------|--|
| <b>1</b> | <b>Purpose of Report</b>   |
| 1.1      | To 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. |

|          |   |
|----------|---|
| <b>2</b> | <b>Background</b>   |
| 2.1      | The following conference/ seminar sessions are presented for consideration of representation from Mid Ulster Council.   |
| 2.1      | <b>Approval for Attendance</b>  |
| 2.1.1    | <i>Nuclear Free Local Authorities All Ireland Forum</i> <ul style="list-style-type: none"> <li>Fri 30 October in Council Chamber, Dundalk, County Louth (10.30-1.15pm)</li> </ul>                     |
| 2.1.2    | <i>TCPA Seminar on Creating Garden Cities and Suburbs Today</i> <ul style="list-style-type: none"> <li>Thursday 5 November in Ulster Hall, Belfast (10am – 1pm)</li> </ul>                            |
| 2.1.3    | <i>Agriculture &amp; Food Conference: Meeting the Challenges Ahead</i> <ul style="list-style-type: none"> <li>Thursday 3 December in Dunadry Hotel, Templepatrick</li> </ul>                          |
| 2.1.4    | <i>Policy Forum: Tackling Poverty &amp; Assessing impact of proposed Welfare Reform</i> <ul style="list-style-type: none"> <li>Wed 3 February in Belfast venue to be confirmed (9am – 1pm)</li> </ul> |

|          |                   |
|----------|-------------------|
| <b>3</b> | <b>Key Issues</b> |
| 3.1      | N/A               |

|          |   |
|----------|---|
| <b>4</b> | <b>Resources</b>  |
| 4.1      | <b><u>Financial</u></b>   |
| 4.1.1    | <i>Nuclear Free Local Authorities All Ireland Forum</i> <ul style="list-style-type: none"> <li>No charge to attend</li> </ul>         |
| 4.1.2    | <i>TCPA Seminar on Creating Garden Cities and Suburbs Today</i> <ul style="list-style-type: none"> <li>No charge to attend</li> </ul> |

|       |   |
|-------|---|
| 4.1.3 | <i>Agriculture &amp; Food Conference: Meeting the Challenges Ahead</i><br>• £125                  |
| 4.1.4 | <i>Policy Forum: Tackling Poverty &amp; Assessing impact of proposed Welfare Reform</i><br>• £210 |
| 4.2   | <b><u>Human</u></b> - N/A   |
| 4.3   | <b><u>Basis for Professional/ Consultancy Support</u></b> - N/A                                   |
| 4.4   | <b><u>Other</u></b> – N/A   |

|          |   |
|----------|---|
| <b>5</b> | <b>Other Considerations</b>   |
| 5.1      | Costs associated will be set against 2015-16 member Conference & Seminar allocations. |

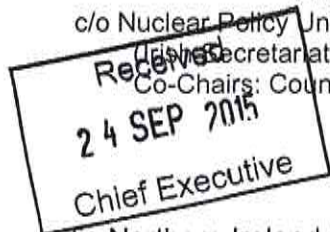
|          |   |
|----------|---|
| <b>6</b> | <b>Recommendations</b>  |
| 6.1      | Approval for attendance and representation at the conferences, where requested. |

|          |  |
|----------|--|
| <b>7</b> | <b>List of Documents Attached</b>  |
| 7.1      | Appendix A    Nuclear Free Local Authorities All Ireland<br>Appendix B    TCPA Seminar (Planning)<br>Appendix C    Agriculture & Food Conference<br>Appendix D    Assessing Impact of Welfare Reform in Northern Ireland |

Phil?

## Nuclear Free Local Authorities All Ireland Forum

c/o Nuclear Policy Unit, City Policy Team, Level 5, Town Hall Extension, Manchester, M60 2LA  
(Irish Secretariat at c/o Newry & Mourne Council Offices, Monaghan Row, Newry, BT35 8DJ)  
Co-Chairs: Councillors Mark Dearey & Michael Carr UK & Ireland Secretary: Sean Morris  
Tel: 00 44 161 234 3244 Fax: 00 44 161 234 274 7397  
Email: [s.morris4@manchester.gov.uk](mailto:s.morris4@manchester.gov.uk)  
Website: <http://www.nuclearpolicy.info>



To Northern Ireland Council Chief Executives/ Committee Service Managers  
To Republic of Ireland Council County Managers / Committee Service Managers

15<sup>th</sup> October 2015

**Nuclear Free Local Authorities (NFLA) All Ireland Forum Autumn Seminar:  
New nuclear risks in the Irish Sea – submarines and new nuclear power stations?  
Issues for Irish Local Authorities  
Friday 30<sup>th</sup> October 2015, Council Chamber, Town Hall, Dundalk, County Louth**

I would appreciate if you could bring the attached seminar to the attention of the councillors of the appropriate committee to consider whether they could nominate a councillor and / or relevant council officer to attend.

This NFLA All Ireland Forum Autumn 2015 Seminar is considering issues of real importance to Councils in Ireland, particularly those based around the coastline. In early September it was confirmed by the UK Ministry of Defence that a British submarine had come into contact with the nets of the Ardglass based fishing trawler 'MV Karen' during an incident in April 2015. At the time, media speculation on both sides of the Irish Sea had suggested it had been a Russian submarine. The incident caused £10,000 (€13,800) damage to the boat and, but for the quick thinking of the crew in cutting the nets, could have led to fatalities. The incident took place just 18 miles off the coast of County Down. The MOD has agreed to pay compensation for the damage.

This incident raises for all Irish Councils important issues over public safety – as this is not the first time such an incident has happened – environmental risk and territorial matters. It is not clear which submarine was involved in the incident and raises questions on whether nuclear-powered submarines regularly travel through the Irish Sea, rather than go across the North East Atlantic. It is also possible the submarine involved in the incident could have been a Trident submarine. The seminar will highlight NFLA's concerns in the area and how it is working with local MPs to raise the issue with the UK, Northern Ireland and Republic of Ireland Governments.

The seminar will also highlight the moves to speed up the development of new nuclear power stations on the Irish Sea coast at Wylfa in Anglesey and at Sellafield Moorside. The size of these proposed sites is significantly larger than currently operating nuclear power stations. There also remains real concern over safety, marine and environmental risk. What is being planned and what are the health, safety and environmental risks to Ireland?

NFLA has also recently been invited by the newly formed Environmental Protection Agency (which has taken over the functions of the Radiological Protection Institute of Ireland) to join its Radiation Advisory Committee. As a result it can represent the concerns of local authorities and environmental groups over the health risks of low level radiation in the Irish Sea and wider concerns in the event of a major nuclear accident in the UK. The seminar will inform Councils how it is trying to represent your views at the highest level.

The seminar is free to attend and we strongly encourage Irish Councils to consider sending a representative to it.

The flyer for the seminar is attached with this letter, along with a registration form. To register, please contact Sinead Trainor, Newry, Mourne and Down Council on the following details - [sinead.trainor@newryandmourne.gov.uk](mailto:sinead.trainor@newryandmourne.gov.uk) or fax 00 44 (0)2830 264482 or telephone 00 44 (0)2830 313096.

I also attach the NFLA media release on the submarine incident mentioned above.

If you have any specific queries about the NFLA please contact me using the details at the top of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Morris'.

Sean Morris  
NFLA Secretary

On behalf of the NFLA All Ireland Forum Chairs



## **Nuclear Free Local Authorities (NFLA) Ireland Seminar**

### **New nuclear risks in the Irish Sea – submarines and new nuclear power stations? Issues for Irish Local Authorities**

**Date: Friday 30<sup>th</sup> October 2015**

**Location: Council Chamber, Town Hall, Dundalk, County Louth**

The NFLA All Ireland Forum Autumn 2015 Seminar considers issues of real importance to Councils in Ireland, particularly those around the coast. In early September it was confirmed by the UK Ministry of Defence that a British submarine had come into contact with the nets of the Ardglass based fishing trawler 'MV Karen' during an incident in April 2015. At the time, media speculation on both sides of the Irish Sea had suggested it had been a Russian submarine. The incident caused £10,000 (€13,800) damage to the boat and, but for the quick thinking of the crew in cutting the nets, could have led to fatalities. The incident took place just 18 miles off the coast of County Down. The MOD has agreed to pay compensation for the damage.

This incident raises issues over public safety – as this is not the first time such an incident has happened – environmental risk and territorial matters. It is not clear which submarine was involved in the incident and raises questions on whether nuclear-powered submarines regularly travel through the Irish Sea, rather than go across the North East Atlantic. The seminar will highlight NFLA's concerns in the area and how it is working with local MPs to raise the issue with the UK, Northern Ireland and Republic of Ireland Governments.

The seminar will also highlight the moves to speed up the development of new nuclear power stations on the Irish Sea coast at Wylfa in Anglesey and at Sellafield Moorside. The size of these proposed sites is significantly larger than currently operating nuclear power stations. There also remains real concern over safety, marine and environmental risk. What is being planned and what are the risks to Ireland?

NFLA has also recently been invited by the newly formed Environmental Protection Agency (which has taken over the functions of the Radiological Protection Institute of Ireland) to join its Radiation Advisory Committee. As a result it can represent the concerns of local authorities and environmental groups over the health risks of low level radiation in the Irish Sea and wider concerns in the event of a major nuclear accident in the UK. The seminar will hear how it is representing such views at the highest level.

### **FINAL PROGRAMME**

- |         |   |
|---------|---|
| 10.30am | Registration, tea and coffee.   |
| 11.00am | Opening welcomes by Councillor Mark Dearey, Louth County Council and Co-Chair of the NFLA All Ireland Forum.  |
| 11.05am | Ardglass trawler and submarine collision: safety, environmental and territorial issues – Tim Deere-Jones, independent marine environment consultant (confirmed)                                   |
| 11.35am | The political implications to the Ardglass trawler incident – Margaret Ritchie MP for South Down (confirmed)  |
| 12.00pm | New nuclear build at Sellafield and Wylfa – an environmental risk to the island of Ireland? Sean Morris, NFLA Secretary (confirmed)   |
| 12.25pm | NFLA's independent role in the new Environmental Protection Agency Radiation Advisory Committee – Dr Paul Dorfman, University College London and NFLA representative on the committee (confirmed) |
| 12.50pm | Panel discussion chaired by the Co-Chair of the NFLA All Ireland Forum, Councillor Michael Carr, Newry, Mourne & Down Council.  |
| 1.15pm. | Seminar concludes.  |

## **TCPA seminar series for councils 2015**

### **Creating Garden Cities and Suburbs Today**

**Free** events across the UK in October-November

The TCPA is hosting a series of seminars on the opportunities for creating new Garden Cities and suburbs and delivering their benefits. The seminars are taking place over the autumn across the UK, following those held in London and Letchworth in July.

**The seminars are free to attend and designed for all those interested in delivering high quality, sustainable new communities.** This includes local authority elected members and officers, planners, business and infrastructure providers, government officials, developers, architects, landscape architects, economists, consultants, academics and those from NGOs and voluntary organisations.

Councils are firmly in the driving seat in planning for and stimulating growth. These **FREE** seminars will highlight that in a localised planning system the real power is the Local Plan - this is a major opportunity to think about the long-term future and consider whether a Garden City or Suburb could provide the right solution. If you get the right plan for your area, you can help to steer development to where it is needed and stop bad planning applications being made in the first place.

**The seminars are designed to help councillors, officers and delivery partners:**

- take advantage of the opportunities to create Garden Cities and Suburbs and deliver their benefits;
- understand the key questions that need to be asked and the tools and resources available in
- planning and delivering sustainable growth; and,
- build on the latest policy hooks.

### **Dates and Venues**

**Cardiff**— 13th October, 12.30pm – 4.30pm. Eversheds office, 1 Callaghan Square, Cardiff CF10 5BT

**Edinburgh**—27th October, 12.30pm – 4.30pm. PAS Scotland/RICS, 3rd floor, 125 Princes Street Edinburgh EH2 4AD

**Belfast**—5th November, 10.00am – 1.00pm. Ulster Hall, 34 Bedford Street, Belfast, BT2 7FF

**Warrington**—10th November, 12.30pm – 4.30pm. Birchwood Forum, Chadwick House, Birchwood Park, Warrington Rd, Warrington WA3 6AE.

**York**—17th November, 10.00am – 4.30pm. Derwenthorpe Energy Centre, Derwent Way, York, YO10 3BF

**Bristol**—30th November, 12.30pm – 4.30pm. Factory Studio, Tobacco Factory, Raleigh Road, Bristol, BS3 1TF

**SPECIAL LOCAL GOVERNMENT OFFER!**

**agendaNI**

# Agriculture & food conference

Meeting the challenges ahead

**SPECIAL LOCAL GOVERNMENT OFFER!**

**Thursday 3rd December 2015 • Dunadry Hotel, Co. Antrim**

agendaNi's annual Agri-Food Conference is now in its fifth year and is well established as a forum for leaders from across Northern Ireland's agriculture and food sectors to come together to discuss the key issues facing the sectors, both locally and in the national and European contexts.

Agri-food continues to be one of Northern Ireland's most successful industries with a proven track record for growth. With sales of over £4 billion per annum it is our largest manufacturing sector and accounts for around 10 per cent of private sector employment. Ambitious plans under 'Going for Growth' are to grow sales by 60 per cent to over £7 billion, create 15,000 new jobs, grow sales outside Northern Ireland by 75 per cent to £4.5 billion and to increase value added to £1 billion by 2020.

**Themes under discussion will include:**

- Agriculture and rural development policy update
- The view from Brussels
- Global drivers of supply and demand
- Improving competitiveness and innovation
- Challenges facing the dairy industry
- The future outlook for farming
- The new rural development programme.

**Speakers include:**

- Teresa Canavan, Chief Executive, Rural Development Council
- Ivor Ferguson, Deputy President, Ulster Farmers Union.
- Richard Halleron, Journalist, focusing on agriculture and agri-food
- Cormac McKervey, Head of Agriculture, Ulster Bank.
- Myles Patton, Senior Agricultural Economist, Agri-Food and Biosciences Institute (AFBI)
- Roberta Simmons, President of the Young Farmers' Clubs of Ulster
- Louise Warde Hunter, Deputy Secretary, Central Policy Group at DARD
- Angus Wilson, Chief Executive Officer, Wilson's Country.

**Registration**

**Negotiated by NILGA**, a special discounted rate of **£125 ex VAT** (full fee £175) is available for local government elected representatives and officers wishing to attend.

This offer is limited, to secure your place at the discounted rate contact agendaNi directly on 028 9261 9933 or email [registration@agendaNi.com](mailto:registration@agendaNi.com) and reference **NILGA**.

**Full programme available online at [www.agendaNi.com/events](http://www.agendaNi.com/events)**

**agendaNi**  
magazine

**nilga**  
northern ireland  
local government association

Policy Forum for Northern Ireland Keynote Seminar

# **Tackling poverty and assessing the impact of proposed welfare reform in Northern Ireland**

*with*

**Tommy O'Reilly**, Chief Executive, Social Security Agency, Department for Social Development and **Quintin Oliver**, Northern Ireland Adviser, Joseph Rowntree Foundation and Director, Stratagem NI

*and*

**Les Allamby**, *The Northern Ireland Human Rights Commission*; **Clark Bailie**, *Northern Ireland Housing Executive*;

**Dr Esmond Birnie**, *PwC*; **Kevin Doherty**, *Disability Action*; **Siobhan Fitzpatrick**, *Early Years*; **Kieran Harding**, *Business in the Community*; **Tina McKenzie**, *EOS NI*; **Paddy Mooney**, *Include Youth* and **Bob Stronge**, *Advice NI*

*Chaired by:*

**Mike Nesbitt MLA**, Leader, Ulster Unionist Party and Chair, Committee for the Office of the First Minister and deputy First Minister

*Morning, Wednesday, 3<sup>rd</sup> February 2016  
Central Belfast*

**J**

|                          |  |
|--------------------------|--|
| <b>Subject</b>           | North/South 400 kv Interconnector and associated works |
| <b>Reporting Officer</b> | Area Planning Manager                                  |
| <b>Contact Officer</b>   | Phelim Marrion   |

|          |  |
|----------|--|
| <b>1</b> | <b>Purpose of Report</b>   |
| 1.1      | To seek Members agreement on the Council's response to the DoE consultation on two regionally significant applications which propose the erection of a single 400kv overhead line, sub-station and associated works. |

|          |   |
|----------|---|
| <b>2</b> | <b>Background</b>   |
| 2.1      | DoE have a statutory duty to consult with Mid Ulster District Council on the planning applications which are outlined on the attached paper.                |
| 2.2      | A report was considered at the Planning Committee on the 1 September 2015 and was agreed to present to the full Council prior to any response being issued. |

|          |   |
|----------|---|
| <b>3</b> | <b>Key Issues</b>   |
| 3.1      | Members were advised that within Mid Ulster District the proposal is for a sub-station located to the North East of Moy village and approximately 10km of overhead power lines supported on 32 no. 33.2m tall towers. Connection to the existing 275kv network will involve the removal of 1 existing tower and provision of 2 new towers on the existing line. |
| 3.2      | The route of the new line passes to the north and west of Moy, crossing Trewmount Road, Majors Lane, Moy-Dungannon Road, Culkeeran Road and Gorestown Road and travels south crossing Culrevog Road, Benburb Road, Drumlee Road, Clonfeacle Road and Tullydowey Road before crossing the River Blackwater to the east of Benburb.                               |
| 3.3      | It is not considered that there are any policy objections to the proposed line nor that the development will have any unacceptable impacts on areas of nature conservation or archaeological interest.  |
| 3.4      | The Council may wish to recognise the objections which residents from the area have in relation to the proposal and request that all issues raised are given full consideration in any determination by the Department.   |

|          |   |
|----------|---|
| <b>4</b> | <b>Resources</b>  |
| 4.1      | <b><u>Financial</u></b><br>None                                   |
| 4.2      | <b><u>Human</u></b><br>None                                       |
| 4.3      | <b><u>Basis for Professional/ Consultancy Support</u></b><br>None |
| 4.4      | <b><u>Other</u></b><br>None                                       |

|          |                             |
|----------|-----------------------------|
| <b>5</b> | <b>Other Considerations</b> |
| 5.1      | N/A                         |

|          |  |
|----------|--|
| <b>6</b> | <b>Recommendations</b>                           |
| 6.1      | That Members agree the attached response to DoE. |

|          |   |
|----------|---|
| <b>7</b> | <b>List of Documents Attached</b>         |
| 7.1      | Copy of report and consultation response. |



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

## Planning Committee - Interconnector Applications

| Summary  |   |
|--|---|
| <b>Committee Meeting Date:</b>   | <b>Item Number:</b>   |
| <b>Application ID:</b> O/2009/0792/F   |   |
| <b>Proposal:</b><br>Erection of a single circuit 400kV overhead line comprising 102 towers over 34.1kms from Trewmount Road, Moy in the townland of Turleenan to the border with the Republic of Ireland at the townland of Doohat or Crossreagh and a further section of overhead line extending for 0.2kms across the townland of Crossbane. Amendments to existing 275kV line removing one existing 275kV tower and erection of two new 275Kv towers. Connection via a new 400/275kV substation at land to the rear of 152 Trewmount Road. (Further Environmental Information, amended drawings and amended P1 form and P1 (NIE) form)  | <b>Location:</b><br>Land to the rear of 152 Trewmount Road in the townland of Turleenan, Moy, Dungannon, Co Tyrone and overhead electrical transmission line from Trewmount Road, Moy to the townlands of Crossreagh and Crossbane, Co Armagh.              |
| <b>Application ID:</b> O/2013/0214/F   |   |
| <b>Proposal:</b><br>Carry out associated works required for the erection of a single circuit 400kV overhead line comprising 102 towers over 34.1kms from Trewmount Road, Moy, in the townland of Turleenan to the border with the Republic of Ireland at the townland of Doohat or Crossreagh and a further section of overhead line extending for 0.2kms across the townland of Crossbane. Works to include site levelling, site preparation works, amending existing access points, construction of new access points, construction of new access lanes, construction of working areas, stringing areas, guarding, site boundary fencing and related mitigation works. Associated works required to amend the existing 275kV line removing one existing 275kV tower and erection of two new 275kV towers. Associated works | <b>Location:</b><br>Lands Between The Proposed New NIE Substation At The Rear Of 152 Trewmount Road Moy Co Tyrone In The Townland Of Turleenan To The Townlands Of Doohat Or Crossreagh And Crossbane Co Armagh On The Border With The Republic Of Ireland. |

|  |   |
|--|---|
| required to enable connection via a new 400/275kV substation at Trewmount road.<br>(Further Environmental Information, amended drawings and amended P1 form and P1 (NIE) form) |   |
| <b>Recommendation:</b>   | Agree response for ratification by full Council |
| <b>Applicant Name and Address:</b><br>SONI Ltd   | <b>Agent Name and Address:</b>                  |

## Report

The above planning applications are Regionally Significant applications for the purposes of the section 26(1) of the Planning Act (Northern Ireland) 2011. DoE have jurisdiction in relation to these applications and have a statutory duty, as set out in Schedule 3, Part 2, 1 to the Planning (General Development Procedure) Order 2015 to consult Mid Ulster District Council with the above planning applications.

DoE Consulted Mid Ulster Council on 8<sup>th</sup> July 2015 and asked for a response within 21 days. The Council may wish to advise DoE that Regulation 22 of the Planning (Environmental Impact Assessment) Regulations (NI) 2015 states 'shall give not less than 4 week's notice to any council' and not 21 days as is stated in their recent correspondence. 21 days is not an appropriate timescale in which the Council can respond as any response must be ratified by the full Council following discussion at the Planning Committee.

The Planning Appeals Commission have been asked to hold an examination in public for application O/2009/0792/F, this examination was adjourned on 20<sup>th</sup> March 2012 and the PAC website does not have any dates published of when this will reconvene.

Both Planning Applications have been accompanied by Environmental Statements which provide information in relation to a number of environmental and visual impacts from the development. Members are advised that within the Mid Ulster District the proposal is for a sub-station located to the north east of Moy village and approx. 10km of overhead power lines supported on 32no 33.2m tall towers. Connection to the existing 275kv network will involve removal of 1 existing tower and provision of 2 new towers on the existing line.

The route of the new line passes to the north and west of Moy, crossing Trewmount Road, Majors Lane, Moy-Dungannon Road, Culkeeran Road and Gorestown Road and travels south, crossing Culrevog Road, Benburb Road, Drumlee Road, Clonfeacle Road and Tullydowey Road before crossing the River Blackwater to the east of Benburb.

The principle policy for overhead cables is set out in PSU11 of a Planning Strategy for Rural Northern Ireland which requires siting to be controlled in terms of visual impact on the environment. The policy has particular regard to designated areas of landscape or townscape value and in the section of area that it is proposed in Mid Ulster, the line does not pass through any areas designated or identified in the Dungannon and South Tyrone Area Plan as having high scenic value. Guidance within the policy identifies other interests that should be taken into account when planning lines including sites of nature conservation or archaeological interest and should follow natural features of the environment. I do not consider there is any policy objections to the proposed line and I would expect DoE to ensure the development will not have any unacceptable impacts on areas of nature conservation or archaeological interest.

The environmental statement has assessed the possibility of undergrounding part of the line where it crosses the River Blackwater, however this will result in the permanent removal of hedging and impact on farming activities for the length of the cable by a 22metre wide strip of land. It also has the potential to have further adverse impacts of the River Blackwater.

Planning application O/2013/0314/F is entirely dependent on O/2009/0972/F obtaining consent and it relates to for site preparation works, including setting out, minor civil works such as erection of temporary fencing and modification to existing services, access tracks to tower locations, working areas around the towers, access to guarding areas and erection of guarding to facilitate stringing of the line, access to areas to allow stringing and re-instatement of the land. Members are asked to note the development in this application is permitted development under Part 5 of the Schedule attached to the Planning (General Permitted Development ) Order (NI) 2015 and that it has been submitted to provide clarity of all the works proposed. It is important that any accesses to facilitate the construction of this development are provided to a proper and safe standard prior to their use, and it is expected Transport NI will be involved in setting and agreeing these standards. It is also necessary that appropriate re-instatement of the countryside affected by the facilitating works, ie replanting hedges and reseeding or regrading landforms, is properly conditioned and carried out once the work has been completed.

The Council may wish to recognise the investment that is being provided and benefits the proposal will have in terms of security of supply for the Mid Ulster District, particularly given the amount of industry in the area and .

The Council may also wish to recognise the objections residents from the area have in relation to the proposal and request that all issues raised are given full consideration in any determination. All objectors and Councillors should be kept fully apprised of the different stages of the applications and given adequate notice of any dates for resumption of the public examination to ensure they may appear before the Planning Appeals Commission.

**Recommendation:**

That the attached letter be sent welcoming the proposed interconnector but requesting that full consideration be given to the setting of the River Blackwater and any public representations made.

**Signature(s)**

**Date:**

Date: 23<sup>rd</sup> October 2015  
Your Ref: O/2009/0792/F &  
O/2013/0214/F  
Our Ref:  
(Please quote at all times)

Ms Nola Jamieson  
DOE Strategic Planning Division  
Causeway Exchange  
1 – 7 Bedford Street  
Belfast  
BT2 7EG

Dear Ms Jamieson,

**Re:**

**Application ID:** O/2009/0792//F

Erection of a single circuit 400kV overhead line comprising 102 towers over 34.1kms from Trewmount Road, Moy in the townland of Turleenan to the border with the Republic of Ireland at the townland of Doohat or Crossreagh and a further section of overhead line extending for 0.2kms across the townland of Crossbane. Amendments to existing 275kV line removing one existing 275kV tower and erection of two new 275kV towers. Connection via a new 400/275kV substation at land to the rear of 152 Trewmount Road. (Further Environmental Information, amended drawings and amended P1 form and P1 (NIE) form)

**Application ID:** O/2013/0214/F

Carry out associated works required for the erection of a single circuit 400kV overhead line comprising 102 towers over 34.1kms from Trewmount Road, Moy, in the townland of Turleenan to the border with the Republic of Ireland at the townland of Doohat or Crossreagh and a further section of overhead line extending for 0.2kms across the townland of Crossbane. Works to include site levelling, site preparation works, amending existing access points, construction of new access points, construction of new access lanes, construction of working areas, stringing areas, guarding, site boundary fencing and related mitigation works. Associated works required to amend the existing 275kV line removing one existing 275kV tower and erection of two new 275kV towers. Associated works required to enable connection via a new 400/275kV substation at Trewmount road. (Further Environmental Information, amended drawings and amended P1 form and P1 (NIE) form)

In response to your consultations Mid Ulster District Council are generally in support of this proposal in principle and would encourage the undergrounding of the cables where possible. The Council would request the impacts of this development on the heritage, tourism and habitats of the area is fully considered before any decision is taken, particularly the canoe trail on the River Blackwater and settings of listed buildings in the area.

The Council feel it is important that all objections and representations to the proposal are fully considered and that anyone, including Councillors, who have

made representations are given adequate opportunity to put forward any concerns at any subsequent public examination.

In the event of planning permission being granted for this development, it is assumed that conditions will be imposed which will become the responsibility of this Council to enforce. You are therefore requested to consult with the Planning Department of Mid Ulster Council before issuing any permission subject to conditions.

Mid Ulster Council would like you to note that the timescales set for consultation are unreasonable in that an application of this scale needs to be presented to members for comment. Therefore may I ask that in future consultations a period is given which allows for the case to be presented in an informed manner to our monthly Council meeting. Furthermore it should be noted the consultation period on the applications giving three weeks for a response is in conflict with Regulation 22 of the Planning (Environmental Impact Assessment) Regulations (NI) 2015, which gives a period of not less than 4 weeks notice for any consultation response.

Yours sincerely

Anthony Tohill  
Chief Executive

**K**

**Subject** Consultations notified to Mid Ulster District Council

**Reporting Officer** Philip Moffett, Head of Democratic Services

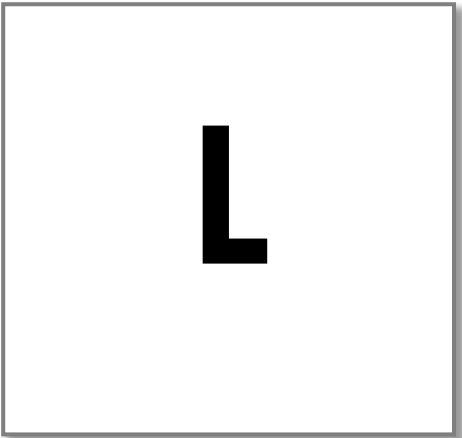
|          |  |
|----------|--|
| <b>1</b> | <b>Purpose of Report</b>   |
| 1.1      | To update members on the consultations notified to Mid Ulster District Council for comment, since the last meeting of Council. |

|          |  |
|----------|--|
| <b>2</b> | <b>Background</b>  |
| 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 Health, Social Services and Public Safety</td><td>Proposed strategy ‘Leaving Prostitution: A Strategy for help and support’</td><td>23 Oct 2015</td></tr><tr><td>Department for Employment and Learning</td><td>Higher Education Big Conversation – sustainability and the future of our higher education system.</td><td>23 Oct 2015</td></tr><tr><td>Post Office</td><td>Coagh Post Office - Proposed move to new premises and branch modernisation.</td><td>11 Nov 2015</td></tr></table> <p>Documentation on the aforementioned consultations may be provided on request.</p> | Organisation | Issue | Closing Date | Department of Health, Social Services and Public Safety | Proposed strategy ‘Leaving Prostitution: A Strategy for help and support’ | 23 Oct 2015 | Department for Employment and Learning | Higher Education Big Conversation – sustainability and the future of our higher education system. | 23 Oct 2015 | Post Office | Coagh Post Office - Proposed move to new premises and branch modernisation. | 11 Nov 2015 |
| Organisation  | Issue  | Closing Date |       |              |   |   |             |  |   |             |             |   |             |
| Department of Health, Social Services and Public Safety | Proposed strategy ‘Leaving Prostitution: A Strategy for help and support’  | 23 Oct 2015  |       |              |   |   |             |  |   |             |             |   |             |
| Department for Employment and Learning                  | Higher Education Big Conversation – sustainability and the future of our higher education system.  | 23 Oct 2015  |       |              |   |   |             |  |   |             |             |   |             |
| Post Office   | Coagh Post Office - Proposed move to new premises and branch modernisation.  | 11 Nov 2015  |       |              |   |   |             |  |   |             |             |   |             |

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

|          |   |
|----------|---|
| <b>5</b> | <b>Other Considerations</b>                     |
| 5.1      | Not applicable                                  |
| <b>6</b> | <b>Recommendations</b>                          |
| 6.1      | Members review and note the open consultations. |
| <b>7</b> | <b>List of Documents Attached</b>               |
| 7.1      | Not applicable                                  |





|                          |  |
|--------------------------|--|
| <b>Subject</b>           | Correspondence to Council              |
| <b>Reporting Officer</b> | P Moffett, Head of Democratic Services |

|          |   |
|----------|---|
| <b>1</b> | <b>Purpose of Report</b>  |
| 1.1      | Provide an update on correspondence received to be brought to the attention of Council. |

|          |  |
|----------|--|
| <b>2</b> | <b>Background</b>  |
| 2.1      | This paper makes reference to correspondence received to be brought to the attention of Council. One item has been referred to in 3.1 below. |

|          |  |
|----------|--|
| <b>3</b> | <b>Key Issues</b>  |
| 3.1      | <p>Belfast City Council passed the following resolution at its meeting of 1 October and has asked that it be brought to the attention of Mid Ulster District Council with a view to it supporting its stance:</p> <p><i>“This Council regards cruelty against animals as a despicable crime; believes that more could be done to protect animals from cruelty and prevent reoffending. Therefore, this Council calls on the Minister for Justice to work with the Minister for Agriculture and Rural Development and local councils to make it compulsory that those convicted of animal cruelty be prohibited from owning animals for a minimum period of time, establish and place those convicted of animal cruelty on a central register and outlaw the transferring of any animals to anyone on this register.”</i></p> |

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

|          |                             |
|----------|-----------------------------|
| <b>5</b> | <b>Other Considerations</b> |
| 5.1      | N/A                         |

|          |   |
|----------|---|
| <b>6</b> | <b>Recommendations</b>  |
| 6.1      | That council receives the resolution passed by Belfast City Council on cruelty against animals. |

|          |                                   |
|----------|-----------------------------------|
| <b>7</b> | <b>List of Documents Attached</b> |
| 7.1      | Not Applicable                    |