



28 March 2019

Dear Councillor

You are invited to attend a meeting of the Council to be held in  
The Chamber, Dungannon at Mid Ulster District Council, Council Offices, Circular  
Road, DUNGANNON, BT71 6DT on Thursday, 28 March 2019 at 19:00 to transact  
the business noted below.

Yours faithfully

Anthony Tohill  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation - Invest NI

### Matters for Decision

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| 5.  | Council minutes of meeting held on 28 February 2019                    | 3 - 14  |
| 6.  | Planning Committee minutes of meeting held on 5 March 2019             | 15 - 38 |
| 7.  | Policy and Resources committee minutes of meeting held on 7 March 2019 | 39 - 44 |
| 8.  | Environment Committee minutes of meeting held on 12 March 2019         | 45 - 54 |
| 9.  | Development Committee minutes of meeting held on 14 March 2019         | 55 - 70 |
| 10. | Conferences, Seminars & Training Report                                | 71 - 76 |
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### Matters for Information

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### Notice of Motions

14 Councillor Gildernew to move

This Council supports the family of Aidan McAnespie, shot dead by the British Army in February 1988, in establishing all the facts surrounding his death. To that end we undertake to write to the Dublin Government calling for them to release the Crowley report undertaken in the aftermath of his death.

**Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.**

Matters for Decision

15. Council Confidential minutes of meeting held on 28 February 2019
16. Planning Committee Confidential minutes of meeting held on 5 March 2019
17. Policy and Resources Committee Confidential minutes of meeting held on 7 March 2019
18. Environment Committee Confidential minutes of meeting held on 12 March 2019
19. Development Committee Confidential minutes of meeting held on 14 March 2019
20. Audit Committee Confidential minutes of meeting held on 19 March 2019
21. Contracts - WDR & RT Taggart
22. Document for Sealing: Lease between Mid Ulster District Council and South Tyrone Empowerment Programme in relation to lands situated at Railway Park, Dungannon.

Matters for Information

**Minutes of Meeting of Mid Ulster District Council held on Thursday 28 February 2019 in the Council Offices, Circular Road, Dungannon**

**Chair** Councillor S McPeake

**Members Present** Councillors Ashton, Bell, Buchanan, Burton, Clarke, Colvin, Cuddy, Cuthbertson, Doris, Elattar, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, B McGuigan, S McGuigan, McKinney, McNamee, D McPeake, Mallaghan, Milne, Molloy, Monteith, Mullen, Mulligan, O'Neill (7.13pm), M Quinn, Robinson, G Shiels, Totten and Wilson

**Officers in Attendance** Mr A Tohill, Chief Executive  
Ms Canavan, Director of Organisational Development  
Mr Cassells, Director of Environment & Property  
Mr Kelso, Director of Public Health & Infrastructure  
Ms Mezza, Head of Marketing & Communications  
Mr Moffett, Head of Democratic Services  
Mr JJ Tohill, Director of Finance  
Mrs Forde, Member Support Officer

The meeting commenced at 7 pm

**C030/19 Apologies**

Councillors Forde, McGinley, McLean and T Quinn

**C031/19 Declarations of Interest**

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

*Councillor Mallaghan declared an interest in agenda item 21 D044/19 Capital Discretionary Grants*

**C032/19 Chair's Business**

Councillor Kearney requested that the Chair write a letter of appreciation to the leader of the Community Rescue Service congratulating the organisation on the success of the recent series of BBC television programmes highlighting the tremendous contribution made to the Voluntary Service. He advised that many from the Mid Ulster region volunteered with the group and spoke of the possibility of the Community Rescue Service opening a branch in Dungannon. He also highlighted that many Mid Ulster citizens had enrolled as first responders.

The Chair, Councillor McPeake concurred with Councillor Kearney.

**Resolved** That the Chair write to the leader of the Community Rescue Service congratulating the organisation on the success of the recent series of

BBC television programmes highlighting the tremendous contribution to the Voluntary Service.

Councillor Mallaghan expressed concern regarding a recent article which appeared in the Tyrone Courier claiming that Council had taken funds from the Citizens Advice organisation. He stated that the public had a right to know and that it should be made clear that Council had carried out a procurement exercise which was scored fairly leading to the change of advice provider in the district. He further referred to an earlier article in which Councillor McGinley had been described as an SDLP member of which he had no doubt been done purposely. He said that the paper received public money through the Council for advertising and whilst he had no issue with criticism if the Council was worthy of it, he expected reporting to be carried out accurately with both sides of the story reported.

Councillor Cuddy stated that whilst the Councillor was entitled to his opinion he should not be making unveiled threats to remove advertising.

The Chair, Councillor McPeake stated that had not been said and this was clarified by Councillor Mallaghan.

Councillor Cuddy stated that it had come across like that to him.

The Chair called the debate to a close.

### **Matters for Decision**

**C033/19      Receive and Consider Minutes of matters transacted in “Open Business” at the Council meeting held on Thursday 24 January 2019**

Proposed by Councillor S McGuigan  
Seconded by Councillor McNamee and

**Resolved**      That the Minutes of the Meeting of the Council held on Thursday 24 January 2019 (C001/19 – C017/19 and C029/19) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

**C034/19      Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 5 February 2019**

Councillor Mallaghan drew attention to item *P016/19 Chair's Business Attendance at the RTPI Awards for Planning Excellence Ceremony* and stated that his recollection of the resolve at the meeting was that the Chair of the Planning Committee and the Planning Manager attend the RTPI Awards for Planning Excellence Ceremony in London on 24 April 2019 not the Chair of the Council.

The Chair, Councillor McPeake stated that he was not available to attend the awards.

Councillor Cuthbertson stated that given the date of the awards, its close proximity to the local election date and guidance issued on the promotion of individuals asked how the rules would apply.

In response the Chief Executive advised that technically speaking 'Purdah' does not apply to Local Government but Council should follow best practice guidance and avoid publicity which could be seen as giving any individual member political advantage over another. He added that fundamental the business of Council must continue and individual Members would have to make personal decisions.

Councillor Ashton stated it was her understanding that there was a protocol in relation to attendance at events.

Councillor Wilson concurred with Councillor Ashton and recalled similar circumstances arising when he had previously been Chair of the Development Committee when a recommendation had been overturned at Council and the protocol applied.

The Chair, Councillor McPeake stated that the Chair of Council and the Chair of Committee had attended the previous year and that his recollection of the discussion of the planning committee precedent had been mentioned.

Councillor Gildernew concurred.

Proposed by Councillor Mallaghan  
Seconded by Councillor Gildernew

That the Chair of Planning Committee and Planning Manager attend the RTPI event aforementioned.

Proposed by Councillor Wilson  
Seconded by Councillor Ashton

That attendance at the RTPI event aforementioned be determined in adherence to guidance detailed in Council's Protocol on Booking Tables at Functions.

*Councillor O'Neill entered the meeting 7.13pm*

Councillor Mallaghan stated that he was content to adhere to the protocol but that the record of the minute at the planning committee should be corrected. Councillor Mallaghan withdrew his initial proposal.

Proposed by Councillor Mallaghan  
Seconded by Councillor B McGuigan

That the minute of the planning Committee be amended to read

- (i) That the Chair of the Planning Committee and the Planning Manager attend the RTPI Awards for Planning Excellence Ceremony in London on 24 April 2019; and
- (ii) That adhering to guidance detailed in Council's Protocol on Booking Tables at Functions and Conferences Member representative of Council accompanied by the Planning Manager attend the RTPI Awards for Planning Excellence Ceremony in London on 24 April 2019.

The Chair, Councillor McPeake put Councillor Mallaghan's proposal to the meeting

For	23
Against	12

The Chair, Councillor McPeake declared Councillor Mallaghan's proposal carried.

Proposed by Councillor Kearney  
Seconded by Councillor Mallaghan and

**Resolved** That the Minutes of the Meeting of the Planning Committee held on Tuesday 5 February 2019 (P014/19 – P019/19 and P026/19) transacted in "Open Business" having been printed and circulated, subject to the foregoing were considered and adopted.

**C035/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Policy and Resources Committee meeting held on Thursday 7 February 2019**

Councillor Cuddy requested amendments to the minute at *PR 027/19 Earls Project – Lease of Council owned Lands situated at Railway Park, Dungannon to STEP -*

Page 3, first paragraph, last sentence to read: *'He said that in the past the Council had made the mistake of allocating land to another group and if the land were to be sold the proceeds would not be returned to Council.'*

Paragraph 5 to read: *'Councillor Cuddy enquired whether the building would be allocated to the SEUPB or the Council if STEP were to become insolvent.'*

Proposed by Councillor Cuddy  
Seconded by Councillor Molloy and

**Resolved** That the Minutes of the Meeting of the Policy and Resources Committee held on Thursday 7 February 2019 (PR023/19 – PR029/19 and PR046/19) transacted in "Open Business" having been printed and circulated, subject to the foregoing were considered and adopted.

**C036/19 Receive and Consider Minutes of matters transacted in "Open Business" at the Special Council meeting held on Monday 11 February 2019**

Proposed by Councillor S McGuigan  
Seconded by Councillor Mallaghan and

**Resolved** That the Minutes of the Meeting of the Special Council meeting held on Monday 11 February 2019 (SC006/19 - SC013/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C037/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Tuesday 12 February 2019**

Proposed by Councillor B McGuigan  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of the Meeting of the Environment Committee meeting held on Tuesday 12 February 2019 (E032/19 – E050/19 and E057/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C038/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 14 February 2019**

Proposed by Councillor McNamee  
Seconded by Councillor Milne and

**Resolved** That the Minutes of the Meeting of the Development Committee meeting held on Thursday 14 February 2019 (D023/19 – D041/19 and D047/19) transacted in “Open Business” having been printed and circulated were considered and adopted.

**C039/19 Conferences, Seminars and Training – Attendance by Members**

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

(i) Member Approvals

Rural Support – Resilient Farmers Event

- Greenmount College, Antrim
- Wednesday 27 March 2019
- No fee, travel and subsistence

Digital Government 2019 Programme

- Titanic, Belfast
- Wednesday 27 March 2019

- Public Sector Delegate rate: £195

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee
Local Authorities Building Stronger Communities – Potential Role of Philanthropy	27-02-19	1	Dublin City Council, Dublin	N/A
Higher Level Apprenticeships	08-02-19	1	Belfast	N/A

Proposed by Councillor Doris  
Seconded by Councillor McKinney and

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

**C040/19 Civic Recognition Requests**

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated council policy.

Councillor McFlynn requested that her name be associated with the nomination for Nicole Higgins of Ballylifford Primary School.

Proposed by Councillor McFlynn  
Seconded by Councillor S McGuigan and

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

**Matters for Information**

**C041/19 Correspondence to Council – February 2019**

Members noted previously circulated report providing correspondence received for the attention of Council.

Councillor Mallaghan drew attention to the letter received from the Permanent Secretary and HSC Chief Executive for the Department of Health in relation to perinatal pathology services stating that he welcomed the information provided and although there should have been more foresight and the service being provided was the least best option it was reassuring to know that cases from the north would be prioritised.



## **C042/19      Consultations Notified to Mid Ulster District Council**

Members noted previously circulated report on consultations notified to Mid Ulster District Council since the last meeting of the Council.

## **C043/19      Notice of Motion**

Councillor Mallaghan, on a point of order, stated that it was clear that the content of the motion was the business of the Environment Committee and that it should not be discussed at Council as the motion appeared to be an attempt at electioneering. Councillor Mallaghan sought the Chief Executive's opinion.

The Chief Executive stated that whilst the Council was in sitting it was a matter for the Chair of the Council to rule on points of order but clarified that the matter did fall within the remit of the Environment Committee.

Proposed by Chair, Councillor McPeake  
Seconded by Councillor Mallaghan and

*That the motion as undernoted be referred to the Environment Committee*

*"That Mid Ulster District Council review its current bye laws regarding the consumption of alcohol in designated places, and ensure all Council owned parks and walkways are included. Also ensure adequate signage is in place in all designated areas throughout Mid Ulster, something which is vital to successfully prosecute offenders".*

Councillor Cuthbertson said that he was not surprised as the problem was not the message but the messenger. He stated he brought forward the motion to deal urgently with out of date bylaws and that he had previously raised the issue at a meeting with Environmental Health staff three years ago to be told changes would require a huge volume of work.

Councillor Cuthbertson made mention of other motions brought forward by himself, such as issues at Railway Park and Windmill Wood, only to be told it had nothing to do with Council yet the issues are still ongoing. He highlighted a motion in relation to cameras at park and ride facilities again to be told it had nothing to do with Council but the matter came back to Council for permission. He emphasised any Member could bring a motion, that the motion had been accepted by the Chair for debate prior to the Council meeting and that in silencing the messenger they were ignoring the issue.

The Chair, Councillor McPeake stated that Councillor Cuthbertson sat on the Environment Committee and should bring the motion there.

Councillor Cuthbertson stated that motions were moved at Council and all motions would fall into the remit of a committee but that they come to Council first. He also stated that in relation to dual language signage that the Sinn Féin party had called a meeting for a review of the policy to stop the matter being brought to the committee to be democratically voted on each month.

Councillor Ashton sought clarity as to which of the Standing Orders was being referred to regarding the point of order as '16.1.6' stated that once the motion being moved and seconded upon could be referred to a committee.

The Chief Executive reiterated that whilst Council was 'in sitting' it was up to the Chair to give determinations on the Standing Orders.

The Chair, Councillor McPeake clarified that it was standing order 16.1.6.

Councillor Ashton thanked the Chair for the clarification.

Councillor Wilson sought clarification from the Chair that if the motion was accepted and placed on the agenda surely it should be debated.

The Chair, Councillor McPeake stated that he accepted the motion on the basis that if he had not accepted it and placed it on the agenda could have led him to being accused of not accepting business.

Councillor Monteith stated that he fundamentally disagreed with Councillor Cuthbertson on many issues but that he agreed with him this time. He stated that there was no consistency with rulings at the meetings. He highlighted that last month the motion moved in relation to planning should then have been referred to the Planning Committee and it appeared that if the Chair or his party did not like the motion it was 'kicked to the side of the street'.

The Chair Councillor McPeake stated that was Councillor Monteith's opinion.

Councillor Monteith stated that it was one rule for one and one rule for another.

*Councillor Glasgow left the meeting at 7.29 pm*

## **C044/19      Notice of Motion**

Councillor Malachy Quinn moving the motion stating that:

"I'm pleased to bring this motion tonight as it is one that I am very passionate about. The United Nations convention of the 'Rights of Persons with Disabilities' is an international Human Rights Treaty, an agreement between governments, which stated that all disabled people, children, young people and adults have certain rights. The purpose of the convention is to promote, protect and ensure the full enjoyment of all human rights and fundamental freedoms by all persons with disabilities. We as a party believe in the dignity, respect and rights of all disabled people.

For too long now, disabled people's rights have been systematically eroded as a result of collective societal indifference and in some cases conscious cruelty. We have all seen first-hand the way disabled people have been attacked through Universal Credit and PIPs. I have two Aunts that have severe learning difficulties and through-out my life I have seen the problems that they have faced in the work place, where they were taken advantage of and paid less than those doing the same

work. I have seen the struggles they have went through just to get a job which like everyone else they are entitled to and then finally I have seen the hoops they have had to jump through in order to get benefits. This is something that anyone with a disability will know only too well, and most are not fortunate to have a family behind them to help them through it as my aunts have.

We cannot as political parties, colleagues, relatives and friends stand silent and accept the indifference any longer. There is no excuse for the continued systemic denial of the rights of disabled people. My party colleagues and I are committed to seeing the policy and legislative change required to ensure the full participation of people with disabilities in our society is met. We believe in the inherent dignity and worth of every disabled person and their valuable contribution to our society, past, present and future. The unanimous cross-party support this motion has received is an endorsement of our mission to challenge the systemic denial of rights for disabled people.

This motion has had unanimous support from 5 of the other 11 councils to date and I would be grateful if members could give their full support to this motion.”

Councillor M Quinn moved the motion.

*“This Council notes the Concluding Observations of the United Nations’ Committee on the Rights of Persons with Disabilities. Following an examination of the UK’s compliance with the United Nations’ Convention on the Rights of Persons with Disabilities in August 2017 this Council is concerned with the lack of actions and consistency from either the Northern Ireland Executive or the UK Government in respect of the Concluding Observations. Council recognises the valuable contribution that those living with disabilities make to our society and will undertake to prepare a review on how the Council meets local obligations within the Convention on the rights of Persons with Disabilities. Council will write to Theresa May for an update on what steps the Government are taking to meet the recommendations contained within the Concluding Observations”.*

*Councillor Kearney seconded the motion.*

Councillor G Shiels stated that the subject was close to him as he worked with people with learning difficulties and referred to a recent radio broadcast which told the story of a mother telling her story of taking a 14 year old with learning disability to an Accident and Emergency Department where because he was 14 years old he had to go through the adult waiting room not the designated children’s area. He further referred to children with disabilities turning 19 and being ‘kicked out’ of the education system and stated that this needs addressed as it was discrimination. He challenged people to sit in a wheelchair all day to understand the challenges faced by people daily.

Councillor Elattar stated that Sinn Féin would support the motion and said that the United Nations in 2017 measured the United Kingdom’s progress in relation to the Rights of Persons with Disabilities and it did not bode well, highlighting that they

were failing in health, education, legal system, voting and in particular disabled women and children. It had also been stated that the document should be incorporated in UK law and that thought should be given to human rights, something which Councillor Elattar highlighted should be natural together with people with disabilities having a say in the law which effects them. The Councillor also highlighted that the report had indicated consideration should be given to the rights of disabled people if the UK left the European Union. Councillor Elattar stated that the rules in relation to benefits should be fair and highlighted that Councillors on a daily basis see how PIPs is failing.

Councillor Wilson stated that the UUP fully supported the motion and highlighted that the lack of the Executive at Stormont is the main problem highlighting that health, education, justice and housing was only some of the areas suffering. He stated that he would call for Direct Rule highlighting a further example of the UUP calling for domestic abuse laws to be introduced immediately in Northern Ireland as again they were halted due to the lack of the Stormont Executive. Councillor Wilson spoke of a Disability Forum which was to form in 2017/18 and the disability strategy which was not realised again due to lack of an Executive at Stormont. Councillor Wilson concluded that action was required and reiterated that the UUP would support the motion.

Councillor Colvin stated that as a Council a lot of good things were being established through planning and building control in relation to access for example within the Dark Skies project. He stated that with many competing issues disability has slipped off the radar yet 17% of the community lived with a disability but the fact is that it would impact 60% of the community. He concluded that he would be very supportive of the motion.

Councillor Ashton supporting the motion concurred with Councillor Wilson that a Health Minister was required and that the message needed to go to the Secretary of State.

Councillor M Quinn reflecting on the discussion spoke of growing up with a cousin with downs syndrome and with how that experience had helped him notice people with subtle disabilities that others may miss. He also spoke of his love for theatre and how through it a lot of people with disabilities are encouraged to display their talents. He reflected on the joy brought to his own family through those who had disabilities and thanked the parties for their support.

The Chair, Councillor McPeake sought agreement and declared the motion Carried.

The Chair, Councillor McPeake reflected that the motion was very useful and worthwhile and spoke of an event that both he and the Deputy Chair had attended earlier in Maghera and the campaign associated with '*Dan the Man*' and how touching it had been hearing about the difficulties even a birthday party could present.

The Chair, Councillor McPeake stated Council would move into confidential business.

*Press and public left the meeting at 7.43pm*

*Councillor Cuddy and Robinson left the meeting at 7.43pm.*

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

Proposed by Councillor B McGuigan  
Seconded by Councillor Burton and

**Resolved** That items C045/19 – C056/19 be taken as confidential business.

**Matters for Decision**

- (i) Council Meeting of Confidential Minutes of Meeting held on 24 January 2019
- (ii) Special Council Meeting of Confidential Minutes of Meeting held on 31 January 2019
- (iii) Planning Committee Confidential Minutes of Meeting held on 5 February 2019
- (iv) Policy & Resources Committee Confidential Minutes of Meeting held on 7 February 2019
- (v) Environment Committee Confidential Minutes of Meeting held on 12 February 2019
- (vi) Development Committee Confidential Minutes of Meeting held on 14 February 2019
- (vii) Requests for Temporary Alternative Use of Off Street Car Parks
- (viii) Council Insurances 2019/20
- (ix) Document for Sealing: Invest NI Letter of Offer: Gearing for Growth Programme
- (x) Document for Sealing: Invest NI Letter of Offer: Transform Programme
- (xi) Document for Sealing: Grant of Easements for NIE for Overhead and Underground Cable, Land at Gortgonis, Coalisland
- (xii) Document for Sealing: Coalisland Public Realm Scheme DfI Roads Licence Agreement

**C057/19 Duration of Meeting**

The meeting was called for 7pm and ended at 8.00pm

Chair \_\_\_\_\_

Date \_\_\_\_\_



**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 5 March 2019 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Mallaghan, Chair

Councillors Bell, Clarke, Colvin, Cuthbertson, Gildernew, Glasgow, Kearney, McEldowney, McKinney, D McPeake, S McPeake, Mullen (7.03 pm) Robinson

**Officers in Attendance**

Dr Boomer, Planning Manager  
Mr Bowman, Head of Development Management  
Ms Doyle, Senior Planning Officer  
Ms McCullagh, Senior Planning Officer  
Ms McKearney, Senior Planning Officer  
Mr Marrion, Senior Planning Officer  
Ms McNally, Council Solicitor  
Ms Grogan Democratic Services Officer

**Others in Attendance**

**Applicant Speakers**

LA09/2017/1668/F	Andy Stevens
LA09/2017/1668/F	Neil Irvine
LA09/2018/0457/F	Thomas Bell
	Iain McNeice
LA09/2018/0726/F	Neil Irvine
LA09/2018/1263/RM	Toirleach Gourley
LA09/2018/1367/F	Edmund Fox
LA09/2019/0067/F	Councillor Mulligan
LA09/2019/0067/F	David Boyd
LA09/2017/1004/O	Toireach Gourley
LA09/2018/0942/F	Joe Diamond

The meeting commenced at 7 pm

**P027/19 Apologies**

Councillor McAleer

**P028/19 Declarations of Interest**

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

**P029/19 Chair's Business**

The Planning Manager advised he and a number of councillors had been approached by an agent regarding the Draft Mid Ulster Development Plan Strategy. He stated that he was concerned that the agent was alleging the plan would result in de-zoning masses of housing land and would lead to depopulation in the villages.

The Planning Manager had tried to explain to the agent that Mid Ulster Council did not support large scale de-zoning, indeed the purpose of the plan was to create a more flexible approach to planning development whilst protecting those areas in need of protection. Referring to industrial lands around Dungannon and Coalisland he advised that they were trying to bring forward land for settlements. He advised Members if they received such approaches for example emails from agents not to respond and to be mindful of the Councillors Code of Conduct.

The Chair, Councillor Mallaghan referred to the below applications which were on the agenda for determination. The Chair sought approval to have the following applications deferred from tonight's meeting schedule for an office meeting –

Agenda Item 4.1 – LA09/2017/1082/F – Retention of existing commercial shed and yard at 30a Derrygonigan Road, Cookstown for Sean McCullagh

Agenda Item 4.4 - LA09/2017/1717/F – Dwelling and garage at lands 250m E of 107 Dunamore Road, Cookstown

Agenda Item 4.6 – LA09/2018/0371/F – Subdivision of replacement dwelling into two dwellings at 89 Moneysallion Road, Kilrea

Agenda Item 4.9 – LA09/2018/0425/F – Relocation of dwelling from that on the previous approval H/2008/0322/F at 45m S of 7a Crocknamohil Road, Draperstown

Agenda Item 4.13 – LA09/2018/1161/F – Conversion, reuse and extension of existing stone barn as a dwelling and garage at 60m NW of 27 Drummullan Road, Coagh

Agenda Item 4.17 – LA09/2018/1457/O – Site for dwelling and garage 40m NW of 7 Glenmaquill Road, Magherafelt

Agenda Item 4.20 – LA09/2018/1568/F – Agricultural shed approx. 50m SE of 36 Ballynease Road, Bellaghy

Agenda Item 4.22 – LA09/2018/1578/O – Site for dwelling and garage 25m E of 28 Drumkee Road, Dungannon

Agenda Item 4.23 – LA09/2018/1584/O – Site for dwelling and domestic garage/store at 55m W of 68 Moneyhaw Road, Drumullan, Moneymore

Proposed by Councillor Bell  
Seconded by Councillor McKinney and

**Resolved** That the planning applications listed above be deferred from tonight's list for consideration.

## **Matters for Decision**

### **P030/19 Planning Applications for Determination**



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

**LA09/2017/1082/F Retention of existing commercial shed and yard at 30a Derrygonigan Road, Cookstown for Mr Sean McCullagh**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2017/1668/F Free range poultry house with litter store, 2 no. meal storage bins, waste water storage tank and associated access & turning area at approx. 210m SSW of 90 Screeby Road, Fivemiletown for Gillian Browne**

Mr Marrion (SPO) drew attention to the previously circulated report on planning application LA09/2017/1668/F which had a recommendation for approval.

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

Mr Stephens advised that he was speaking against the application on behalf of a third party and that for the application to proceed it would impact on the amenity that they enjoy. He stated that in his view there was a policy conflict as the poultry houses should be located next to existing buildings on the farm which existed on another part of the holding. He also advised he felt there were problems with the validity of the application its advertisement. He raised concerns on ammonia levels, smells and odour, highways safety.

The Chair advised that a request to speak in favour of the application had been received and invited Mr Irvine to address the committee.

Mr Irvine advised that the applicant has been building up a farm business, due to her husband's ill health where he had need to leave his main job and needed to derive his income from the farm. He advised the site was picked because it had sufficient land around it for free range chickens and that the other site referred to by the objector was problematic because of the amount of land available and location of other livestock and neighbouring properties. He advised they were also rearranging their house and were looking to building a future home for their children.

The applicant said he had considered neighbours and looked at getting it further away from their house as possible. He had also carried out necessary reports on flood risk assessment and had looked at other impacts considering everyone's interest and these assessments show the chicken houses will have very little impact. Vehicle access and transportation is not a problem.

The Chair, Councillor Mallaghan asked due to the new impact air quality assessment, had the application been advertised again and raised the issue of farm cluster.

In response Mr Marrion said yes and in relation to the existing farm holding there was a unit and then two free range units on the holding.

The Planning Manager explained that there is a general understanding that poultry houses can be treated as an exception to needing a site next to existing farm buildings due to risk of disease to other farm stock and impacts on a farm house if too close. Consultations had been carried out with environmental health and it was felt the proposal as sited was acceptable. No concern was raised in relation to ammonia on recognised habitats. He also noted that the Draft Area Plan was proposing a less strict policy on location of out buildings although no significant weight could be attached to it at this stage in the plan process

Councillor Bell taking into consideration previous comments said that 26 acres is a very large piece of ground and asked if the identified site was the only place the shed go and not be in the way of neighbours.

The Dungannon team lead said other land on the farm lands was constrained by flood risk, topography and other dwellings in close proximity.

Councillor Robinson stated that in listening to both sides of the story it was not easy to get plots of land in all the one place especially if trying to set up another business. He mentioned some of the objections such as hens roaming, fencing issues, vermin, foxes and highlighted that producing eggs required certain standard to be kept. He also stated that living in a rural area you would expect some of the aforementioned, he spoke of milk tankers etc on the road and said he felt it only fair to go with the recommendations.

Proposed by Councillor Robinson  
Seconded by Councillor McKinney

**Resolved** That planning application LA09/2017/1668/F be approved subject to conditions as per the officer's report.

**LA09/2017/1705/F Retention of and completion to reinstatement of previous dwelling at 200m SW of 107 Lisnaclare Road, Stewartstown for James Canavan**

Mr Marrion (SPO) presented a report on planning application LA09/2017/1705/F advising that it was recommended for refusal.

**Resolved** That planning application LA09/2017/1705/F be deferred.

**LA09/2017/1717/F Dwelling and garage at lands 250m E of 107 Dunamore Road, Cookstown for Thomas Loughran**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/0304/O Site for 2 storey semi-detached dwellings to the rear of Dunleath Bar, 58-66 Church Street, Cookstown for Gary, Christopher and JP Eastwood**

Members considered previously circulated report on planning application LA09/2018/0304/O which had a recommendation for approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor Kearney

**Resolved** That planning application LA09/2018/0304/O be approved subject to conditions as per the officer's report.

**LA09/2018/0371/F Subdivision of replacement dwelling into two dwellings at 89 Moneysallion Road, Kilrea for David Gordon**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/0379/F 2 No dwellings and domestic garages at land between 7 and 9 Annaloughan Road, Augher for PMG Contracts**

Members considered previously circulated report on planning application LA09/2018/0379/F which had a recommendation for approval.

Councillor Cuthbertson asked if the two houses were already built.

In response Mr Marrion (SPO) advised that the application was for the erection of two dwellings and there was nothing to suggest that when the application had been submitted in March 2018 and when the site visit had been carried out.

Councillor Cuthbertson stated he did not recall previous agreement.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2018/0379/F be approved subject to conditions as per the officer's report.

**LA09/2018/0420/F Erection of 10 dwellings (6 detached and 4 semi-detached) immediately to the rear of and adjacent to No's 12, 14, 18 and 20 Mullaghteige Road, Bush for BOA Island Developments**

Mr Marrion (SPO) presented a report on planning application LA09/2018/0420/F advising that it was recommended for refusal.

**Resolved** That planning application LA09/2018/0420/F be deferred.

**LA09/2018/0425/F Relocation of dwelling from that on the previous approval H/2008/0322/F at 45m S of 7a Crocknamohil Road, Draperstown for D and A Developments**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/0457/F Light industrial unit containing production, packaging storage and distribution facility, laboratory, offices, access, landscaping, parking provision and ancillary site works, including waste water treatment facility, at lands approx. 30m SW of 98 Granville Road, Granville for CSL**

Mr Marrion (SPO) drew attention to the note detailed in the addendum at item 4.10 (appendix 1) amending wording at condition one.

Members considered previously circulated report on planning application LA09/2018/0457/F which had a recommendation for approval.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2018/0457/F be approved subject to conditions as per the officer's report.

**LA09/2018/0726/F Vehicular access onto Knockview and associated in-curtilage parking at 9 Knockview Gardens, Augher for Kathleen Harrington**

Mr Marrion (SPO) drew attention to previously circulated report on planning application LA09/2018/0726/F advising that it was recommended for refusal.

The Chair advised that a request to speak in favour of the application had been received and invited Mr Irvine to address the committee.

The Planning Manager advised that the roads are not classified in the town whilst rural roads are classified. He posed the question as to why a permission was needed and could this be permitted development. After consulting the legislation he concluded that it was because of the closeness to the junction. He asked the applicant if consideration would be given to revising the scheme.

Mr Irvine advised that the application had been brought due to health conditions that is rheumatoid arthritis, heart condition and general state of health. He stated that there was a lot of parking on the kerb line at fourth house and although it was close to a junction one parking space less would relieve obstruction at the junction. He also advised that the house next door had to reverse onto the main road. He concluded that it would be of great assistance if she could get access the boot of her car safely. He indicated a willingness to relook at the scheme

The Planning Manager advised it may be best to look at the location and suggested the application be deferred for a meeting on site with Mr Bowman (HDM), relevant staff and Roads Service to consider what options exist.

Councillor Cuthbertson stated he was not against what the Planning Manager but stated that it was a cul-de-sac and there was nothing to deter people driving to the end of the development and turning as parking within 15 meters would block site

lines. He stated that this is what people do in towns and that he felt the matter could be resolved at the meeting.

The Planning Manager stated he could understand what the agent was saying and asked how far it was to the junction.

Mr Marrion (SPO) advised it was seven meters.

The Planning Manager stated that safety concerns must be considered and that the Road Service had standards but that the possibility of a site meeting with a Roads engineer should be considered to explore all possibilities

Councillor Bell said he would be happy to proceed with the Planning Manager's suggestion given the layout of the houses it would be wise to reconsider regarding road safety issues.

Councillor Robinson stated it was a cul-de-sac and road safety was paramount.

Proposed by Councillor Bell  
Seconded by Councillor Robinson

**Resolved** That a site meeting be held in relation to planning application  
LA09/2018/0726/F

**LA09/2018/1112/F Offices and storage building at land opposite 4 Ballygillen Road, Coagh, Cookstown for Thomas Hutchinson and Sons Ltd**

Members considered previously circulated report on planning application LA09/2018/1112/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2018/1112/F be approved subject to conditions as per the officer's report.

**LA09/2018/1161/F Conversion, reuse and extension of existing stone barn as a dwelling and garage at 60m NW of 27 Drummullan Road, Coagh for Ms K McCormick**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/1263/RM Dwelling 20m S of 40 Derrygonigan Road, Cookstown for Finbar Crawford**

Ms McCullagh (SPO) drew attention to the previously circulated report on planning application LA09/2018/1263/RM which had a recommendation for approval.

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

Mr Gourley advised that he was speaking on behalf of Mr K Higgins of 11A Killybearn Road and Ms M Quinn of 38 Derrygonigan Road who both own properties bounding the application site, to make representations in respect of the above application. He said that there was a number of issues which he wished to bring to the attention of the planning committee:

1. Incorrect Development Description
2. Incorrect Visibility Splays Indicated on Site Layout
3. Inability to provide and Maintenance of Visibility Splays
4. Non Compliance with Ridge Height Restriction
5. Ownership incorrect
6. Overlooking of Adjoining Private Amenity Space
7. Sewerage Disposal

He said that having regard to the numerous invalid issues raised above the applicant should be required to either resubmit plans and details that comply with conditions of the outline permission or withdraw the reserved matters application and resubmit as a full application with accompanying payment of the appropriate fee of £851.

He concluded by saying that he trusts that the planning authority would require the applicant to comprehensively address the issues raised above prior to further considering the application.

In response to a question Mr Gourley advised that the hedgerow was in the ownership of Mr S Quinn. Further discussion took place during which it was suggested that both parties meet with a planning officer to find an accommodation. Mr Gourley confirmed his client would be happy to do so.

Councillor Colvin expressed concern stating that perhaps Council was overstepping the mark as it was not their remit to step into disputes between neighbours.

The Chair, Councillor Mallaghan stated that in some instances it works.

Proposed by Councillor Colvin  
Seconded by Councillor Robinson

**Resolved** That an office meeting as aforementioned be arranged regarding planning application LA09/2018/1263/RM

**LA09/2018/1270/F Modular classroom, LPG gas tank and 2.4 high fencing compound at St Brigid's Primary School, 130 Tirkane Road, Maghera for Parochial House**

Members considered previously circulated report on planning application LA09/2018/1270/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor McEldowney

**Resolved** That planning application LA09/2018/1270/F be approved subject to conditions as per the officer's report.

**LA09/2018/1367/F Retention of garage with part change of use to living accommodation at 10m N of 30 Loughdoo Road, Pomeroy for Karl Heron**

Ms McCullagh (SPO) drew attention to the previously circulated report on planning application LA09/2018/1367/F advising that it was recommended for refusal.

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

It was brought to the attention of the meeting there was a late request for a deferral of the application.

In response to the Chair, Councillor Mallaghan's question the Planning Manager stated it was a difficult situation and his understanding of it was correct, there is a house with a granny annex and the front of the house was used by family members. He further advised that the occupant of the annex had passed away.

Mr Fox confirmed that the person residing in the annex had not died.

The Council Solicitor noted that standing orders requires that requests for deferral had to be received by 12 noon on a Friday prior to the meeting and an exception to this was at the discretion of the Chair. The Council Solicitor advised that there had been a recent case which would suggest that any deferral request needs to be carefully considered and she exercised caution about rushing to refuse a deferral request.

Members listened to the content of the email.

Councillor Mallaghan sought direction as to whether the committee would wish to defer or proceed.

In favour to hear the application 5

In favour to defer the application 5

The Chair, Councillor Mallaghan used his casting vote in favour to proceed.

The Chair, invited Mr Fox to present.

Mr Fox brought to the attention of the meeting his family experiences in the current situation and stated if it were to continue that their home had no privacy and their children did not feel safe. He advised that his son's room faces the garage and if the application was approved it would not make for a good situation.

In response to the Planning Manager's question Mr Fox advised that it had been designed years ago as an overflow from the main dwelling and used as somewhere to live until they built a new home.

The Planning Manager sought clarity as to whether there was a bedroom, bathroom and kitchen in the garage.

Mr Fox confirmed and stated previously it had been immediate family.

The Planning Manager stated that the application was to legalise the annex and his view would be it is to be used as a rental property split from the original dwelling.

Mr Fox confirmed that the immediate family had moved and they now wanted to rent the property out and there would be a three way split the lady, her sister and brother in law.

The Planning Manager stated that he would not wish to make a decision until he was in full possession of the facts concerning the application and ownership of the property.

Councillor Glasgow made reference to the late notification for deferral and acknowledged that Mr Fox had taken the time to present to the meeting.

The Planning Manager highlighted that it was not the responsibility of Planning to check the certificates outlined but advised that 30 days may be useful to check out the necessary legalities.

Proposed by Councillor Colvin  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2018/1367/F be deferred

**LA09/2018/1457/O Site for dwelling and garage 40m NW of 7 Glenmaquill Road, Magherafelt for Mary Alice McGurk**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/1540/F Removal of conditions 7, 8 and 14 of planning permission I/2008/0773/F adjacent to Castle Road and to the rear of 1-**



**13 Castle Road and 6-12 Dungannon Road, Cookstown for  
McAleer Contracts Ltd**

Ms McCullagh (SPO) drew attention to the previously circulated report on planning application LA09/2018/1540/F advising that it was recommended for refusal.

**Resolved** That planning application LA09/2018/1540/F be refused.

**LA09/2018/1558/O Dwelling and garage on a farm at land approx. 50m NW of  
32 Drumkee Road, Dungannon for Mr Keith Morrison**

Members considered previously circulated report on planning application LA09/2018/1558/O which had a recommendation for approval.

Mr Marrion (SPO) advised Members that a letters had been issued as appropriate apologising for a previous misunderstanding in relation to the application.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Robinson

**Resolved** That planning application LA09/2018/1558/O be approved subject to conditions as per the officer's report.

**LA09/2018/1568/F Agricultural shed approx. 50m SE of 36 Ballynease Road,  
Bellaghy for Gary McMullan**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/1573/O Dwelling and a garage on an infill site immediately N and  
opposite 17 Aghnagar Road, Galbally, Dungannon for  
Blaine Nugent**

**Resolved** That planning application LA09/2018/1573/O be withdrawn

**LA09/2018/1578/O Site for a dwelling and garage 25m E of 28 Drumkee Road,  
Dungannon for Ms Claire Heron**

The Dungannon team lead presented the application and advised that it had been agreed for a deferral for an office meeting earlier in meeting.

Chris Cassidy used his speaking rights to argue that the polytunnels met the test of a building and that they were an eyesore and there were environmental benefits in replacing them. This would resolve issues of vermin as well as unsightliness. The proposal was to provide for a young woman and her family to be next to her aging parents to help care for them.

Councillor Gildernew stated he would have to agree with the agent making mention of vermin, vandalism and that one building was a glass house.

The Planning Manager asked if the site had authorisation.

Mr Marrion (SPO) advised there was no information on this.

Councillor Bell stated that he didn't know if it had a concrete foundation but said that photographs confirmed that the glass house would have been there for more than five years.

The Planning Manager advised that the issue here was not replacement of a building as the policy only allowed for conversion of a building or replacement of a dwelling. However there were instances where the removal of an environmentally unfriendly non-conforming use in exchange for a dwelling could have benefits as recognised in policy. The Planning Manager asked where the applicants lived.

Mr Marrion advised that number 28 was the applicants.

Councillor McKinney thought that the removal of 4000sq foot of buildings and replaced with a bungalow would not in most people's opinion change rural character.

The Planning Manger advised that without the committee looking at this site it was not possible to decide whether the removal of the existing clutter on the site had environmental benefits and consideration should be given to a site meeting

Proposed by Councillor McKinney  
Seconded by Councillor Gildernew

**Resolved** That a site meeting be held in relation to application  
LA09/2018/1578/0

**LA09/2018/1584/O Site for dwelling and domestic garage/store at 55m W of 68 Moneyhaw Road, Drumullan, Moneymore for Mr Conor McCloy**

Application agreed to be deferred for an office meeting earlier in meeting.

**LA09/2018/1614/RM Dwelling and detached double garage immediately N of 95 Innisrush Road, Portglenone for Mr A Lagan**

Members considered previously circulated report on planning application LA09/2018/1614/RM which had a recommendation for approval.

Proposed by Councillor Kearney  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2018/1614/RM be approved subject to conditions as per the officer's report.

**LA09/2019/0004/O Infill dwelling and garage at lands between 12A & 14 Gortahurk Road, Draperstown for Mr Emmett McIvor**

Ms McCullagh (SPO) drew attention to the previously circulated report on planning application LA09/2019/0004/O advising that it was recommended for refusal.

Proposed by Councillor  
Seconded by Councillor

**Resolved** That planning application LA09/2019/0004/O be refused.

**LA09/2019/0067/F New site access at Knockmany Forest, Knockmany Road,  
Augher for Mid Ulster District Council**

*All members declared an interest in application LA09/2019/0067/F.*

The Planning Manager advised that he had received a phone call to say that the development had already started and stated he had advised the caller to contact the Technical Services department and that Council will be aware if you started development without planning permission you do so at own risk and like any other applicant enforcement action would be taken if necessary.

Mr Marrion (SPO) drew attention to the previously circulated report on planning application LA09/2019/0067/F which had a recommendation for approval. He also read the contents of a letter received from David and Edith Boyd dated 22 February 2019.

In response to Chair Councillor Mallaghan's question Mr Marrion (SPO) advised that he could accept there would be more traffic but would be looking at the road.

The Planning Manager stated he could have sympathy with the objectors and cars approaching junction whose lights would shine into their houses as previously there was no junction. He stated that the way forward is for all parties to discuss the issue.

Councillor Robinson proposed a site meeting at which all parties could attend as an access would have detrimental effect.

Proposed by Councillor Robinson  
Seconded by Councillor McKinney

That a meeting with objectors and Technical Services be held.

Councillor Cuthbertson asked if an opening higher up Knockmany Road could be explored as had been suggested previously.

The Planning Manager stated that he would be happy if the Objectors met with Technical Services alone.

Councillor Mulligan stated that people had travelled a distance to attend the meeting and should be permitted to have their say.

The Chair advised that two requests to speak against the application had been received and invited Councillor Mulligan to address the committee.

Councillor Mulligan thanked the Chair for the opportunity to speak against the application for a new access to the development already passed in December under 2018/1141/F with existing entrance to the site. He stated that he had noted from the meeting that a number of speakers referred to the dangerous junctions and the school bus accident. I should point out that there is an element of risk at Knockmany such as there is at any road junction, however that particular accident, bad as it was, was not caused by any vehicle exiting the road from the North. However there is merit in looking at a revised option in the interests of safety.

Councillor Mulligan also said that there is a problem, indeed a number of problems with the matter before the committee as the site location is given as Knockmany Road while the attached drawings indicate that access is to be sought onto the Claremore Road which to his mind is misleading as this is how the matter has been advertised. Had the drawings indicated accessing the Knockmany Road as stated it would have made sense in that it moves the additional traffic generated from the development away from the existing road junction, hence a reduction of risk and is also entering a road with excellent site lines and a dual track which can more easily accommodate the traffic volume.

He continued saying that to revert to the drawings shown the proposed entrance as indicated from the Claremore Road poses a major bone of contention for the Boyd family in that it is directly opposite their entrance on a narrow road, albeit the aim is to widen that to six meters to facilitate the exercise.

Councillor Mulligan advised that the family have lived quietly at this location for 43 years and have enjoyed the privacy of their home especially the garden to the rear which is used extensively for entertaining during the summer evenings away from the Knockmany Road and the associated traffic. He stated that should this development proceed that peace and solitude will be taken from them for ever, the verges of the road which are usually in pristine condition, will become gutter tracks as are many on other local roads with increased volume of vehicles virtually on their doorstep. The Boyd family would be collateral damage in this exercise to provide for visitors who don't necessarily observe all the niceties of the driving school!

Councillor Mulligan stated that what was proposed was inviting trouble and would pose a major problem for the Boyd's and suggested that the committee see sense of what has been said and move the proposal to the Knockmany Road. He reflected that at the launch of the Development Plan there was emphasis of being good neighbours in all of Council developments and advised the Chair that this was an antithesis of that and asked if the Council was a rogue developer or could they prove their credentials of being a good neighbour to immediate neighbours and rate payers on this occasion. He concluded saying a further critical matter was that heavy haulage vehicles were used to haul timber from the front of the forest.

The Chair invited Mr Boyd to address the committee.

Mr Boyd said that he had no objection to Knockmany forest but he did object to the lack of privacy on their home, day and night, when young drivers were doing donuts and drunken brawls was taking place and he stressed that the proposed new entrance would leave their property very vulnerable. He also said that traffic approaching from Omagh would be detrimental to their pedestrian entrance and highlighted that the silage season increases traffic. Mr Boyd made reference to traffic to Clogher Mart, heavy goods vehicles moving forest timber and encroachments on the verge of their road. He stated that not enough consideration had been given to the application and its impact on their family life.

**Resolved** That an office meeting with Technical Services and Objectors be held.

**LA09/2019/0099/O Site for replacement dwelling and double domestic garage (renewal of LA09/2015/1115/O) at approx. 110m SE of 58 Annaghmore Road, Castledawson for Mr John Lennox**

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2019/0099/O be deferred for one month.

**LA09/2016/0114/O Infill Dwelling 20m E of 6 Peace Haven Crescent, Rocktown, Bellaghy for Brendan O'Neill**

Members considered previously circulated report on planning application LA09/2016/0114/O which had a recommendation for approval.

Proposed by Councillor Bell  
Seconded by Councillor Gildernew

**Resolved** That planning application LA09/2016/0114/O be approved subject to conditions as per the officer's report.

**LA09/2016/1719/A 1 no Vertical Free Standing Sign at 26 Charlemont Street, Moy, Dungannon for Moy Autos**

Members considered previously circulated report on planning application LA09/2016/1719/A which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Mullan and

**Resolved** That planning application LA09/2016/1719/A be approved subject to conditions as per the officer's report.

**LA09/2017/0771/O Dwelling and garage approx. 60m SW of 13 Barrack Road, Ballymaguigan, for Joe Crozier**

Members considered previously circulated report on planning application LA09/2017/0771/O which had a recommendation for approval.

Proposed by Councillor D McPeake  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2017/0771/O be approved subject to conditions as per the officer's report.

**LA09/2017/0968/F Replacement storey and a half dwelling at 10 Minterburn, Caledon for Mrs M Murphy**

Members considered previously circulated report on planning application LA09/2017/0968/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2017/0968/F be approved subject to conditions as per the officer's report.

**LA09/2017/0998/F Retrospective application for top dressing of existing laneway, widening of sight splays at road entrance, widening of chicane and piping approx. 20m of open sheugh at land fronting onto Keerin Road approx. 625m W of 129 Broughderg Road, Omagh for John O'Neill**

The Planning Manager advised that personal data had been brought to his attention in relation to the application and it would not be appropriate to make it public.

The Chair, Councillor Mallaghan suggested that the item be heard in confidential business.

In response to Councillor Cuthbertson's question the Planning Manager stated it would be the intention to make a decision tonight on the application.

Proposed by Councillor Gildernew  
Seconded by Councillor McEldowney

**Resolved** That the item be taken in confidential business.

**LA09/2017/1004/O Replacement dwelling and domestic garage at land approx. 320m NW of 180 Caledon Road, Aughnacloy for Adrian Robinson**

Mr Marrion (SPO) drew attention to the previously circulated report on planning application LA09/2017/1004/O advising that it was recommended for refusal.

*Glasgow left the meeting at 9.12 pm and returned at 9.14 pm.*

The Chair advised that a request to speak in favour of the application had been received and invited Mr Gourley to address the committee.

Mr Gourley spoke of access onto lands due to the new line of Caledon/Aughnacloy Road.

He made reference to an old laneway which could not be brought into use due to ownership issues. Only access servicing the lands and also accesses onto protected route even if it was in the applicants ownership. He referred to the Ministers statement in 2013 regarding accommodating development in the countryside and highlighted that there was evidence of a previous dwelling He appealed for a degree of flexibility and requested a deferral so that the remains on site could be identified as being used as a dwelling.

Councillor Robinson stated that there was walls but it was hard to determine exactly what they had been but it did look like it had been a dwelling with one access out to the Caledon Road suggesting options such as taking a tractor out by Caledon/Aughnacloy Road he suggested the application should be deferred to explore opportunities.

Councillor McKinney was mindful that there had been a similar issue outside Stewartsown.

Proposed by Councillor McKinney  
Seconded by Councillor Gildernew

To approve the application.

The Planning Manager asked Members to be mindful that there was not a clear access and that there had been discussions with Roads Service and that the matter was complex.

The Council Solicitor asked Members to note the reasons for refusal outlined in the report and that if minded to approve then it would need to be on the basis that either it did not contravene policy or provide clear and detailed reasons as to why they were treating this as an exception to policy.

Councillor McKinney stated that the road wasn't there when the dwelling was placed and mentioned tractor splay.

In response, the Planning Manager stated you could get visibility splay but the issue is the hard shoulder, he stated that this could be agreed as a new dwelling

Mr Gourley advised that this was the first time the application was deferred as previously it had been a farm building and this was the first time he had spoken on the application.

The Planning Manager stated that in his opinion at this stage the applicant should withdraw.

Councillor McKinney suggested that the applicant should perhaps defer to an office meeting if it would help.

The Planning Manager stated that the issue was whether it was a replacement dwelling and officers did not think so as there was not sufficient evidence.

Councillor Robinson stated that the main issue was whether this had been a dwelling previously and if there was proof of same.

The Planning Manager stated that public safety is paramount and this is the issue.

Councillor Gildernew expressed disappointment for the applicant and withdrew his second to the proposal and concurred to defer.

Proposed by Councillor McKinney  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2017/1004/O be deferred

**LA09/2018/0458/F Relocation of approved dwelling and access at 75m SW of 7 Glengomma Road, Draperstown for Joe McGillian**

Members considered previously circulated report on planning application LA09/2018/0458/F which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor McEldowney and

**Resolved** That planning application LA09/2018/0458/F be approved subject to conditions as per the officer's report.

**LA09/2018/0511/LBC Replacement of two single glazed windows (sash) with double glazing at the front of property facing Main Street at 53 Main Street, Benburb, Dungannon for Bob Toner**

Members considered previously circulated report on planning application LA09/2018/0511/LBC which had a recommendation for approval.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2018/0511/LBC be approved subject to conditions as per the officer's report.

**LA09/2018/0720/F Change of house design to previously approved M/2006/1299/RM at approx 60m E of 31 Mullaghmoyle Road, Coalisland for Declan Dorrity**



Members considered previously circulated report on planning application LA09/2018/0720/F which had a recommendation for approval.

Proposed by Councillor Colvin  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2018/0720/F be approved subject to conditions as per the officer's report.

**LA09/2018/0725/O Bungalow and garage adjacent to 7a Keady Road, Upperlands for Miss C O'Kane**

Members considered previously circulated report on planning application LA09/2018/0725/O which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2018/0725/O be approved subject to conditions as per the officer's report.

**LA09/2018/0874/O Dwelling and garage approx. 100m NE of 90 Ballyscullion Lane, Bellaghy for Ann Marie McIvor**

Members considered previously circulated report on planning application LA09/2018/0874/O which had a recommendation for approval.

Proposed by Councillor Kearney  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2018/0874/O be approved subject to conditions as per the officer's report.

**LA09/2018/0942/F Retention of office building and change of use to auxiliary accommodation to existing dwelling at 32 Luney Road, Desertmartin for Doreen Leacock**

Members considered previously circulated report on planning application LA09/2018/0942/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2018/0942/F be approved subject to conditions as per the officer's report.

**LA09/2018/1102/O Site for dwelling approx. 60m of 91A Aughrim Road, Magherafelt for Edmund Ferguson**

Ms McCullagh (SPO) drew attention to the previously circulated report on planning application LA09/2018/1102/O advising that it was recommended for refusal.

Councillor S McPeake declared an interest in the application.

Councillor S McPeake referred to the application being previously deferred and the discussion which had taken place. He stated he had looked at the site, considered cluster criteria, the boundaries discussion and was now satisfied that it would not encroach and could support the application.

*Councillor S McPeake withdrew to the public gallery.*

Councillor McKinney stated his instinct was somewhat similar making mention of the cluster, the crossroads and important buildings.

The Planning Manager stated there was buildings on both sides but there was one which wasn't legal which if it had of been so he would have been more supportive. He also expressed concern and highlighted how easy it was to set precedents and stated that to make an exception for a hedgerow is pushing it.

*Councillor Cuthbertson left the meeting at 9.38pm returning at 9.40pm*

The Council Solicitor stated that the report listed four reasons for refusal and that whilst the Committee may be of the view that Councillor McPeake's comments addressed reasons 3 and 4, there were still two other reasons. She advised that Members must be mindful of the need to either explain why policy is being met, or if being treated as an exception to policy, they'd need clear reasons why and ensure they don't set precedents.

Councillor Clarke mentioned the existing cluster, the road to the right and that the Aughrim Road went through the cutting, he spoke of the buildings on the two corners at the crossroads, the lack of access, the community building and highlighted a flatter area and suggested building there as an alternative. The Planning Manager stated that it was up to Members to make the decision that he was only there to advice.

Councillor Glasgow commented on visiting the site and that he could not see the existing cluster extending as it would damage agricultural lands.

The Planning Manager stated that Members were getting into a difficult position and reiterated that they should be mindful of the reasons for refusal.

Councillor McKinney mentioned other properties which had been passed and asked if a further application for a small house would change the circumstances.

Councillor Bell mentioned a debate in relation to a case in Swatragh at a fork in the Road which was passed as a focal point.

The Chair, Councillor Mallaghan said he felt it would leave Members in a precarious position to go against the case officers recommendations.

Councillor Robinson stated that having listened to the Planning Manager he too felt it was best to act upon the recommendation of the Officer.

Proposed by Councillor Robinson  
Seconded by Councillor Kearney

**Resolved** That planning application LA09/2018/1102/O be refused.

**LA09/2018/1139/O Dwelling and garage, 100m W of 39 Gortindarragh Road, Galbally, Dungannon for Eugene & Patricia Hackett**

Members considered previously circulated report on planning application LA09/2018/1139/O which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor Kearney

**Resolved** That planning application LA09/2018/1139/O be approved subject to conditions as per the officer's report.

**LA09/2018/1152/F 2 apartments in lieu of approved dwelling (LA09/2017/1542/F) at approx. 7m NW of 6 Ferguy Height, Cookstown for Roger McCombe**

Members considered previously circulated report on planning application LA09/2018/1152/F which had a recommendation for approval.

Proposed by Councillor Glasgow  
Seconded by Councillor Robinson

**Resolved** That planning application LA09/2018/1152/F be approved subject to conditions as per the officer's report.

**Matters for Information**

**P031/19 Minutes of Planning Committee held on 5 February 2019**

Members noted minutes of Planning Committee held on 5 February 2019.

**Local Government (NI) Act 2014 – Confidential Business**

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items P032/19 to PR037/19.

**Matters for Decision**

- P032/19 Receive Industrial Monitoring Report 2018  
P033/19 Receive Enforcement Report

**Matters for Information**

- P034/19 Confidential Minutes of Planning Committee held on 5  
February 2019  
P035/19 Enforcement Cases Opened  
P036/19 Enforcement Cases Closed  
P037/19 Enforcement Live Case List

**P038/19 Duration of Meeting**

The meeting was called for 7 pm and concluded at 11.10 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



## ADDENDUM TO PLANNING COMMITTEE AGENDA

### FOR PLANNING COMMITTEE MEETING ON: 5 March 2019

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.10	<p>Condition 1 should read As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of five years from the date of this decision. Reason: Time limit. Additional Conditions to be attached: The development hereby permitted shall not become operational until a 2m wide footpath has been provided to an adoptable standard, in agreement with DFI Roads, within the area indicated blue on drawing No 01 bearing the stamp dated 30 March 2018. Reason: To ensure safe and convenient access for pedestrians. Members are requested to delegate further conditions to be attached to the decision in relation to Private Streets Determination to the Planning Manager.</p>	Members to note
4.18	Application has been withdrawn	Members to Note
4.19	The correspondence received was not an objection to the application.	Members to Note

	A letter has been issued to the writer to apologise for the mix up and to the applicant to explain the mix up.	
4.21	Application has been withdrawn	Members to Note
4.22	The correspondence received was not an objection to the application. A letter has been issued to the writer to apologise for the mix up and to the applicant to explain the mix up.	Members to Note
4.25	Application has been withdrawn	Members to Note
4.26	Additional objection has been received raising issues about impacts on privacy	Objection will be read out for members to note.
5.5	<p>In addition to the report - Objections received on 7.01.19 were considered in the re-assessment of the application and no planning issues were raised that would affect the recommendation.</p> <p>These same objections were circulated to planning committee members on 27/02/2019.</p> <p>7 late objections received 05/03/2019 and circulated to members at committee meeting.</p> <p>Copy provided of Best Practice Guidance PPS18 - renewable energy' relating to 'Other Infrastructure' at committee meeting.</p>	<p>Members to note.</p> <p>Members to take into account when deciding the application.</p>

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 7 March 2019 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor McKinney, Chair

Councillors Ashton, Cuddy, Doris, Gildernew, Kearney, S McGuigan, D McPeake, Molloy, M Quinn, Totten

**Officers in Attendance**

Mr Cassells, Director of Environment and Property  
Mrs Canavan, Director of Organisational Development  
Mr O'Hagan, Head of IT  
Mr Kelso, Director of Public Health and Infrastructure  
Ms Mezza, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr Scullion, Head of Property Services  
Mr JJ Tohill, Director of Finance  
Miss Thompson, Democratic Services Officer

The meeting commenced at 7.03 pm.

**PR047/19 Apologies**

Councillors Buchanan, Elattar, Forde, McLean, S McPeake.

**PR048/19 Declaration of Interest**

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

**PR049/19 Chair's Business**

None.

**Matters for Decision**

**PR050/19 Committee and Council Meetings – April 2019**

The Head of Democratic Services presented previously circulated report which considered the re-scheduling of Committee and Council meetings due to take place in April 2019 to facilitate the Local Council Election timetable and arrangements.

Proposed by Councillor S McGuigan  
Seconded by Councillor Ashton and

**Resolved** That it be recommended to Council to alter the pattern of Committee and Council meetings for April 2019 to facilitate Local Council Election timetable as follows –

- Environment Committee – Monday 1 April – Cookstown Office
- Planning Committee – Tuesday 2 April – Magherafelt Office
- Development Committee – Wednesday 3 April – Cookstown Office
- Policy and Resources Committee – Thursday 4 April – Cookstown Office
- Council Meeting – Monday 15 April – Dungannon Office

## **Matters for Information**

### **PR051/19 Minutes of Policy and Resources Committee held on Thursday 7 February 2019**

Members noted Minutes of Policy and Resources Committee held on Thursday 7 February 2019.

### **PR052/19 National Association of Councillors and Local Government Staff Commission**

Members noted previously circulated report which provided update on correspondence received from the Local Government Staff Commission (LGSC) and the National Association for Councillors (NAC) on annual membership/contributions payable for 2019/20.

### **PR053/19 Performance Improvement Nine Month Progress Update (Objectives, Improvement Projects and Indicators)**

Members noted previously circulated report which provided monitoring information on the review of performance against Council's seven statutory and three corporate performance improvement indicators and standards, along with an overview of the Corporate Health Indicators for the first nine months of 2018/19. The report also provided a performance progress summary against the Council's four corporate improvement objectives and the associated project plans. The indicators and standards, the four improvement projects and corporate health indicators are contained within the Performance Improvement Plan for 2018/19.

Councillor Cuddy asked if there was anything which stood out within the progress report.

The Head of Democratic Services directed Members to appendix two of the report and the statutory indicator in relation to processing time for major planning applications which has seen a dip in performance. The officer advised that the reason for the dip in performance is due to the processing of legacy planning applications which had been in the system for a long time. Members were advised that the processing time for planning applications would be a specific corporate objective going forward.



## **PR054/19 Council Motion on Boycott, Divestment, Sanctions (BDS)**

The Head of Democratic Services presented previously circulated report in relation to Council Motion on Boycott, Divestment, Sanctions (BDS) which was carried by Council on 28 June 2018. The report provided information in relation to Boycott, Divestment, Sanctions and considered any implications for Mid Ulster District Council.

Councillor M Quinn stated he did not believe Council could carry out full a BDS campaign and proposed that a report be brought back to Committee in relation to how Council could take forward the various stages of implementation as listed at 3.3 and 3.4 of report.

Councillor Cuddy stated he was disappointed and concerned that this matter related to issues which were ongoing in another country and that this country had its own issues to sort out. Councillor Cuddy highlighted that there is a Jewish community within Northern Ireland.

Councillor Ashton stated she would support Councillor Cuddy's comments and that the DUP had voted against the motion when it came before Council. Councillor Ashton stated she appreciated that tonight's report was only for information but that she would be standing by her views.

Councillor M Quinn stated he understood the views of Councillors Cuddy and Ashton but that the BDS Campaign was not against the Jewish race but rather the Israeli government.

Councillor Molloy stated that there were many worldwide issues which are far enough away from Mid Ulster but that he would be continuing to support the motion and how it could be implemented.

The Chair, Councillor McKinney stated that Northern Ireland was a country governed by the UK and that the UK government does not support the BDS campaign.

Councillor Kearney seconded Councillor M Quinn's proposal.

Councillors Ashton and Cuddy recorded their objection to the proposal.

Councillor Cuddy asked that a recorded vote be taken on Councillor M Quinn's proposal –

For – (8) - Doris, Gildernew, Kearney, S McGuigan, D McPeake, Molloy, M Quinn, Totten

Against – (3) – Ashton, Cuddy, McKinney

**Resolved** That it be recommended to Council that a report be brought back to Policy and Resources Committee in relation to how Council could implement its support for the BDS campaign based on the issues identified at 3.3 and 3.4 of report.

Councillor Ashton asked when the Air Ambulance motion would be brought before the Policy and Resources Committee.

The Director of Finance stated that as there was now limited time to bring forward a report to April committee and he would suggest that a report be brought to the first Policy and Resources meeting of the new Council term.

Councillor Ashton advised that Council would be receiving notification from Newry, Mourne and Down District Council that they had adopted the Air Ambulance motion. Councillor Ashton stated she was willing to work with officers and provide any information necessary.

The Director of Finance stated he would work with the Chief Executive to expedite a report.

### **PR055/19     Marketing & Communications Activity Update**

Members noted previously circulated report which provided an update on key areas of recent marketing and communications activity.

The Head of Marketing and Communications advised that since the report had been issued quarter 2 and 3 recycling figures had been released in which there had been a 4.2% increase in blue bin material being collected. The officer stated that the publicity of the recycling campaign had undoubtedly contributed to this increase and that it was encouraging.

Councillor Molloy referred to closure of Dungannon Leisure Centre for refurbishment and discussion amongst users as to why the centre is closing. The Councillor stated he appreciated that the Council has issued a message to users explaining why the leisure centre is closing but it would be useful for further information to be sent out to keep users informed.

The Head of Marketing and Communications stated that it is planned to send out information to customers, particularly highlighting options with regard to swimming over the period of closure.

Councillor Cuddy asked if the littering campaign will include dog littering as these type of complaints seem to be on the increase.

The Head of Marketing and Communications advised that dog littering will form part of the litter campaign.

In response to comments from the Chair, the Head of Marketing and Communications confirmed that Facebook can be used to promote posts based on geography, age, gender, and interest and that the channel was used in this way and would continue to be as appropriate.

## **Local Government (NI) Act 2014 – Confidential Business**

Proposed by Councillor Molloy  
Seconded by Councillor M Quinn and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR056/19 to PR063/19.

### **Matters for Decision**

PR056/19 Four Year Cyclical Fleet and Diverse Plant Replacement Programme  
PR057/19 Coalisland Public Realm Scheme  
PR058/19 Planning System Replacement Update

### **Matters for Information**

PR059/19 Confidential Minutes of Policy and Resources Committee held on Thursday 7 February 2019  
PR060/19 Contracts and DAC  
PR061/19 Financial Report for 10 months ended 31 January 2019  
PR062/19 Staff Matters for Information  
PR063/19 Dissolution Date – Local Government Staff Commission

### **PR064/19 Duration of Meeting**

The commenced at 7pm and concluded at 8.16 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 12 March 2019 in Council Offices, Ballyronan Road,  
Magherafelt**

**Members Present**

Councillor Wilson, Chair

Councillors Buchanan, Burton (7.10 pm), Colvin,  
Cuthbertson, Gillespie, Glasgow, Kearney, McFlynn,  
McGinley, B McGuigan, S McGuigan, McNamee, O'Neill,  
Totten

**Officers in  
Attendance**

Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Mr Lowry, Head of Technical Services  
Mr McAdoo, Head of Environmental Services  
Mrs McClements, Head of Environmental Health  
Mr Scullion, Head of Property Services  
Mr Wilkinson, Head of Building Control  
Miss Thompson, Democratic Services Officer

The meeting commenced at 7.00 pm

**E058/19      Apologies**

Councillor M Quinn.

**E059/19      Declarations of Interest**

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

**E060/19      Chair's Business**

Councillor Colvin stated it was intended to propose that Farlough Lane, Newmills be adopted by Council, as a precedent had already been set in relation to Curran Terrace. The Councillor asked how this proposal can be progressed through Council.

The Director of Environment and Property advised that Council had an Unadopted Roads Policy in place and that the process needed to be instigated by a resident writing to Council, the officer stated that a number of criteria needed to be met prior to Council considering the request.

The Director of Environment and Property reminded Members that Council undertook works to bring Curran Terrace up to an adoptable standard and that DfI Roads then adopted the stretch of road.

## **Matters for Decision**

### **E061/19      DfI Roads Proposals to Mid Ulster District Council – Proposed Revocation of Limited Waiting – Union Street and Oldtown Street, Cookstown**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed revocation of Limited Waiting at Union Street and Oldtown Street, Cookstown.

Proposed by Councillor McGinley  
Seconded by Councillor Buchanan and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed revocation of Limited Waiting at Union Street and Oldtown Street, Cookstown.

### **E062/19      DfI Roads Proposals to Mid Ulster District Council – Proposed No Waiting At Any Time – Augher Road, Clogher**

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting At Any Time at Augher Road, Clogher.

Proposed by Councillor Cuthbertson  
Seconded by Councillor S McGuigan and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting At Any Time at Augher Road, Clogher.

### **E063/19      Dual Language Signage Requests**

Members considered previously circulated report which advised of requests for Dual Language Signage from residents on streets/roads in the District.

Proposed by Councillor McNamee  
Seconded by Councillor McGinley and

**Resolved**      That it be recommended to Council to proceed to survey the following streets/roads on which a request for Dual Language Signage has been received –

- The Orchard, Draperstown
- Back Lower Road, Stewartstown
- Regency Drive, Magherafelt
- Dalriada Park, Dungannon
- Wellbrook Avenue, Dungannon
- Carrycastle Road, Aughnacloy

## **E064/19      Review of Policy on Street Naming and Numbering**

Members considered previously circulated report which advised on the review of the Policy on Street Naming and Numbering.

Proposed by Councillor McGinley  
Seconded by Councillor S McGuigan and

**Resolved**      That it be recommended to Council to approve the Policy on Street Naming and Numbering as reviewed and circulated at appendix two of report.

## **E065/19      Review of Policy on Dual Language Nameplate Signage**

Members considered previously circulated report which advised on the review of the Policy on Dual Language Nameplate Signage.

Councillor McGinley proposed the adoption of the policy on Dual Language Nameplate signage as reviewed and circulated.

Councillor McNamee seconded Councillor McGinley's proposal.

Councillor Cuthbertson referred to Appendix B, Section 5 of draft policy in which it was stated that -

*For purposes of assessment where 51 % (rounded to nearest whole number) of occupiers that respond indicate that they are in favour of the erection of a dual language street nameplate, then the results of the survey will be forwarded to the Environment Committee for information confirming that the dual language nameplate will be erected*

Councillor Cuthbertson proposed that the current policy remain in place in which the results of a survey continue to be brought to the Environment Committee for decision.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 4  
Against – 9

Members voted on Councillor McGinley's proposal –

For – 9  
Against - 4

**Resolved**      That it be recommended to Council to approve the Policy on Dual Language Nameplate Signage as reviewed and circulated at appendix two of report.

**E066/19      Notice of Motion referred from February Council meeting -  
That Mid Ulster District Council review its current bye laws  
regarding the consumption of alcohol in designated places, and  
ensure all Council owned parks and walkways are included.  
Also ensure adequate signage is in place in all designated areas  
throughout Mid Ulster, something which is vital to successfully  
prosecute Offenders**

Councillor Cuthbertson stated that he stood by his motion referred from Council meeting in that current bye laws regarding consumption of alcohol in designated places needed to be reviewed and that adequate signage needed to be in place in designated areas.

Councillor Cuthbertson stated that current bye laws in Dungannon legacy area in relation to the consumption of alcohol were adopted by Dungannon and South Tyrone Borough Council in May 2000 and that since then a number of new developments had taken place and were not on the designated list and signage in those areas was not in place. The Councillor stated that Members were aware of the problems that drinking in public places presents and of issues at Railway Park and Windmill Wood in particular. Councillor Cuthbertson stated that unless Council steps up to the mark and takes action then public areas will not be safe for the public to use, he also referred to a person who had approached him stating that they were afraid of walking through Railway Park during the day because of people drinking there. The Councillor added that young people were not always to blame for the issues that were arising. Councillor Cuthbertson also highlighted that the Police had referred some cases to Council and that Council had taken no action on these, the Councillor queried whether this was because there had been no signage in place where the incidents had occurred.

The Chair, Councillor Wilson stated he would be supportive of Councillor Cuthbertson's comments, that there were a number of designated areas in Cookstown and that in the last three years three cases had been referred by the Police to Council resulting in one prosecution.

Councillor McFlynn stated she was also supportive of Councillor Cuthbertson's comments and that there were similar problems in relation to drinking in public places right across the District.

*Councillor Burton entered the meeting at 7.10 pm.*

The Head of Environmental Health stated that the bye laws in relation to consumption of alcohol in designated places had been reviewed by legacy Councils in the early 2000s, at that time Cookstown had 351 designated places, Dungannon had 550 and Magherafelt had 427. The officer stated it would be difficult to take a blanket approach in relation to consumption of alcohol in designated places and referred to Hill of The O'Neill which is registered for weddings and Dungannon Park which can hold concerts etc. The Head of Environmental Health advised that there needed to be a history of complaints and highlighted anti social behaviour legislation in which some issues may be dealt with. Of the three Police referrals to Council it was advised that one person was issued with a written warning, one person relocated prior to action being taken and one case was currently with the Council Solicitor. Members were also advised that there was signage in designated areas.



Councillor Cuthbertson stated that in order to build up a case there needed to be adequate signage in an area. The Councillor also referred to current bye laws which allowed for exemptions such as a wedding at Hill of The O'Neill and that he was not seeking a blanket ban.

The Chair, Councillor Wilson suggested it may be useful for Members to see the list of areas currently designated in order to identify gaps.

Councillor McNamee stated that any review needed to consider all of Mid Ulster not just the towns.

Councillor B McGuigan stated that people can get driven out of using public areas because of anti social behaviour.

Councillor Cuthbertson stated that the current bye laws for Dungannon covered all areas of the legacy Council.

The Chair, Councillor Wilson stated that there was general support for a review of current bye laws which may require a multi agency approach and that Members needed to be better informed by way of identification of areas currently designated throughout the District.

**Resolved** That it be recommended to Council to bring report back to Environment Committee in relation to conducting a review of current bye laws regarding consumption of alcohol in designated places, to ensure all Council owned parks and walkways are included and that adequate signage is in place in all designated areas throughout Mid Ulster. List of areas currently designated to be made available to Members.

## **E067/19 Community Events on Council Land**

The Director of Public Health and Infrastructure presented previously circulated report which provided update on progress and sought approval for Council Policy for Community Events on Council Land.

Councillor B McGuigan proposed the approval of the Draft Policy for Community Events on Council Land and the planned community engagement programme as outlined in report.

Councillor McGinley seconded Councillor B McGuigan's proposal stating this was a massive piece of work undertaken by Council and that from it he hoped that safe events could be facilitated. Councillor McGinley stated he looked forward to the outworkings from the community engagement programme.

Councillor Cuthbertson stated he would be in agreement with community engagement as he had stated this was needed from the outset but that he would be against the approval of the draft policy. Councillor Cuthbertson proposed not to adopt the draft policy for Community Events on Council land.

Councillor B McGuigan stated that the policy needed to be adopted first with the action plan then being carried forward over a period of time.

The Chair, Councillor Wilson stated that he agreed that better safety and community engagement was needed but that he had some difficulty with the policy and what was being asked of community groups in signing documentation.

Councillor Colvin stated he would agree with Councillor Cuthbertson's comments in that the policy should be informed by community engagement which would help the policy to be more realistic. The Councillor felt there was more work to be done prior to a policy being brought forward.

Councillor Burton stated that Council should be working with the community from the ground up on this issue.

Councillor McFlynn referred to work by consultants last summer following which a report was brought forward in November recommending that a policy be brought forward along with an action plan. Councillor McFlynn stated that work in relation to community events on Council land will be a work in progress for the next number of years.

Councillor McGinley stated he did not understand previous comments in relation to approaching the matter realistically, the Councillor stated that the policy had been well thought out, that there was a working group in place, although not attended by everyone, and that a public consultation had taken place. Councillor McGinley stated he would also question the comments as to why individuals would not want to put their name to things. Councillor McGinley stated he seconded Councillor McGuigan's proposal of adopting the policy and community engagement programme which was a result of a well thought through approach and hoped that Council would get behind the policy. Councillor McGinley stated that threats to staff should be condemned.

Councillor Glasgow stated that whilst community engagement should be encouraged he referred to the outworkings from consultation in which 33% of respondents felt that the introduction of a policy would have either a negative or very negative impact on the promotion of good relations. The Councillor stated that this was too big a number to ignore and would indicate that a policy would not have community buy in. Councillor Glasgow also stated that there was uncertainty amongst statutory stakeholders as to how the policy would work in reality.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor B McGuigan's proposal –

For – 9

Against – 5

**Resolved** That it be recommended to Council to approve the Draft Policy for Community Events on Council Land and support the planned community engagement programme as outlined in report.

**E068/19      Licensing of Houses of Multiple Occupation – Implementation Procedures**

The Director of Public Health and Infrastructure presented previously circulated report which sought agreement for draft SLA for service delivery and associated procedures in relation to commencement of the Houses in Multiple Occupation (HMO) Act NI 2016 on 1 April 2019.

Councillor Glasgow asked how many bins an HMO dwelling was entitled to.

The Director of Environment and Property stated that bin provision would equate to a bin per unit within the dwelling.

Proposed by Councillor McGinley  
Seconded by Councillor Glasgow and

**Resolved**      That it be recommended to Council to approve the Implementation Procedures and associated Service Level Agreements as outlined in appendices to report to enable Belfast City Council and Derry City and Strabane Council to act for and on behalf of Mid Ulster District Council as Lead and Cluster Council respectively in the implementation and delivery of the Houses in Multiple Occupation Act NI 2016 and associated legislative provisions.

**E069/19      The Roads Miscellaneous Provisions Act (NI) 2010 – Road Closures**

The Head of Environmental Health presented previously circulated report which sought determination on six applications for Road Closure Orders in connection with special events that are being held in May and June 2019.

Proposed by Councillor McNamee  
Seconded by Councillor McGinley and

**Resolved**      That it be recommended to Council to approve that each Road Closure Order outlined in Section 3.1 of the report be made in line with DfI guidance, subject to no objections being received during the consultation process and DfI consent being granted.

The Chair, Councillor Wilson stated that there were no clear guidelines in relation to fun runs and people manning road junctions during these type of events.

**E070/19      Consultation on amending allergen information provisions contained within domestic food information legislation for food prepacked for direct sale**

Members considered previously circulated report which sought approval to issue response in relation to the above consultation.

Proposed by Councillor Colvin  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to Council to agree the content of the draft response in relation to consultation on amending allergen information provisions contained within domestic food information legislation for food prepacked for direct sale as outlined at appendix to report.

## **Matters for Information**

### **E071/19 Minutes of Environment Committee held on 12 February 2019**

Members noted minutes of Environment Committee held on 12 February 2019.

### **E072/19 Tullyvar Joint Committee Update**

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

### **E073/19 Recycling Centre Funding**

Members noted previously circulated report which advised of successful funding applications to the Household Recycling Centre Optimisation Fund and Household Recycling Centre Communications Fund.

Councillor McGinley stated that it was good to hear of the successful funding applications and that it would help to assist with recycling performance statistics.

### **E074/19 Making Links in Workplace Health Event**

Members noted previously circulated report which provided update in relation to the Making Links to Workplace Health event which took place on 30 January 2019.

### **E075/19 Results of a regional survey relating to the nutritional content of scones available from high street coffee shops in Northern Ireland**

Members noted previously circulated report which provided results of a regional survey, which the Environmental Health Service participated in, relating to the nutritional content of scones available from coffee shops in Northern Ireland.

### **E076/19 Building Control Workload**

Members noted previously circulated report which provided update on the workload analysis for Building Control.

### **E077/19 Entertainment Licensing Applications**

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

### **E078/19 Entertainment Licence at 86 Chapel Street, Cookstown**

Members noted previously circulated report in relation to Entertainment Licence for premises located at 86 Chapel Street, Cookstown.

**E079/19      Administration of Street Naming and Dual Language Nameplate Policy**

Members noted previously circulated report which provided an update on the costs associated with the administration of the Policy for Street Naming and Dual Language Signage.

Councillor Cuthbertson stated that at last month's meeting officer costings within property services had been requested with regard to erection of signage.

The Director of Environment and Property agreed to provide costs.

**Local Government (NI) Act 2014 - Confidential Business**

Proposed by Councillor McNamee  
Seconded by Councillor S McGuigan and

**Resolved**      In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E080/19 to E085/19.

**Matters for Decision**

E080/19      Tender report for the appointment of a Contract Cleaning Services provider  
E081/19      Contract(s) for the collection and sale of textiles/footwear  
E082/19      Peace IV Shared Space Project

**Matters for Information**

E083/19      Confidential Minutes of Environment Committee held on 12 February 2019  
E084/19      Capital Works – Final Capping of Magheraglass Landfill Site  
E085/19      Capital Projects Update

**E086/19      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.42 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**Minutes of Meeting of the Development Committee of Mid Ulster District Council  
held on Thursday 14 March 2019 in the Council Offices, Ballyronan Road,  
Magherafelt**

<b>Members Present</b>	Councillor McNamee, Chair  Councillors Burton, Clarke, Cuddy, Doris, Elattar, McAleer, McFlynn, Milne, Molloy (7.21pm) and Mulligan
<b>Officers in Attendance</b>	Mrs Campbell, Director of Leisure and Outdoor Recreation Mr McCreesh, Director of Business and Communities Mr Browne, Head of Tourism Mr Hill, Head of Parks Ms Linney, Head of Community Development Mr McCance, Head of Culture and Arts Ms McKeown, Head of Economic Development Mr McShane, Acting Head of Leisure Mrs Forde, Member Support Officer
<b>Others in Attendance</b>	Councillor Ashton  Out & About Community Transport & CDM Community Transport  Ms B Scullion Ms A Keane

The meeting commenced at 7.00 pm.

**D048/19      Apologies**

Councillors Forde, Monteith and J Shiels

**D049/19      Declaration of Interests**

The Chair Councillor McNamee drew attention to agenda item 6 Community Development – Community Grants Rolling Programme and agenda item 14 Sports representative grants reminding Members to declare interest as appropriate.

Councillor Clarke declared an interest in agenda item 11 *Leisure and Outdoor Recreation Service Level Agreements 2019/20* - Broughderg Community Development Association.

Councillor Milne declared an interest in agenda item 12 *Path and Angling Stands at Glenone and Newferry* stating that he was a member of the working group.

Councillor Burton declared an interest in agenda item 4 *Deputation Out and About Community Transport and CDM Community Transport* stating that she represented Council on CDM Community Transport.

#### **D050/19      Chair's Business**

The Chair Councillor McNamee stated that the Head of Community Services would provide an update in relation to Breakthru following agenda item 19 in Confidential Business.

#### **D051/19      Deputation – Out and About Community Transport & CDM Community Transport**

The Chair, Councillor McNamee welcomed representatives from Out and About Community Transport & CDM Community Transport to the Committee and invited them to make their presentation.

The representatives stated that both organisations work in partnership to provide Rural and Urban Community Transport services throughout the entire MUDC area to the most vulnerable and isolated members in local communities, they stated that they wished to share some of their fears for the future of rural transport.

Ms Scullion said that having looked at the Community Plan wording in relation to Integrated Transport within Infrastructure section - which states '*In rural areas the objective is to pilot an 'Integrated Transport Scheme for rural dwellers and businesses'*', advised that they totally welcome any improvement on road structures but were presenting in relation to community transport.

Ms Scullion advised that as part of the pilot Integrated Transport Scheme 2012-2019 that CDM were involved and give a synopsis of that to date (Dungannon integrated pilot)

Strand 1 – Education Authorities & Translink (45 pupils over 4 routes) - this would work as students were able to make it to bus stops and had no mobility problems;

Strand 2 - exploring opportunities for the integration of the specialist and demand-responsive passenger transport services required by Health and Social Care Trust clients, some EA pupils and people living in rural areas at risk of social isolation.

#### **Measures:**

1. Clogher Valley Bus Service: a trial involving Education Authority school buses operating an off-peak public transport service from the Clogher Valley area to Dungannon town centre – ended May 15. Unlike the students using Translink the target audience here were not as able bodied, and times did not suit them.
2. Community Transport Primary School Service: 2014 – 18. CDM delivered this service in the Castlecaufield area and the reason it worked was because of its location and members needing transport to work in Dungannon. Dept Infrastructure ceased it.
3. Day Opportunities Transport - – paused in 2017 until Ministers are in post.



4. Enhanced Translink 75A Service to Craigavon Area Hospital: - Ended January 2015. Good uptake on service to but passengers didn't always return on this mode of transport.

Ms Scullion also spoke of the successes of rural transport in that it had provided affordable, accessible and available transport for the last 20 years in Cookstown, Dungannon and Magherafelt. It is a bespoke door-to-door service delivered by a team of dedicated staff who go the extra mile to ensure members can access basic services in their local areas. In a 12 month period, 52,718 individual trips were delivered over the three areas. Ms Scullion drew attention to the undernoted statistics.

	DAL	Ind members	Group hire	Group members	DATS	SIF (Magherafelt only)
Cookstown	16,286	772	19,131	215	2,712	3,737
Dungannon	15,689	551	10,841	117	2,112	0
Magherafelt	20,743	819	13,474	204	0	4,185
Total	52,718	2,142	43,446	536	4,824	7,922
Overall total trips						108,910
Social Car	35%					
with a disability	66%					

Both representatives stated that in that looking forward in the area of community transport the community plan would need revised and that they would like to be involved in steering this element of the plan.

Ms Keane drew Members attention to the potential impact the termination of the SIF Service would have on individual members who rely heavily on the service to get to essential health appointments outside of the MUDC area. It was noted that the Social Investment Funding (SIF) funding and service will cease on 31<sup>st</sup> August 2019.

Ms Keane advised that funding was received from The Executive Office in 2016 under the Social Investment Fund for a 3 year period. The funding provided four community transport partnerships operating in the Northern Zone to address gaps that the core Dial-a-lift (DAL) service failed to meet. Dial-a-lift only permits local travel for example a member from Draperstown can only travel within the old Magherafelt Council area and the same goes for a member from Sandholes they can only travel within the old Cookstown District Council Area. Under Dial-a-lift you cannot travel across the entire MUDC area.

It was noted that the statistics for CDM & Out & About up to end of December 2018 display over 15,000 trips, 6,500 of these were folk attending health appointments in hospitals outside Mid-Ulster. Ms Keane stated that whilst this project has been a huge

success the biggest concern going forward is “how are these people going to cope after the project finishes?” as there are very few viable options available.

Ms Keane advised that under the SIF project a typical return journey from Magherafelt to the Royal Hospital costs approximately £28, the alternative a regular taxi fare for the same trip with a 1 hour waiting time would cost approximately £140 it was further noted that if an accessible taxi was required it would be considerably more. Ms Keane highlighted that the Department for Health do not lend any financial support to community transport services yet they were one of the biggest benefactors.

Ms Keane stated that as organisations they were looking at options on how to sustain the vital service, however the grim reality is that this service will cease on 31<sup>st</sup> August 2019 if further funding cannot be sourced. She further highlighted that expectation had been created with members of both organisations who have used this service over the last 3 years and whilst they had been advised it was for a limited period only the expectation that Out and About and CDM would sort them out is still be there. Ms Keane feared that disappointment may have a detrimental effect on good reputation which has provided both organisations with much support over the years from all sections of our local communities.

Ms Keane requested that Point 23.7 of the Draft Community Plan be carefully re-considered and revised to reflect the current situation. She stated that as current providers of urban and rural door to door transport services to members throughout the entire Council area they were fully aware of the issues at local level and want to ensure that the provision of transport going forward gets the full attention that it requires as it cuts across all stands of what the community plan is trying to achieve.

In conclusion, Ms Keane asked if Council would approach the Department for Health if for no other reason than to warn of the implications of the loss of this service right across the Northern zone, highlighting as an example that Syrian families based in Magherafelt use the service to attend hospital appointments and the impact it may have on potential missed appointments. She stated that both herself and Ms Scullion would meet with Council officials anytime to discuss these matters in more detail and thanked the Chair for their opportunity to present.

The Chair, Councillor McNamee thanked the representatives for their presentation and invited Members questions.

Councillor Milne stated that the services provided through community transport were excellent and stated that the Department for Health did not realise the debt they owed the service and suggested that a delegation should approach the Department for funding.

In response to Councillor McAleer’s question Ms Keane advised that the SIF programme covered only the Northern Zone of which the Clogher Valley was not part.

Councillor McAleer stressed the importance of the service not just to the users but also to volunteers who felt valued in using this outlet to contribute to their local community

Councillor Burton stated that as a Council representative on CDM Community Transport Ltd she would commend their work, especially those who volunteered. She stated that as a representative of a rural community she could not stress enough the importance of the service especially for the elderly and vulnerable and highlighted that not everyone was fit to be out for 8am for a bus. Councillor Burton stressed that it always seemed somewhat unfair that one end of the district qualified for SIF whilst the other didn't, she stated that even though the SIF programme may be coming to an end Council needed to support this essential service for all of the District.

*Councillor Molloy entered the meeting at 7.21 pm*

Councillor McFlynn commended the volunteers and said she was staggered by figures of use which highlighted that rural areas really depend on the service which provided either bus or in some cases car services and asked how the new legislation for drivers was impacting the service.

In response Ms Keane stated that the law was the same but the guidance changed and thus they had to ensure all drivers had CPC training, and licences met requirements. She advised her organisation had lost four drivers who had long standing service and thus they had to hire additional drivers, highlighting that one of the volunteers who had left had been there from day one and had given over 20 years voluntary service. Ms Keane also advised that they were still unsure of what way the situation would be going forward as they may be forced down operator licence route but for now the waters were calm!

Councillor McFlynn highlighted the work of Agewell also and stated that Council should lend their support.

The Director of Business and Communities stated that it was clear that the sentiment of Members was to help and that within the community plan health thematic group the relevant statutory agencies/organisations could be brought around the table.

**Resolved:** That it be recommended to the Council that officers through the Community Plan Health Thematic Working Group meet relevant organisations/statutory agencies to discuss way forward for provision of Community Transport.

The Chair, Councillor McNamee thanked the representatives of both organisations and stated that Council would do all it could to assist, he highlighted also the work of Shopmobility and emphasised that the Department of Health needed to be made aware of the value of the organisations and that they needed to financially support them.

Ms Keane and Ms Scullion left the meeting at 7.25pm

## **Matters for Decision**

### **D052/19      Economic Development Report**

The Head of Economic Development presented previously circulated report which provided an update on the following –

- **Association of Town Centre Management (ATCM) - Membership Renewal**

Proposed by Councillor Milne  
Seconded by Councillor McFlynn and

**Resolved**      That it be recommended to the Council to approve the renewal of ATCM membership for a fee of £495 (+Vat) for the period of January to December 2019.

- **Mid Ulster Regeneration Action Plan (2019/20)**

The Head of Economic Development drew attention to the proposed list of event dates and stated that there would be some changes to this and that the finalised list would be brought to committee in April.

Councillor Doris drew attention to events scheduled for Halloween highlighting that Coalisland was allocated £8k and Dungannon were receiving double the amount and stressed that the events in Coalisland combat a lot of antisocial behaviour at that time of year and thus Coalisland would need more funding. She further highlighted that in June time it was proposed to allocate £7k to an event in Coalisland yet Maghera were receiving £15k and again stressed allocations should be reconsidered.

In response the Head of Economic Development stated she would review figures but budgets were tight.

In response to Councillor Burton's question the Head of Economic Development stated that the focus of the Regeneration Action Plan each year is to regenerate the five town centres through a range on initiatives and support the villages through the Village Renewal Programme with assistance of Rural Development/LAG and council funding. Additional support to both towns and villages is proposed again in 2019/20 within the Regeneration Pan with regard to a new Town and Village Spruce Up Scheme.

Councillor Burton said that some grants are not on the rolling programme and villages sometimes miss out.

The Head of Economic Development reiterated the scope of the proposed regeneration activities and stated that unless additional funding is received she is unable to extend the current range of initiatives any further.

The Chair, Councillor McNamee stated that it was understood that Council had to work within the budget but that he could understand Councillor Doris' concerns.

Councillor Burton stated that Fivemiletown Chamber of Commerce were doing an excellent job and positioned on the periphery of the District they should be encouraged.

Proposed by Councillor McAleer  
Seconded by Councillor Milne and

**Resolved** That it be recommended to the Council to approve the projects and indicative costings contained within the Mid Ulster Regeneration Action Plan for the financial year 2019/20. A further paper will be presented to the next meeting, detailing the final dates of corporate events in 2019/20.

- **Mid Ulster Town and Village Spruce Up Scheme**

Councillor Clarke stated that Dunnamore village should be included within the village settlements listed in Section 3.3 of the report relating to the Town and Village Spruce Up Scheme.

In response, the Head of Economic Development advised that the list of proposed villages to include in the Town and Village Spruce Up Scheme were based on the draft Local Development Plan (2030) under the Mid Ulster Settlement Hierarchy. She urged caution on changing the specific criteria proposed, which matches the Local Development Plan (2030) with the exception of Moygashel, indicating it may open the floodgates to requests from other village settlements from across Mid Ulster.

Councillor Clarke acknowledged that it may have been an oversight in the draft Local Development Plan (2030) that Dunnamore was not included on the list of Village Settlements. Councillor Clarke indicated he would raise the matter with Council's Planning Team through the Local Development Plan consultation process.

Councillor Molloy highlighted the expense of the chartered architects within the project and stated that it was a pity to see so much of the funding package used in this way.

In response the Head of Economic Development stated that the estimated budget detailed in the report for the employment of a chartered architect related to a period of up to 3 years. She added if this funding was broken down over 3 years, it would equate to approximately £16,000 per annum, dependent upon the number of eligible applications received. The Head of Economic Development advised she believed this to be good value for money for the professional and independent services received. It was noted that applications would open in the autumn following the procurement process and that recommendations would be brought through the Committee.

Councillor Burton asked if the scheme was similar to the signage programme delivered in the past and asked if it would be applicable to derelict homes as sometimes they are the real blight to regeneration partnerships.

In response the Head of Economic Development stated that the scheme was similar to that delivered previously with a few small tweaks made to it. She highlighted that the scheme would fund eligible works to the front of business properties and internal works in areas accessible to the public. She advised it is proposed to offer grant aid of up to 75% per property for eligible works, capped at £5,000 per property.

Councillor Milne asked how many times in a year Council employed architects and given the costs reflected in the report suggested that Council should perhaps employ its own architect.

The Head of Economic Development stated she did not have the figures to hand regarding the number of times Council Departments had employed chartered architects within the last year, but stressed the importance within this scheme of using 'independent' chartered architects as this ensures a degree of 'independence' is brought to the project between Council and the chartered architect.

*Councillor Doris left the meeting at 7.38 pm*

Councillor Milne acknowledged the use of architects in this instant but stated that it was a suggestion to investigate whether it would be more economical to employ.

Proposed by Councillor Molloy  
Seconded by Councillor Burton and

**Resolved** That it be recommended to the Council to approve

- (i) The procurement by way of Council's public tender process, a Chartered Architect to independently oversee a Mid Ulster Town and Village Spruce Up Scheme for a two/three year period, at an indicative cost of £50,000 from Council's economic development budget; and
- (ii) To Deliver Mid Ulster Town and Village Spruce Up Scheme over a period of two/three years to the towns and villages as outlined within Section 3.3 of the above report, with estimated year 1 costs of £120,000 from Council's economic development budget.

- **Coalisland Great Places Project.**

Proposed by Councillor Clarke  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Council to approval of Lough Neagh Partnership's request to amend Council's profiled funding towards the Coalisland Great Places Project as set out below, with no overall impact on value of funding previously agreed by Council of £30,000;

- Year 1 £10,000,
- Year 2 £11,000
- Year 3 £9,000

- **Public Art - Maghera Walkway Project**

Proposed by Councillor Milne  
Seconded by Councillor Clarke and

**Resolved** That it be recommended to the Council to approve the request from Maghera Cross Community Link to place the Public Art at a suitable location on the refurbished walkway in Maghera and take on the maintenance and insurance costs once installed.

*Councillor Doris returned to the meeting at 7.40pm*

**D53/19 Community Development Report**

The Head of Community Development presented previously circulated report which sought approval for the following –

- **Community Grants Rolling Programme**

Proposed by Councillor Molloy  
Seconded by Councillor Clarke and

**Resolved** That it be recommended to the Council to approve the grant award recommendations under the Community Local Festivals Grant and Good Relations Grant as per Appendix 1 of the report

- **Peace IV Cross Border Literary Project**

Proposed by Councillor McAleer  
Seconded by Councillor Milne and

**Resolved** That it be recommended to the Council to accept the quotation at £22,074 for management and delivery of the Peace IV Cross Border project; pending final agreement with funder SEUPB.

- **Community Development Update Report**

Proposed by Councillor Milne  
Seconded by Councillor McAleer and

**Resolved** That it be recommended to the Council to note the community development update report.

- **Community Events on Council Land**

Proposed by Councillor Milne  
Seconded by Councillor McAleer and

**Resolved** That it be recommended to the Council to approve community engagement and support for the implementation of Council proposed policy 'Community Events on Council Land'.

**D54/19      Draft response to Arts Council of Northern Ireland Public Consultation on Strategic Framework 2019-2024**

The Head of Culture and Arts drew Members attention to the previously circulated report seeking approval for the draft response to the Draft 5 year strategic Framework on behalf of Mid Ulster District Council and to submit the approved response to the Arts Council of Northern Ireland by the closing date of 4pm on Friday 22 March 2019.

Councillor Elattar congratulated the team on compilation of the response and welcomed the inclusion of rural arts projects.

Proposed by Councillor Elattar  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to the Council to approval for the draft response to the Draft 5 year strategic Framework on behalf of Mid Ulster District Council and to submit the approved response to the Arts Council of Northern Ireland by the closing date of 4pm on Friday 22 March 2019.

**D55/19      Sperrin Future Search Update**

The Head of Tourism drew Members attention to the previously circulated report providing an update on Sperrin Future Search and seeking nominations to appoint two Elected Members to sit on the Sperrin Future Search Board.

Proposed by Councillor Clarke  
Seconded by Councillor Milne and

**Resolved** That it be recommended to the Council to nominate two elected members to represent their council area on the Sperrin Future Search Board. Nominations to be made at Annual General Meeting of Council in May.

**D56/19      Scoping Studies: Davagh to Beaghmore Solar Walk & Fivemiletown Road Lake Activity Centre Projects**

The Head of Tourism drew Members attention to the previously circulated report providing an update on the requirement to commission Scoping Studies to be undertaken for:



- Davagh Forest to Beaghmoe Stone Circles Solar Boardwalk and
- Fivemiletown Road Lake Activity Centre Scoping Study.

The Head of Tourism emphasised that this a scoping study at this stage and that all procurement was due to be submitted by 31 July and advised that Council had asked for an extension to that date as it was almost an impossible task to complete in the timeframe. He drew Members attention to the fact there was much available accommodation on the door step of Round Lake and stated that it would be hoped that the pavilion would get a major face lift within the project together with a water ski tow path and glamping pods.

Councillor Cuddy asked if £20k would make that much of a difference.

In response the Head of Business and Communities reiterated that the scoping study was the first step collating the facts and figures following which a substantive application would be completed.

Proposed by Councillor Clarke  
Seconded by Councillor Burton and

**Resolved** That it be recommended to the Council to approve

- (i) signing of Letters of Offer for commissioning of Scoping Studies for Davagh Forest to Beaghmore Solar Walk and Fivemiletown Round Lake Activity Centre; and
- (ii) 25% match-funding requirement for scoping Studies, to be met from within existing Tourism and Parks and to fund an economic appraisal, if required.

#### **D57/19 Parks Service Events Programme 2019-20**

The Head of Parks Service drew attention to the previously circulated report seeking approval for the delivery of the schedule of events for 2019/20 Parks Service Events Programme as presented at a cost of £52,000.

Proposed by Councillor Milne  
Seconded by Councillor Cuddy and

**Resolved** That it be recommended to the Council to approve the delivery of the schedule of events for 2019/20 Parks Service Events Programme as presented at a cost of £52,000.

#### **D58/19 Leisure and Outdoor Recreation Service Level Agreements 2019/20**

The Head of Parks drew attention to the previously circulated report seeking approval for the proposed Leisure and Outdoor Recreation Service Level agreements as outlined in the report for the 2019/20 financial year only.

In response to Councillor Cuddy's question the Head of Parks confirmed that there was no changes to the Service Level Agreements from last year.

Proposed by Councillor Cuddy  
Seconded by Councillor Burton and

**Resolved** That it be recommended to the Council to approve proposed Leisure and Outdoor Recreation service level agreements as outlined in the report for the 2019/20 financial year only.

**D59/19 Path and Angling Stands at Glenone and Newferry**

The Head of Parks drew attention to the previously circulated report seeking approval of allocation of capital budget resources in relation to the development of public path access and extension of public angling amenity at Glenone to Newferry.

Proposed by Councillor Elattar  
Seconded by Councillor McFlynn

**Resolved** That it be recommended to the Council to

- (i) Note the level of external funding secured to date and the strategic importance of continued public access and angling developments on the River Bann in conjunction with MUDC's objective to establish a continuous trail link from Portglenone to Newferry;
- (ii) Recommend to Policy and Resources Committee that approval is sought for the allocation of £315,883 funding from 2019-20 Council Capital Programme Fund. The figure does not include 10% contingency or professional fees);
- (iii) Approve to establish all necessary landowner lease agreements in relation to the council's objective to link Glenone to Newferry;
- (iv) Approve to seek all necessary valuations and to engage LPS on all further landowner lease agreement valuations associated to the Glenone to Newferry development plan;
- (v) Approve to engage, tender and procure the necessary ICT and capital works contractors, were necessary, in order to deliver the project as proposed.

**D60/19 Provision of Leisure Uniforms**

The Acting Head of Leisure drew attention to the previously circulated report seeking approval regarding of provision of leisure staff uniforms within Mid Ulster District Council.

Proposed by Councillor Doris  
Seconded by Councillor McElDowney and

**Resolved** That it be recommended to the Council to approve the commencement of a procurement process for the provision of leisure uniforms. The contract should be awarded for an initial 2 year period, with the option to extend at Councils discretion for two one year periods.

## **D61/19 Sports Representative Grants**

Attention was drawn to the previously circulated report regarding proposed community grant allocations for the range of sports representative grant to teams and individuals.

Proposed by Councillor Doris  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Council that Sports Grant Allocations as outlined in the appendix to the report be approved.

In response to Councillor Cuddy's question in relation to the allocation of funding for advice services the Head of Community Development advised that Citizens Advice finish their contract on 31 March 2019 and STEP commence theirs on the 1 April 2019. It was noted that a full check regarding outreach, staff, training etc is included in the terms of the agreement and Council would be carrying out appropriate checks. It was further noted that Council promote the new location and that during the last week in March the public will be made aware of the transfer of services.

Councillor Cuddy sought clarity in relation to information and in response the Head of Community Development stated that both the current and future providers would ensure issues are addressed.

Councillor Cuddy referred to the meeting in February regarding health services and emphasised that Council needed to continue lobbying for a health hub. He highlighted the practices throughout Dungannon town and stated that space should be lobbied for provision of a health hub.

In response to Councillor Elattar's question regarding Village Renewal Scheme the Head of Community Development stated that in relation to Ballinascreen the design team recommendation had been brought to Policy and Resources committee for approval and it was hoped to be resolved by Council at March meeting.

## **Matters for Information**

### **D062/19 Minutes of Development Committee held on 14 February 2019**

Members noted minutes of Development Committee held on 14 February 2019.

### **D63/19 Mid Ulster Rural Development Partnership – Update on Local Rural Development Strategy**

Members noted the report that detailed progress to date with delivery of the LAG Local Rural Development Strategy.

In response to Councillor Burton's question regarding the 'yellow frames project' the Head of Economic Development advised that it was listed as a 'potential project' but highlighted that not all Local Action Groups (LAGs) had signed up to be part of the scheme, which therefore, placed a greater funding onus on the remaining areas, and as such the scheme may not present a viable financial proposition, however, this matter would be considered by the Mid Ulster LAG at the earliest opportunity.

Councillor Molloy stated that he had seen publicity in relation to ABC Councils stance on the idea advising it had been thought it would spoil beauty spots and thus was a non-runner.

## **D64/10      End of Year Tourism Report 2018/19**

Members noted the previously circulated End of Year Tourism Report 2018/19.

## **Local Government (NI) Act 2014 – Confidential Business**

Proposed by Councillor Burton  
Seconded by Councillor McFlynn and

**Resolved**      In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items D042/19 and D047/19.

### **Matters for Decision**

- |         |  |
|---------|--|
| D065/19 | Tender Report for the Appointment of a Contractor to deliver the Mid Ulster Tender Ready Programme |
| D66/19  | Community Development Grant Appeal   |
| D67/19  | Breakthru - Update   |
| D68/19  | Award of Tender for catering services at Hill of the O'Neill & Ranfely House                       |
| D69/19  | Cookstown Town Twinning – Moto Club de Plerin Visit 4-7 May 2019                                   |
| D70/19  | Growth and City Deals  |

### **Matters for Information**

- |         |  |
|---------|--|
| D069/19 | Confidential Minutes of Development Committee held on 14 February 2019 |
|---------|--|

## **D073/19      Duration of Meeting**

The meeting commenced at 7 pm and concluded at 8.36 pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



<b>Report on</b>	Conferences, Seminars & Training
<b>Date of Meeting</b>	28 March 2019
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Eileen Forde, Member Support Officer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
<b>2.0</b>	<b>Background</b>
2.1	Costs associated will be set against 2018-19 member Conference, Seminar and Training allocations.
<b>3.0</b>	<b>Main Report</b>
3.1	The following are seminar/ conference sessions and member training requests presented for consideration of representation from Mid Ulster District Council.
3.1	<b>Approval for Consideration of Attendance by Elected Members</b>
3.1.1	<b>Conferences &amp; Seminars</b> <ul style="list-style-type: none"> <li>National Association of Councillors - Health, Wellbeing &amp; Equality Conference The Royal Hotel, Scarborough 5<sup>th</sup>-7<sup>th</sup> April 2019 Cost £350 plus VAT – Metropolitan, County, Unitary, Borough &amp; District Councils plus travel, accommodation and subsistence.</li> <li>WW1 Flanders &amp; The Somme Pilgrimage Novotel Leper Centrum Hotel in Ypres 30 June – 4 July 2019 Cost £769 Euro plus travel and subsistence</li> </ul>
3.1.2	<b>Member Training Requests</b>

3.2	<p>None</p> <p><b>Officer Approvals</b></p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix B to this report is sought.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Costs to be set against Members 2018/2019 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<p>Appendix A Member Conferences, Seminars &amp; Training</p> <p>Appendix B Officers Approvals</p>





5/3/19

**Health, Wellbeing & Equality Conference  
The Royal Hotel, Scarborough 5<sup>th</sup>-7<sup>th</sup> April 2019**

Dear Colleagues,

Public Health, Wellbeing & Equality

Is the current climate of austerity a challenge or opportunity in respect of Health & Wellbeing? Are public sector cuts leading to hardship and detriment to leading a long and healthy life?

In the world of public health austerity drives us to look more closely at value for money and creative thinking about new ways of working – often in partnerships.

Money alone is neither the cause or the solution. The conference shall allow us to explore more than inequalities in material wealth, but rather look at inequalities in opportunity, inequalities in aspiration, inequalities in positive role models and much more.

This event will provide opportunities to hear quality speakers, participate in Q&A sessions and contribute to conference workshops. The conference will benefit elected members from every tier of local government.

To book your places at this Conference please complete the form attached and return it to me by email or post

Yours Faithfully

Councillor Brian Nelson

General Secretary

Councillor Terry Andrews SDLP  
Rowallane District Electoral Area  
11 Woodside Gardens  
Crossgar  
BT30 9DA  
E-Mail: [terry.andrews@nmandd.org](mailto:terry.andrews@nmandd.org)  
Tel: 02844831308 / 07879998559



Comhairle Ceantair  
an Iúir, Mhúrn  
agus an Dúin  
**Newry, Mourne  
and Down**  
District Council

5 March 2019

Dear Anthony

**WW1 FLANDERS & THE SOMME**  
**PILGRIMAGE – 30<sup>TH</sup> JUNE – 4<sup>TH</sup> JULY 2019**

I am writing to let you know that I will be organising a pilgrimage to Flanders and the Somme this year and would be more than grateful if this letter could be attached to your agenda for your next council meeting for decision to send representatives.

I am organising the trip through GTI – IRELAND in Dublin , which will be for 5 days / 4 nights flying from Dublin to Brussels and staying in the Novotel Leper Centrum Hotel in Ypres which will be our base for the duration of our stay .

The cost per person is Euro 769 including taxes and to book please contact GTI Ireland on the following number 00353 1 843 4734 OR visit [www.gti-ireland.com](http://www.gti-ireland.com)

I would be more than grateful for your help with this request and look forward to hearing from you .

Yours Sincerely

  
\_\_\_\_\_

**RECEIVED BY**  
**12 MAR 2019**  
**DEMOCRATIC SERVICES**



[terry.andrews.90@facebook.com](https://www.facebook.com/terry.andrews.90)

@terryandrews65

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
The Next Steps for Revitalising High Streets in the UK	8/5/19	1	London	Yes
Sharing Experience, Shaping the Future, Regeneration Conference	25/3/19	1	Lisburn	Free



<b>Report on</b>	Consideration of Requests for Civic Recognition
<b>Date of Meeting</b>	Thursday 28 March 2019
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	<b>Purpose of Report</b>				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's <i>Civic Honour and Receptions Policy</i> .				
2.0	<b>Background</b>				
2.1	The policy was reviewed and subsequently agreed at April 2018 Council. All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour &amp; Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.				
2.2	<b><u>Recognition</u></b> <ul style="list-style-type: none"><li><b>Civic Honour:</b> recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table></li><li><b>Civic Reception:</b> will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr></table></li></ul>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition
Have won first place at a competition in their relevant field at the highest level of competition					
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition					
Representing their country at International, European, All-Ireland or National level at the highest level					
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition					

		Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition
2.3		<p><b><u>Processing the Request</u></b></p> <ul style="list-style-type: none"> <li>• Reviewed against the policy/criteria</li> <li>• Reviewed to identify if recognition provided for similar achievement within 3 years prior to this</li> <li>• Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception</li> <li>• Requests not meeting criteria will be recommended to Council to receive letter from Council Chair</li> </ul>
2.4		Appendix A to this report sets out those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.
<b>3.0</b>	<b>Main Report</b>	
3.1	<p>Implementation of the policy facilitates the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members.</p> <p>Recognition requests received from members since the last meeting of council have been categorised, details of which are set out within appendix A to this report.</p>	
3.2		
<b>4.0</b>	<b>Other Considerations</b>	
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>	
	Financial: not applicable	
	Human: not applicable	
	Risk Management: not applicable	
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>	
	Equality & Good Relations Implications: not applicable	
	Rural Needs Implications: not applicable	
<b>5.0</b>	<b>Recommendation(s)</b>	

5.1	That consideration be given to approving request for civic recognition requests
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A – Civic Recognitions Recommended for Approval





## Appendix A: March 2019 - Requests for Civic Recognition Submitted: For Approval

### Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
None				

### Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Eunan Campbell* (Square Wheels Cyclocross Team)	<ul style="list-style-type: none"> <li>Ulster Cyclo Cross Series Championships 2018 &amp;</li> <li>Ulster Cyclo Cross League</li> <li>Under 8 Boys Champion (1<sup>st</sup> Place)</li> <li>Irish National Championship (1<sup>st</sup> Place)</li> </ul>	Cllr Molloy	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For: N/A  Date: N/A
Maeve McCool* (Square Wheels Cyclocross Team)	<ul style="list-style-type: none"> <li>Irish National Championship</li> <li>Under 10 Girls Champion (1<sup>st</sup> Place)</li> <li>Ulster Cyclo Cross Series Championships 2018 Under 10 Runner up</li> <li>Ulster Cyclo Cross League</li> </ul>	Cllr Molloy	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For: N/A  Date: N/A

	Under 10 Girls 3 <sup>rd</sup> Place			
Aoife Campbell*  (Square Wheels Cyclocross Team)	Irish National Championship  Under 8 Girls Champion (1 <sup>st</sup> Place)  Ulster Cyclo Cross Series Championships 2018 – runner up	Cllr Molloy	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For: N/A  Date: N/A
Brocagh Emmets GFC  Junior Team	Ulster GAA Junior League Championship	Cllr J O'Neill	<ul style="list-style-type: none"> <li>Won first place at a competition level in their relevant field</li> </ul>	For: N/A  Date: N/A

#### Other: Letter from Council Chair

Where it is deemed that conditions/criteria have not been met for a civic reception, civic award or chair & deputy chair reception a letter from the Council Chair is recommended. This may also be in instances where recipients have previously received a reception or award for the same or similar achievement.

Proposed Recipient	Achievement	Submitted by
Square Wheelers Cyclo Cross Team	Ulster Cyclo Cross League & Championship Irish National Championships aforementioned achievements* together with Roisin Skeffington Ladies 6 <sup>th</sup> Place Ulster Cyclo Cross League,	Cllr Molloy

	and Ellie McArdle Ladies 3 <sup>rd</sup> Place Ulster Cyclo Cross Champion Rory McCool Irish National Championship, Under 10 boys runner up and Ulster Cyclo Cross League Under 8 boys runner up	
St Pius X College Senior Camogie Team	Reaching the All Ireland Senior Schools Camogie Final	Cllr Bell  (Receiving civic recognition having been nominated in January 2019 by Cllr D Totten and Cllr D McPeake for winning the Ulster Colleges Camogie Father Davies Cup which qualified them to play in the final)



<b>Report on</b>	Correspondence to Council - March 2019
<b>Date of Meeting</b>	Thursday 28 <sup>th</sup> March 2019
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	P Moffett, Head of Democratic Services

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on correspondence received for attention of Council.
<b>2.0</b>	<b>Background</b>
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Correspondence from Fermanagh &amp; Omagh District Council – Sperrins Rambler</b></p> <p>The Director of Regeneration and Planning has corresponded on behalf of F&amp;ODC requesting that the Council promote the Sperrin Rambler Bus Service (formerly Ulsterbus 403) through its social media outlets. Refer to appendix A.</p>
3.2	<p><b>Correspondence from Secretary of State for Northern Ireland, NIO</b></p> <p>The Secretary of State has corresponded with the Chief Executive giving notification of the recent resignation of an independent member from the NI Policing Board and that five independent members' terms of appointment are due to expire in June 2019. She has indicated she is minded to launch a new competition but before this course of action is taken, feedback is being sought from councils under Paragraph 8(2) of Schedule 1 of the Police (NI) Act 2000. Refer to appendix B.</p>
3.3	<p><b>Correspondence from Newry, Mourne &amp; Down DC</b></p> <p>The Chief Executive, Newry, Mourne &amp; Down DC has corresponded with the Chief Executive giving notification of the passing of a Motion on the siting of 'geographical disposal facilities for Waste Management'. A copy of correspondence they have sent to the Secretary of State for the Dept for Business, Energy and Industrial Strategy is also attached. Refer to appendix C.</p>
3.4	<p><b>Correspondence from Education Authority</b></p> <p>A briefing on schools provision and plans within the district was provided by the Education Authority as part of the January Council meeting. Members requested from the Official in attendance that a meeting be held with the relevant Education Officials to progress a</p>

	number of local issues. This has now been followed up and an initial response has been received from the Chief Executive of the Education Authority. Refer to appendix D.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Council notes and considers, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Fermanagh & Omagh District Council Appendix B: Secretary of State for Northern Ireland, NIO Appendix C: Newry, Mourne & Down DC Appendix D: Education Authority NI



Fermanagh & Omagh  
District Council  
Comhairle Ceantair  
Fhear Manach agus na hÓmaí

Your Ref

Our Ref

Date 22 February 2019

Being dealt with by Alison McCullagh

Email [Alison.McCullagh@fermanaghomagh.com](mailto:Alison.McCullagh@fermanaghomagh.com)

Mr Anthony Tohill  
Chief Executive  
Mid Ulster District Council  
15 Circular Road  
Dungannon  
BT71 6DT

Dear Anthony

### **Sperrin Rambler Bus Service**

At a recent meeting of Fermanagh and Omagh District Council, Members asked that I write to you to request that Mid Ulster District Council promotes the Sperrin Rambler Bus Service (formerly Ulsterbus 403) through its social media outlets. Members believe that this is an important bus service which as well as connecting communities across the Sperrins, contributes to much needed tourism infrastructure in the area.

Our Members trust that Mid Ulster District Council will look on this request favourably.

Yours sincerely

A handwritten signature in blue ink that reads "Alison McCullagh".

Alison McCullagh  
**Director of Regeneration and Planning**

[info@fermanaghomagh.com](mailto:info@fermanaghomagh.com)  
[facebook.com/fermanaghomagh](https://facebook.com/fermanaghomagh)  
[@fermanaghomagh](https://twitter.com/fermanaghomagh)

Townhall, 2 Townhall Street,  
Enniskillen, Co. Fermanagh,  
BT74 7BA

The Grange, 26 Mountjoy Road,  
Lisnamallard, Omagh, Co. Tyrone,  
BT79 7BL

Text Ph. 028 8225 6216  
0300 303 1777

[www.fermanaghomagh.com](http://www.fermanaghomagh.com)



Northern  
Ireland  
Office

**Secretary of State for Northern Ireland**

1 Horse Guards Road  
London  
SW1 2HQ  
T 020 7210 0236  
T 0207 210 6464

Stormont House  
Belfast  
BT4 3SH

E [SoS.Bradley@nio.gov.uk](mailto:SoS.Bradley@nio.gov.uk)

[www.gov.uk/nio](http://www.gov.uk/nio)

Follow us on Twitter @NIOgov

Mr Anthony Tohill  
Mid Ulster District Council  
(via email: [chief.executive@midulstercouncil.org](mailto:chief.executive@midulstercouncil.org))

27 February 2019

Dear Anthony,

## **INDEPENDENT MEMBERS TO THE NORTHERN IRELAND POLICING BOARD**

Under the terms of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018, I have interim responsibility for certain appointment functions normally exercised by Northern Ireland Ministers including the Northern Ireland Policing Board (NIPB).

Following the recent resignation of one of the independent members, there is a current vacancy on the NIPB. Furthermore five independent members' terms of appointment are due to expire in June 2019, so there will be a need to make further appointments.

As you may be aware there has been significant change at senior level within the PSNI over the last 12 months at both Deputy Chief Constable and Assistant Chief Constable level. In addition the Chief Constable will also stand down in June. These along with the implications of Brexit have resulted in developing and ever-changing challenges for the NIPB to address in comparison to this time last year.

It is imperative that appropriate appointments are made to the NIPB to ensure it possesses the necessary skills and experiences to navigate through these challenging times. Given the significant change over the last 12 months, I am minded to launch a new competition to fill the current vacancy and others that will become vacant at the end of June. It is envisaged that the criteria for the competition are likely to include a need for candidates to demonstrate ability in Change Management; Building Effective Relationships; Communication and Negotiation Skills; Performance Oversight; Strategic Thinking; and Leadership.



In light of the importance of forthcoming senior appointments to the PSNI, there may be a need to reflect further on the appropriate timing of the appointment of new independent members to the Board.

Paragraph 8(2) of Schedule 1 of the Police (Northern Ireland) Act 2000 requires consultation with the First Minister and deputy First Minister, district councils, and such other bodies as are considered appropriate before making any appointment of independent members to the Board.

In seeking to appoint independent members to the Board, I am committed to the principles of public appointments based on merit, with independent assessment, openness and transparency of process. I would welcome your views on this matter before I consider next steps.

I should be grateful if you could provide your response by email to [sos.bradley@nio.gov.uk](mailto:sos.bradley@nio.gov.uk) by Friday 8 March 2019.

Yours sincerely,



**KAREN BRADLEY MP  
SECRETARY OF STATE FOR NORTHERN IRELAND**

Liam Hannaway  
Chief Executive



Comhairle Ceantair  
an Iúir, Mhúrn  
agus an Dúin  
**Newry, Mourne  
and Down**  
District Council

M/2

27 February 2019



Mr Anthony Tohill  
Chief Executive  
Mid Ulster District Council  
Dungannon Office  
Circular Road  
Dungannon  
BT71 6DT

Dear Mr Tohill

*Anthony*

**Re: Geographical Disposal Facility by Radioactive Waste Management**

Please find attached letter dated 27 February 2019 regarding a Notice of Motion adopted by Newry Mourne and Down District Council at it's Meeting held on Monday 4 February 2019.

The Council strongly opposes the granting of consent for a Geological Disposal Facility to be located within the District, or indeed within any part of Northern Ireland or the island of Ireland.

Our Members would urge that your Council support our position on this issue and also make written representation to the Minister.

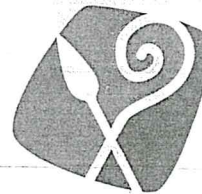
I would be grateful if you would bring this correspondence to the attention of your Council Members.

Yours sincerely

**Mr Liam Hannaway**  
**Chief Executive**

KS/LD

Enc



DS/MS/2 M/2

27 February 2019

Rt Hon Greg Clark MP  
Secretary of State  
Department for Business Energy and Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

Dear Minister

**Re: Geographical Disposal Facility by Radioactive Waste Management**

At a meeting of Newry Mourne and Down District Council held on Monday 4 February 2019, the following Notice of Motion was agreed:

**“This Council notes with great concern the conclusions made from the National Geological screening for a Geological disposal Facility by Radioactive Waste Management which suggests that Parts of Newry, Mourne and Down District and other areas in Northern Ireland might be suitable for a GDF.**

**This Council will write to the Minister for Business, Energy and Industrial Strategy stating Councils position as: Newry, Mourne and Down District Council does not consent, and never will consent to hosting a Geological Disposal Facility in our Council area or any part of Northern Ireland.**

**This Council asks the other 10 councils in the North to take a similar position and equally write to the Minister.”**

Members were unanimous in their opposition for consent being granted for the location of a Geological Disposal Facility within the Council District and referred to the fact that over the last 50 years, the South Down Coast had been one of the most exposed coasts to potential nuclear incidents.

The Council would request that the Department take on board the sentiments expressed in the above Notice of Motion.

- 2 -



The Council has written to the other 10 Local Authorities in the North and a copy of this letter is attached for your information.

Yours sincerely

  
**Mr Liam Hannaway**  
**Chief Executive**

/LD

Enc

Appendix D

**Issued via Email**

20 March 2019

Councillor Sean McPeake  
Chair  
Mid Ulster District Council

Dear Councillor McPeake

Thank you for your letter of 12 March 2019 received in this office on 19 March 2019 regarding a request for a meeting with EA officials.

Your correspondence has been passed to the Senior Team in Education Directorate to respond to as the matter you raise falls under the remit of that Directorate.

We aim to respond to all written correspondence within 10 working days of receipt. If that is not possible, a holding response will issue.

Should you wish to follow up on your correspondence, please contact the PA/Office Manager for the Education Directorate as follows:

Sarah Owens-Hartley – [Sarah.OwensHartley@eani.org.uk](mailto:Sarah.OwensHartley@eani.org.uk)

Tel: 028 90 413182

Yours sincerely



**GAVIN BOYD**  
**CHIEF EXECUTIVE**



<b>Report on</b>	Consultations notified to Mid Ulster District Council
<b>Date of Meeting</b>	28 March 2019
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
<b>2.0</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 that may be pertinent to council services and/or the District.
<b>3.0</b>	<b>Main Report</b>
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members review and note consultations notified to Mid Ulster District Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Details of Current Consultations

#### Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently
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				<b>Being Developed</b>
<b>DAERA</b>	Consultations on the reform of packaging producer responsibility and the introduction of a DRS in NI	This consultation document seeks responses to help develop and design an effective UK packaging producer responsibility system and put in place the necessary regulatory framework.	13 May 2019	
	<b>Link to Consultation</b>	<a href="https://consult.defra.gov.uk/environmental-quality/consultation-on-reforming-the-uk-packaging-produce/supporting_documents/packagingprconsultdoc.pdf">https://consult.defra.gov.uk/environmental-quality/consultation-on-reforming-the-uk-packaging-produce/supporting_documents/packagingprconsultdoc.pdf</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			
<b>Organisation</b>	<b>Consultation Title</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
<b>DAERA</b>	Fitness Check Water Framework Directive and Floods Directive	Consultation on the effective performance of the WFD (Water Framework Directive) and the Daughter Directives. The responses to the questions will be used for the analysis to be presented as part of the study supporting the Fitness Check. Following the end of the consultation period, we will hold a series of follow-up interviews with some stakeholders.	29 March 2019	
	<b>Link to Consultation</b>	<a href="https://www.surveymonkey.co.uk/r/supportFCWFDFD">https://www.surveymonkey.co.uk/r/supportFCWFDFD</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			
<b>Organisation</b>	<b>Consultation Title</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>



HM Treasury	Plastic Packaging Tax	This consultation relates to the proposal that imported plastic packaging that doesn't include at least 30% recycled content, a new tax will be levied on the full weight of the packaging product, at a flat rate set per tonne of packaging material. This consultation seeks views on the position where there are multiple manufactures in the production process.	12 May 2019	
	Link to Consultation	<a href="https://www.gov.uk/government/consultations/plastic-packaging-tax">https://www.gov.uk/government/consultations/plastic-packaging-tax</a> .		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			
<b>Organisation</b>	<b>Consultation Title</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
Department of Health	Consultation on a draft e-Safety Strategy and Action Plan for Northern Ireland	The Safeguarding Board for Northern Ireland has launched a public consultation on a draft e-Safety Strategy and associated Action Plan. The draft strategy and action plan were commissioned by a previous Executive and the Department of Health is overseeing the project on behalf of government departments.  The overall aim of the draft strategy is that all children and young people living in Northern Ireland are, as far as possible, kept safe and secure online.	24 April 2019	
	Link to Consultation	<a href="https://www.safeguardingni.org/esafetyconsultation">https://www.safeguardingni.org/esafetyconsultation</a>		

	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			
<b>Organisation</b>	<b>Consultation Title</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
Derry City and Strabane District Council	Derry & Strabane's Green Infrastructure Plan 2019-2032 Public Consultation	This consultation focuses on Derry & Strabane's Green Infrastructure Plan 2019-2032.	3 May 2019	
	Link to Consultation	<a href="http://www.derrystrabane.com/GI">www.derrystrabane.com/GI</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
	Yes/No (delete as appropriate)			