



14 December 2017

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, 14 December 2017 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

### Matters for Decision

- |     |                                                                                                  |          |
|-----|--------------------------------------------------------------------------------------------------|----------|
| 4.  | Council minutes of meeting held on 23 November 2017                                              | 3 - 14   |
| 5.  | Special Council Minutes of meeting held on 30 November 2017                                      | 15 - 18  |
| 6.  | Environment Committee minutes of meeting held on 4 December 2017                                 | 19 - 34  |
| 7.  | Planning Committee minutes of meeting held on 5 December 2017                                    | 35 - 60  |
| 8.  | Development Committee minutes of meeting held on 6 December 2017                                 | 61 - 74  |
| 9.  | Policy and Resources Committee decisions resolved and minutes of meeting held on 7 December 2017 | 75 - 82  |
| 10. | Conferences Seminars and Training                                                                | 83 - 90  |
| 11. | Consideration of requests for Civic Recognition                                                  | 91 - 94  |
| 12. | Council response to consultation on Fundamental Review of Social Housing                         | 95 - 114 |

### Matters for Information

- |    |                                                       |           |
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| 13 | Consultations notified to Mid Ulster District Council | 115 - 120 |
| 14 | Correspondence                                        | 121 - 124 |

**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 23 November 2017
16. Special Planning Committee (Development Plan) minutes of meeting held on 28 November 2017
17. Environment Committee Confidential minutes of meeting held on 4 December 2017
18. Planning Committee Confidential minutes of meeting held on 5 December 2017
19. Development Committee Confidential minutes of meeting held on 6 December 2017
20. Policy and Resources Committee confidential decisions resolved and minutes of meeting held on 7 December 2017
21. Tender for Microsoft Licensing Services

Matters for Information

**Minutes of Meeting of Mid Ulster District Council held on Thursday 23 November 2017 in the Council Offices, Circular Road, Dungannon**

**Chair:** Councillor Ashton

**Members Present:** Councillors Bell, Buchanan, Burton (7.08pm), Clarke, Cuddy, Cuthbertson, Doris, Elattar (7.02pm), Forde, Gildernew, Gillespie, Glasgow, Kearney, Mallaghan (7.24pm), McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, Molloy, Monteith, Mullen, Mulligan, J O'Neill, M Quinn, Reid, Robinson, J Shiels, G Shiels, Totten and Wilson

**Officers in Attendance:** Mr Tohill, Chief Executive  
Ms Campbell, Director of Leisure & Outdoor Recreation  
Ms Canavan, Director of Organisational Development  
Mr Kelso, Director of Public Health and Infrastructure  
Ms Mezza, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr JJ Tohill, Director of Finance  
Mrs Forde, Member Support Officer

The meeting commenced at 7pm

**C231/17 Apologies**

Bateson, Mallaghan and Milne

**C232/17 Declarations of Interest**

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

**C233/17 Chair's Business**

The Chair, Councillor Ashton referred to the Members Learning and Development programme and other training opportunities and encouraged Members to attend.

The Chair, Councillor Ashton reported that a meeting had now been scheduled for Friday 15 December 2017 at 2.30pm with the Department of Infrastructure to consult regarding the Minibus licensing issues and requested that Members notify their intention to attend.

*Councillor Elattar entered the meeting at 7.02pm*

**C234/17 Receive and consider minutes of matters transacted in "Open Business" at the Council meeting held on Thursday 26 October 2017**

Proposed by Councillor B McGuigan  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of the Meeting of the Council held on Thursday 26 October 2017 (C207/17 – C221/17 and C230/17), transacted in “Open Business” having been printed and circulated were considered and adopted.

**C223/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 7 November 2017**

Proposed by Councillor Gildernew  
Seconded by Councillor J Shiels and

**Resolved** That the Minutes of the Planning Committee meeting held on Tuesday 7 November 2017 (P151/17 – P157/17 and P166/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

**C234/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Thursday 9 November 2017**

Proposed by Councillor S McGuigan  
Seconded by Councillor Gildernew and

**Resolved** That the Minutes and recommendations of the Policy and Resources Committee meeting held on Thursday 9 November 2017 (PR195 /17 – PR205/17 and PR 225/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

**C235/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee held on Tuesday 14 November 2017**

Councillor Reid expressed concern regarding the issue of flyers in relation to the ‘Warm Home Scheme’ which the PCSP is involved in distributing to the elderly. The Councillor sought clarity regarding the criteria for distribution of the packs. The Director of Public Health and Infrastructure advised that the Public Health Agency funds the warm home packs and that an issue had been brought to his attention earlier in the day, which he was investigating.

**Resolved** That the Director of Public Health and Infrastructure to investigate recent issues concerning distribution of Warm Home Packs.

Proposed by Councillor McNamee  
Seconded by Councillor M Quinn and

**Resolved** That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 14 November 2017 (E271/17 – E297/17 and E307/17) transacted in “Open Business”, having been printed and circulated were considered and adopted.

**C236/17 Receive and consider the minutes, recommendations and Decisions Resolved transacted in “Open Business” at the Development Committee held on Thursday 16 November 2017**

Councillor McNamee drew attention to item D226/17 Motorsport Task Force and requested that the matter be deferred and placed on the Development Agenda for December. He stated that his reason was that he had people investigating the issue and would like to be 100% sure of the facts before progressing.

Councillor Wilson stated he had expressed concerns at the Development Committee that the Cookstown 100 which brought thousands to the area had not been included and stated that the resolve at the Committee had depicted that a report be brought back to the meeting on the issues raised and thus he would propose that it was not deferred.

**Proposal One**

Proposed by Councillor McNamee  
Seconded by Councillor Bell

That D226/17 Motorsport Task Force be deferred back to the committee.

**Proposal Two**

Proposed by Councillor Wilson  
Seconded by Councillor Cuddy

That the resolve of the committee stand and the matter not be deferred.

The Chair, Councillor Ashton called for a vote on proposal one

|         |    |
|---------|----|
| For     | 16 |
| Against | 13 |

**Resolved** That D226/17 Motorsport Task Force be deferred back to the committee.

In response to Councillor McGinley’s question the Chair, Councillor Ashton clarified that the matter would be now be referred back to the development committee.

Proposed by Councillor McNamee  
Seconded by Councillor Doris and

**Resolved:** That the Minutes, recommendations and decisions resolved of the Development Committee meeting held on Thursday 16 November 2017

(D216/17–D239/17 and D246/17) transacted in “Open Business”, having been printed and circulated, subject to the foregoing were considered and adopted.

## **C237/17      Conferences and Seminars**

Approval was sought for undernoted conferences for attendance of Members and council officers outlined in the report, the payment of attendance fees and associated costs as incurred.

- (i)      Member Approvals
  - Digital Government 2017 Theme Towards Smarter Public Services, Guildhall, Derry/Londonderry, Tuesday 5 December 2017, Cost £195+ vat, accommodation, travel and subsistence
- (ii)     Officer Approval

| Conference & Seminar                                       | Date     | No. of Attendees | Location | Attendance Fees |
|------------------------------------------------------------|----------|------------------|----------|-----------------|
| People and OD Conference: The HR Transformation Challenges | 5.12.17  | 2                | Belfast  | No              |
| NI Public Sector Chairs' Forum                             | 30.11.17 | 2                | Belfast  | Yes             |

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

*Councillor Burton entered the meeting at 7.08 pm*

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

## **C238/17      Consideration of Requests for Civic Recognition**

The Head of Democratic services drew Members attention to the previously circulated report and sought approval for civic recognition requests for those groups and individuals listed in line with Council Receptions Policy.

Proposed by Councillor J O'Neill  
Seconded by Councillor M Quinn and

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

## **C239/17      Response to Mineral Development Consultation**

The Planning Manager drew attention to the previously circulated report and advised that from a planning perspective there would be no issue but as in earlier consultations Council would have to consider the impact on the community. The Planning Manager suggested that Council may wish to adopt the same line as for previous applications and object on the grounds that granting the licence would cause division in the community and conflict amongst neighbours.

Councillor Bell stated that he would like the response to include that it was unknown how much water would be used and that there may be detrimental effects to the environment highlighting an example at Greencastle where a prospector dug up 15k tonne of earth which was removed in 1800 tipper loads and was shipped to Canada. The Councillor emphasised that it was unacceptable as no developer would be permitted to carry out such actions. He reiterated that an environmental impact assessment should be carried out and highlighted that there would be no benefits to the communities and families and neighbours often turned against each other. The Councillor further highlighted that any metals extracted goes to the Crown Estate and that the resources of the Island should be for the people of the Island.

Councillor Clarke concurred with Councillor Bell and emphasised that prospecting was really to gain and build up an expertise of knowledge. He stated that there would be no local gain and the area should be left alone.

Councillor Monteith supported what had been said and drew attention to Council's involvement in the Mid Ulster Business Awards whereby Dalradian Gold had sponsored the Community Award and whilst he was keen that Council should invest in events showcasing local business talent given Council's position and the fact that the company activity caused division in the community Council should be mindful who fellow sponsors were.

The Chair Councillor Ashton stated that she had attended the Mid Ulster Business Awards and only became aware that the company was a sponsor when she received the programme the day prior to the event. The Chair emphasised that council had no input in choosing sponsors.

Proposed by Councillor Monteith  
Seconded by Councillor Bell and

**Resolved**      That Council investigate events and their sponsors prior to agreeing contributions of either support or sponsorship.

Councillor McLean expressed concern that Council adopt a 'blanket ban' approach and stated that perhaps discussion with party leaders should take place on how to progress such matters. Councillor McLean advised that there are a number of locations in the Republic of Ireland where extract of minerals had been prosperous, and benefited the local economy and improved areas through creation of employment. The Councillor stated that some may not thank Council for a 'blanket ban' approach and emphasised the need for sensible conversations and a plan to

incorporate and consider all options. He stated that this may be something that would set a standard for the province and the matter should be placed on a future agenda.

The Chair, Councillor Ashton advised that the response had to be submitted by 27 November 2017.

The Planning Manager stated that Council should consider contacting the Department for the Economy and suggested that a working group be formed to gain better knowledge. He stated that the Department would confirm that knowledge base is small and prospecting assists it but emphasised that it was clear there was a large element of fear and greater understanding was required. The Planning Manager again stated that Council should request the Department to formulate a working group to attain further understanding.

Councillor McLean stated that he would not disagree but emphasised that people on this site are the decision makers and the fear arising in the Chamber comes from the electorate. He stated that Council needed to have the discussions to define a way forward.

Proposed by Councillor McLean  
Seconded by Councillor Wilson

That prospecting be placed on a future agenda.

Councillor Wilson stated that the issue was always a divisive one and a way forward needed to be found. Councillor Wilson asked if the response must be in by 27 November.

The Chair, Councillor Ashton stated that an extension had been received and 27 November was the deadline.

Councillor Bell stated he would object to the licence based on the information aforementioned and again made mention of the damage to the environment caused by prospecting.

Councillor Bell objected to Councillor McLean's proposal.

Councillor McLean stated that if Council was mindful to refuse the current application he had no issue and advised his proposal related to future applications.

Councillor Wilson concurred.

Councillor Bell retracted his statement of objection

**Resolved** That prospecting be placed on a future agenda for discussion on way forward.

*Councillor Mallaghan entered the meeting at 7.24pm*



Councillor McGinley stated that the information contributed to the discussion by Councillor Bell should be incorporated in Council's response and that Council should be open for future conversations.

Proposed by Councillor Bell  
Seconded by Councillor McGinley and

**Resolved** That the proposed response to the Consultation be that Council objects to the application on the grounds that granting the licence would cause division in the community and conflict amongst neighbours and would be detrimental to the environment as outlined during discussion by Councillor Bell.

## **Matters for Information**

### **C240/17 Consultations notified to Mid Ulster District Council**

Councillor Burton expressed her thanks to officers regarding the response to the Mini Bus licensing consultation and advised that NILGA had also responded to the consultation a copy of which she would share with officers.

Councillor Monteith proposed that Council prepare a response to the Department of Communities consultation regarding the 'Changes to the Affordable Warmth Scheme'. He stated that good work is carried out through the scheme and proposed that Council should initiate a meeting for both Members and community groups to consult with the Department of Communities.

Proposed by Councillor Monteith  
Seconded by Councillor Reid and

**Resolved** That

- (i) Council prepare a response and initiate a meeting for both Members and community groups to consult with the Department;
- (ii) previously circulated paper on consultations notified to Mid Ulster District Council was noted.

### **C241/17 Correspondence**

The Head of Democratic Services drew attention to the correspondence received from NIPSA in relation to the closure of the Omagh Electoral Office and an extract of a previous response completed by Council.

Councillor Monteith stated that he thought Council should reiterate their response. He further emphasised that if Electoral Offices were to close that Council should state the position again that services for example issue of identification cards be available at Council offices.

The Chair, Councillor Ashton requested that the draft response be issued to Members.

The Head of Democratic Services stated that the response would be as previous with the comments of the meeting included.

**Resolved** That

- (i) Council forward a letter to the Chief Electoral Officer reiterating Council's stance in relation to the likely closure of Omagh Electoral Office and place emphasis that with resources Council would offer electoral services to the public for example issue of Electoral ID cards; and
- (ii) the previously circulated paper on correspondence to Council was noted.

#### **C242/17 Consideration of Motion**

#### **C242.1/17 Councillor Doris to move**

Councillor Doris read the motion as undernoted:

*"That this Council supports the Right to Work: Right to Welfare (R2W) groups 'People's Proposal' aim at introducing a simple but vital checklist for social security decision makers. This Council supports this aim and will write to the Permanent Secretary for the Department of Communities calling for the issuance of guidance to all Decision Makers, requiring them to ensure that due process and impact assessments are undertaken and full complied with in the decision-making process."*

Councillor Doris stated that in her role as a Councillor particularly working in an economically deprived area of Coalisland she had witnessed at first hand the devastating impact that people have suffered both physically and mentally due to having their benefits stopped. The Councillor stated that in 2015, over 20,000 people across the North of Ireland had their benefits stopped due to 'adverse decisions and sanctions'. She advised that the overwhelming majority of people in receipt of benefits, including those she helped on a daily basis were vulnerable people, many of whom suffer from mental health issues. Councillor Doris explained how she had witnessed their health deteriorating further with the stress, worry and anxiety of having their benefits cut off.

Councillor Doris explained that the People's Proposal creates a simple checklist for social security decision makers which if implemented would protect people's right to timely information, consultation, representation and full consideration of all the evidence presented to the social security office. She further advised that it would protect people's rights to an impact assessment prior to a financial sanction being imposed in order to determine the likely impact of an individual and their family.

Highlighting the failure of the current culture of 'guilty until proven innocent' or 'sanction first and investigate later' Councillor Doris stated that in too many cases in

her own constituency she had witnessed unnecessary upset and distress to the most vulnerable in society. Councillor Doris emphasised that this was reflected in the increase reliance of food banks, the increasing homelessness and the deterioration of many peoples physical and mental health.

Councillor Doris appealed to fellow Councillors to support the motion as a matter of urgency to protect the human rights of the most vulnerable in society.

Councillor Gildernew seconded the motion stating that all could concur that a lot of people were in serious difficulties as a result of current practise.

Councillor McLean stated that if there was an Assembly at Stormont the bread and butter issues could be addressed in the right place.

Councillor M Quinn stated that the current situation directly effects the most vulnerable and that the SDLP had met with Citizens Advice Bureaus and other advice centres and the stories were consistent that PIP left people feeling degraded and humiliated. He highlighted that many with complex issues had appointments cancelled and that people with neurological disorders were being assessed by non-medical staff. He emphasised that it was a Tory driven assault on the people.

Councillor M Quinn proposed the undernoted amendment:

*That this Council supports the Right to Work: Right to Welfare (R2W) groups 'People's Proposal' aim at introducing a simple but vital checklist for social security decision makers. **This Council notes that many Social Security Assessments are causing severe stress to those most in need of our support and calls for urgent intervention to address serious concerns about the operation of these assessments.** This Council will write to the Permanent Secretary for the Department of Communities **calling on him to instigate an urgent review of the assessment process and** to issue guidance to all Decision Makers, requiring them to ensure that due process and impact assessments are undertaken and fully complied with in the decision-making process."*

Councillor Kearney seconded the amendment stating that the SDLP were encouraging people to assert their rights and speaking of the division referred to by Councillor Doris he emphasised that people needed to be respected and treated with dignity. He stated that families with children are the hardest hit and referred to the confusion the current practices were causing emphasising that one million people were being pushed into poverty and foodbanks were in constant demand. Councillor Kearney asked how people with severe conditions were expected to go through the ordeal and emphasised that a more pragmatic approach was required. Councillor Kearney stated that Council should come together to send out a strong message in relation to the current practise siting the example that he had been contacted by a person suffering from anxiety who had four different dates to attend appointments.

Councillor Monteith stated he had no problem with either of the proposals and referred to the legacy Council of Dungannon who periodically hosted a meeting with Councillors, Citizens Advice Bureaus and Advice Workers to talk directly to the decision makers Councillor Monteith then shared an experience when he had spoken

to a gentleman suffering from multiple sclerosis for the past 12 years who is confined to a motorised wheelchair in his own home. He stated that the gentleman has had a care package in place whereby carers attend him four times a day and that he received maximum rate of the disability living allowance. Councillor Monteith shared that the gentleman had been advised he was to be assessed for 'PIP', that his wife had completed the form for him as he was unable to hold a pen, enclosed with the return was letters from the social worker, details of the current care package, the MS Support group, the GP, the district nurse and details of various occupational health annotations. With all of this Councillor Monteith explained that the gentleman who is a proud man had a face to face assessment in his own home and was asked to prove if he could life a knife and fork! Councillor Monteith emphasised that this was wrong that it was not about saving money but is an ideological attack on the most vulnerable in our society.

The Chair, Councillor Ashton called for a vote on the amendment.

For                37

Thus the amendment was accepted.

Councillor Ashton called for a vote on the motion with the amendment.

For                34  
Abstained       3

The Chair, Councillor Ashton stated that the motion as undernoted was carried.

*That this Council supports the Right to Work: Right to Welfare (R2W) groups 'People's Proposal' aim at introducing a simple but vital checklist for social security decision makers. This Council notes that many Social Security Assessments are causing severe stress to those most in need of our support and calls for urgent intervention to address serious concerns about the operation of these assessments. This Council will write to the Permanent Secretary for the Department of Communities calling on him to instigate an urgent review of the assessment process and to issue guidance to all Decision Makers, requiring them to ensure that due process and impact assessments are undertaken and fully complied with in the decision-making process."*

Councillor Doris thanked Members for supporting the motion and referring to the story shared by Councillor Monteith stated that the worst part of it was that working in the community this did not shock her.

#### **C242.2/17    Councillor Cuthbertson to move**

Councillor Cuthbertson drew attention to the undernoted motion highlighting that he had brought a similar motion in 2015 which at that time had fallen but advised Members that unfortunately the situation had not gone away and the PSNI could confirm the instances of theft and damage as highlighted.

*That Mid Ulster District Council seek a meeting with the Department of Infrastructure to discuss the continued thefts from, and damage to, vehicles using the park and ride facilities in the Mid Ulster Area, and also calls on the Department to install CCTV Cameras at all Park and Ride Facilities across the Mid Ulster Area.*

Councillor Forde seconded the motion and reported that there had been an incident in Maghera 'park and ride' whereby the wheels had been removed from a car. Councillor Forde emphasised that the 'park and ride' areas were very dark and in speaking to the local PSNI sergeant he had indicated he would welcome CCTV cameras. Councillor Forde concluded that people should be able to park their car

Councillor McPeake advised that he had raised the incident in Maghera at the PCSP meeting the previous week and highlighted that there had been a number of serious break-ins which were disgraceful. Speaking of the incident in Maghera where a car had been left on blocks he advised that the incident had been brought to the attention of the PSNI Area Commander who was very supportive regarding the introduction of CCTV cameras. Councillor McPeake spoke of the Department of Infrastructures current stance which reflected a change of heart but stated whilst he agreed the situation was dreadful that the discussion was in the wrong forum and should be referred back to the PCSP.

Councillor Reid concurred with Councillor Peake and advised that the Department of Infrastructure had recently advised that they will allow the cameras to be installed but would not finance them. He further stated that there was a meeting scheduled with Transport NI to secure a date for the cameras but advised there may be funding issues. Councillor Reid emphasised that Councillor Cuthbertson is a member of the PCSP yet continually tries to undermine their work and reiterated previous comments that the PCSP should be the discussion forum for the matter.

Councillor Kearney spoke of the carparks within his district electoral area and advised that Transport NI had stated it was a policing matter but highlighting the point that Councillor Forde had made stated who wants to park a car and come back to find it sitting up on bricks. He further stated that the PSNI, Translink, Council and the Department of Infrastructure should all contribute to the cameras if they want to attract people to the district and to use the facilities it boasts.

Councillor Reid stated that it may be of benefit if the Chief Executive sent a letter on behalf of Council stressing the urgency of the matter and necessity of what PCSP is endeavouring to achieve.

Councillor Cuthbertson stated that this was a big problem, it was a problem in 2015 and is still a problem he stressed that the public have lost confidence in these facilities. He further advised that transport NI come to council with reports that they are introducing more such facilities but they will not be used unless there is CCTV installed. He referred back to 2015 when he brought a similar motion which had fallen and stated that it would appear that the rejection was of the messenger not the message. Councillor Cuthbertson stated that Council had a role to play in the matter as well as the PCSP he highlighted an example that in Lisburn Transport NI paid for the cameras but the Council was involved in discussions re monitoring.

The Chair, Councillor Ashton put the motion to a vote

For 8

Against 21

Abstained 8

*The Chair Councillor Ashton stated that the motion had fallen.*

### **Confidential Business**

Proposed by Councillor J Shiels  
Seconded by Councillor Molloy and

**Resolved:** That items C243/17 – C 251/17 be taken as confidential business.

- (i) Minutes taken as confidential business at the Special Planning Committee (Development Plan) on Tuesday 17 October 2017
- (ii) Minutes taken as confidential business at the Council meeting held on Thursday 26 October 2017
- (iii) Minutes taken as confidential business at the Special Planning Committee (Development Plan) on Thursday 2 November 2017
- (iv) Minutes taken as confidential business at the Planning Committee held on Tuesday 7 November 2017
- (v) Minutes taken as confidential business at the Policy and Resources Committee held on Thursday 9 November 2017
- (vi) Minutes taken as confidential business Environment Committee held on Tuesday 14 November 2017
- (vii) Minutes taken as confidential business and Decisions Resolved at the Development Committee held on Thursday 16 November 2017

*The public and press left the meeting at 7.52 pm*

*Councillor Monteith left the meeting at 7.53pm*

### **C252/17 Duration of Meeting**

The meeting was called for 7pm and ended at 8.10pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**Minutes of Special Meeting of Mid Ulster District Council held on Thursday 30 November 2017 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Ashton, Chair

Councillors Buchanan, Burton (7.05pm), Cuddy, Doris, Gillespie, McAleer (7.07pm), Mullen, Reid and Wilson

**Officers in Attendance:** Mr M Kelso, Director of Public Health and Infrastructure  
Mr Adrian McCreesh, Director of Business and Communities  
Mrs E Forde, Member Support Officer

**In Attendance:** **Southern Health and Social Care Trust & Southern Local Commissioning Group**

Stephen McNally, Acting Chief Executive  
Melanie McClements, Acting Director of Older People and Primary Care  
Presenting Gerard Rocks, Assistant Director Health and Wellbeing

**Northern Health & Social Care Trust & Northern Local Commissioning Group**

Oscar Donnelly, Director of Mental Health, Learning Disability and Community Wellbeing  
Phil Hughes, Director of Community Care

*Councillor Burton arrived at 7.05pm*  
*Councillor McAleer arrived at 7.07pm*

**SC35/17 Apologies**

Councillors Bateson, Bell, Clarke, Cuthbertson, Elattar, Forde, Gildernew, Glasgow, Kearney, Mallaghan, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Milne, Molloy, Monteith, Mulligan, O'Neill, M Quinn, Robinson, G Shiels and Totten

**SC36/17 Declarations of Interest**

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

**SC37/17 Chair's Business**

The Chair, Councillor Ashton acknowledged that the attendance was just reaching the quorum level and with this in mind stated that both presentations would be heard followed by a question answer session.

### **SC38/17      Health and Social Care Trusts & Local Commissioning Group**

The Chair Councillor Ashton welcomed representatives of the Southern Health and Social Care Trust (SHSCT) to the meeting. Ms McClements and Mr Rocks delivered a presentation to the meeting. (Appendix one)

The Chair Councillor Ashton welcomed representatives of the Northern Health and Social Care Trust (NHSCT) to the meeting. Mr Donnelly and Ms Hughes delivered a presentation to the meeting. (Appendix two)

The Chair, Councillor Wilson thanked the SHSCT and the NHSCT for their presentations and expressed her thanks to the front line staff from both Trusts who delivered services throughout the district. The Chair invited Members questions.

*Councillor Burton declared an interest in Agewell and also the Community Plan thematic group Vibrant and Safe Communities.*

Councillor Burton thanked both Trusts for their presentations and drew attention to the delivery of care in the home. The Councillor advised that she represented the Clogher Valley area which was geographically rural and thus received queries regarding care packages, the timing in relation to processes in the establishment of the care package, care in nursing homes and bed blocking as a result of delays. With regard to the increase in birth rates Councillor Burton stated that apparently the Southern Trust area was the highest in relation to caesarean sections and asked if there was a birth choice clinic that promotes natural births and related neonatal care.

In response Ms McClements stated that in relation to care packages in the community there were struggles as some clients may require 50 hours per week and others 5 hour per week. It was highlighted that the SHSCT offer the package to independent providers, who are approached in turn, they are permitted 15 minutes to accept the work and if there is no response the Trust contacts the next provider. Ms McClements acknowledged it was particularly difficult for both the Trust and Independent sector to attract the domiciliary care workers required and emphasised that it was an aging workforce. In relation to bed blocking Ms McClements agreed time taken to organise relevant care packages did block beds but that the Trust endeavoured to make the process as swift as possible as delays have no advantage for either party. Ms McClements highlighted that currently she knew of two patients who had remained in hospital yet fit to go home but relevant care packages was not in place. In relation to care homes Ms McClements stated that they too are struggling with workforce issues and achieving standards. Ms McClements advised that on occasions patients are released into care homes prior to returning home.

Ms McClements spoke of the acute care service delivering care in the home and stated that areas of South Down, South Armagh and the Clogher Valley were the last



areas to have the service rolled out and stated it was hoped to have teams, for example, day care enabling teams and dementia teams in place by March 2018. In response to the question surrounding birth rates and caesarean sections Ms McClements stated that the higher birth rate was challenging. Ms McClements also stated she would come back to the Member regarding caesarean sections as she was not in a position to comment other than to acknowledge that all decisions were based on what was best for mother and child and confirmed that the Trust worked to a 'Woman and Family Choice' model.

Councillor Wilson stated that the minor injuries unit provided by the SHSCT in Dungannon was an excellent service and an asset to the people of Cookstown. He also acknowledged that the SHSCT were excellent in keeping Members informed of current situations even though his constituency falls within NHSCT.

Councillor Wilson thanked both Trusts for the presentations but stated that they come on the heel of the proposed cuts and highlighted that Members had attended meetings in relation to same. He further acknowledged that all services highlighted were money driven and welcomed the proposed plans for the revamp of the mental health unit. In relation to the Westland site in Cookstown, Councillor Wilson sought clarity regarding future plans and services.

In response, Mr Donnelly emphasised that the revamp of the mental health unit business case had been submitted to the Department for Health and the NHSCT were awaiting outcome and highlighted that Members support would be welcome. With regard to the Westland site he confirmed that the potential investment in Westland would be in relation to community services and that it was the plan of the NHSCT that all main towns would boast a health and wellbeing centre similar to that in Ballymena. Mr Donnelly emphasised that plans could not come to fruition until there was a Minister in place thus he could not comment on time frames.

Councillor McAleer thanked both Trusts for their presentations and drew attention to domiciliary care packages stating that in speaking to families when acute care was needed, followed for example by nursing home care, people were complaining that they were losing their care packages and asked if personalised budgets was the problem. In relation to workplace health and wellbeing Councillor McAleer asked if the Trusts invested in their own staff health and wellbeing.

Ms McClements, advised that when patients are rehabilitating the first option is to provide relevant domiciliary in their own home but sometimes an interim option is residential homes which is referred to as a 'step down bed' and during this process there was a risk that the current care provider would accept new clients. Ms McClements explained there was a lot of good will but if the acute care was prolonged it presents challenges. In relation to personal budgets Ms McClements stated she could not make comment. With regard to Health and Wellbeing of staff Ms McClements advised there was currently a consultation with regard to same and there was a focus group on health and wellbeing.

Mr Donnelly stated that within the NHSCT region there was a dedicated resource and a range of support programmes. He highlighted examples of staff of adult centres attending 'away days' to focus on their health and wellbeing.

Ms Hughes in relation to domiciliary care issues concurred with the comments of the SHSCT but stated that they have retained 50% of domiciliary care provision in house thus it helped in preventing breakdown of care package provisions.

*Councillors Wilson and Reid left the meeting at 7.59pm*

The Chair Councillor Ashton thanked the Trust representatives and Members for attending the meeting. The Chair advised the meeting would have to close to as there was no longer a quorum.

**SC39/16      Duration of meeting**

The meeting was called for 7.00pm, commenced at 7.08pm and ended 7.59pm

**CHAIR**

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**DATE**

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**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Monday 4 December 2017 in Council Offices, Ballyronan Road,  
Magherafelt**

**Members Present**

Councillor McGinley, Chair

Councillors Buchanan, Burton (7.19 pm), Cuthbertson,  
Kearney, McFlynn, B McGuigan, S McGuigan, McNamee,  
Mulligan, O'Neill (7.18 pm), Reid (7.05 pm)

**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  
Mrs Grogan, Committee Services Officer

**In Attendance**

**Deputation – Department of Infrastructure - Roads**

Mr Alan McMurray, Network Maintenance Manager  
Ms Tracy Bratton, Network Development Engineer  
Mr Gerry Hackett, Network Maintenance Section Engineer  
Mr Neil Bratton, Network Maintenance Section Engineer

The meeting commenced at 7.00 pm

**E308/17      Apologies**

Councillors Glasgow and M Quinn.

**E309/17      Declarations of Interest**

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

**E310/17      Chair's Business**

The Chair welcomed David to the Environment Committee Meeting and advised that he was in attendance tonight as he was a keen Environmentalist and was keen to see how the meeting was conducted.

Councillor Cuthbertson referred tomorrow night's scheduled meeting due to take place in Dungannon on Off Street Carparking and raised concern as it was also the Development Committee meeting in Magherafelt and this will result in some members being unable to attend. He said that more consideration needed to be given when arranging meetings as too not clash with other meetings.

The Director of Environment & Property advised that it was difficult to get a date that doesn't clash with other meetings and was working around the availability of the Consultant. He said that it was an information meeting to keep members who were in attendance up to date.

Councillor Mulligan said that he wanted to show his appreciation to the Director of Environment & Property and his team on the good work carried out in Augher.

Councillor Kearney passed on condolences to the Director of Environment & Property on the recent death of his mother.

### **E311/17      Deputation – Department of Infrastructure – Roads**

The Chair, Councillor McGinley welcomed to the Committee representatives from the Department of Infrastructure, who were in attendance to provide an update on the Local Transport and Safety Measures, Bridges and Street Lighting Draft Programme for the Mid Ulster District Council Area for the period 2018 -2020.

Mr McMurray and Ms Bratton brought members through the report and advised that the draft programme contained proposed schemes generated by requests for improvements from the public, public representatives and schemes identified within Department for Infrastructure Roads. All the proposed schemes had been assessed in accordance with current procedures and were considered to be high priority and represent good value for money. The assessment procedure takes into account a number of factors including cost, traffic volumes and collisions.

The Department of Infrastructure Roads aims to deliver schemes within this programme but it was dictated by availability of funding and based on current funding levels; it will only be possible to deliver a small number of these schemes over the 2018-2020 period, but that the Division would however continue to bid for additional funding and plan ahead by developing schemes in terms of design and land acquisition to ensure that they are well placed to utilise additional funding should it become available.

*Councillor Reid entered the meeting at 7.05 pm.*

The Chair thanked Mr McMurray and Ms Bratton for their informative presentation and asked for Members comments or suggestions.

Councillor McNamee referred to the traffic calming initiative at Fairhill, Cookstown and advised that it was important that this be brought forward as a matter of urgency.

He also referred to projects for bringing schemes forward and in particular the Cookstown bypass and enquired what was happening with this as the Minister had indicated that funding had been secured.

Mr McMurray advised that he wasn't sure if funding was available at this time to the Department but would investigate the issue and forward on an update to the Committee.

Councillor Cuthbertson referred to the issue raised at the DEA meeting regarding Bush Road and enquired if there was any update on the matter.

Ms Bratton advised that presently that there was no further update but that consideration has been given to bidding for the purchase of the property and that this was progressing.

Councillor Cuthbertson stated that cycling had become very popular and that it was important to progress this as it was the way forward, but was curious to know why Killyman Road had a funding allocation of £120k and Augher to Clogher were being awarded a funding allocation of £150k. He said that in his view the Augher to Clogher roadway had the advantage of having footpaths implemented, which should have cut the cost unlike the Killyman Road where cycle provision was much needed.

Ms Bratton agreed that cycling had been very popular in Northern Ireland and that this comes out of an available funding budget.

*Councillor J O'Neill entered the meeting at 7.18 pm.*

*Councillor F Burton entered the meeting at 7.19 pm.*

Councillor McFlynn referred to Wood Primary School in Magherafelt and advised that this site was very dangerous and needed dealt with as a matter of urgency.

Ms Bratton advised that it was anticipated to have the scheme completed by the end of March 2018.

Councillor McFlynn referred to Doctor's Bridge, Cookstown Road, Moneymore and enquired if enough was being done to progress this.

Ms Bratton stated that she wasn't sure where Doctor's Bridge was at in terms of priority as there was little budget, but would endeavour to get an update.

Councillor B McGuigan referred to Boherdaile Bridge, Cloane Road, Moneyneany and said that it was on the schedule to replace the existing bridge parapet fencing and repair inverts. He said that he would be concerned as his fear would be that the decking on the bridge may drop down and wouldn't want money spent if further works had to be carried out.

Ms Bratton stated that she would follow the issue up.

Councillor Burton advised that she had received two different phone calls over the weekend regarding Legaroe Road, Ballygawley on the poor state of the road. She said that the people of the area were infuriated due to the large amount of potholes and dirt on the road and that they were previously assured that this would be sorted and to date this hasn't been the case.

Ms Bratton said that she would record concerns raised.

The Chair thanked the representatives from Roads Service for their attendance and said that it very worthwhile that they had a working relationship with the DEAs.

The representatives left the meeting at 7.30 pm.

### **Matters for Decision**

#### **E312/17      Environmental Services Proposed Scale of Charges for 2018/19**

The Head of Environmental Services drew attention to the previously circulated to seek approval for a proposed scale of charges in relation to Environmental Services for the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

Councillor Cuthbertson enquired how much a 240L bin actually costs the Council.

The Head of Environmental Services advised that the cost of a bin was £18.00 but that this could increase.

In response to Councillor Reid's query about collection of bins, the Head of Environmental Services stated that most members of the public collect their bin from Council depots, but in the case of delivery it costs £9.00 to deliver a bin or more than one to an address.

Proposed by Councillor McNamee  
Seconded by Councillor Reid and

**Resolved:** That it be recommended to the Council to approve the proposed scale of charges as outlined.

#### **E313/17      Property Services Scale of Charges for 2018/19 - Cemeteries**

The Head of Property Services drew attention to the previously circulated report to seek approval for proposed scale of charges in relation to Operational Cemeteries for the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

Proposed by Councillor Buchanan  
Seconded by Councillor S McGuigan and

**Resolved:** That it be recommended to the Council to approve the proposed scale of charges for Council Cemetery operations for the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

#### **E314/17      Correspondence to Committee**

The Director of Environment & Property drew attention to the previously circulated report to seek approval in relation to:

- a) Request from NILGA to seek the support of the Council in nominating Castlecaulfield to represent Northern Ireland in the 'Village' category of the 2018 Royal Horticultural Society, Britain in Bloom Competition.

- b) Seek the Committee's views in relation to a request from Antrim and Newtownabbey Borough Council in relation to participate in a collaborative approach to the delivery of a Crematorium at Ballyearl, Doagh Road, Newtownabbey.

Proposed by Councillor B McGuigan

Seconded by Councillor Burton and

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

- a) Supporting the request from NILGA to nominate Castlecaulfield to represent Northern Ireland in the 'Village' category of the 2018 Royal Horticultural Society, Britain in Bloom Competition
- b) The Director of Environment & Property seeking further information in relation to the proposals of Antrim and Newtownabbey Borough Council and bring back a detailed report on the matter on the matter to a future meeting of the Environment Committee.

Councillor McNamee said that he was supportive of Castlecaulfield and Donaghmore being recommended for Britain in Bloom, but would like Officers to showcase other areas, including places where new Public Realm Schemes have taken place ie. Dungannon so that a competitive edge can be there for the spring time.

### **E315/17      Update Report on Old Burial Grounds**

The Head of Property Services drew attention to the previously circulated report to provide an update to members on the Old Burial Grounds in Mid Ulster District.

Councillor Burton enquired if there was any consultation with other areas and in particular, Clogher Graveyard as it was linked to the Cathedral. She said that this Council was trying to build up the issue of history and as Clogher was the oldest Cathedral, that careful consideration should be given to this issue. She advised that she would be concerned that this wasn't a good way to proceed for Mid Ulster and that more work needed to be done.

Councillor Burton also referred Aghaloo Graveyard and stated that this one was still being maintained and still has graves opened. She said that she was aware of one person advising that they were going to raise a complaint as there was limited access for family members and the elderly and the lack of proper bins for dead flowers etc.

The Head of Property Services said that no consultation had taken place with respective Churches and that the Council's review focused mainly through the Legal and Historical Environment within the Department of Communities and exercise on site. He said that the focus was on sites within Council maintained sites in previous stance in grounds maintenance.

In referring to Aghaloo Graveyard, the Head of Property Services advised that the Council had no management in these particular cemeteries and that he was aware of an issue with access and that it was never going to be up to a standard for a disability issue.

Councillor Burton said that an argument could be raised around the Health and Safety of Council Officers and that she would be equally concerned about people visiting graves and would be recommending to go the extra mile on this issue.

Councillor S McGuigan said that if we do accept the recommendation, there would be a need to liaise with the bodies of Churches responsible for insurance purposes as this could be a potential problem. He requested that sites are properly insured as there was a problem regarding one site within the legacy Dungannon Council.

The Head of Property Services advised that the rule of thumb was that if we don't own the lands then it wasn't the Council's responsibility.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Burton and

To defer the recommendation until further discussion was held with representatives of Churches in the New Year.

Councillor Mulligan stated that the cemetery in Clogher was extremely old and that a lot of people were buried there who suffered in the time of the famine. He said that Clogher would have been the only cemetery which was operational and that only a section of it was maintained by the legacy Dungannon Council. He stated that some representatives from the Heritage group had made recommendations that the site be classed as one of the most historical. He also raised concern regarding one part of the old workhouse as part of the wall had been damaged. The graveyard at Killeeshil had a section maintained at the reformation and represents everyone across the community and would be supportive of the proposed recommendation of carrying out research beforehand.

**Resolved:** That it be recommended to the Council to carry out further research on the matter and bring back findings to a future meeting.

### **E316/17      Street Naming Report**

The Head of Building Control drew attention to the previously circulated report to ask members to consider the street naming of a new residential housing development within Mid Ulster as follows:

#### **Site off Roskeen Road, Moygashel, Dungannon**

Options for consideration in relation to a new street within the development:

1. Roskeen Drive
2. Roskeen Close
3. Roskeen Avenue

Councillor Reid proposed Roskeen Avenue.



Councillor Cuthbertson said although it wasn't a huge issue, there were quite a few Avenues around the same area and suggested Roskeen Close.

Councillor Reid said that he was happy to support Councillor Cuthbertson's proposal.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Reid and

**Resolved:** That it be recommended to the Council that approval be given to naming the development Roskeen Close.

### **E317/17 Renaming and Renumbering Existing Streets**

The Head of Building Control drew attention to the previously circulated report to advise members on the result of a survey undertaken on all applicable residents on the street/road in response to the Renaming and Renumbering of an existing street request.

Councillor Reid said that there would be a lot of disappointed people and that he had raised the issue a few months ago as there was a similar name in Coalisland.

Proposed by Councillor McNamee  
Seconded by Councillor S McGuigan and

**Resolved:** That it be recommended to the Council that approval be given to noting the contents of the report and to confirm the Street name of Lough Terrace, Newmills, Dungannon remains unchanged in accordance with Council Policy. A letter of confirmation to be issued to respondents highlighting reasons for the name.

### **E318/17 Dual Language Signage Request**

The Head of Building Control drew attention to the previously circulated report to advise members of requests received for Dual Language Signage from residents on the streets/roads in question.

Councillor Cuthbertson enquired if the reasons received were all on the same template.

The Head of Building Control advised that he couldn't be sure as they were handed into reception at the Magherafelt office.

Proposed by Councillor McNamee  
Seconded by Councillor O'Neill and

**Resolved:** That it be recommended to the Council that approval be granted to noting the contents of the report and agree to proceed to survey.

## **E319/17      Dual Language Signage Survey**

The Head of Building Control drew attention to the previously circulated report to advise members on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplates requests.

Proposed by Councillor McNamee  
Seconded by Councillor S McGuigan and

To accept the recommendation to approve dual language nameplates as proposed.

Proposed by Councillor Cuthbertson  
Seconded By Councillor Buchanan

To reject the recommendation.

The Chair stated that he would be adhering to the Council's Standing Orders and would not be taking Councillor Cuthbertson's proposal.

Councillor Cuthbertson stated that the issue should not be controversial and that everyone had the right to bring forward a proposal to any committee.

Councillor B McGuigan referred to vandalism of dual language nameplates in Desertmartin, Draperstown, Magherafelt and Maghera areas and stated that Mid Ulster Council had a duty to deliver dual language and signage to the people of the district. He said that there was an onus on the Council to keep signs readable and this was not the case as some signs were very badly damaged. He said that he found it strange that nameplates were not damaged up until now and would be of the opinion that some elements within this Chamber opposed the inclusion of dual language on signage. He stated that he would not be standing by and seeing this happen as he would be requesting that the Council repair the signs or in some instances replace them as Policy is now in place for dual language.

Councillor Reid stated that he wanted his name removed from Councillor B McGuigan's remark as he had no issue with dual language signage. He said that nameplates had been damaged for years and that Councillor Glasgow requested a report on costings on outside bodies coming in to repair or replace them and recommended putting this on hold until a report on costings was provided to inform members.

The Chair stated that he was satisfied that we were acting within Policy and that objections would be noted.

In response to Councillor Reid's request on costings, the Chair stated that costings had already been issued to members and if the Councillor so wishes, these can be reissued and if he still wasn't satisfied, a report could be prepared.

Councillor Reid stated that he would inform Councillor Glasgow of the outcome of the matter.

The Chair enquired from Councillor Cuthbertson, on what grounds he would like a vote to be taken against the Officer recommendation.

Councillor Cuthbertson stated that 39 were in favour and 21 against for Dual Language Signage Nameplates at Killyliss Road and would be concerned about costs and that was his reason for not going along with the recommendation.

The Chair stated that as a request has been made for a vote on the recommendation that he would accept the call.

Those in favour of Councillor Cuthbertson proposal to reject the recommendation:

In favour - 3  
Against - 6

Those in favour of Councillor McNamee's proposal to accept the Officer recommendation:

In favour - 6  
Against - 3

**Resolved:** That it be recommended to the Council that approval be granted to members noting the content of the report and agree the application of Dual Language Nameplates in Irish for:

- 1. Killyliss Road, Dungannon**
- 2. Whitebridge Road, Dungannon**

The Chair advised that mechanisms were now in place and would encourage the Council to proceed with the matter.

## **E320/17      Air Quality Action Plan**

The Head of Environmental Health drew attention to the previously circulated report to inform members of the Air Quality Plan produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action to be taken to improve air quality in Mid Ulster District Council up to 2023.

Councillor Cuthbertson said that he was aware that the three areas within the district were being monitored, but that in the past Church Street, Dungannon was monitored and asked why this wasn't the case now.

The Head of Environmental Health agreed that for a number of years Church Street, Dungannon was monitored, but that the air quality had improved in recent years and was no longer required.

Councillor S McGuigan enquired if we were getting support for this programme,.

The Head of Environmental Health advised that she was liaising with other agencies and that actions taken would be in the long term, but that in the mean time promotional things will be carried out i.e. benefits of electric cars and cycling as multi-agency work takes a lot of time and input.

Councillor McFlynn referred to Church Street in Magherafelt which took in the lower part of King Street and enquired if this has been done from the new bypass was operational.

The Head of Environmental Health stated that there was continuous monitoring of the area.

In response to Councillor Kearney's query, the Head of Environmental Health advised that monitoring was going on in the background and was unsure if the public were not always aware.

Proposed by Councillor B McGuigan  
Seconded by Councillor S McGuigan and

**Resolved:** That it be recommended to the Council to agree the Draft Mid Ulster Air Quality Action Plan and associated arrangements.

#### **E321/17      Landlord Registration Scheme Data Sharing Protocol**

The Head of Environmental Health drew attention to the previously circulated report to agree an updated sharing protocol between the Landlord Registration Registrar and Mid Ulster District Council.

Proposed by Councillor McNamee  
Seconded by Councillor O'Neill and

**Resolved:** That it be recommended to the Council to agree the revised Information Sharing protocol between the Landlord Registration Registrar and Council.

#### **E322/17      Keep Warm Packs**

The Head of Environmental Health drew attention to the previously circulated report to advise members of the availability and distribution of Keep Warm Packs as part of the Council's Health and Wellbeing Programmes.

Councillor Reid thanked the Head of Environmental Health for the report but raised concern about protocol being breached in the past regarding legacy Councils distribution of Keep Warm Packs. He said that the Vineyard and St Vincent de Paul were very proactive in giving the packs to whoever needed them. He said that these breaches occurred during years 2014/15 and was shocked how this could happen as there were Council Officers employed to carry out monitoring of who received the packs and if this had been done properly then this type of irregularity would not have arisen in the first instance.

Proposed by Councillor Reid  
Seconded by Councillor Mulligan

That a full investigation be carried out on the breaching of protocol on distribution of Keep Warm Packs.

The Head of Environmental Health advised that legacy protocols were being used for distribution purposes. She said that the legacy Council's had each a different way of distributing the packs, with Magherafelt distributing the packs through Council members, Cookstown distributed the packs if they were requested and Dungannon's packs were distributed through the Vineyard Church and St. Vincent de Paul.

She said that there was now a new regional approach by PHA with criteria to be met and forms to be filled in with a postcode and how a person had to qualify for the packs. She said that details and forms were to be filled and returned to the Council before distribution of the packs and that it just was not a giving out exercise. She advised that there was still a few outstanding requests and still awaiting on forms, but that it was a situation from the legacy Councils and this was now an opportunity to take stock and determine the best way forward.

Councillor Reid said that he understood what was being said but that paperwork hadn't been filled in for the packs. He said that packs distributed from Magherafelt were given out to people in the South Tyrone area with political flyers enclosed. He said that he was aware of the facts and wanted a proper investigation carried out, as the person involved in the distribution of the packs was not even an elected member.

The Head of Environmental Health advised that all packs were stored in Cookstown and were very well monitored.

Councillor McNamee said that he would also have the same concerns as Councillor Reid and that he too was curious as to how many packs were issued through political parties.

Councillor McNamee said that he would be happy to second Councillor Reid's proposal.

The Head of Environmental Health stated that if other people wished to insert other literature into the packs that this should not be tolerated. She said that she was not aware of any arrangements for this within legacy Councils.

Councillor Burton stated that it was very important that people who were entitled to the Keep Warm Packs end up with them and said that she could assure the committee that she would be filling in the forms at the Dungannon office. She said that in the past PCSP Officers distributed these packs to the vulnerable at road shows, but that now she would be concerned that the vulnerable and elderly who were unable to attend such events would miss out. She stated that the Southern Trust didn't want packs going to anyone who just turns up and that it was important to look at the criteria on how we distribute them and would be off the opinion that Council Officers go out and issue the packs to the people who need them the most.

The Head of Environmental Health said that there was no problem in people being referred, as Officers can do a house visit and advise them on other issues also, ie. Affordable Warmth and Health & Wellbeing across the whole area and that the pack could just be one element.

The Director of Public Health and Infrastructure said distribution of packs had presently been curtailed and he would arrange for a more detailed investigation report to be brought back to committee. He asked Members on how they wished to proceed regarding outstanding request for packs from genuine groups and individuals.

Councillor B McGuigan stated that Magherafelt Council did fill out a form and were issued with a pack, but within Mid Ulster that him or his party colleagues were not aware of the distribution of packs by members and enquired how they were informed of the process.

The Head of Environmental Health stated that no official process was in place for members and only came forward requesting packs.

The Chair stated that a lot of members weren't aware of the issue, including himself and said that concerns raised were justified.

Councillor Cuthbertson thanked the Head of Environmental Health for her explanation as he said that he was not up to speed on the matter as within the Dungannon area the Vineyard and St Vincent de Paul were proactive in distributing the packs on behalf the Council. He said that from what he heard tonight, it would think that a theft had taken place regarding the packs and that someone had physically come in and stole them. He enquired of the member who made the allocation to elaborate on this.

The Chair advised there had been no reference by anyone about theft of any kind issue related to how the packs were being distributed.

Councillor Mulligan stated that on broad terms that he would be supporting Councillor Reid's stance on this matter and that he also was not aware of the scheme until the last Council meeting as it was raised in unusual circumstances. He said that we were where we were and found it shameful that the Tyrone Courier had published such an article as only one political party was involved. He said that he found it strange that after three years we were still using the same practices that which were previously used in the legacy Councils and although members were not entirely happy with this, we should be moving forward as a new Mid Ulster Council.

Councillor McFlynn said that it was a very informative report and that legitimate people should be have been entitled to the Keep Warm Packs and if there was a question of abuse, then this should be highlighted and who the person responsible for doing this was. She said that she would be supportive of what the Director of Public Health and Infrastructure had indicated sought clarity on regarding the distribution of packs to the requests outstanding, only in the instance that the vulnerable be accommodated and proper criteria adhered too.

Councillor Reid advised members that these were the words of the person making the complaint, which was publicised in three papers indicating that sample packs were circulated with political flyers enclosed. He said that it was important that people who were entitled to the Keep Warm Packs receive them, as this Council should be seen to be doing their best for the public. He stated that when a function was run in June last year, names were taken by two Officers who were appointed to issue the Keep Warm Packs.

The Chair advised that two proposals were in front of members tonight for decision, one to accept the Officer recommendation and another for to carry out an investigation into the inappropriate distribution of the packs in the past.

Councillor Reid said that when the report is brought back to committee that Community Transport and Agewell be included as a lot of people may not be able to attend such events through no fault of their own.

Proposed by Councillor Reid

Seconded by Councillor Mulligan and

**Resolved:** That it be recommended to the Council that approval be granted to noting the content of the report and to agree the programme as outlined at Section 3.5 for distribution of Warm Home Packs and related Health and Wellbeing Programmes. An investigation to be carried out on concerns raised in relation to the media story regarding the inappropriate distribution of Keep Warm Packs.

#### **E323/17      Pavement Cafés Licensing**

The Head of Environmental Health drew attention to the previously circulated report to agree a response to the Department of Communities (DfC) evaluation exercise on the Pavement Café Legislation on behalf of MUDC.

Proposed by Councillor McNamee

Seconded by Councillor Kearney and

**Resolved:** That it be recommended to the Council to approve the content of the draft response to DfC on Pavement Café Licensing.

#### **Matters for Information**

#### **E324/17      Minutes of Environment Committee held on Tuesday 14 November 2017**

Members noted minutes of Environment Committee held on Tuesday 14 November 2017.

#### **E325/17      Magherafelt Refuse Collection Route Optimisation Project**

Members noted previously circulated report which informed members of forthcoming changes to refuse collection in the Magherafelt area.

**E326/17      Tullyvar Joint Committee Update**

Members noted previously circulated report which updated members on the business of the Tullyvar Joint Committee.

**E327/17      Environmental Services Christmas Working Arrangements**

Members noted previously circulated report which informed members of the planned working arrangements in respect of refuse collection and Recycling Centres during the Christmas and New Year holiday period.

**E328/17      Grounds Maintenance – Towns and Villages Awards Feedback**

Members noted previously circulated report which updated members of local success at the 2017 town and villages awards.

**E329/17      Building Control Workload**

Members noted previously circulated report which updated members on the workload analysis for Building Control across Mid Ulster District Council.

**E330/17      Entertainment Licensing Applications**

Members noted previously circulated report which updated members on Entertainment Licensing Applications across Mid Ulster District Council.

**E331/17      Private Tenancies Order**

Members noted previously circulated report which informed members of correspondence received from the Department for Communities on the Analysis of PTO Activity 2016/17 by Environmental Health Departments.

**E332/17      Burns & Scalds Video ‘Scarred for Life’**

Members noted previously circulated report which advised members on the launch of the burns and scalds video ‘Scarred for Life’. A soft media launch of the video which took place on 26<sup>th</sup> October 2017.

*Councillor Burton left the meeting at 8.45 pm.*

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

Proposed by Councillor S McGuigan  
Seconded by Councillor O'Neill 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 E333/17 to E341/17.



**Matters for Decision**

E333/17 Contracts for Processing of Kerbside Commingled  
Recyclables

E334/17 Off Street Car Parking: Agency Agreement with Department  
for Infrastructure

E335/17 Service Level Agreement for Draperstown Public Convenience

E336/17 Installation of a Memorial Bench on Council Property

E337/17 Pomeroy Pitch Scheme – Capital Project

**Matters for Information**

E338/17 Confidential Minutes of Environment Committee held on 14  
November 2017

E339/17 Capital Projects Update

**E340/17 Christmas Greetings**

The Chair wished members a very Happy Christmas and New Year.

**E341/17 Duration of Meeting**

The meeting was called for 7 pm and ended at 9.20 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 5 December 2017 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Mallaghan, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Kearney, McAleer, McEldowney, McKinney (8.05 pm), McPeake, Mullen (7.16 pm), Reid (7.04 pm), Robinson, J Shiels (7.22 pm)

**Officers in Attendance**

Dr Boomer, Planning Manager  
Mr Bowman, Head of Development Management  
Ms Doyle, Senior Planning Officer  
Mr Marrion, Senior Planning Officer  
Ms McAllister, Senior Planning Officer  
Ms McKearney, Senior Planning Officer  
Ms McNally, Council Solicitor  
Miss Thompson, Committee Services Officer

**Others in Attendance**

**Applicant Speakers**

|                  |              |
|------------------|--------------|
| LA09/2016/1015/F | Ms Fowley    |
|                  | Mr Ross      |
| LA09/2017/0899/F | Mr McNulty   |
|                  | Mr Cushnahan |
| LA09/2017/0945/O | Mr O'Neill   |
| LA09/2017/1035/O | Mr Diamond   |
| LA09/2017/1112/O | Mr Cassidy   |
| H/2014/0399/F    | Mr Carr      |

The meeting commenced at 7.01 pm

**P173/17 Apologies**

None.

**P174/17 Declarations of Interest**

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

Councillor Glasgow declared an interest in planning application LA09/2017/0498/F and requested to speak on behalf of the applicant.

Councillor McPeake declared an interest in planning applications LA09/2016/1684/O, LA09/2017/0074/O and LA09/2017/0422/O.

## **P175/17      Chair's Business**

The Planning Manager referred to the planning team stating that the original three teams which reflected the three legacy council areas had been reorganised into two teams – 'Northern' and 'Southern'.

*Councillor Reid entered the meeting at 7.04 pm.*

## **Matters for Decision**

### **P176/17      Planning Applications for Determination**

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

#### **LA09/2016/0419/F   Retention of extension to existing workshop unit at 135m NE of 11 Derryvale Park, Derry Road, Coalisland for Pat O'Neill**

Members considered report on planning application LA09/2016/0419/F which was recommended for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Reid and

**Resolved**      That planning application LA09/2016/0419/F be approved subject to conditions as per the officer's report.

#### **LA09/2016/1015/F   Reorganisation of general industrial site including retention and extension of the existing metal fabrication shed; construction of 2 sheds for spraying and storage of metal, acoustic walls, landscaping and associated works at lands at 51 and 55 Knockanroe Road, Cookstown for Reid Engineering Ltd**

The Head of Development Management presented a report on planning application LA09/2016/1015/F advising that it was recommended for refusal.

*Councillor Mullen entered the meeting at 7.16 pm during presentation of the above report.*

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

Ms Fowley supported the recommendation to refuse this application stating it would have a negative impact and would create a build up of development and industrialise the area if approved. Ms Fowley also made the following comments –

- Application would significantly increase the site and its operations which the site does not have capacity to absorb.
- Neighbouring residents should be protected by planning policy – Already five live enforcement cases for this site.
- No exceptional circumstances for proposal – land owned at Kilcronagh Industrial Estate which would be more suitable for this type of business.
- P1 form advises business only employs six with no plans to increase employment.
- Similar applications also refused by planning department and planning appeals.

Ms Fowley finished by urging the committee to uphold the officer's recommendation to refuse the application.

*Councillor J Shiels entered the meeting at 7.22 pm during Ms Fowley's address.*

Mr Ross, as agent for the application, stated that this was a complicated case and that work had been ongoing on the masterplan for some time with the aim of dealing with the site in a comprehensive way. Mr Ross also made the following comments –

- The application will protect the site and the business.
- Acoustic wall has improved situation but is not complete solution as is masterplan.
- Masterplan was discussed with planning department prior to submission with plans to move everything inside sheds, to relocate further away from neighbouring dwellings and to landscape area.
- All statutory consultees content with application.
- Concerns of Head of Development Management regarding the amount of development.
- Policy PED3 and PED 9 have been met.

Mr Ross referred to plans for a reduced scheme and asked the committee to defer the application to further consider this reduced scheme.

Councillor Bateson stated the need for balance with this type of development in a rural location but felt that the balance had been exceeded in favour of the applicant with this application.

Councillor Cuthbertson stated that the main issues of the application related to activity outside and asked what the sole aim of the application was.

Mr Ross advised that the application was brought forward as it was felt the best solution was to get as much inside sheds as possible and that this floor space should be moved further away from nearby housing. Mr Ross advised that the reduced scheme will not accommodate everything inside but is the bare minimum.

Councillor Cuthbertson proposed that the application be deferred.

The Planning Manager felt that the application should be discussed further as he was keen to hear the views of Members.

Councillor Kearney referred to the five cases of alleged non compliance, the height of the sheds and proposed flues. Councillor Kearney felt that the scale and nature of the application would be detrimental to rural character and proposed the officer recommendation to refuse the application.

Councillor McAleer seconded Councillor Kearney's proposal.

Councillor Clarke stated that the application site was on a hilltop location and would be obtrusive in the countryside. The Councillor felt there was nothing the Committee could do but accept the officer's recommendation.

In response to Councillor Glasgow's question regarding the acoustic wall the Planning Manager advised that there was a wall in place but is the subject of enforcement which will be dealt with at another meeting. The Planning Manager stated that this should not prejudice Members consideration of this application.

Councillor Glasgow referred to the two proposed sheds and asked if the argument of moving everything inside is strengthened, in terms of visual amenity the Councillor asked if further landscaping would help.

The Planning Manager advised that he did not feel the tests for major expansion had been met.

Councillor Cuthbertson stated he had heard nothing new in the objections put forward tonight and that if the Committee had saw fit to approve application put forward in June he questioned what had changed. Councillor Cuthbertson stated that the business was providing jobs in the area and that if this application helped to sustain these jobs then further consideration should be given. Councillor Cuthbertson proposed that the application be deferred.

Councillor Reid stated that this was a long established business and is an important asset to Mid Ulster, the Councillor felt that the applicant had worked with planners during the planning process. Councillor Reid stated that he had not been approached in relation to this application and did not need to declare an interest, he felt that it would be wrong to refuse the application and seconded Councillor Cuthbertson's proposal for a deferral.

Councillor Robinson stated he had went to the site meeting and that the saw was a particular problem, the Councillor felt that if the saw was moved inside it would be beneficial. Councillor Robinson advised that no matter what decision was made the business would remain at its current site and that steps should be taken to accommodate all sides.

The Planning Manager stated that sometimes parties become so divided that he cannot mediate a solution, he felt that Members had made a wise decision in June with the approval given to the retention of the shed and full account had been taken of residential amenity. However, this application represented a major expansion of the site and the industrial activity. He confirmed that in discussions with the applicant's agent in terms of amenity there were advantages if activities which

currently took place in the yard area-could be accommodated inside but that Members should remember that the site is changing from a residential site to an industrial site and the application had not met the policy tests for this expansion.

The Chair, Councillor Mallaghan expressed the concern of officers that Councillor Reid may have a conflict of interest in respect of this application.

Councillor Reid reiterated that he had not been approached in respect of this application and had no declaration of interest to make.

Members voted on Councillor Kearney's proposal to accept the officer recommendation to refuse the application –

For – 9

Against – 4

Members voted on Councillor Cuthbertson's proposal to defer the application –

For – 4

Against – 9

**Resolved** That planning application LA09/2016/1015/F be refused on grounds stated in the officer's report.

**LA09/2017/0102/F Building for ancillary storage use at 127 Ballynakilly Road, Coalisland for Eurosprings Ltd**

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

Proposed by Councillor Bateson

Seconded by Councillor J Shiels and

**Resolved** That planning application LA09/2017/0102/F be approved subject to conditions as per the officer's report.

**LA09/2017/0498/F Extension to garage to provide commercial machinery store at 100m NE of 29 Fegarron Road, Cookstown for Granville Carson**

Ms McAllister (SPO) presented a report on planning application LA09/2017/0498/F advising that it was recommended for refusal.

The Chair advised the committee that requests to speak on the application had been received, it was noted that Mr Lamont was not in attendance to address the committee.

Councillor Glasgow advised that the applicant is an agricultural worker and the purpose of the application is to store machinery. The Councillor referred to the high value of this machinery and in order to try to deter rural crime the aim is to get the machinery inside. The Councillor also advised that because the machinery is

currently stored outside insurance premiums are high. The Councillor advised that the purpose of the third access is to keep traffic away from the house as there are times when young children are outside. Councillor Glasgow advised that the applicant is a sole trader who works for the agricultural trade and sought approval of the application.

The Planning Manager asked who owned the third party land and if the applicant's son was a farmer.

Councillor Glasgow advised he was unsure of the answer to either question but stated that this was a genuine application and that machinery would get stolen sooner or later.

*Councillor Glasgow withdrew to the public gallery.*

Councillor Clarke stated he knew where the site was and that this would be a genuine application. Councillor Clarke stated he understood the arguments being made and proposed that the application be deferred for an office meeting.

Councillor Bell seconded Councillor Clarke's proposal.

**Resolved** That planning application LA09/2017/0498/F be deferred for an office meeting.

*Councillor Glasgow rejoined the meeting at 8.05 pm.*

*Councillor McKinney entered the meeting at 8.05 pm.*

**LA09/2017/0801/F First floor extension to side of dwelling at 24 Ashveigh, Benburb for Mr Chris Coleman**

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

Proposed by Councillor Gildernew

Seconded by Councillor Bell and

**Resolved** That planning application LA09/2017/0801/F be approved subject to conditions as per the officer's report.

**LA09/2017/0809/F Infill site between 280 and 282a Hillhead Road, Knockloughrim for Loughdoyle Construction Ltd**

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

Proposed by Councillor Bateson

Seconded by Councillor McPeake and

**Resolved** That planning application LA09/2017/0809/F be approved subject to conditions as per the officer's report.

**LA09/2017/0844/F Stable to house pony at 44 Moyagoney Road, Portglenone for Mr and Mrs Madden**



The Planning Manager advised of further documentation received in respect of this application and suggested that the application be deferred for an office meeting.

Proposed by Councillor Bell  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2017/0844/F be deferred for an office meeting.

**LA09/2017/0891/F Extension to existing multi storey car parking facility to provide 212 additional car parking spaces over 2 additional levels to include associated alterations/extension to existing lobbies/elevators at Meadowlane Shopping Centre, Moneymore Road, Magherafelt for Castlefarm Properties Ltd**

**H/2015/0068/F Change of use from basement carparking to supermarket unit to include new mall and amended service yard at existing Meadow Lane Shopping Centre, Moneymore Road, Magherafelt for Castlefarm Properties**

The Head of Development Management (SPO) presented reports on planning applications LA09/2017/0891/F and H/2015/0068/F advising that they were recommended for approval. Members were also directed to Appendix 1 which included the draft 'Terms of Agreement' that would be incorporated in to a Section 76 Planning Agreement and which are associated with planning application H/2015/0068/F.

The Council Solicitor advised that if the Committee was minded to approve these applications it would be an approval in principle and subject to the Planning Agreement being approved/sealed by Council.

Proposed by Councillor Clarke  
Seconded by Councillor Bateson and

**Resolved** That planning applications LA09/2017/0891/F and H/2015/0068/F be approved in principle subject to conditions as per the officer's report and subject to a Planning Agreement being agreed and executed by Council.

The Planning Manager congratulated officers and agents working on these applications as they had managed to work through planning issues and come to an agreement.

**LA09/2017/0899/F Cattle handling and cattle isolation facilities and hard standing areas for a hobby farm at lands to the front of and**

**NE of 102 and 104 Ballygawley Road and S of 101  
Ballygawley Road, Glenadush for Bernard McAleer**

Mr Marrion (SPO) presented a report on planning application LA09/2017/0899/F advising that it was recommended for refusal.

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

Mr McNulty stated that the application was for a new agricultural building which will be located in close proximity to existing dwellings and that he had plans for a future additional retirement dwelling. Mr McNulty made the following comments –

- No provision for slurry tank made in plans
- No provision for how noise and smell will be dealt with
- Applicant has no farming history
- Entrance to site will make three lanes coming out onto road adjacent to dangerous corner
- Fishery already brings a lot of traffic on this road
- Applicant untruthful regarding draining water into sheugh – There is no sheugh
- Question over who the farmer is
- Building could be used for other purposes

Mr Cushnahan felt that this type of application was rare and should be accommodated, he continued with the following comments –

- There is no provision in planning policy for new farm holdings
- Applicant wants to establish a small farm holding (9 cattle and 5 sheep) to pass to the next generation
- Plans include external cattle crush, pens and storage for machinery – These are required to be in place before securing a farm business id
- No intention of increasing farming activities as this would require a further planning application
- Consideration would be given to relocating further away from dwellings
- Roads Service content
- Environmental Health content if application limited to what proposed
- No flooding on the site

Councillor Gildernew advised that Members could not take into consideration Mr McNulty's plans for future retirement dwelling and that the application needed to be decided upon based on the information before them. Councillor Gildernew referred to the need to have facilities in place before a business id will be granted and proposed that the application be deferred for an office meeting.

Councillor Cuthbertson stated he had sympathy for the farmer/landowner and questioned where else they could build a shed to house stock. Councillor Cuthbertson seconded Councillor Gildernew's proposal.

Councillor Robinson advised that adequate facilities are needed to ensure a farm operates safely and that further consideration should be given to the application.

Councillor Reid advised that a farmer cannot have livestock until a handling pen and crush are in place therefore the planning application needs to come before getting a business id.

The Chair, Councillor Mallaghan referred to the offer to resolve some concerns by relocating the proposal.

The Planning Manager stated that Members cannot make a decision on the basis of suspicion, he referred to the need for an active and established farm and that policy cannot be set aside.

**Resolved** That planning application LA09/2017/0899/F be deferred for an office meeting.

*Councillor Cuthbertson left the meeting at 8.33 pm.*

**LA09/2017/0945/O Dwelling on infill site replacing existing stables at land between 23 and 25 Annaghmore Road, Coalisland for Mr Declan O'Neill**

Mr Marrion (SPO) presented a report on planning application LA09/2017/0945/O advising that it was recommended for refusal. Mr Marrion also drew attention to Appendix 1 which advised that planning permission has been granted for a site for a dwelling beside the proposed site, however no buildings have been erected on the approved site for consideration against the infill policy.

The Chair advised the committee that a request to speak on the application had been received and invited O'Neill to address the committee.

Mr O'Neill advised that policy CTY8 allows for infill for up to two houses on a continuous frontage. He advised that within the frontage regarding this application there are two gap sites of which one is already approved. Mr O'Neill advised that the proposal will retain existing vegetation and asked that the application be approved as policy was being met.

In response to Councillor Clarke's comments regarding maps Mr Marrion advised that officers only became aware of the approved site today and this was highlighted in Appendix 1.

Councillor Gildernew felt that the proposal was ideal as an infill site.

Councillor McPeake felt there was enough built up frontage and the site represented an infill site.

Mr Marrion explained the map and why it was felt the application did not meet policy.

The Planning Manager stated he could see where there were arguments for and against the proposal but explained that there was ribboning on the road and there was policy in place to protect rural character.

Councillor Bateson felt this was a borderline case with limited future development potential. Councillor Bateson proposed that the application be approved.

Councillor Reid questioned why maps were still showing buildings which are claimed to be demolished.

Mr Marrion advised that this was the most recent map and that the architect had advised the building had been demolished in the last year.

Councillor Gildernew referred to the application already approved and questioned the difference approving this application would make. Councillor Gildernew seconded Councillor Bateson's proposal.

Councillor Mullen declared an interest in this application.

**Resolved** That planning application LA09/2017/0945/O be approved subject to conditions in relation to height of dwelling.

**LA09/2017/1018/F Erection of drive through restaurant (change of siting from planning permission H/2014/0358); alterations to car park of Forbes retail store (approved under H/2014/0354/F); new access road to Lidl and Forbes sites from Castledawson Road; landscaping and associated site works at former Forbes Furniture retail building at Station Road Industrial Estate and lands to the immediate South of it bounded by Station Road Industrial Estate, Magherafelt for Patsy Forbes**

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

Members were advised of Appendix 1 in relation to this application which provided conditions of approval which had been omitted from the officer's report.

Proposed by Councillor Kearney  
Seconded by Councillor McPeake and

**Resolved** That planning application LA09/2017/1018/F be approved subject to conditions as per Appendix 1 circulated.

**LA09/2017/1035/O Infill site for dwellings and garages 90m SE of 2 Scribe Road, Bellaghy for Mr David Mulholland**

Ms McAllister (SPO) presented a report on planning application LA09/2017/1035/O advising that it was recommended for refusal.

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

Mr Diamond advised that when travelling north to south there is line of frontage from Scribe Road to Tamlaghduff Road which should be acceptable. Mr Diamond referred to the shape of the site, being triangular, and that it was not as big as it looked.

Councillor McPeake felt that Scribe Road was not really in a rural setting and asked for clarification on gap widths.

Ms McAllister advised that the proposal site measures 80m with adjoining land having a frontage of 60m, properties to the north of the site have frontages measuring between 20m and 40m. Ms McAllister advised that taking this into consideration the proposal site could accommodate at least three dwellings.

The Planning Manager advised that if this site is approved as infill this could open opportunities for further infill sites along the Scribe Road and referred to the duty to protect rural character.

In response to Councillor Clarke's question Ms McAllister advised that she did not believe that the landowner of the proposal site and the owner of no.2 Scribe Road were the same person.

Councillor Clarke referred to the irregular shape of the site and stated he did not know why it couldn't be squared off.

The Planning Manager asked Members to think about what directive is being given if the application is approved and felt there was a distinct risk of rural character being eroded.

Councillor Gildernew felt that the shape of the site was deceiving and that there was no development on the other side of the road.

Councillor J Shiels felt the application was too much on too big a site, he felt that rural character would be changed and proposed that the application be refused as per officer's recommendation.

Councillor McKinney felt that the size of sites needed further consideration due to the amount of vehicles around dwellings nowadays. The Councillor felt that there was a portion of the site where it went in a point was useless and stated he did not have issue with the size of the proposed site.

Councillor McPeake did not feel the proposal would make a material difference, that it respected the rural character of the area and would have no detrimental impact. Councillor McPeake proposed that the application be approved.

Councillor Bell seconded Councillor McPeake's proposal to approve the application.

Councillor Reid seconded Councillor Shiels' proposal to refuse the application. Members voted on Councillor McPeake's proposal to approve the application –

For – 12

Against - 2

**Resolved** That planning application LA09/2017/1035/O be approved, delegated authority to be given to Planning Manager to set conditions

**LA09/2017/1062/F New entrance to dwelling at 33 Gulladuff Road, Maghera for D Crossett**

Ms McAllister (SPO) presented a report on planning application LA09/2017/1062/F advising that it was recommended for refusal.

Councillor Clarke asked if the current entrance was coming out onto a road or laneway.

Ms McAllister advised that the current access comes out onto a laneway which provides access to Beagh Terrace.

It was highlighted that the application proposes an access onto a protected route.

Councillor Glasgow asked if there was a stipulation regarding the number of cars that can use the existing access.

The Planning Manager stated that there should be no more than a 5% increase in traffic which would constitute traffic for 20 houses.

Councillor Gildernew stated the because the access was proposing to come out onto a protected route this would cause serious problems for Council if there was an accident at a later date.

Councillor J Shiels felt that the reason the application had been made was because it was a small area for making turns in a vehicle.

Councillor Reid proposed the officer recommendation to refuse the application.

The Planning Manager advised that the purpose of protected routes was to keep accesses to a minimum.

Councillor Bateson seconded Councillor Reid's proposal to refuse the application.

**Resolved** That planning application LA09/2017/1062/F be refused on grounds stated in the officer's report.

**LA09/2017/1112/O Dwelling and garage approximately 60m WSW of 5 Cloane Lane, Draperstown for Danny Grant**

Ms McAlister (SPO) presented a report on planning application LA09/2017/1112/O advising that it was recommended for refusal.

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

Mr Cassidy advised that issues relating to this application related to the siting of farm buildings and whether they are visually linked with the established farm group. Mr Cassidy advised that the proposal site adjoins two animal shelters which are owned by the applicant. Mr Cassidy also made the following comments –

- The shelters are constructed as buildings based on previous Council/Planning Appeals decision
- The shelters are legal based on imagery taken in June 2011
- The shelters are representative of a group of buildings based on previous Planning Appeal Decision
- Whilst the proposal will not be sited beside the main group of farm buildings it will be sited beside an established group of buildings – as per previous Planning Appeal Decision

The Planning Manager referred to the argument put forward that the buildings were legitimate and stated that a certificate of lawfulness would be required. The Planning Manager asked if information had been submitted to establish that the buildings were lawful.

Ms McAllister advised that no information had been submitted to state that the buildings were lawful.

The Planning Manager asked if the applicant would like the opportunity to submit a certificate of lawfulness in respect of the buildings.

Mr Cassidy advised he would like the opportunity to do so.

Proposed by Councillor Mallaghan  
Seconded by Councillor McPeake and

**Resolved** That planning application LA09/2017/1112/O be deferred for an office meeting.

Councillor McKinney felt it was amiss that the relevant information had not been submitted prior to the meeting and that a decision could then have been made on the application tonight.

**LA09/2017/1176/F Alterations and extension to dwelling at 44 Mullaghboy Glen, Magherafelt for Thomas and Siobhan Hampsey**

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

Proposed by Councillor Glasgow  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2017/1176/F be approved subject to conditions as per the officer's report.

**LA09/2017/1240/F Single storey extension to rear of dwelling, car port structure and covered walkway linked to existing garage; new split level summer house and associated stores;**

**conversion of existing garage to home gym at Forthill Cottage, 98 Old English Road, Dungannon for Mr and Mrs Dobson**

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

Proposed by Councillor Reid  
Seconded by Councillor J Shiels and

**Resolved** That planning application LA09/2017/1240/F be approved subject to conditions as per the officer's report.

**LA09/2017/1249/F Change of house type and detached garage as previously approved under M/2005/0066/F, at Site 1, at land immediately W of 21 Fintona Road, Clogher for Lynden Keys**

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

Proposed by Councillor McAleer  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2017/1249/F be approved subject to conditions as per the officer's report.

**LA09/2017/1345/F Change of use from beauty/hair salon to education and training facility at 118-120 Main Street, Maghera for Charlene Wilson**

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

Proposed by Councillor McEldowney  
Seconded by Councillor Kearney and

**Resolved** That planning application LA09/2017/1345/F be approved subject to conditions as per the officer's report.

**LA09/2017/1439/F Replace existing ball stop with new 4m high ball stop fencing to goal end, Drumgose Road, Benburb for Benburb and District Community Association**

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

The Chair, Councillor Mallaghan advised of the need for Members to declare an interest in this application as the proposal was on Council owned land.

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

Proposed by Councillor Gildernew  
Seconded by Councillor Reid and



**Resolved** That planning application LA09/2017/1439/F be approved subject to conditions as per the officer's report.

**H/2015/0068/F**      **Change of use from basement carparking to supermarket unit to include new mall and amended service yard at existing Meadow Lane Shopping Centre, Moneymore Road, Magherafelt for Castlefarm Properties**

Application dealt with earlier in meeting.

**LA09/2016/0797/F**      **Retrospective change of use to car sales yard (including front garden changing to hardstanding car display area) and tyre/alloy wheels sales at 53 and 53a Ballyronan Road, Magherafelt for Top Gear NI**

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

*Councillor Bell declared an interest in this application.*

Proposed by Councillor McKinney  
Seconded by Councillor J Shiels and

**Resolved** That planning application LA09/2016/0797/F be approved subject to conditions as per the officer's report.

**LA09/2016/1684/O**      **Expansion of existing care home facility to provide 4 individual care units and a new dwelling and garage at lands immediately SW of 19 Rocktown Lane, Knockloughrim for Mr C Maynes**

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

Proposed by Councillor Bateson  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2016/1684/O be approved subject to conditions as per the officer's report.

**LA09/2017/0074/O**      **Dwelling at site adjacent to 61a Brough Road, Castledawson for Mary Scullion**

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

Proposed by Councillor Bateson  
Seconded by Councillor McAleer and

**Resolved** That planning application LA09/2017/0074/O be approved subject to conditions as per the officer's report.

**LA09/2017/0422/O Site for dwelling and garage 150m NW of 107 Bancran Road, Draperstown for Stephen Donnelly**

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

Proposed by Councillor McEldowney  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2017/0422/O be approved subject to conditions as per the officer's report.

*Councillor Reid left the meeting at 9.24 pm.*

**H/2014/0399/F Pig fattening shed with feed bin (to contain 900 pork pigs) at land off Cahore Road approximately 100m East of 11A Tonaght Road, Draperstown for Michael McErlean**

The Head of Development Management presented a report on planning application H/2014/0399/F advising that it was recommended for refusal.

*Councillor Reid rejoined the meeting at 9.27 pm during presentation of the above report.*

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

Mr Carr advised that he had been involved in many applications for pig and poultry sites and that the main issue with this application related to odour. Mr Carr advised that normal pig feed is a low protein diet, he stated that the application complied with best practice and guidelines in relation to odour for pig sites and referred to similar applications in neighbouring Councils which had been approved. Mr Carr stated that the proposal will be adjacent to the applicant's home and would be run efficiently.

The Planning Manager asked if the applicant's house is at a higher level than the proposal and that of the neighbour's house.

Mr Carr advised that the applicant's house is at a higher level than the proposal and the neighbour's house is at a lower level than the proposal.

The Planning Manager asked how it is known what foodstuffs are being consumed.

Mr Carr advised that feedstuffs are logged when delivered and that this information is available to view.

The Head of Development Management felt that one of the applications passed by a neighbouring Council was not like for like with this application as the closest neighbour was 150m away.

Mr Carr felt that the applications were similar in that lower emissions were relied on through a low protein diet.

Councillor Clarke felt that the applicant's dwelling would not be subject to odour due to prevailing winds and the siting of the proposal. The nearest neighbouring dwelling would be affected to a greater degree due to its siting.

Councillor Bateson referred to regulations on pig feed and stated that these regulations did not seem to be having the desired effect as the odour coming from pig houses on some occasions was unbearable.

Councillor Robinson advised that modern pig houses were totally different to older houses in terms of the amount of odour being emitted. The Councillor also referred to the need to produce documentation on what foodstuffs are being consumed and felt that there was nowhere else the proposal could be located only in the country.

Councillor McKinney agreed that modern pig houses were different and that there had been no smell or noise coming from the pig houses visited on site visit. Councillor McKinney further advised that he lives close to a pig unit and has no issues with smell coming from that and he would not have any difficulty with this application.

The Chair, Councillor Mallaghan advised that he had been on site visit and that whilst there was little odour until standing close by the unit there was still some odour.

Councillor Gildernew asked if the proposal could be sited elsewhere.

The Planning Manager advised that the offer of re-siting the proposal had been turned down by the applicant. The Planning Manager advised that the proposal came down to neighbouring residential amenity and that based on the information put forward Members should make a decision.

In response to Councillor Reid's questions the Head of Development Management confirmed that other possible sites were offered and refused and that there was a management plan with regard to manure.

Councillor Bateson advised that his earlier comments were based on his own experience. He stated he was unable to make the site visit undertaken to other similar pig sheds.

Councillor Gildernew felt that as the applicant did not accept the offer of discussing alternative sites Members had no choice but to refuse the application.

The Planning Manager referred to the applicant's right of appeal should the application be refused.

Councillor Glasgow advised he lived on a poultry farm and that complaints were common in respect of same. The Councillor stated that if the operator of a unit did not have proper documentation in place in relation to animal foodstuffs then accreditation would be refused. Councillor Glasgow advised he had seen old and new type pig houses and would have no difficulty in proposing approval of the application.

Councillor McKinney asked if there was any merit in deferring the application to further consider re-siting of proposal.

The Planning Manager advised that a new application would be required. He further stated that he would be uncomfortable in going against the advice of Environmental Health and suggested that Members follow the recommendation of the planning officer as there was mechanism of appeal.

Councillor Clarke stated he was a farmer himself and was sympathetic to farming issues but that the Committee had received advice which it would be foolish to go against. Councillor Clarke proposed the recommendation to refuse the application.

Councillor Bateson seconded Councillor Clarke's proposal.

Councillor Reid seconded Councillor Glasgow's proposal.

Councillor Bell felt it was bizarre that the applicant had been given the opportunity to re-site their application but did not accept this offer.

Councillor McEldowney stated that Councillor Reid had been out of the room for part of the officer's presentation and could not second Councillor Glasgow's proposal.

Councillor McKinney seconded Councillor Glasgow's proposal.

Members voted on Councillor Clarke's proposal to refuse planning application H/2014/0399/F –

For – 10

Against – 4

**Resolved** That planning application H/2014/0399/F be refused on grounds stated in the officer's report.

*Meeting recessed at 9.56 pm and recommenced at 22.16 pm.*

*Councillors Gildernew, McAleer and Mullen did not return to the meeting.*

#### **P177/17                      Receive invitation from Dalradian Gold Ltd**

The Planning Manager presented previously circulated report which detailed invitation from Dalradian Gold Ltd for Councillors and Officers to visit sites in Omagh and Curraghinalt in relation to mineral exploration and to discuss their planning application for an underground gold mine.

The Chair, Councillor Mallaghan felt that Councillors/Officers should not take up the invitation and that due process should be followed and that when Council is formally approached by the Department in relation to the application it should engage at that stage.

Councillor McPeake agreed with the comments of the Chair and felt that there would be ample opportunity to engage in the process at a later stage.

*Councillors Glasgow and Reid rejoined the meeting at 10.20 pm.*

Councillor J Shiels understood there were differences of opinion with regard to the planning application and mineral extraction but felt that Council should accept the invitation to visit sites and engage in discussion with Dalradian.

Councillor Clarke referred to Sperrins Conference which took place in September and the outcomes of that conference which were positive in respect of the future of the Sperrins. Councillor Clarke felt that the planning application submitted by Dalradian was totally out of sync with what had been discussed at the conference.

Councillor Bateson felt that the invitation was tantamount to the Committee being lobbied and that the Committee would have a conflict of interest in respect of the planning application submitted if it accepted the invitation.

The Planning Manager advised that there was no question that the purpose of the invitation was to lobby Council but there was a difference in that Council would not be determining the planning application submitted. The Planning Manager felt it would not be inappropriate for officers to undertake visit to site and increase their knowledge.

Councillor Kearney stated he had no objection to officers accepting invitation and providing update to Councillors at a later stage.

Councillor McKinney felt that officers should accept invitation but not the committee.

Councillor Reid felt there would be prejudice and that Council should have something formal on paper in respect of these type of invitations first.

Councillor Bateson stated that officers may increase their knowledge base but it would not be an objective view.

The Chair, Councillor Mallaghan proposed that Council wait until it is formally consulted before engaging in discussions in relation to the application.

Councillor Bateson seconded Councillor Mallaghan's proposal.

**Resolved** That it be recommended that Council do not accept the invitation of Dalradian and that Council wait until it is formally consulted by the Department before engaging in discussion in relation to the application.

## **Matters for Information**

### **P178/17 Minutes of Planning Committee held on Tuesday 7 November 2017**

Members noted minutes of Planning Committee held on Tuesday 7 November 2017.

**P179/17**      **A consultation request has been received from DfI on a Planning Application for the extraction, transportation and working of sand and gravel from Lough Neagh (LA09/2017/0310/F) as the Department has received 'Further Environmental Information – Supplementary Information for Shadow HRA including Air Quality Report'**

Noted.

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

Proposed by Councillor J Shiels  
Seconded by Councillor Bell 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 P180/17 to P188/17.

#### **Matters for Decision**

P180/17      Receive report on the Scheme of Delegation  
P181/17      Receive TPO Report  
P182/17      Receive Enforcement Report

#### **Matters for Information**

P183/17      Confidential Minutes of Special Planning Committee held on Tuesday 17 October 2017  
P184/17      Confidential Minutes of Special Planning Committee held on Thursday 2 November 2017  
P185/17      Confidential Minutes of Planning Committee held on Tuesday 7 November 2017  
P186/17      Enforcement Case Liveload  
P187/17      Enforcement Cases Opened  
P188/17      Enforcement Cases Closed

### **P189/17      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 10.41 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## **Appendix 1**

# **ADDENDUM TO PLANNING COMMITTEE AGENDA**

## FOR PLANNING COMMITTEE MEETING ON : 5 December 2017

Additional information has been received on the following items since the agenda was issued.

| ITEM | INFORMATION RECEIVED                                                                              | ACTION REQUIRED                                                                                                  |
|------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 4.4  | Letter of support received 19.10.2017 from Councillor Glasgow.                                    | Members to Note.                                                                                                 |
| 4.8  | 'Terms of Agreement' attached for car parking decks at Meadowlane                                 | Members to Note.                                                                                                 |
| 4.10 | Planning permission LA09/2016/1204/O has been granted for a site for a dwelling beside this site. | Members to note, no buildings have been erected on the approved site for consideration against the infill policy |
| 4.11 | Conditions were not listed in the case officer report                                             | Members to note the conditions circulated with the Addendum.                                                     |

*Draft for Mid Ulster Council Comment*

**Planning Act (Northern Ireland) 2011  
Section 76 Planning Agreement**

**Proposed Heads of Terms between Mid Ulster Council and Castlefarm Properties**

**Application H/2015/0068**

The following sets out the broad Heads of Terms between Mid Ulster Council and Castlefarm Properties (applicant and owner of Meadowlane Shopping Centre). The Heads of Terms are proposed to form the basis of a Planning Agreement between Mid Ulster Council and Castlefarm Properties to be drafted in conjunction with an application for two additional decks of car parking at Meadowlane Shopping Centre.

The agreement and the planning application for the deck car park combined would provide the agreed solution to allow the grant of application H/2015/0068 (i.e. provision of a supermarket) without additional car parking being provided at the commencement and occupation of the development.

The agreed terms are:

1. The agreement is concerned solely with the operation of the supermarket and the provision of car parking at Meadowlane.
2. The agreement will last for a period of 5 years from the opening of the supermarket.
3. Mid Ulster Council can require the delivery of the deck car park, in whole or in part at any time during the period of 5 years.
4. To assist Mid Ulster Council to understand need for the deck car park, following opening of the supermarket, Castlefarm Properties will supply Mid Ulster Council with quarterly survey results of car parking utilisation rates.
5. The survey of the car park will be undertaken in accordance with a methodology provided by Mid Ulster Council. Verification of results can be undertaken by Mid Ulster Council in a manner to be agreed.
6. Where survey results as shown verified by the Transport NI and the Council show Meadowlane Car Park to:
  - a. exceed an 80% of occupancy rate on more than one day per week between the hours of 11.00 am and 17.00m during two successive quarters , Castlefarm Properties will provide one extra deck of car parking (identified as Deck.....on approved plan date stamped)
  - b. exceed an 90% of occupancy rate on more than one day per week between the hours of 11.00 am and 17.00m during two successive quarters for one day per week Castlefarm Properties will provide two extra decks of car parking. (identified as Deck Nos.....on approved plan date stamped)
  - c. If an additional deck is provided as required by point (a) above and over the proceeding period use of the car park exceeds 80% of occupancy rate on more than



one day per week between the hours of 11.00 am and 17.00m during two successive quarters , Castlefarm Properties will provide the second deck of car parking (identified as Deck.....on approved plans date stamped)

7. The time period for commencing development of the car park shall be 1 year from the date of the council making the request and it shall be fully operational with 18 months of the date of the request.

## Item 4.11

### Conditions for LA09/2017/1018/F

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access, including visibility splays of 4.5m x 90m in both directions, shall be provided in accordance with Drawing No. 09 bearing the date stamp 10 November 2017, prior to the occupation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.

4. The gradient of the access shall not exceed 8% (1 in 12.5) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road user.

5. The development hereby permitted shall not become operational) until the existing access onto the Castledawson Road has been permanently closed and the carriageway / footway / verge properly reinstated to DfI Roads satisfaction.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. No retail operations in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved Drawing No 09 bearing the date stamp 10 November 2017 to provide 163 no. spaces for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

7. The development hereby approved shall not become operational until the road works indicated on Drawing No 09 bearing the date stamp 10 November 2017 have been completed to the satisfaction of DfI Roads, in accordance with approved plans to be

submitted when an application is made for a licence to carry out the works on the Castledawson Road.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out prior to the development becoming operational.

8. No development shall commence until a suitable site investigation and risk assessment methodology is submitted and agreed with Mid Ulster District Council. This shall be implemented in order to suitable characterise the land by determining the extent, scale and nature of any contamination and in accordance with the Model Procedures for the Management of Land Contamination (CLR 11) and British Standard BS 10175, 2011 "Investigation of potentially contaminated sites Code of Practice" in order that unacceptable risks to health are identified and evaluated.

Reason: Protection of health and environmental receptors to ensure the site is suitable for use.

9. A remediation strategy (if required as a result of the site investigation/risk assessment under Condition 8 identifying unacceptable risks) shall be submitted and agreed with Mid Ulster District Council. The development hereby permitted shall not be occupied until the remediation objectives and measures as detailed and agreed in the detailed remediation have been implemented and carried out in accordance with its terms. Prior to commencement of the remediation scheme, the Council must be given two weeks written notification to enable its representatives to visit the site during the works on-site as deemed necessary.

Reason: Protection of health and environmental receptors to ensure the site is suitable for use.

10. In the event that previously unknown contamination is encountered at any time when carrying out the approved development that was not previously identified or falling outside the scheme of the approved remediation strategy (submitted as per Condition 9), Mid Ulster District Council shall be notified immediately and works shall cease pending submission and agreement of a written report detailing the proposed investigation, risk assessment and remediation scheme to the Council. This new contamination shall be fully investigated and a risk assessment undertaken in accordance with the Model Procedures for the Management of Land Contamination (CLR 11) and British Standard BS 10175, 2011 "Investigation of potentially contaminated sites Code of Practice". In the event of unacceptable risks being identified and where remediation is necessary, a remediation strategy shall be submitted for prior approval with the Council. Development works shall not resume until the approved remediation strategy has been implemented and carried out in accordance with its terms.

Reason: Protection of health and environmental receptors to ensure the site is suitable for use.

11. Following completion of remedial measures implemented under approved remediation strategy (required under conditions 9 and 10 as necessary), and prior to occupation of the development, a written verification report shall be submitted for prior approval to Mid Ulster District Council. The verification report shall be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR 11). The verification report shall present suitable evidence that all the remediation and

monitoring works have been undertaken and shall demonstrate the effectiveness of the works in managing and remediating all the risks and achieving the remedial objectives.

Reason: Protection of health and environmental receptors to ensure the site is suitable for use.

**Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 6 December 2017 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Wilson, Chair

Councillors Clarke, Cuddy, Doris, Elattar, McAleer, McEldowney, McNamee, Molloy, Monteith and G Shiels,

**Officers in Attendance**

Ms 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  
Ms Forde, Member Support Officer

**Others in Attendance**

Agenda Item 4 – Lough Neagh Partnership Ltd/Coalisland Great Places Heritage

Meeting commenced at 7 pm.

**D247/17 Apologies**

Councillors Burton, McFlynn and Milne

**D248/17 Declaration of Interests**

*Councillor McAleer declared an interest in item D250/17 Eskra Community Association Ltd – Knockmany Forest.*

**D249/17 Chair's business**

The Chair, Councillor Wilson stated he had been inundated with issues in relation to Christmas lighting and tree provision in villages. The Chair invited the Head of Community Development to report on the issue.

The Head of Community Development advised that there had been some issues with the transfer from direct provision of festive lighting to community led provision financed by Council grants. The main issues being community groups were reluctant to take on the responsibility in organising the festive lighting through grant support as they felt Council organised the urban areas and should do the same in the villages; there were difficulties in installation of the actual trees; the level of funding versus expenditure; insurance cover and statutory permissions etc; and issues between villages re the content and level of lighting as some had just trees whilst other areas had trees and lights. The Officer advised that Council had assisted where possible in ordering and delivering trees and lights and ensuring power was available at sites.

There was only one instance where Council had to intervene due to a village making an arrangement with a contractor (Council contractor) to put up their tree and lights and were let down at the last minute, and Council provided support in the understanding that the same deduction of funding would be taken from their grant as agreed with the contractor. The Officer did state that there were some issues between communities and areas with regard to perceived support; however Council had sought to give as much support as possible over the period from both community and technical teams in providing assistance.

The Chair, Councillor Wilson thanked the Head of Community Development for the update and commended all officers for work in relation to Christmas lighting. He stressed that where Council had provided assistance costs would be deducted from the grant and stated that there would be a review meeting and report which would highlight this fact and way forward.

*Councillor Monteith entered the meeting at 7.07pm*

The Chair, Councillor Wilson advised that he had read in the national press that Q Radio had been fined for not fulfilling licences that their Ballymena office had been closed and all reporting was from either Belfast or Coleraine thus the Mid Ulster region was bereft of news cover. The Chair proposed that Council should write to Q Radio asking (i) what steps they were taking to cover the void; and (ii) why they had not informed anyone of the current situation.

**Resolved** That it be recommended to Council to write to Q Radio asking (i) what steps they were taking to cover the void; and (ii) why they had not informed anyone of the office closure.

In response to Councillor McNamee's question in relation to Moneymore the Director of Leisure and Outdoor Recreation stated it was her understanding that the paperwork was currently being prepared and the advertisement seeking expressions of interest would be progressed in the near future.

In response to Councillor McNamee's question regarding the Saturday market in Cookstown the Director of Business and Communities advised that the Regeneration Manager was endeavouring to secure a date for a meeting and Town Centre Forum members would be informed.

**D250/17      Deputation – Lough Neagh Partnership Ltd/Coalisland Great Places Heritage**

The Chair welcomed Mr G Darby representative of Lough Neagh Partnership Ltd/Coalisland Great Places Heritage to the meeting.

Mr Darby delivered the presentation detailed at appendix one outlining the proposed project, its benefits to Council by assisting in social and economic projects, the cost of the project and the request for Council support.

*Councillor Molloy entered the meeting at 7.13pm*

Councillor G Shiels commented on resources at the time of Mountjoy during the Plantation of Ulster and highlighted that he had been aware of Coalisland's specific relationship to the coal industry but that he had been unaware of its specific relationship to the iron industry. In response Mr Darby advised that it would have been medieval metal work and in relation to comments about Mountjoy and the plantation the resources would have been sand, clay and wood which had had a major impact on the history of today and work would be undertaken as part of a landscape project.

The Chair Councillor Wilson thanked Mr Darby for the presentation. Mr Darby withdrew from the meeting at 7.22pm

Councillor Elattar made reference to the Lough Neagh Partnership application highlighted in the presentation and advised that it was through to stage two.

The Director of Business and Communities advised that Council was endeavouring to use its budget to attract more money into the area and that officers would now look at the request and bring a report back to Council but that in the interim the group required a letter from Council stating that it supported the project in principle.

Proposed by Councillor Monteith  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to Council to issue a letter advising that Council supported the Coalisland Great Places Heritage project in principle.

In response to Councillor Cuddy's question seeking clarity on the area covered the Director of Business and Communities stated that the report would detail the geographical area covered.

## **Matters for Decision**

### **D251/17 Eskra Community Association Ltd – Knockmany Forest**

The Head of Parks drew attention to the previously circulated report with regard to a proposal from Eskra Community Association Limited in relation to Knockmany Forest development and advised that the capital contribution should read £25,000.

Proposed by Councillor Monteith  
Seconded by Councillor Clarke and

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

- (i) Accept the proposal to project manage the programme of works and that the Sports NI grant is assigned to Council at value of £25k;
- (ii) Grant permission to proceed with the procurement and completion of a tender exercise subject to the confirmation of funding from Sport NI;

- (iii) Request be processed through Policy & Resources committee for the release of the funds to undertake aforementioned works.

#### **D252/17 Motorsport Task Force**

The Head of Parks drew attention to the previously circulated report to consider a request for a financial contribution towards commissioning of a Motorsport economic research impact report for Northern Ireland. Members were reminded that Council had deferred the decision back to the committee for further consideration. Councillor McNamee advised he had no further information to report and proposed that the recommendation now be not to contribute to the research.

Proposed by Councillor McNamee  
Seconded by Councillor McAleer and

**Resolved** That it be recommended to the Council that a contribution of £1000 not be made on behalf of MUDC towards the Motorsport Task Force report as requested by the Motorsport Task Force.

#### **D253/17 Economic Development**

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

- Department for Communities Funding
- Mid Ulster Village Spruce Up Scheme
- Village Renewal Project
- Coalisland Public Realm
- InterTrade Ireland Brexit Conference
- New Dungannon Brand

Proposed by Councillor McNamee  
Seconded by Councillor Cuddy

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

##### **1) Department for Communities Funding**

The Head of Economic Development advised that Council had now received notification that its funding application to Department for Communities had been successful.

The Head of Economic Development advised that Council had now received notification that its funding application to Department for Communities had been successful,

**Resolved** (i) As a result of Council's successful application to Department for Communities for £70,000 funding to purchase a street cleansing machine, approval be granted for Council to provide a minimum



- of 20% match funding (£17,500) towards this project from Council's existing budgets.
- (ii) Approval be granted to use a select framework to procure the vehicle which is estimated to cost in the region of £87,500 (DFC funding of £70,000 and a minimum contribution from Council of £17,500).

The Chair, Councillor Wilson congratulated those who had been involved in the Public Realm Scheme in Dungannon.

Councillor Monteith in relation to Car parking in Dungannon spoke of the Off Street Car parking Consultation which Council had hosted the previous evening. He expressed concern that traders had highlighted at the event they had only found out about the event on the day, he also highlighted how embarrassing it was for Members present. The Councillor acknowledged that sometimes one or two people may have missed an information flyer or invitation but it was unlikely that they all would miss it. He also stated that although Car parks was handled by Environment and Property Department that the Economic Development section should be involved and expressed concern in how charges were being attributed and stated that in his opinion if town centres were to survive they needed to be treated like shopping centres. Councillor Monteith made reference to the former Dungannon Masterplan and stated if this document was used in relation to car parking he would have grave concerns. He stated he was flabbergasted were Council was at with the issue.

Councillor McNamee highlighted that Members had expressed concern that the consultation event was scheduled for the same night as the Planning Committee.

Councillor G Shiels stated that he felt the entire parking regime should be less stringent across the district.

Councillor Cuddy stated he had attended the consultation event and stated that when it had been enquired off officers why traders had not been notified the officer present stated that it had been up to the town centre manager to notify them. He stated that it had been a shambles, one carpark had been picked to increase charges in and it was only used 25% of the time. He advised he had not made comparison with other towns.

Councillor Monteith concurred that blame had been apportioned to the Economic Development section.

The Director of Business and Communities thanked Members for raising the issue and advised that car parking does indeed rest with Council's Environment & Property Services. He added that he would investigate where the communication channels had broken down, and advised that if a further consultation event in Dungannon was needed, this could be accommodated and communicated widely to key town centre stakeholders.

## **2) Mid Ulster Village Spruce Up Scheme**

Councillor Molloy made reference to the extensive reserve list in relation to the Mid Ulster Village Spruce Up scheme and advised that there were more willing to avail if the opportunity afforded.

**Resolved** Approval is granted to an additional element of works for grant aid regarding application VSS17/30, to the value of £1,650 and place on the ranked reserve list for funding as appropriate.

**3) Village Renewal Project**

**Resolved** Members noted progress on Village Renewal Project

**4) Coalisland Public Realm**

**Resolved** Members noted progress on Coalisland Public Realm

**5) InterTrade Ireland Brexit Conference**

**Resolved** Members noted conference details

**6) New Dungannon Brand**

**Resolved** Members noted new Dungannon Brand and the range of promotional activities in the pipeline to promote it.

**D254/17 Community Development**

The Head of Community Development drew attention to the two previously circulated reports to:

- Approve Community Grants Rolling Programme Applications;
- Peace IV Local Action Plan 2017- 2020;
- Community Development Update.

Proposed by Councillor McNamee  
Seconded by Councillor Molloy

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

**1) Community Grants Rolling Programme Applications**

**Resolved** Approve the grant award recommendations under the Community Local Festivals and Good Relations grants ie Local Festival £2235 and Good Relations Grants £600.

**2) Peace 1V Local Action Plan 2017-2020**

**Resolved** Approve the grant award recommendations under the Peace IV Children and Young People theme outlined in the report totalling £199,955.72, taking account of eligible costs of all projects and

following this allocating the funding based on a tiered approach of pro rata contribution.

## **Matters for Information**

### **D255/17 Minutes of Development Committee Thursday 16 November 2017**

Members noted Minutes of Development Committee held on Thursday 16 November 2017.

In relation to D237/17 Railway Park and Ballysaggart Lough Project Councillor Monteith proposed that a meeting be convened with members of the Dungannon DEA to discuss the project.

Proposed by Councillor Monteith  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Council that a meeting be convened with members of the Dungannon DEA to discuss the Railway Park and Ballysaggart Lough project.

Councillor Monteith declared an interest in St Patrick's Primary School Dungannon where he sat on the Board of Governors and also the Gael Scóil Dungannon of which he was a former Governor

### **D256/17 Invest NI (INI) Collaborative Growth Programme – Seamus Heaney Cluster**

Members noted previously circulated report to update Members on the staff support to the Invest NI (INI) Collaborative Growth Programme via the Seamus Heaney Cluster.

### **D257/17 Tourism Development Group**

Members noted previously circulated report to update Members on the work of the Tourism Development Group.

### **D258/17 Tourism Summer Programme**

Members noted previously circulated report to inform of tourism activities over the summer months in accordance with Mid Ulster Tourism strategy.

### **D259/17 Northern Ireland Forest schools scheme at Hill of the O'Neill, Dungannon**

Members noted previously circulated report to provide Members with an update on the Northern Ireland Forest Schools Project at Hill of the O'Neill, Dungannon.

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

**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 D240/17 to D245/17

**Matters for Decision**

D260/17 Portglenone to Newferry Blueway  
D261/17 Tender Reprot for the Mid Ulster Peace IV Post Primary School Programme  
D262/17 Mid Ulster District Council Culture & Arts Strategy

**Matters for Information**

D262/17 Confidential Minutes of Development Committee held on 12 October 2017

**D264/17 Duration of Meeting**

The meeting was called for 7 pm and concluded at 7.42pm.

The Chair Councillor Wilson wished everyone a happy Christmas and peaceful new year.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

# Coalisland & East Tyrone

## The Historical Manufacturing Base of Ulster

Heritage Lottery Fund Great Places Scheme

Mid Ulster Dev Committee 6/12/2017



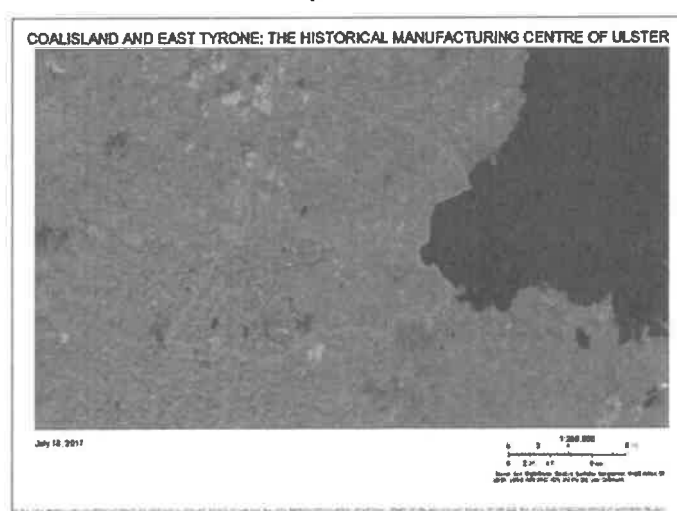
## Background

- New HLF Great Places Programme opened in Summer
- Aim of the Scheme is to put heritage and culture at the heart of the a places vision
- Runs form 1 April 2018 - 31 March 2021
- LNP through to final round with five other applicants
- Scheme is form £100,000 - £500,000

## Vision & Purpose

“To use the natural resources and rich manufacturing legacy of Coalisland and East Tyrone to place culture and arts at the forefront of a new dynamic future, by forging new partnerships with the community, public and in particular the private manufacturing sector”

## Programme Boundary



*Proposed boundary for the Coalisland & East Tyrone Great Place Scheme based on the 1609 Bodley Map for the ancient districts of Munterevlin Owtra and Clonagherie*

## Why the area is special



Ancient  
Metal  
Working



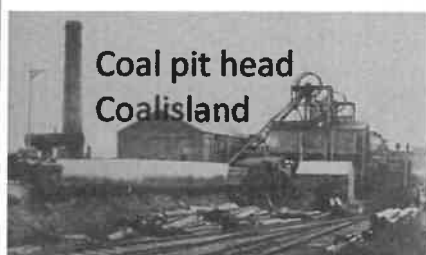
Clonoe Shrine  
and Bell



Mesolithic Eel  
Trap made  
from local  
willow

Willow Basket  
Making

## Why the area is special



Coal pit head  
Coalisland



Coalisland Brick made  
from Local Clay  
Resource



Island Turf Crafts in  
Coalisland Mill



Coalisland  
Canal Quay  
and Mill

### What are aims of programme

- Create cultural linkages with past and modern manufacturing industry
- Develop main community Culture and Arts Hub through Craic Theatre partner
- Get Council and local industry to invest in culture and arts



### How will Mid Ulster Council Benefit

- Assist with new Mid Ulster Coalisland Town Centre Framework
- Assist with new Mid Ulster Local Development Plan and “designated area of Townscape Character
- Assist with Mid Ulster Tourism Strategy and heritage priorities
- Assist Mid Ulster Irish Language Development



## Specific Benefits and tie in to Coalisland Development Framework and Tourism Strategy

- Assist study for new heritage trail and signage
- Provide new public Realm Sculpture
- Provide 10 new craft /manufacturing apprenticeships
- Develop business training initiatives in craft and manufacturing sector
- Improve and market Coalisland Museum
- Brand and market industrial heritage of Coalisland
- Develop extensive heritage events programme
- Develop extensive heritage walks and talks
- Language Landscape Interpretation
- Employ person based in Craic Theatre to culture and arts at heart of areas industrial past

## Final Summary

- Total Cost £386,631 (All being spent in Mid Ulster Council)
- Grant of HLF of £307,151
- £27,000 in kind Contribution
- £10,000 match funding form Private Sector
- Request £50,000 match funding from Council over three years in total ( £16,666 per year)



**Mid Ulster District Council:  
Matters Resolved by Committee**

The following provides those matters resolved by the above named Committee as decisions to be considered for approval at the next meeting of Mid Ulster District Council.

| <b>Minute Ref</b> | <b>Matters Resolved by Committee</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PR229/17</b>   | <b>External Signage: Depots, Recycling Centres &amp; Parks Facilities</b><br><br>That it be recommended to Council to approve the draft designs for external signage as illustrated in appendix to report.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>PR230/17</b>   | <b>Staff Usage of Greenvale Leisure Centre</b><br><br>That it be recommended to Council to approve that staff can avail of a 50% discount on the individual cost of using Greenvale Leisure Centre facilities for non-bookable facilities or activities including swimming, gym, fitness or other exercise programme session (on a pay as you go basis). Staff who wish to take up full membership at Greenvale Leisure Centre can do so at a cost of £15.00 per month. Both proposals exclude Greenvale Leisure Centre staff employed in Greenvale that transferred to Council on 10 September 2017 under TUPE legislation. |
| <b>PR231/17</b>   | <b>Mid Ulster District Council's Finalised Equality Action Plan and Reviewed Disability Action Plan (Post Consultation)</b><br><br>That it be recommended to Council to approve the Equality Action Plan and Reviewed Disability Action Plan for implementation as set out in report and appendix.                                                                                                                                                                                                                                                                                                                           |
| <b>PR232/17</b>   | <b>Elected Member Development Working Group</b><br><br>That it be recommended to Council to –                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|  |                                                                                                                                                                                                                                                                                                                                                                                                   |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"> <li>(I) Approve the report of the Elected Member Development Steering Group meeting held on 22 November 2017 as set out in appendix to report.</li> <li>(II) Appoint Councillor Doris to represent Mid Ulster District Council on the NILGA Regional Elected Member Development Working Group as a representative from the Council's working group.</li> </ul> |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 7 December 2017 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Molloy, Chair

Councillors Ashton (7.47 pm), Bateson, Buchanan, Cuddy (7.03 pm), Elattar, Gildernew, Kearney, S McGuigan, McKinney (7.03 pm), McLean, McPeake, M Quinn

**Officers in Attendance**

Ms Campbell, Director of Leisure and Outdoor Recreation  
Mrs Canavan, Director of Organisational Development  
Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Ms McNally, Council Solicitor  
Ms Mezza, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr JJ Tohill, Director of Finance  
Miss Thompson, Committee Services Officer

The meeting commenced at 7.00 pm.

**PR226/17 Apologies**

Apologies received from Councillors Forde and Totten and the Chief Executive.

**PR227/17 Declaration of Interest**

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

Councillor Elattar declared an interest in Agenda Item 15 – Appointment of Mid Ulster Ageing Well Contract – and advised she would leave the room when this item was being discussed.

**PR228/17 Chair's Business**

The Chair, Councillor Molloy extended the condolences of the Committee to the Director of Environment and Property on the recent death of his mother.

**Matters for Decision**

**PR229/17 External Signage: Depots, Recycling Centres & Parks Facilities**

The Head of Marketing and Communications presented previously circulated report which considered draft designs for external signage at Council depots, recycling centres and parks facilities.

*Councillors Cuddy and McKinney and the Director of Finance entered the meeting at 7.03 pm during presentation of the above report.*

Proposed by Councillor McPeake  
Seconded by Councillor Gildernew

That Council approve the draft designs for external signage as illustrated in appendix to report.

Councillor McLean expressed his concern stating there should be no precedence over the English Language.

Councillor Buchanan agreed with Councillor McLean's comments.

Councillor Cuddy also expressed concern regarding the proposed signage.

Members voted on Councillor McPeake's proposal to approve the draft designs for external signage –

For – 8  
Against - 4

**Resolved** That it be recommended to Council to approve the draft designs for external signage as illustrated in appendix to report.

#### **PR230/17 Staff Usage of Greenvale Leisure Centre**

The Director of Leisure and Outdoor Recreation presented previously circulated report which considered proposed arrangements for discounted staff use of Greenvale Leisure Centre.

Councillor McLean stated that health and wellbeing is a big issue in employment and asked if there were any figures indicating the number of staff who have taken up the offer of discounted use of leisure facilities to establish if what Council is doing is making an impact. Councillor McLean proposed the officer's recommendation.

Councillor Buchanan seconded Councillor McLean's proposal.

The Director of Leisure and Outdoor Recreation advised that figures were available which could be passed on for Member's information.

**Resolved** That it be recommended to Council to approve that staff can avail of a 50% discount on the individual cost of using Greenvale Leisure Centre facilities for non-bookable facilities or activities including swimming, gym, fitness or other exercise programme session (on a pay as you go basis). Staff who wish to take up full membership at Greenvale Leisure Centre can do so at a cost of £15.00 per month. Both proposals

exclude Greenvale Leisure Centre staff employed in Greenvale that transferred to Council on 10 September 2017 under TUPE legislation.

*The Director of Leisure and Outdoor Recreation left the meeting at 7.07 pm.*

**PR231/17 Mid Ulster District Council's Finalised Equality Action Plan and Reviewed Disability Action Plan (Post Consultation)**

The Head of Democratic Services presented previously circulated report which sought approval to implement Council's Equality Action Plan and Revised Disability Action Plan post consultation.

Councillor Kearney referred to recent Councillor training which had been beneficial and proposed the officer recommendation.

Councillor S McGuigan seconded Councillor Kearney's proposal.

**Resolved** That it be recommended to Council to approve the Equality Action Plan and Reviewed Disability Action Plan for implementation as set out in report and appendix.

**PR232/17 Elected Member Development Working Group**

The Head of Democratic Services presented previously circulated report which considered the report of a meeting of the Elected Member Development Working Group held on 22 November 2017.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

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

- (I) Approve the report of the Elected Member Development Steering Group meeting held on 22 November 2017 as set out in appendix to report.
- (II) Appoint Councillor Doris to represent Mid Ulster District Council on the NILGA Regional Elected Member Development Working Group as a representative from the Council's working group.

**Matters for Information**

**PR233/17 Minutes of Policy and Resources Committee held on Thursday 9 November 2017**

Members noted minutes of Policy and Resources Committee held on Thursday 9 November 2017.

**PR234/17 Advice from Information Commissioner's Office (ICO) on Registration requirements under the Data Protection Act 1998**

The Head of Democratic Services presented previously circulated report which provided advice on registration requirements under the Data Protection Act 1998, with specific reference to Councillors.

Councillor S McGuigan referred to guidance in report which advised there was an exemption from registration where the only personal information processed took the form of paper records, and felt this was a step backwards.

The Head of Democratic Services stated he understood the point made by Councillor McGuigan but that the advice contained within the report was provided by the ICO Registration Team.

#### **PR235/17 Planning System Replacement**

Members noted presented previously circulated report which provided update on the progress on the replacement of the Planning Portal System.

#### **PR236/17 Member Services**

No issues.

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

Proposed by Councillor S McGuigan  
Seconded by Councillor Bateson 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 PR237/17 to PR252/17.

#### **Matters for Decision**

|          |                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------|
| PR237/17 | Email and File Archival System Contract                                                                    |
| PR238/17 | Contract for Mobile Network Services                                                                       |
| PR239/17 | Earls Project – Permissive Pathway Agreement                                                               |
| PR240/17 | Appointment of Mid Ulster Ageing Well Contract                                                             |
| PR241/17 | Davagh Forest Visitor Hub – Capital Project                                                                |
| PR242/17 | Gortgonis Centre – Capital Project                                                                         |
| PR243/17 | Playparks, Villages Scheme – Capital Project                                                               |
| PR244/17 | Drumcoo Waste Transfer Station                                                                             |
| PR245/17 | Update in relation to National Fuels Framework Agreement (RM3801) operated by the Crown Commercial Service |
| PR246/17 | Staffing Matters for Decision                                                                              |

#### **Matters for Information**

|          |                                                                                         |
|----------|-----------------------------------------------------------------------------------------|
| PR247/17 | Confidential Minutes of Policy and Resources Committee held on Thursday 9 November 2017 |
|----------|-----------------------------------------------------------------------------------------|



PR248/17 Staffing Matters for Information  
PR249/17 Contracts and DAC  
PR250/17 Financial Report for 7 months ended 31 October 2017  
PR251/17 Rates Estimates 2018/19  
PR252/17 Update for Rates Support Grant Judicial Review

**PR253/17**

The Chair, Councillor Molloy wished Members and Officers a Happy Christmas and New Year.

**PR254/17 Duration of Meeting**

The meeting was called for 7 pm and ended at 8.30 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



|                          |                                        |
|--------------------------|----------------------------------------|
| <b>Report on</b>         | Conferences & Seminar – December 2017  |
| <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 |

|            |                                                                                                                                                                                                                             |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.0</b> | <b>Purpose of Report</b>                                                                                                                                                                                                    |
| 1.1        | Provide an update on seminars and conferences received. To seek approval for attendance and the payment of registration/ attendance fees and associated costs, as incurred.                                                 |
| <b>2.0</b> | <b>Background</b>                                                                                                                                                                                                           |
| 2.1        | Costs associated will be set against 2017-18 member Conference and Seminar allocations.                                                                                                                                     |
| <b>3.0</b> | <b>Main Report</b>                                                                                                                                                                                                          |
|            | The following seminar/ conference sessions are presented for consideration of representation from Mid Ulster Council.                                                                                                       |
| 3.1        | <b>Approval for Consideration of Attendance by Members</b>                                                                                                                                                                  |
| 3.1.1      | NI Agri Food Business Conference<br>Theme Looking beyond 2022 <ul style="list-style-type: none"> <li>Thursday 15 February 2018 at Civic Centre, Craigaon</li> <li>Cost £195+vat = £234, , travel and subsistence</li> </ul> |
| 3.1.2      | <b><u>Officer Approvals</u></b>                                                                                                                                                                                             |
|            | There are occasions when it is beneficial to the organisation for Officers to attend conferences and seminars. Approval is sought for attendance as detailed in Appendix B to this report.                                  |
| 3.2        |                                                                                                                                                                                                                             |
| <b>4.0</b> | <b>Other Considerations</b>                                                                                                                                                                                                 |
|            |                                                                                                                                                                                                                             |
| <b>4.1</b> | <b><u>Financial &amp; Human Resources Implications</u></b>                                                                                                                                                                  |

|            |                                                                                                   |
|------------|---------------------------------------------------------------------------------------------------|
|            | Financial:                                                                                        |
|            | Human:                                                                                            |
| <b>4.2</b> | <b><u>Equality and Good Relations Implications</u></b>                                            |
| <b>4.3</b> | <b><u>Risk Management Implications</u></b>                                                        |
| <b>5.0</b> | <b>Recommendation(s)</b>                                                                          |
| 5.1        | Approval for attendance at the conferences/ seminars by members and council officers as required. |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>                                                        |
| <b>6.1</b> | Appendix A      Conferences & Seminar Details<br>Appendix B      Officer Approvals                |

# Northern Ireland Agri-business Conference

Looking beyond 2022

Thursday 15th February 2018 • Craigavon Civic Centre, Co. Armagh

Organised by

**agendaNi**

Supported by



**Armagh City  
Banbridge  
& Craigavon**  
Borough Council



**Food  
Heartland**  
Armagh City, Banbridge & Craigavon

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## Looking beyond 2022

Irrespective of the final outcome to the Brexit negotiations, farming and food in Northern Ireland is primed for further growth. The world's population is set to increase by 50 per cent between now and the middle of this century.

Given that approximately 85 per cent of the food produced locally is destined for export, these international developments will have a major impact on the future prospects of the local economy as whole.

In tandem with this, the inexorable rise of the middle classes in countries like China will ensure that the global demand for high quality animal protein-based foods will increase exponentially. Moreover, new trade deals linking Northern Ireland with the likes of the Philippines and China, specifically where pork is concerned, genuinely raise the bar regarding the local food industry's export-focussed expectations for the period ahead.

Yes, Brexit will be a major issue for agri-food in Northern Ireland to address. However, the experience of the past year is pointing to the probable upside of a post-Brexit world for our farming and food sectors, more so than the challenges that it might pose. The weakening of Sterling relative to the Euro, in the wake of the EU referendum, has led to a genuine boom in farmgate prices where dairy, beef, pork and lamb are concerned.

There are many reasons for farmers and food processors throughout Northern Ireland to be optimistic regarding their future prospects.

One of the big imponderables, moving forward, will be the shape of the farm support policies put in place by the UK, once Brexit becomes a reality. However, the coming months will provide London with an opportunity to put some flesh on this all-important issue for farming in Northern Ireland.

**All of these themes will be addressed by leading industry figures at agendaNi's 7th Agri-business conference. So, if farming and food are important to your business, why not make the conference a must-attend occasion?**

## Key discussion topics

- 🕒 Brexit: What will it mean for the agriculture and food sector?
- 🕒 Extending the recovery and an indepth look at individual sectors
- 🕒 Future economic and political prospects
- 🕒 The Food Heartland
- 🕒 Challenges facing the dairy industry
- 🕒 Looking to the future of farming

## Food Heartland Forum

Armagh City, Banbridge and Craigavon Borough Council has identified the agri-food sector as one of its priority growth sectors and has established The Food Heartland Forum – a network of people from all parts of the sector who work together to drive the sector forward. The Forum is developing the sector by highlighting the importance of food and drink competitions and awards, as well as encouraging innovation and entrepreneurship within the agri-food industry throughout the borough.



## Sponsorship and exhibition opportunities

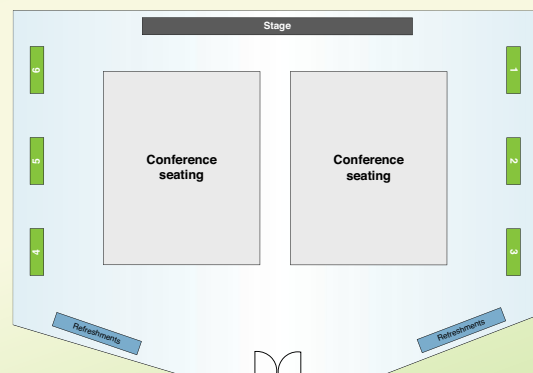
There are a number of available sponsorship and exhibition opportunities at this conference. Sponsorship of this event is an excellent way for organisations to raise their profile with a key audience of senior decision-makers from across the agri-food sector in Northern Ireland. The event also offers a limited number of high quality exhibition opportunities which will be of interest to companies and organisations with products or services they wish to promote to this key audience.



For further information on how your organisation can benefit, contact **Fiona McCarthy** on +44 (0) 28 9261 9933 or email [Fiona.McCarthy@agendaNi.com](mailto:Fiona.McCarthy@agendaNi.com)

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## Exhibition floorplan





## Conference programme

|      |                                                                                                                                                                                                                                                                                                                                           |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0900 | Conference chair: <b>Richard Halleron, Agricultural Journalist</b>                                                                                                                                                                                                                                                                        |
|      | Welcome from <b>Lord Mayor of Armagh City, Banbridge and Craigavon Borough, Alderman Gareth Wilson</b>                                                                                                                                                                                                                                    |
|      | <b>Outlook for Northern Irish agriculture post Brexit</b><br><b>Richard Halleron, Agricultural Journalist</b>                                                                                                                                                                                                                             |
|      | <b>The future economic direction of UK agriculture and food</b><br><b>Michael Haverty, Senior Agricultural Economist, The Andersons Centre UK</b>                                                                                                                                                                                         |
|      | <b>Farming and growth in Northern Ireland</b><br><b>Wesley Aston, Chief Executive, Ulster Farmers' Union</b>                                                                                                                                                                                                                              |
|      | <b>The Food Heartland: Promoting the local agri-food sector</b><br><b>Roger Wilson, Chief Executive, Armagh City, Banbridge and Craigavon Borough Council</b>                                                                                                                                                                             |
|      | Questions & answers / Panel discussion                                                                                                                                                                                                                                                                                                    |
|      | <b>Panel: Outlook: Extending the recovery</b>                                                                                                                                                                                                                                                                                             |
|      | <b>Conall Donnelly, Director, Northern Ireland Meat Exporters' Association</b><br><b>Nick Whelan, Chief Executive, Dale Farm</b><br><b>Robin Irvine, President, Northern Ireland Grain Trade Association</b><br><b>James Speers, President, Young Farmers' Club</b><br><b>Michele Shirlow, Chief Executive Officer, Food NI (invited)</b> |
| 1100 | Morning coffee / exhibition viewing                                                                                                                                                                                                                                                                                                       |
| 1130 | <b>Interview: Addressing the challenges facing the dairy industry</b><br><b>Michael Hanley, Chief Executive, Lakeland Dairies</b>                                                                                                                                                                                                         |
|      | <b>Impacts of Alternative Post-Brexit Trade Agreements on UK Agriculture</b><br><b>Myles Patton, Senior Agricultural Economist, Agri-Food and Biosciences Institute</b>                                                                                                                                                                   |
|      | Questions & answers / Panel discussion                                                                                                                                                                                                                                                                                                    |
|      | <b>Panel: The impact of Brexit: Challenges and opportunities</b>                                                                                                                                                                                                                                                                          |
|      | <b>Ken Fletcher, Deputy Editor, The Scottish Farmer</b><br><b>William Irwin MLA, DUP</b><br><b>Declan McAleer MLA, Sinn Féin</b><br><b>Patsy McGlone MLA, SDLP</b><br><b>Robin Swann MLA, UUP</b><br><b>Joe Healy, President, Irish Farmers' Association</b>                                                                              |
| 1330 | Conference networking lunch, exhibition viewing and conference close                                                                                                                                                                                                                                                                      |



I wish to:

- ☐ Reserve \_\_\_\_ places at the Agri-business Conference  
Delegate fee £195 + VAT @ 20% = £234
- ☐ Receive details of **sponsorship opportunities** at the conference
- ☐ Receive details of **exhibition opportunities** at the conference

### Delegate details

Name (Mr/Mrs/Miss/Ms/Dr): \_\_\_\_\_

Job title:

Organisation:

Address:

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

## Payment options

- ☐ I enclose a cheque for £\_\_\_\_\_

- ☐ Please invoice me
- ☐ Please debit my Visa / Mastercard

Card number

[illegible]

Name of card holder

Signature \_\_\_\_\_

Expiry date \_\_\_\_\_

Security code

(Please provide card billing address if different from company address)

### Cancellations / substitutions

For those unable to attend, a substitute participant may be sent at any time for no additional charge. Alternatively for cancellations received in writing, by fax or email, the following charges will apply:

- More than 14 days before the conference: 25% fee
- Less than 14 days before the conference: 100% fee
- Failure to attend: 100% fee

## Acknowledgement of registration

Confirmation of registration will be sent to all delegates. Joining instructions will be sent out following receipt of registration details. If you have not received your acknowledgement seven days prior to the start of the conference, please contact Michelle Davidson at [registration@agendaNi.com](mailto:registration@agendaNi.com) to confirm your registration.

## Who should attend?

This conference should be attended by key stakeholders from across the agriculture and food industries, and wider economic sectors in Northern Ireland. This will include:

- Government departments and agencies
- Representative groups in agriculture and food
- Agricultural producers
- Food processing companies
- Economic policy-makers
- Legal and financial advisors
- Consultants advising agri-food industry
- Agricultural and food science educators
- Local government officers and councillors
- NGOs and community organisations
- Rural interest groups
- Academics and researchers

## Benefits of attending conference

Delegates attending the conference will:

- Hear directly from agri-food policy makers
- Discuss the impact of Brexit on the farming industry
- Meet with fellow industry professionals
- Understand the challenges & opportunities facing the local agri-food industry
- Gain an in-depth understanding of the strategies for the long-term growth in agri-food
- Get an overview of global agricultural and food security issues

## How to register



## Online

[www.agendaNi.com/events](http://www.agendaNi.com/events)



### By email

registration@agendaNi.com



### By telephone

+44 (0)28 9261 9933



By fax

+44 (0)28 9261 9951





| Conference & Seminar                       | Date    | No. of Attendees | Location | Attendance Fee (Yes/ No) |
|--------------------------------------------|---------|------------------|----------|--------------------------|
| Jaipur Literature Festival                 | 22/1/17 | 1                | India    | No (Funded Arts Council) |
| Celtic Connections Trade Workshop, Glasgow | 24/1/18 | 1                | Glasgow  | £350 + return flight     |
| Annual Local Authority VAT Conference      | 28/2/17 | 1                | London   | £300 + return flight     |

#### **Retrospective Approvals – Conferences/Seminars**

| Conference & Seminar                       | Date    | No. of Attendees | Location | Attendance Fee (Yes/ No) |
|--------------------------------------------|---------|------------------|----------|--------------------------|
| Local Authority Bar Association Conference | 1/12/17 | 1                | Derry    | £75 + vat                |
| Improving Engagement in Plan making        | 5/12/17 | 1                | Derry    | £20                      |



|                          |                                                                 |
|--------------------------|-----------------------------------------------------------------|
| <b>Report on</b>         | Consideration of Requests for Civic Recognition – December 2017 |
| <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 |

|            |                                                                                                                                                                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.0</b> | <b>Purpose of Report</b>                                                                                                                                                                                                                                                                    |
| 1.1        | To consider approval of request(s) for civic recognition from members, in line with council Receptions Policy.                                                                                                                                                                              |
| <b>2.0</b> | <b>Background</b>                                                                                                                                                                                                                                                                           |
| 2.1        | The Receptions Policy was reviewed and subsequently agreed at the December 2016 council meeting. All requests for civic recognition are to be now forwarded to Democratic Services to appear on a report for presentation to council for consideration and approval.                        |
| 2.2        | The policy confirms 3 categories of reception offered by the Council:<br><br>(1) Civic Receptions<br>(2) Chair and Deputy Chair Reception<br>(3) Civic Awards                                                                                                                               |
| 2.3        | Appendix A to this report details those request(s) received for notification to and approval by council. The request(s) have been categorised in line with established conditions/ criteria required to be met to receive a Civic Reception, Chair & Deputy Chair Reception or Civic Award. |
| 2.4        | Following the July 2017 Council meeting a working group was formed to review the current receptions policy.                                                                                                                                                                                 |
| <b>3.0</b> | <b>Main Report</b>                                                                                                                                                                                                                                                                          |
| 3.1        | Implementation of the Receptions Policy facilitates the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members.                                                                                                                |
| 3.2        | Civic 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.                                                                                                                    |
| <b>4.0</b> | <b>Other Considerations</b>                                                                                                                                                                                                                                                                 |
| <b>4.1</b> | <b><u>Financial &amp; Human Resources Implications</u></b><br><br>Financial: Not Applicable                                                                                                                                                                                                 |

|            |                                                                            |
|------------|----------------------------------------------------------------------------|
|            | Human: Not Applicable                                                      |
| <b>4.2</b> | <b><u>Equality and Good Relations Implications</u></b>                     |
| <b>4.3</b> | <b><u>Risk Management Implications</u></b>                                 |
| <b>5.0</b> | <b>Recommendation(s)</b>                                                   |
| 5.1        | That consideration be given to approving request(s) for civic recognition. |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>                                 |
| 6.1        | Appendix A Submitted Requests                                              |

## December 2017 - Requests for Civic Recognition Submitted: For Approval

### Category: Civic Reception

| Proposed Recipient | Achievement | Submitted by | Condition/Criteria Met | Recipient Previously Acknowledged |
|--------------------|-------------|--------------|------------------------|-----------------------------------|
|                    |             |              |                        |                                   |

### Category: Civic Award

| Proposed Recipient           | Achievement                                                                                                     | Submitted by    | Condition/Criteria Met                                                                                                          | Recipient Previously Acknowledged                                                                                                                 |
|------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Paddy Henry                  | Gaelic Life Hurling All Star Award                                                                              | Cllr McPeake    | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b> N/A<br><b>Date:</b> N/A                                                                                                               |
| St Brigid's Primary School   | Road Safe NI Road Safety Award                                                                                  | Cllr McPeake    | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b> N/A<br><b>Date:</b> N/A                                                                                                               |
| Augher Primary School        | Families First Best Primary School in Northern Ireland Award                                                    | Cllr Burton     | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b><br><b>Date:</b>                                                                                                                       |
| Robert Emmet Slaughtneil GFC | Camogie Senior Ulster Championship<br>Hurling Senior Ulster Championship<br>Football Senior Ulster Championship | Cllr McEldowney | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b> 2016 Senior Ulster Championship for Camogie, hurling and football<br><b>Date:</b> Notice of Motion to Council Dec 2016: 25 April 2017 |

|                                       |                                               |                                 |                                                                                                                                 |                                     |
|---------------------------------------|-----------------------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Naomh Treasa Camogie Club, Dungannon, | Ulster Junior Club Champions 2017             | Cllr Monteith                   | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b> N/A<br><b>Date:</b> N/A |
| St Patrick's College Maghera          | Ashbourne Shield<br>Sciath Mhic Giolla Bhríde | Cllr B McGuigan<br>Cllr Kearney | <ul style="list-style-type: none"> <li>Attained an outstanding achievement at a Northern Ireland or provincial level</li> </ul> | <b>For:</b> N/A<br><b>Date:</b> N/A |

### Chair's Reception

| Proposed Recipient | Achievement | Submitted by | Condition/Criteria Met                             | Recipient Previously Acknowledged |
|--------------------|-------------|--------------|----------------------------------------------------|-----------------------------------|
| None               |             |              | <ul style="list-style-type: none"> <li></li> </ul> |                                   |

### 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 |
|--------------------|----------------------------------------------------|--------------|
|                    | <ul style="list-style-type: none"> <li></li> </ul> |              |

|                          |                                                                                            |
|--------------------------|--------------------------------------------------------------------------------------------|
| <b>Report on</b>         | Council response to DfC Consultation on A Fundamental Review of Social Housing Allocations |
| <b>Reporting Officer</b> | Mark Kelso, Director of Public Health & Infrastructure                                     |
| <b>Contact Officer</b>   | Ann McAleer, Corporate Policy & 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 inform members of the draft consultation response developed on behalf of Mid Ulster District Council in relation to the proposed Fundamental Review of Social Housing Allocations.                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>2.0</b> | <b>Background</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2.1        | The DfC are currently consulting on the reform of the current processes used to determine the allocation of social housing. The consultation closes on 21 December 2017.                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2.2.       | It was agreed that the Director of Public Health & Infrastructure would oversee the development of a consultation response to DfC on behalf of Mid Ulster District Council.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>3.0</b> | <b>Main Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3.1        | As a result of research carried out by the University of Ulster and Cambridge the Department for Communities has developed proposals for changes to the current social housing allocations system.                                                                                                                                                                                                                                                                                                                                                                                    |
| 3.2        | The Department have stated that the intended outcomes of the proposals are as follows:<br><ul style="list-style-type: none"> <li>•A greater range of solutions to meet housing need;</li> <li>•An improved system for the most, vulnerable applicants</li> <li>•A more accurate waiting list that reflects current housing circumstances;</li> <li>•Those in greatest housing need receive priority, with recognition of their time in need;</li> </ul> and<br><ul style="list-style-type: none"> <li>•Better use of public resources by ensuring the list moves smoothly.</li> </ul> |
| 3.3        | Council's draft response (attached as Appendix A) encourages the Department to find local solutions to local problems rather than implementing a one size fits all approach and also to consult further on some aspects of their proposals.                                                                                                                                                                                                                                                                                                                                           |
| <b>4.0</b> | <b>Other Considerations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>4.1</b> | <b><u>Financial &amp; Human Resources Implications</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|            |                                                                                                                                         |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|            | Financial: N/A<br><br>Human: N/A                                                                                                        |
| <b>4.2</b> | <b><u>Equality and Good Relations Implications</u></b><br><br><b><u>N/A</u></b>                                                         |
| <b>4.3</b> | <b><u>Risk Management Implications</u></b><br><br>N/A                                                                                   |
| <b>5.0</b> | <b>Recommendation(s)</b>                                                                                                                |
| 5.1        | It is recommended that members approve the attached response to the Consultation on A Fundamental Review of Social Housing Allocations. |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>                                                                                              |
| 6.1        | Appendix A: Draft Response                                                                                                              |



5 December 2017

Social Housing Policy Team  
Department for Communities  
Level 3, Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG

Ref: A Fundamental Review of Social Housing

To Whom it May Concern

Mid Ulster District Council would like to take this opportunity to put forward views, opinions and concerns in relation to the 'Fundamental Review of Social Housing' consultation. Council understands that the desired outcome of the process would be to achieve the following five outcomes:

- A greater range of solutions to meet housing need;
- An improved system for the most, vulnerable applicants
- A more accurate waiting list that reflects current housing circumstances;
- Those in greatest housing need receive priority, with recognition of their time in need; and
- Better use of public resources by ensuring the list moves smoothly.

While these proposed outcomes seem ambitious to achieve, Council is broadly supportive of the NIHE's overall aim of improving the current process in order to achieve better outcomes for landlords, tenants and applicants particularly those who

are vulnerable. Responses to the consultations questions relevant to Mid Ulster District Council area are examined in Appendix A.

Nevertheless within the context of providing comment on areas of improvement required within the current system it would be remiss of Mid Ulster District Council not to inform this consultation of the wider context into which these proposals are being introduced. Mid Ulster District Council has invested substantial time and resources over the last three years, working in partnership other statutory and non- statutory agencies, to develop a Community Plan for Mid Ulster. A considerable part of this process involved large scale consultation with the people of Mid Ulster. Within this consultation process the issue of affordable and social housing provision was a key strategic issue identified.

Whilst the allocation of housing is a central element in addressing many of these themes it is difficult to consider it in isolation from other key areas, particularly the supply of social housing provision and the issue of housing affordability. Both of these are critical issues for Mid Ulster District Council area. The District has one of the highest levels of social housing need and this is reflected in the level of social housing stress list and homelessness; this is partly due to the rental values for the area which are higher than across the rest of the region. The reason for much of the homelessness in Mid Ulster is attributed to housing cost. Alongside this is the importance of housing and community to the people of Mid Ulster. These issues were identified as key during that consultation that occurred during the community planning process. There is also a strong community pride across the District and this is again central within the community plan. These discussions on housing allocation were flagged for key consideration during the community plan process.

It is recognised that the provision of strong communities takes account of a range of issues from mixed community housing in terms of seeking to ensure housing areas are open to everyone, but also a mix of tenure, and a mix of family and other unit sizes. Currently there are over 6 of the strategic actions related to housing and the need for

an adequate social housing structure to provide for good health and wellbeing, vibrant and safe communities and Infrastructure. The following strategic actions identified within Council's Community Plan:

- Provide an adequate supply of social and affordable 'homes-for-life' and Supported Living through Area Plan policy and direct public provision
- Promote and provide for mixed community housing developments
- Introduce rent controls to ensure housing is affordable
- A community benefits 'planning gain' requirement in the Local Development Plan
- Support the development of strong and vibrant communities
- Implement an Investment Programme targeting the '20% most deprived' areas in Mid Ulster.
- A Task Force to address poverty locally and deal with the future impacts of Welfare Reform
- Health and Wellbeing and Social and Economic outcomes
- Programme For Government

A unique issue for Mid Ulster is the number of new migrant communities that have chosen to come to work and live in the area. This target audience are mainly rental and this has resulted in the number of properties for rent lessening and therefore resulting in rents beyond the regional average. It has also resulted in families and people having to co share housing. The number of Houses of Multiple Occupancy (HMO) properties registered in Mid Ulster District Council area is recorded as 90, however the actual number is likely to be very different. This creates a real issue for enforcing the legislation for those responsible many tenants will not state they are in multiple occupancy accommodation in poor conditions as the alternative is often street homelessness. This has created a further situation where the landlord in some situations is taking advantage of the situation for economic gain.

The voluntary registration of landlords has not sought to alleviate the concerns of poor housing conditions. Landlord registration for the Mid Ulster District Council area is 5,589 properties linked to 3,616 registered Landlords. The stock of housing in the private rental sector is estimated to be higher for Mid Ulster when compared to the NI average.

The high level of rent in this District has sought to drive up the level of child poverty in the area. From 2005 until recently areas across Mid Ulster District Council have had high levels of child poverty in comparison to other areas Households Below Average Income (HBAI) statistics. This has been attributed to lower than average incomes, higher than average rents and therefore lower disposable income. It is therefore an outcome that people will seek to co-share to provide for their families, many often living with non-relatives.

With regard to the social housing provision it is recognised that the providers of social and affordable housing struggle to compete to purchase land, as the current land value is again higher than the NI average in areas, with particular reference to Dungannon where the social housing need is extremely high. Council is seeking to work alongside associations, Northern Ireland Housing Executive (NIHE) and Department for Communities (DFC) through community planning to seek to identify potential land, through existing asset base, area planning and flexible solutions including one off unit purchases in areas where people want to live, and also seek to ensure associations work together and do not compete for land using the public purse. Other issues that Council is seeking to do within its remit is to ensure a timely turnaround of planning applications, to seek to ensure that planning gain of adequate green space is provided in housing, that current green space is not used as the 'quick fix' and create longer term problems in relation to safe and vibrant communities and neighbourhoods. Evidence would show where our social housing provision has been well planned with good space and green space provision then there are less social issues in the longer term.

In summary the allocation of housing needs to be flexible to community planning areas and needs detailed discussion within this forum alongside other major housing policy areas. To look at these issues in isolation may create a situation where it impacts on other key areas of community planning including the health and wellbeing of people.

If we do not address the issues of housing provision and affordability the allocation of housing will become more difficult. In line with the community planning ethos it is important that local solutions are sought and implemented e.g. Mid Ulster are sought for policy implementation. A one regional fit does not work for many social issues such as housing. Proposals as per the Community Plan and in line with housing allocation for consideration:

1. Equality, central principle across the community plan
2. Health and Wellbeing Poverty
3. Vibrant and Safe Communities

Mid Ulster District Council would urge DFC and NIHE to consider the following areas in relation to any the implementation of reviewing social housing allocations:

### **Explore Local Community Planning Solutions**

The people of Mid Ulster in need are the first priority for Council. With bilateral thinking DFC and NIHE could explore and develop local solutions to unique situations. Addressing the issues in this way would support the mechanism of community planning, however the community planning approach cannot be looked at in isolation. It is critical to address these issues correctly to get the right solutions and to meet the wider issues linked to social housing need and appropriate allocation processes.

### **Mixed Tenure Housing Schemes**

Greater support could be provided for private developer schemes. Housing Associations and Co-ownership bodies should be encouraged to work together with

government in order to provide a coordinated approach to identify assets that can accommodate housing provision. Targets for the provision of social housing need to be set annually and then an update provided. The current plan provides the need each year and the target numbers which roll over each year to subsequent years and just leaves the gap between demand and supply growing.

The social mix in provision and allocation is also important and should allow for vibrant and safe communities, where family connections are also considered. An area that is not used as much and should link to any proposed allocation is latent demand testing. Many people will complete forms and state their preference of location based on where they know the housing is going to be and not where their family are located or where they would choose to live. This often can create further social issues relating to child care and family support and isolation. This needs to include for rural provision in areas and settlements where small hamlet type (clachan) provision could be provided.

### **Mixed Housing Type both in Provision and Allocation**

It is important that targets are set to support mixed housing type development, or areas will be left with apartment (flats) overload, with no provision for choice. This will impact on families, people with disabilities and others. It is important that such targets take account of long term sustainability of areas and lifetime homes, supported by eco-friendly provision. The health and wellbeing of people and families is important. Housing is one of the basic hierarchy of needs for people. The provision of suitable homes for people is critical to all elements of wellbeing. Families should have adequate space for children to grow and develop in all areas of life. This is similar in the allocation of housing to people who are separated and have children again the family unit and tie with both parents is valuable to the wellbeing of the child. It is the central principle of community planning where the wider integrated impact of one policy has on another and on resources and cost.

### **Maximize Use of Existing Government Assets**

It is important as part of community planning that all government agencies do seek to play a role in addressing social housing provision for the Mid Ulster District Council area. As previously stated people working together to identify assets, flexible solutions, integrated working through associations, private sector and public to meet the ever increasing demand for social housing in Mid Ulster. At present government departments are reviewing their asset estate, the coordination of this as part of the wider community planning ethos is important. It is recognised that income to organisations through asset sale is important however not if they are going to have to resource the outcomes of areas that are not being addressed.

### **Landlord Regulation and tenancy deposit scheme**

From 25<sup>th</sup> February 2014 all private landlords must register immediately prior to the letting of a new tenancy, or where there is an existing tenancy, within 12 months. Registration will last for three years at the end of which there is a requirement to re-register. Online registration costs £70 and paper registration costs £80. From 1<sup>st</sup> April 2013 a tenancy deposit scheme has required that deposits paid on or after this date by tenants in the private rented sector must be protected by the landlord in an approved deposit scheme. Private rented property is defined as a property that is not owned by the NIHE or a registered housing association.

### **NI Audit Office Homelessness in Northern Ireland Report**

Council is also aware of the recent publication by the NI Audit Office in relation to the homelessness in Northern Ireland. The report points out that the level of homelessness is increasing year on year and representations of homelessness in NI is significantly higher when compared to England, Scotland and Wales. The report suggests that the current points based system can be directly linked to these figures and recommends actions to address and alleviate current issues within the Common Selection Scheme system. Council would encourage DFC and NIHE to act on these recommendations in order to alter the current system to achieve more positive housing outcomes for people presenting as homeless.

### **Mid Ulster District Council Local Development Plan (LDP)**



Council is working on the preparation of their new Local Development Plan for the district. The preparatory work for the draft Plan Strategy is currently under way. One of the objectives of the plan will be to “to provide for 11,000 new homes by 2030 in a range of housing capable of meeting the needs of families, the elderly and disabled, and single people, at locations accessible to community services, leisure and recreational facilities, for those people with and without a car”.

In relation to affordable/social housing the Strategic Planning Policy Statement (SPPS) for Northern Ireland states that the Housing Needs Assessment/Housing Market Area undertaken by the Northern Ireland Housing Executive, or the relevant housing authority, will identify the range of specific housing needs, including social/affordable housing requirements. The development plan process will be the primary vehicle to facilitate any identified need by zoning land or by indicating, through key site requirements, where a proportion of a site may be required for social/affordable housing. This will not preclude other sites coming forward through the development management process.

There has been ongoing consultation with NIHE in the development plan preparatory work and they have indicated a social housing need in Mid Ulster for the period 2015-2020 as being at 538 units. The consultation has revealed that the area referred to as Dungannon 1 has the largest and most immediate need and engagement with NIHE will continue to understand how this need can be addressed where necessary in the Plan Strategy for the district.

It is also the intention of the new LDP to include a planning policy requirement that in residential developments of 50 units or more or on site of 2 hectares and over that social housing should be provided at a rate of not less than 25% of the total number of units. Council welcomes the engagement that has taken place to date with NIHE and encourage further engagement to ensure that the new LDP is tailored to the needs of the district in relation to social housing.



Finally, Council would like it to be noted that the proposed social housing allocation changes require further consideration by both DFI and NIHE. Council would like to reiterate that while a 'one size fits all approach' can address some issues, finding local solutions to local problems can lead to longer term solutions. As such Council would encourage DFI and NIHE to introduce an element of flexibility and local informed decision making in relation to the allocation of housing. Council would also encourage that a clear and transparent system is developed in order to address the issues within the current process. Applicants and tenants should also be provided with clear information on how the processes work and how they can go about appealing and/or challenging decisions made in relation to them.

Yours sincerely

DRAFT

## **Appendix A-Consultation Question Responses**

1. An independent, tenure-neutral housing advice service for Northern Ireland.

- People should receive high-quality, tailored, tenure-neutral advice in a way which respects their dignity and confidentiality.

### **Response to Question 1:**

**Mid Ulster District Council agrees with the above statement. However Council would encourage locally informed decision making and bespoke solutions for issues that arise locally.**

2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.

- There should be a focus on good housing management, sustainable tenancies and a deterrent against serious anti-social behaviour

3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.

- This proposal should also ensure good housing management and aim to reduce nuisance to tenants; striking a better balance between excluding people from the waiting list and prioritising vulnerable groups.

### **Response to Questions 2&3:**

**Mid Ulster District Council agrees that people engaged in unacceptable behaviour should be penalised within that process. However Council would encourage that behaviours linked to mental health problem such as addictions are dealt with appropriately and that support is sought from the relevant statutory bodies to address the underlying reasons/cause of what NIHE deems to be 'unacceptable behaviour'. Tenants should also be made fully aware of**

that repeated instances of unacceptable behaviour will result in removal from the property.

If a legislative change is to be introduced in relation to the excluding people from waiting lists and ensuring better housing management, Council would strongly urge that the processes in relation to the placement of people who are placed on the sex offenders register be re-examined. This should be to ensure that the scope is provided for appropriate placement of people who are placed on the sex offenders register to be allocated houses. The current process lacks in flexibility and fails to recognise that children frequently gather in places other than Education Authority owned property, such as community youth club, sporting facilities, leisure centres and day-care providers. NIHE has a duty to ensure that their policies and practices in relation to where people sex offenders register are housed doesn't put children and vulnerable people at potential risk of harm.

4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions

- This proposal should ensure a greater range of ways in which the NIHE can meet its duty to homeless applicants and increase the options for meeting applicants' housing need.

#### **Response to Question 4:**

As detailed in the main body of this response (Page 7, paragraph 2) NI Audit Office (NIAO) report on homelessness in NI provides a number of suggestions as to how NIHE can provide a strategic way forward to reduce the number of homeless applicants and therefore allow NIHE to be able to meet accommodation needs of the most vulnerable people who are considered to be homeless. Council would encourage NIHE to strongly consider the recommendations put forward by NIAO in order to improve services for homeless people and ultimately reduce the number of people for whom housing stress results in homelessness.

5. A greater choice of areas for all applicants for a social home.

- All applicants should be able to choose as many (or as few) housing areas as they wish to maximise the likelihood of receiving an offer of a home they can accept.

**Response to Question 5:**

**This seems to be a reasonable suggestion and could be monitored to ensure that it has the desired effect of maximising the likelihood of receiving an offer of a home they can accept.**

6. Greater use of a mutual exchange service.

- Existing social tenants looking for a transfer should ordinarily also be considered for a mutual exchange service.

**Response to Question 6:**

**This seems to be a reasonable suggestion if a demand has been identified or it is proven that there is current under utilisation of this service currently.**

7. The removal of intimidation points from the Selection Scheme

- This would not affect the urgent help for those experiencing intimidation. Where a person is in danger the NIHE would remove them from that danger and offer alternative accommodation on an emergency basis.
- This should recognise the housing need of intimidated households in a fairer and more proportionate way.

**Response to Question 7:**

**Mid Ulster District Council would not support the complete removal of intimidation points from the Selection Scheme and the suggestion of doing so is of grave concern to Council. Council would suggest that any tenant or household subject to danger as a result of intimidation has a right to be assessed for a reallocation of housing. This should apply to all housing association houses as well as sheltered accommodation and all NIHE**

properties. Council would however suggest that this system should in fact be broadened to ensure that points are awarded for a range of situations that require immediate action. These situations could potentially include:

- Domestic Violence
- Harassment
- Acts of God (such as fire and flood)

Council would suggest that in the experience of member's, intimidation linked to paramilitaries is cited as a reason for needing to be moved when in reality the individual or family is being harassed generally and feels under threat generally. However because this type of general/non-political issue is not recognised by the points system therefore tenants report the reason for needing to move is intimidation. This issue would be eradicated should the current system be made broader to include instances other than paramilitary intimidation that leads to tenants not being able to remain in their current housing circumstances.

**8. Points should reflect current circumstances for all applicants.**

- This should make the scheme fairer and more transparent to applicants as they know they will be assessed on their current circumstances. It should also maintain a focus on prioritising current housing needs.

#### **Response to Question 8:**

Council would agree that the current circumstances of an applicant should be reflected in the number of points they possess. However reducing points for applicants who are considered to be vulnerable should be avoided.

**9. The removal of Interim Accommodation points from the Selection Scheme**

This proposal aims to:

- Provide more equal treatment of applicants in similar circumstances;
- Ensure a more accurate waiting list that reflects current housing circumstances; and

- Ensure those in greatest need receive priority.

**Response to Question 9:**

**Council would agree that applicants who are most in need should receive priority housing allocation.**

**10.** The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively

- Applicants should be assessed and points awarded, just as they are in the Selection Scheme at present. The points should then be used to place applicants in bands, alongside others with similar levels of need.

**Response to Question 10:**

**Again Council would point out that a one-size fits all approach does not address the needs of all communities. The introduction of a banding system limits the possibility of elements of flexibility within a selection system. The proposed process could cause issues in terms of people who are allocated a different banding but who are only separated by a few points. Council would propose that a better system of allocation could be to provide a more frequent allocation of points to recognise the length of time that people have been waiting. While it is recognised that this could encourage some people to stay on the list for an extended time in order to get the type of house or location they would prefer. However NIHE have a responsibility to develop and apply mechanisms and processes that are not easily susceptible to manipulation and exploitation.**

**Any banding system that is introduced should be suitably transparent in order to enable vulnerable applicants and their carers to be able to identify key contributors to addressing vulnerability in areas where high levels of social**

**need exists. As such, Council would encourage further consultation be to be carried out in relation to this proposal.**

**11.** The Selection Scheme Rules should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.

- Aligning the Selection Scheme with Housing Benefit should ensure a consistent approach, avoid confusion for applicants and enable good housing management.

**Response to Question 11:**

**Council would support this proposal should the housing stock exist to facilitate it. There is currently a shortage of housing stock, particularly two bedroom homes and bungalows. Therefore this change may disproportionately disadvantage applicants who require smaller homes. Also Council would strongly discourage the allocation of larger homes of family homes to people who require a one or two bedroomed home.**

**12** For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.

- The number of applicants contacted should be the number the landlord thinks is most likely to secure an allocation.

**13.** For difficult-to-let properties: Social landlords should be able to use choice-based letting.

- Landlords must ensure that enough support is given to applicants to enable them to express an interest.

**14.** For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.

- Such evidence would mainly come from previous similar properties being difficult to let.

#### **Response to Questions 12, 13 &14:**

**There are a number of social landlords who are responsible and compliant within the private rented sector. However, within the system there is the potential for exploitation of particularly vulnerable groups. It is imperative that procedural controls are implemented in order to ensure that the most vulnerable members of society are not exploited or taken advantage of.**

**Also it should be recognised that the cost of private rented accommodation makes it out of reach for many families and individuals. Therefore Council would recommend that social landlords rents are capped. This will also lead to protection of communities where housing is in high demand. These areas can be significantly negatively impacted upon when families are left with no option but to seek accommodation in other areas which are cheaper and demand isn't as high.**

**15. An applicant may receive two reasonable offers of accommodation.**

- This proposal reduces the number of offers of accommodation from 3 to 2.**
- If the two offers are refused, no further offers will be made for one year after the date of the last refusal.**

#### **Response to Question 15:**

**Again Council would point out that a one-size fits all approach rarely meets the needs of everyone. While this reduction in choice may be appropriate in some instances a persons or families' individual circumstances may make this reduction unreasonable. Therefore Council would recommend that this proposal should not be implemented. Council would also question if there is anything to be gained by amending the current situation which would require changes within the current system and may cause confusion for applicants who have been on the list for some time and are therefore familiar with the current procedures.**



**16** Social landlords may withdraw an offer of accommodation in specified circumstances.

- This change is required to deal with a very specific, limited number of circumstances.

**17.** Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.

- There should be a focus on good housing management and better use of public resources by enabling social landlords to make more effective use of general needs stock.

**18.** Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose built wheelchair standard accommodation where there is evidence an applicant needs it.

- This proposal should ensure that the most effective use is made of existing adapted stock, and that waiting times for applicants requiring adapted accommodation are reduced.

#### **Response for Questions 16, 17&18:**

**Similar controls to those in place for NIHE and housing associations properties should also be implanted for all Social landlords in the interest of equality of provision and protection of the individual tenant.**

**19.** Updating the Selection Scheme to bring it in line with developments in Public Protection

Arrangements Northern Ireland.

- The NIHE requested this change to bring the Selection Scheme in line with recent developments in legislation to enable social landlords to make restrictions to applicants (or a member of their household) who have been convicted or charged with a violent offence.

**Response to Question 19:**

**Council accepts that NIHE is required to meet the demands of legislation in relation to Public Protection.**

**20. Specialised properties should be allocated by a separate process outside the Selection Scheme.**

- Specialised accommodation should go to those who need it most. A review should be established to put a more effective allocation process in place for applicants needing specialised property such as sheltered dwellings / wheelchair standard accommodation.

**Response to Question 20:**

**Council would agree that wherever possible homes that are sheltered dwellings or that are fully accessible are allocated to people who have needs that require these types of properties. Council would recommend that there is a significant increase in the levels of homes adapted to be made accessible for people with a disability and an increase in the provision of sheltered housing. With an ageing population the demand for properties will only increase, therefore available stock should be future-proofed for the estimated demand in the next 5-10years.**

|                          |                                                       |
|--------------------------|-------------------------------------------------------|
| <b>Report on</b>         | Consultations notified to Mid Ulster District Council |
| <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 which 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><u>Financial &amp; Human Resources Implications</u></b><br><br>Financial: N/A<br><br>Human: N/A                                                                                                                                                         |
| <b>4.2</b> | <b><u>Equality and Good Relations Implications</u></b><br><br>Not Applicable                                                                                                                                                                               |
| <b>4.3</b> | <b><u>Risk Management Implications</u></b><br><br>Not Applicable                                                                                                                                                                                           |
| <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

| Organisation                    | Consultation Title                             | Issue                                                                                                                                                                                                                                                 | Closing Date                                                        | Response Currently Being Developed                                                                                                 |
|---------------------------------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Northern Ireland Forest Service | Proposals to Plant new Woodlands               | Forest Service is currently assessing proposals to plant new woodlands under the Environmental Impact Assessment (Forestry) Regulations (NI) 2006 (as amended). These proposals are based on applications received under the Forest Expansion Scheme. | 24 Nov 2017<br>(a deadline extension was granted)                   | Considered by a Nov Planning Committee.<br><br>(A response was not deemed necessary as it was not deemed relevant to the District) |
|                                 | Link to Consultation                           | Currently unavailable                                                                                                                                                                                                                                 |                                                                     |                                                                                                                                    |
| Organisation                    | Consultation Title                             | Issue                                                                                                                                                                                                                                                 | Closing Date                                                        | Response Currently Being Developed                                                                                                 |
| Labour Relations Agency's       | Draft Corporate Plan for the period until 2021 | The LRA have requested views and comments on three strategic themes we have identified for the duration of the Plan, and the associated actions/outcomes, are the right ones in promoting productive working relationships                            | 12 January 2018                                                     |                                                                                                                                    |
|                                 | Link to Consultation                           | Currently unavailable                                                                                                                                                                                                                                 |                                                                     |                                                                                                                                    |
| Organisation                    | Consultation Title                             | Issue                                                                                                                                                                                                                                                 | Closing Date                                                        | Response Currently Being Developed                                                                                                 |
| Department of Infrastructure    | Extraction from Lough Neagh                    | Planning application for the extraction, transportation and working of sand and gravel from Lough Neagh, planning reference LA03/2017/0310/F                                                                                                          | 15 <sup>th</sup> December 2017<br><br>(4 weeks from date of advert) | Yes - by the Planning section                                                                                                      |
|                                 | Link to Consultation                           | <a href="https://www.planningni.gov.uk/search.htm?q=LA03%2F2017%2F0310%2FF">https://www.planningni.gov.uk/search.htm?q=LA03%2F2017%2F0310%2FF</a>                                                                                                     |                                                                     |                                                                                                                                    |

| Organisation                          | Consultation Title                                                              | Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Closing Date    | Response Currently Being Developed |
|---------------------------------------|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------------|
| Northern Health and Social Care Trust | How we Propose to Purchase Domiciliary care provided by non-statutory providers | <p>Domiciliary care is the term used to describe a range of social care services put in place to support a service user in their own home.</p> <p>The Trust are now proposing new arrangements for purchasing domiciliary care services from non-statutory providers with a tender process commencing April /May 18. This includes domiciliary care provided for older people, people with a physical, sensory or learning disability, people with a mental health condition and children and young people.</p> <p>Information events being held as:</p> <ul style="list-style-type: none"><li>Monday 18 December 2017 at 10am, DS Allen Suite, Ballymena Showgrounds</li><li>Thursday 18 January 2018 at 2pm, Sandel Centre, 6 Knocklynn Road, Coleraine</li></ul> | 26 January 2018 |                                    |
|                                       | Link to Consultation                                                            | <a href="http://www.northerntrust.hscni.net/about/3005.htm">http://www.northerntrust.hscni.net/about/3005.htm</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |                                    |
| Organisation                          | Consultation Title                                                              | Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Closing Date    | Response Currently Being Developed |
| Mid and East Antrim Borough Council   | Draft Equality and Disability Action Plan Consultation                          | Mid and East Antrim Borough Council require information in relation to their draft Equality and Disability Action Plan consultation process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 9 February 2018 |                                    |
|                                       | Link to Consultation                                                            | <a href="https://www.midandeastantrim.gov.uk/council/policies-and-documents/consultations/draft-equality-action-plan-and-disability-action-plan-2018-2019">https://www.midandeastantrim.gov.uk/council/policies-and-documents/consultations/draft-equality-action-plan-and-disability-action-plan-2018-2019</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                 |                                    |

| Organisation                                             | Consultation Title                                                                         | Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Closing Date     | Response Currently Being Developed |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------|
| Northern Health and Social Care Trust                    | Consultation on the future model for acute paediatric services in Northern Trust hospitals | We would like to consult with you on how we propose to deliver our hospital paediatric services in the future. We aim to offer local people excellent health care that can be sustained over time and we look forward to this period of consultation to give us an opportunity to listen to your views.                                                                                                                                                                                                                                                                             | 26 February 2018 |                                    |
|                                                          | Link to Consultation                                                                       | <a href="https://consultations.nidirect.gov.uk/doh-northern-hsc-trust-equality-unit/future-model-for-acute-paediatric-services-in-nort">https://consultations.nidirect.gov.uk/doh-northern-hsc-trust-equality-unit/future-model-for-acute-paediatric-services-in-nort</a>                                                                                                                                                                                                                                                                                                           |                  |                                    |
| Organisation                                             | Consultation Title                                                                         | Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Closing Date     | Response Currently Being Developed |
| Department of Environment, Agriculture and Rural Affairs | Response to the TBSPG's Recommendations to Eradicate Bovine TB in Northern Ireland         | This consultation exercise aims to set out the proposals of the Department of Agriculture, Environment and Rural Affairs (DAERA) for a new strategic approach to the eradication of BTB. The consultation paper therefore reflects DAERA's consideration of, and response to, the recommendations made by the TBSPG in its 'Bovine Tuberculosis Eradication Strategy for Northern Ireland' as published. It should be noted, however, that any final decisions as a result of this consultation will be subject to the view of Ministers and take into account budget availability. | 1 February 2018  |                                    |
|                                                          | Link to Consultation                                                                       | <a href="https://www.daera-ni.gov.uk/consultations">https://www.daera-ni.gov.uk/consultations</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                                    |

| Organisation         | Consultation Title                                                                   | Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Closing Date     | Response Currently Being Developed |
|----------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------|
| Department of Health | Consultation on Department of Health Disability Action Plan and Equality Action Plan | The Department's Equality Scheme commits the Department to developing an Equality Action Plan which sets out the actions the Department proposes to take to address inequality issues identified from the Audit of Inequalities. The audit gathers and analyses information across the Section 75 categories to identify the inequalities that exist for service users and those affected by the Department's policies. More detail on the Audit of Inequalities is included in the consultation document. | 28 February 2018 |                                    |
|                      | Link Consultation to                                                                 | <a href="https://www.health-ni.gov.uk/consultations/draft-disability-action-plan-and-equality-action-plan">https://www.health-ni.gov.uk/consultations/draft-disability-action-plan-and-equality-action-plan</a>                                                                                                                                                                                                                                                                                            |                  |                                    |



|                          |                                           |
|--------------------------|-------------------------------------------|
| <b>Report on</b>         | Correspondence to Council – December 2017 |
| <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 makes reference to correspondence received 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 BT – Notification of Consultation to Remove Payphone</b></p> <p>BT has corresponded with Council to give notification of its intention to remove a payphone. The letter is attached as Appendix A and refers to a public payphone at 73 Tulnacross Road, Cookstown, BT80 9NH</p> <p>BT is undertaking a 90 consultation seeking representations from interested parties. Ofcom guidance on the process identifies the Council as a consultee. A notice has been placed at the Payphone by BT advising the public to submit any views to the Council, via the council's Planning section, within 42 days of the notice placed. No commentary has been received to date on this matter.</p> |
| <b>4.0</b> | <b>Other Considerations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4.1        | <p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: Not applicable</p> <p>Human: Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.2        | <p><b><u>Equality and Good Relations Implications</u></b></p> <p>Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 4.3        | <p><b><u>Risk Management Implications</u></b></p> <p>Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|            |                                                                                   |
|------------|-----------------------------------------------------------------------------------|
|            |                                                                                   |
| <b>5.0</b> | <b>Recommendation(s)</b>                                                          |
| 5.1        | That Council notes and consider, as necessary, the correspondence received.       |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>                                        |
|            | Appendix A Correspondence from BT: Public Payphone at 73 Tulnacross Rd, Cookstown |



Planning Department  
Mid Ulster District Council  
Cookstown Office  
Burn Road  
Cookstown  
BT80 8DT

15<sup>th</sup> November 2017

**TIME SENSITIVE DOCUMENT – REPLY REQUIRED**

Our reference: - JB-02886751270

Dear Sir or Madam,

**REMOVAL OF PUBLIC PAYPHONE:**

I am writing to advise you that the above mentioned kiosk at 73 Tulnacross Road, Cookstown. BT80 9NH has been damaged beyond economical repair. As our records indicate the payphone has received little use during the past twelve months we are proposing to permanently remove the service at this location.

Our obligation to provide a Universal Service will be maintained, as there are other kiosks within the vicinity. The nearest alternative kiosk is Outside Kildress Inn, 32 Drum Road Cookstown. BT80 8JG, which is 1691 meters away

Before we can remove a kiosk we have an obligation to consult with relevant public bodies on the proposed removal. As part of the consultation process it is a requirement that the Council reply in writing to BT within 90-days giving their comments or any objections received from the local community. Further information on the consultation process can be found at:

[http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing\\_callboxes.pdf](http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing_callboxes.pdf)

If you do not reply, it will be taken that the council and interested parties have no objection to the permanent removal of this payphone.

A notice of our proposal is being displayed in the kiosk and a copy is enclosed with this letter for your information.

If you require any further information or have any queries please do not hesitate to contact me via email at [btpcf@bt.com](mailto:btpcf@bt.com)

Yours faithfully

Jim Blanch

BT Payphones - Commercial Field Officer

Date of this notice



# IMPORTANT NOTICE

## **Public Telephone Kiosk 02886751270**

**BT is proposing to remove  
this kiosk.**

The nearest alternative payphone can be found :

**Opposite Kildress Inn  
32 Drum Road  
Cookstown  
BT80 8JG**

If you have any comments about this, please contact  
the planning department at  
**Mid Ulster District Council**  
within 42 days from  
the date of this notice, quoting the  
telephone number of this payphone

### **BT Payphones**

**Email address: [btpcfo@bt.com](mailto:btpcfo@bt.com)**

### **Postal address:**

**4<sup>th</sup> Floor Monument Telephone Exchange 11-13 Great Tower Street London EC3R 5AQ**  
British Telecommunications plc. Registered office 81 Newgate Street, London. EC1A 7AJ  
Registered in England No. 1800000