



26 July 2018

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, 26 July 2018 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business

Matters for Decision

- | | | |
|-----|---|---------|
| 4. | Council meeting minutes of meeting held on 28 June 2018 | 3 - 20 |
| 5. | Environment Committee minutes of meeting held on 2 July 2018 | |
| 6. | Planning Committee minutes of meeting held on 3 July 2018 | 21 - 36 |
| 7. | Development Committee minutes of meeting held on 4 July 2018 | 37 - 50 |
| 8. | Policy and Resources Committee minutes of meeting held on 5 July 2018 | 51 - 56 |
| 9. | Special Council meeting minutes of meeting held on 9 July 2018 | 57 - 66 |
| 10. | Conference, Seminars and Training | 67 - 72 |
| 11. | Civic Recognition Report | 73 - 78 |

Matters for Information

- | | | |
|----|---|---------|
| 12 | Consultations notified to Mid Ulster District Council | 79 - 80 |
| 13 | Correspondence | 81 - 88 |

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

14. Special Planning Committee minutes of meeting held on 20 June 2018
15. Council meeting confidential minutes of meeting held on 28 June 2018
16. Environment Committee Confidential minutes of meeting held on 2 July 2018
17. Planning Committee confidential minutes of meeting held on 3 July 2018
18. Development Committee confidential minutes of meeting held on 4 July 2018
19. Policy and Resources Committee confidential minutes of meeting held on 5 July 2018
20. Audit Committee confidential minutes of meeting held on 17 July 2018
21. Contract for Final Capping Works at Magheraglass Landfill Site
22. Village Schemes - Benburb, Castlecaulfield, Gulladuff and Newmills
23. Village Programme - Maghera Walkway
24. Document for Sealing: Contract for the Purchase of Unit 2, Railway Yard, Cookstown
25. Document for Sealing: "Boundary Rectification: Deed of Transfer and Agreement between Rainey Old Boys Rugby Club and Mid Ulster District Council"
26. Document for Sealing: Gas to the West - Option Agreement with SGN re Railway Park

Matters for Information

**Minutes of Meeting of Mid Ulster District Council held on Thursday 28 June 2018
in the Council Offices, Circular Road, Dungannon**

Chair: Councillor McPeake

Members Present: Councillors Ashton, Bell, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Doris, Elattar, Gillespie, Kearney, Mallaghan, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, Milne, Molloy, Mullen, Mulligan, J O'Neill, M Quinn, T Quinn, G Shiels, Totten and Wilson

Officers in Attendance: Mr Tohill, Chief Executive
Ms Anne Marie Campbell, Director of Leisure & Outdoor Rec.
Ms Canavan, Director of Organisational Development
Mr Kelso, Director of Public Health & Infrastructure
Mr McCreesh, Director of Business & Communities
Ms Mezza, Head of Marketing & Communications
Mr P Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs Forde, Member Support Officer

Others in Attendance: Deputation - Dfl Roads

Mr C Loughrey, Western Divisional Manager

The meeting commenced at 7pm

C130/18 Apologies

Councillor Bateson, Forde, Gildernew, Glasgow Monteith, Reid, Robinson and J Shiels

C131/18 Chair's Business

None

C132/18 Declarations of Interest

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

C133/18 Deputation – Dfl Roads

The Chair, Councillor McPeake welcomed Mr Conor Loughrey, Western Divisional Manager Roads to the meeting. Mr Loughrey presented the previously circulated Dfl Roads Western Division Spring Report. He drew attention to major issues such as the A5 being subject to a Judicial Review with a hearing scheduled for September, the progress on the A29 Cookstown Bypass scheme, capital funding, current funding levels which would allow cutting on grass verges twice between April and October. He

also referred to recent DEA meetings and circulated Member query forms for Members to complete if they had local issues to raise.

Councillor O'Neill entered the meeting at 7.04pm

The Chair, Councillor McPeake thanked Mr Loughrey for the presentation and sought Members questions.

Councillor Mulligan referred to Turbary Bridge, Newtownsaville Road, which had suffered flood damage in June and asked for a timeframe in which it would be dealt with.

Councillor B McGuigan asked in relation aforementioned DEA meetings when Members would receive feedback on the issues raised. He highlighted he had brought forward a number of issues but had only received feedback on one in relation to street lighting.

Councillor Wilson referred to the 'Gas to the West' project and NI Water's ongoing works and what the linkage there was with DfI Roads, highlighting that the roads were becoming 'higgledy piggledy' especially the Lissan Road on which vibrations could be felt in houses.

In response, Mr Loughrey advised Councillor Mulligan that bridge works took longer than other roads maintenance and that he would report back directly.

In response to Councillor B McGuigan regarding lack of feedback he acknowledged the comment had been made the previous year and thus he would be managing the issue sheets through his own office. He further advised he would pass on comments regarding DEA meetings as his expectation was a response should be received by Members.

In response to Councillor Wilson Mr Loughrey stated a lot was happening in relation to utility works and DfI Roads role was to facilitate it and often had to opt for the 'least worst solution'. He advised there were regular meetings to discuss these issues and an aim to progress work in the summer months when schools were off, the evenings were long and there was less traffic on the roads.

Councillor McLean drew attention to the additional funding highlighted in the report and asked how DfI Roads assessed priority works.

Councillor Cuthbertson on behalf of Councillor Robinson drew attention to Turbary Bridge and highlighted that the night of the flood the Member had telephoned the emergency DfI Roads number to be told the matter should be reported to the PSNI.

Councillor Gillespie sought an update in relation to a blanket 20mph speed limit at primary schools.

In response to Councillor McLean's question Mr Loughrey stressed that there were more schemes than there was money for and advised that DfI looked at the state of

the road, costs of patching and cost of resurfacing then decided accordingly. He further advised that Councillor and public lobbying also impacted such decisions.

With regard to the issue of reporting flood damage at Turbury Bridge he advised that the call should come through DfI Roads and he had had a number of comments regarding the service and would look into it.

In response to Councillor Gillespie's comments on 20mph speed limit at schools Mr Loughrey advised there was a 'Safer Routes to Schools' campaign but a change to a blanket ban would require to be made by Ministerial level. He stated, if there were particular schools he would investigate possibilities.

Councillor Gillespie stated that the speed limit was crucial at times when children are going to and from school and highlighted it did happen in some locations.

The Chair, Councillor McPeake sought clarity as to whether it could happen at some places. In response, Mr Loughrey said that if Members put relevant schools on the 'request forms' he would investigate them under the 'Safer Routes to Schools' campaign.

Mr Loughrey thanked Members for the opportunity to present the report and withdrew from the meeting at 7.15pm.

Matters for Decision

C134/18 Receive and Consider Minutes of matters transacted in "Open Business" at the Council meeting held on Thursday 24 May 2018

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

Resolved: That the Minutes of the Meeting of the Council held on Thursday 24 May 2018 (C102/18 – C118/18 and C129/18) transacted in Open Business having been printed and circulated were considered and adopted.

In response to Councillor Mallaghan's enquiry regarding the issue raised at May meeting in relation to an airborne (helicopter) survey over Cookstown and Moneymore area the Chief Executive advised that Council had made contact with the Department for the Economy and had received a response following the issue of papers. He advised that the Department had noted Council's disappointment and had indicated they would be happy to meet with Councillors and officials to explain the process.

Resolved That a meeting be organised with the Department for the Economy in relation to Mineral Prospecting Process and licence operations.

C135/18 Receive and Consider Minutes of matters transacted in "Open Business" at the Annual Council meeting held on Monday 4 June 2018

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee and

Resolved That the Minutes of the Meeting of the Annual Council held on Monday 4 June 2018 (AC1/18 – AC12/18) transacted in Open Business having been printed and circulated were considered and adopted.

C136/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 5 June 2018

Proposed by Councillor Mallaghan
Seconded by Councillor McKinney and

Resolved That the Minutes of the Meeting of the Planning Committee held on Tuesday 5 June 2018 (P075/18 – P082/18 and P088/18) transacted in “Open Business” having been printed and circulated, subject to the foregoing were considered and adopted.

C137/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources meeting held on Thursday 7 June 2018

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved: That the Minutes of the Meeting of the Policy & Resources Committee held on Thursday 7 June 2018 (PR121/18 – PR133/18 and PR149/18) transacted in “Open Business” having been printed and circulated and subject to the foregoing were considered and adopted.

C138/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee held on Tuesday 12 June 2018

Councillor B McGuigan drew attention to *E185/18 Street Naming and Dual Language Signage* and advised that since the recommendation at committee further information had become available. He proposed to approve the Environment Committee minutes with the exception of aforementioned item and that a meeting or a workshop is held with the Irish Language Officer in attendance to further discuss the layout of signage and a recommendation be brought to September Environment Committee. The Councillor stressed the importance of having the signage in the correct format for example for those with dyslexia and for the emergency services.

Councillor Cuthbertson stated he had been at the Environment Committee when the item had been discussed and had voted against the recommendation but asked how many times signage would have to be discussed stressing that at the meeting Members had been advised that the format was suitable for aforementioned groups.

The Chair, Councillor McPeake emphasised that the proposed changes was in relation to alignment.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee

That

- (i) with the exception of item E185/18 that the Minutes of the Meeting of the Environment Committee held on Tuesday 12 June 2018 (E170/18 – E184/18 and E186/18 - E195/18 and E206/18) transacted in “Open Business” having been printed and circulated were considered and adopted;
- (ii) *E185/18 Street Naming and Dual Language Signage* - Resolution is withheld and be discussed at a meeting/ workshop of relevant council officers, to include the Irish Language Officer, to discuss formatting of Dual Language Road Signage. The matter be further brought to the next available Environment Committee in September 2018

Councillor Cuthbertson stated that if guidance was being sought in relation to Irish language advice should be sought in relation to other languages, making reference to a recent recycling leaflet issued by Council in various languages.

Councillor B McGuigan stated that the matter being discussed was in relation to dual language signage.

The Chair, Councillor McPeake stated that the leaflets in various languages would be a matter for the bilingual working group.

The Chair, Councillor McPeake called for a vote on the proposal.

For	22
Against	10

Resolved That

- (i) with the exception of item E185/18 that the Minutes of the Meeting of the Environment Committee held on Tuesday 12 June 2018 (E170/18 – E184/18 and E186/18 - E195/18 and E206/18) transacted in “Open Business” having been printed and circulated were considered and adopted;
- (ii) *E185/18 Street Naming and Dual Language Signage* Resolution is withheld and be discussed at a meeting/ workshop of relevant council officers, to include the Irish Language Officer, to discuss formatting of Dual Language Road Signage. The matter to be further brought to the next available Environment Committee in September 2018

C139/18 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee held on Thursday 14 June 2018

Proposed by Councillor McNamee
Seconded by Councillor Clarke and

Resolved: That the Minutes of the Meeting of the Development Committee held on Thursday 14 June 2018 (D115/18 – D133/18 and D137/18) transacted in “Open Business” having been printed and circulated were considered and adopted.

Councillor Burton drew attention to D118/18 Early Years project and emphasised the necessity of the project in the Clogher Valley area, which would provide much needed childcare places and requested that Council officers work with the group. In response, the Director of Business and Communities assured Members that the Community Development team had been working closely with the group to date and would continue to do so to materialise the investment in the Clogher Valley area.

C140/18 Conferences, Seminars & Training

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

(i) Member Approvals

- **NILGA: Meaningful Collaboration: Real Impact, Seagoe Hotel, Craigavon,** Thursday 21 June 2018, 2pm – 4.30pm, No conference fee, travel and subsistence.
Retrospective approval for Cllrs Burton, Mulligan, McAleer & Reid Glasgow
- **World Canals Conference, Athlone,** Sunday 9th September to 12th September 2018, €455, plus accommodation, travel and subsistence
- **RTPI Introduction to the Planning System, Belfast,** Wednesday 5 December 9.30am to 4.30pm in the Mount Business & Conference Centre, 2 Woodstock Link, Belfast, Conference Cost £249 + VAT, travel and subsistence

Proposed by Councillor McKinney
Seconded by Councillor O'Neill and

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

C141/18 Consideration of Requests for Civic Recognition

The Head of Democratic Services referred Members to the previously circulated report and sought approval for requests for civic recognition from Members, in line with revised policy.

Proposed by Councillor McGinley
Seconded by Councillor Mallaghan and

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

Matters for Information

C142/18 Consultations Notified to Mid Ulster District Council

The previously circulated report providing an update on consultations notified to Mid Ulster District Council since the last meeting of Council was presented to the meeting.

Resolved That Council note the consultations within the Consultations Report

C143/18 Correspondence to Council – June 2018

The previously circulated report to update the Council on correspondence received from two organisations was presented to Council, from:

- Campaigns Manager, Seafarers UK
- Lord Duncan, Parliamentary Under Secretary of State for NI

Resolved: That Council note correspondence received.

C144/18 Notice of Motion

Councillor McAleer moved the motion

“That in the absence of a functioning government Mid Ulster Council write to Mr Jeremy Hunt, MP. Secretary of State for Health and Mr Richard Pengeely, Permanent Secretary, Department of Health to express our concerns that people with Cystic Fibrosis in Northern Ireland are greatly disadvantaged as they are unable to access Cystic Fibrosis drug ‘orkambi’ and other drugs and request a resolution to overcome this health inequality”

Councillor McAleer advised that cystic fibrosis is a genetic condition affecting 11,000 across the United Kingdom that one in 25 people carry the gene that leads to the condition and that carriers are often unaware. She drew attention to the fact that if both parents were carriers of the faulty gene their children would have a one in four chance of being born with the condition.

Councillor McAleer outlined the symptoms of cystic fibrosis explaining that the mucus is thicker in substance which leads to blocked tubes, trapped bacteria, infections requiring continuous antibiotics, breathing difficulties, organ defects, digestive enzymes are effected and medication in the form of CREON is needed with every meal even for babies. Daily physiotherapy is also required again even for babies.

Councillor McAleer advised that 'orkambi' is a medicine that would benefit 40% of people with CF in the United Kingdom, 111 of which reside in Northern Ireland. She advised that whilst current treatments treat the symptoms, 'orkambi' whilst not a cure slows down the decline in lung function and that it had received its European license in November 2015. It was noted that in June 2016 the National Institute of Health and Care Excellence (NICE) recognised 'orkambi' as an important treatment yet in Northern Ireland patients could not avail of the drug due to cost restrictions and lack of long term data. Councillor McAleer further advised that recent findings showed that 'orkambi' can reduce lung function decline by up to 42% and outlined how in April 2017 the government in the Republic of Ireland had negotiated a portfolio approach which guarantees access to 'orkambi' for those with Cystic fibrosis who could benefit. Councillor McAleer outlined that if a similar approach was adopted in Northern Ireland, future treatments could be accessed much faster and the costs of 'orkambi' could be reduced allowing for better fiscal planning and that although the Health and Social Care (NI) had expressed willingness to consider a portfolio approach formal negotiations may take some time.

Councillor McAleer shared that her own godchild had died in 2010 from the condition and that whilst the drug would not have helped her it would help many others. Expressing concern that the Cystic Fibrosis trust had campaigned for three years Councillor McAleer stated that a resolution was required and sought support for the motion.

Councillor McFlynn seconded the motion.

Councillor Elattar expressed her party's support for the motion and stated that she was sure it would receive unanimous support and outlined that the 'orkambi' drug attacked the cause of the disease and could increase life expectancy by ten years. She advised that the drug was available in the Republic of Ireland and many other countries and that its unavailability in the North was due to cost which should not be a barrier to a lifesaving drug.

Councillor McLean stated that the DUP supported the motion.

In response, Councillor McAleer thanked the parties for their support.

The Chair, Councillor McPeake called for a vote on the motion.

For	32
Against	0

The Chair, Councillor McPeake declared the motion carried.

Councillor Cuthbertson left the meeting at 7.35pm

C145/18 Notice of Motion

Councillor M Quinn thanked the Chair, Councillor McPeake for accepting the motion, as he had previously submitted it over a four-month period and now welcomed that the debate to go ahead.

He drew attention to the situation in Gaza stressing that it was difficult to know exactly what element to discuss posing the undernoted questions,

- Do I talk about the almost 2 million people being crammed into an area smaller not much bigger than the Dungannon area?
- Do I talk about how Gaza is effectively the world's biggest open air prison? That it is blocked by wire and barbed wire by land and blocked by a naval force from the sea.
- Do I talk about the limited electricity that Gaza has? How they only have it for few hours a day in which to run schools and hospitals?
- Do I talk about the 135 Palestinian people who have been killed in this conflict since Easter? Do talk about the 10s of thousands of people injured since Easter? Or that most of these people were injured while taking part in a peaceful protest?
- Do I try to humanise this debate in the form of Razan Najar, a 21-year-old doctor shot dead for the horrible crime of trying to help those injured by Israeli snipers from a few thousand meters away, on the other side of a barbwire fence?
- Do I talk about the complete lack of will demonstrated by those in the International community to find a solution to this conflict?

Stressing that supporting speakers may mention other incidents Councillor M Quinn drew attention to the BDS movement, why it is vital and why Council should consider adopting its campaigns.

He referred to the decision of the President of the USA, Donald Trump in moving the American Embassy to Jerusalem, claimed as the capital of both Palestine and Israel and emphasised that the USA was the only country in the world to do so and that even the UK government had condemned them for this action.

Councillor M Quinn stated that this move signalled the end to American neutrality in the Middle East and ended any prospect of peace. He referred also, to how he watched in horror as America blocked any independent investigation by the UN into the killing of protesters again something that even the British Government condemned which was ironic given their on-going role in the north.

Councillor M Quinn stated that as the International community appeared to be both unwilling and unable to find a peace deal in the Middle East then it was up to ordinary citizens to do something. He spoke of meeting different men and women who have risked their lives bringing aid to Gaza and whilst it was a great thing to do it was only a sticking plaster to the conflict and stressed that a peaceful solution was required. He advised that Israel time and time again had ignored UN sanctions on their actions in Gaza. He highlighted that their actions included stealing land and driving out those who live there, shooting dead innocent civilians, bombing schools and hospitals. He

stressed his words were not a slight on the Israeli people but on the actions of their Government.

Councillor M Quinn spoke of the absence of the Assembly and thus it was up to Council to take action on behalf of our citizens. He spoke of local support for Palestine highlighted in a recent petition handed over by the GAA with 1000s of local people wanting to right to show solidarity with Palestine through waving a flag. He stated that it was his belief that the best way Council could help bring an end to the conflict is to support the BDS campaign which is supported by millions right across the world and aims to bring a peaceful end by bringing pressure on the Israeli Government through various campaigns that include boycotting food, clothes, equipment that provide financial support to the Israeli government.

Councillor M Quinn requested Members to recall the name Mary Manning and the other Dunnes Stores employees that went on strike after Mary was sacked for refusing to sell oranges from South Africa who at the time were an apartheid government. He advised that these people had made a difference, he recalled how America had assisted in finding peace in Northern Ireland, he advised that a local man as an honorary citizen of Gaza and that locally there had been protests about the situation.

In conclusion, Councillor M Quinn sought support for people who cannot help themselves and tabled an amendment for the motion as undernoted.

“That this Council notes with grave concern the rising death toll in Palestine, as well as the hundreds wounded at the Gaza-Israeli Border over recent weeks which has severely heightened tensions in the Middle-East:

- *affirms its support for a peaceful end to the Israel/Palestine conflict;*
- *notes the ongoing Boycott, Divestment, Sanctions (BDS) Campaign; and*
- *will investigate the most practical means of implementing the BDS campaign”*

Councillor Kearney seconded the motion highlighting that other motions being moved highlighted the plight of both young and old who are disadvantaged and drew the similarity with the Palestinian people who had been abandoned by the West. He highlighted that local people in Mid Ulster were concerned about the situation and had no one to turn to but the Council.

The Chair, Councillor McPeake clarified that the amendment to the motion as outlined by Councillor M Quinn was accepted.

Councillor McGinley advised that Sinn Féin were in favour of the motion and highlighted that many local people had expressed outrage through protests and social media campaigns and had invited local representatives to attend. He stressed that the situation in Gaza became more desperate each day and drew attention to 350 children being held in an Israeli prison, peaceful Palestinians being fired upon, 13 people under the age of 18 killed one being a young baby actions which are nothing short of a massacre and that Israel must be held to task for. He highlighted the fact that the restrictive measures Palestinians were subjected to had been described by Amnesty International as crisis such as economic suffocation, disastrous living standards, electricity shortages, medical supplies not being allowed in, the Councillor

further highlighted that in the past six months three hospitals had to close and that the World Health Organisation had highlighted that 50 patients had died as a result of having to move hospitals. In conclusion, Councillor McGinley stated that Council should support the BDS campaign to end conflict.

Councillor Wilson stated that he found the motion frustrating as neither he nor Councillor M Quinn were elected to Council because of their views on the Middle East. He emphasised that there were many strongly held views on this conflict within Northern Ireland that some supported Palestine whilst others supported Israel. He emphasised that some in Northern Ireland see Israel as the only true democracy in the Middle East where Christian communities were growing, women's rights were respected and where there is free press and independent courts. He stated that a resolution by Council to impose boycotts against Israeli Jews on the grounds of their nationality, faith or political viewpoint was nothing short of abhorrent. He stated that if a motion was brought in relation to Turkish occupation of northern Cyprus or that Chinese restaurants should be boycotted because of Chinese occupation of Tibet they would be correctly condemned as being racist yet it was being deemed acceptable for progressive parties to turn a blind eye when Israeli Jewish stalls are picketed in shopping centres and businesses attacked because they stock Israeli goods. He highlighted an incident at the Linen Hall library earlier in the year when staff were intimidated for hosting an Israeli event and asked if this would be condemned.

Councillor Wilson stated that all would agree on the aspiration for a peaceful Middle East but the reality is that the motion was requesting council to single out Israeli Jews, their businesses and culture for boycott and exclusion as a means of achieving peace. He stressed that as local politicians actions can influence community relations, he highlighted attacks on Northern Ireland's only synagogue and his concern when a representative of the Northern Ireland Jewish Community told him he found the motion threatening and discriminatory. Councillor Wilson asked Councillor M Quinn if he had researched the impact of the motion on the Israeli Jewish community and indeed local community relations and what extent support of the motion would have for example if Israeli firms tendered for Council business would they be accepted. He also reflected on the Hamas terrorist organisation and its support for BDS.

Councillor Wilson stated that the motion was political grandstanding and requested that Councillor M Quinn withdraw the motion and permit Council to do what it was elected to do.

Councillor McLean speaking on the motion stated that it was in breach of 16.1 of standing orders and emphasised that whilst in the Chair Councillor Ashton had twice ruled the motion out from debate. He concurred with comments made by Councillor Wilson and stated that the issue would do more to divide Mid Ulster and since Council had no jurisdiction for the area in question requested that the motion be withdrawn.

In response to comments, Councillor M Quinn stated he had condemned any attacks on Jewish owned businesses and properties and had talked to the Jewish community. He stated that he had liaised with them whilst involved in the Student Union and had many Jewish friends. He stated that the motion was not against a community but a government who was flouting international laws. He stated that the land had been taken off the Palestinian people and many in the Chamber would feel the same if land

was taken from them. He advised that the BDS was many campaigns gathered into one and that he was not calling for discrimination but action to put pressure on a government slaughtering hundreds of people. Councillor M Quinn stated that Irish and British people had a history of standing up for people who were unable to stand up for themselves and advised that following the aforementioned employees of Dunnes Stores campaign Nelson Mandela had met the ten people who had gone on strike. He stressed he was not a supporter of rocket attacks on Israel nor of Hamas and concluded that he would not withdraw the motion.

The Chair, Councillor McPeake called for a vote on the motion

For	22
Against	9

The Chair, Councillor McPeake declared the motion carried.

C146/18 Notice of Motion

Councillor G Shiels drew attention to the motion as undernoted:

“That this council makes representations to the Home Secretary, Sajid Javid MP expressing support for Charlotte Caldwell from Castlederg in her ongoing battle to secure the best possible treatment for her son Billy. Believes that it should not have taken the suffering of a 12-year-old child and obvious distress of his mother to put the use of medicinal cannabis in controlled and tightly regulated circumstances at the centre of a long-overdue national debate.

That we agree that the use of cannabis oil for strictly medicinal purposes is a health issue and not a misuse of drugs issue and therefore consider the seizure of essential clinically prescribed medication at Heathrow Airport to have been a cruel and abhorrent act.

We support her pleas to allow medicinal cannabis oil to be administered to Billy and we further support the family in their need for a continuing supply of the oil in perpetuity once the remainder of the supply granted under the Home Office’s temporary licence has been exhausted. We also express our deep concern at the manner in which the family’s GP was summoned by officials to a meeting in Belfast, shrouded in secrecy and totally void of any political or democratic accountability, and instructed to no longer issue any further prescriptions.

Furthermore that this Council writes to Her Majesty’s Government urging them to initiate a series of independent trials and conduct evidence-based research in order to assist them to make a permanent, positive and hopefully compassionate decision on the future use of medicinal cannabis oil.”

Councillor G Shiels stated that there were those reluctant to use something derived from such a notorious substance but stressed that surely using something good derived from something bad is the very essence of Homeopathy. He stated that reluctance could be countered with the fact that a legal drug supplied on prescription regularly to millions, that is, Opiod derived from Heroin. He drew attention to

Tramadol stating that it was well documented for its addictive properties but used properly had helped many, himself included.

Councillor G Shiels posed the question as to why the Minister does not shrink from Departmental complicity in the use of medicines derived from the same root genesis as Heroin, whilst having seemingly grave reservations in the case of medical cannabis oil derived arguable from a less potent source. Drawing particular attention to Billy's case he stated that the evidence for the benefits of the revolutionary treatment was overwhelming and that the backing of the GP who originally prescribed the medication should be an influencing factor. He stated that there are many forms of neurological disorders and each manifests itself in a variety of ways from patient to patient, thus there was no panacea. Councillor G Shiels stressed it was not the role of Council, nor the government Minister to give false hope to those living with a neurological disorder but neither was it the role of a Minister to remove an outstandingly successful medication, with apparently no reason leaving a young boy with no effective medication and no hope.

Councillor G Shiels stated that the law was the law but in this instance the majority of politicians and healthcare professionals across the country believe that the 'law is an ass.' He continued stating that the government was guilty of double standards and it is soft on the rule of law on the street where illegal drug both 'taking and pushing' was rampant yet the Home Office exercised full rigour of the law in the case of Billy Caldwell, a most unwell child of twelve.

In conclusion, Councillor G Shiels stated he would caution that care must be taken to fully research the claims made in relation to the benefits of cannabis oil but that in Billy's case it was proven to have helped greatly. Councillor G Shiels called for support of the motion.

Councillor McKinney seconded the motion.

Councillor Doris stated that Sinn Féin would support the motion and had and would continue to support Billy and his family. She took the opportunity to thank the former Minister for Health, Michelle O'Neill in her support for Billy.

Councillor McFlynn stated that the SDLP would support the motion and ongoing research, as the drug could also be used to help people diagnosed with Parkinson's.

Councillor McLean stated that initially the DUP had been cautious but given that Councillor G Shiels was stressing the need for more research they too would support the motion.

In response, Councillor G Shiels stated that he was delighted with the support.

The Chair, Councillor McPeake called for a vote.

For	31
Against	0

The Chair, Councillor McPeake declared the motion carried.

Councillor McEldowney left the meeting at 8.09 pm.

C147/18 Notice of Motion

Councillors Mallaghan, Mullen and Reid to move. Councillor Mallaghan read the undernoted motion

“That this Council recognises the work of the PCSP, Council Officers and PSNI in their efforts to ensure the Cookstown Night Time Economy is successful and safe for the public.

That the council works with the PSNI so that our car park in Loy Street is made available for coach parking on Monday Nights alleviating disturbance after night clubs have closed. That council make an exception to its current policy on car parks to facilitate this at busy times of the year”.

Councillor Mallaghan stated that the wording of the motion was succinct and advised that following discussion at the PCSP meeting the advice was that the car park aforementioned being open would make the management of the situation which arises as aforementioned more effective.

Councillor Mullen seconded the motion.

Councillor Wilson supported the motion emphasising that action was needed and advised he had met with local residents and that the behaviour on the night in question had been shocking, buses had also leaked oil all over the footpaths and that ultimately whilst the buses needed to be relocated the people still had to reach them.

Councillor Buchanan also supported the motion and stated that greater policing was needed and also stated that the matter should be discussed at the Environment Committee.

Councillor McEldowney returned to the meeting at 8.11pm

Councillor McFlynn supported the motion and stated that on Monday 2 July a popular DJ was performing at the venue and in order to avoid further disruption the car park needed to be open.

The Chair, Councillor McPeake sought clarity as to whether Councillor Buchanan’s suggestion to refer the matter back to committee was an amendment to the motion.

In response, Councillor McLean stated the DUP had no issue with the motion but it was merely that the out-workings of the request are brought to Committee.

The Chair, Councillor McPeake advised he had been at the PCSP meeting and that it was thought better to bring to Council.

In response, Councillor Mallaghan thanked Members for their support and emphasised that in the past the use of the car park for buses had improved the situation.

The Chair, Councillor McPeake put the motion to a vote.

For	31
Against	0

The Chair, Councillor McPeake declared the motion carried.

Councillor Mallaghan left the meeting at 8.15pm

C148/18 Notice of Motion

Councillor Cuddy drew attention to the undernoted motion:

Dungannon is the largest & fastest growing town in the Mid Ulster District. Dungannon is known for its Industry, Commerce, Educational and Sporting achievements both regionally and internationally. The most serious issue preventing further sustainable growth is the very poor road infrastructure in and around the town. This has been highlighted in previous Dungannon Area Plans but nothing has been done about it. No progress at all has been made. Dungannon DEA Councillors request Mid Ulster Council to prioritise a new bypass plan to replace the existing A29 road route which runs through the centre of Dungannon town. By firstly, identifying and protecting a clear route for this new network road within an agreed timetable, then actively lobbying central government to commit to this project at the earliest possible stage as funding becomes available.

Councillor Burton left the meeting at 8.16pm

Councillor Cuddy highlighted the Magherafelt bypass, which now completed had proved very successful, he also drew attention to the fact that progress was being made on the Cookstown bypass project and hopefully in the next few years would lead to better connections between the districts main towns. Councillor Cuddy stated that Dungannon was 'crying out' for improvements and emphasised the need for a bypass as highlighted in the motion.

Councillor Wilson seconded the motion.

Councillor Molloy supported the motion and advised that a route was identified in previous years but this may now need to be reconsidered but emphasised the importance of identifying and protecting a route.

Councillor Ashton stressed the importance of Council support for the motion stating that the area was thriving economically and thus supporting infrastructure was vital.

Councillor M Quinn advised that the SDLP would support the motion.

In response, Councillor Cuddy thanked the parties for their support concurring with Councillor Molloy that a route needed to be identified and protected.

The Chair, Councillor McPeake called for a vote

For 30
Against 0

The Chair, Councillor McPeake declared the motion carried.

C149/18 Notice of Motion

Councillor S McGuigan moved the motion as undernoted.

“That this Council supports paragraph 49 of the agreed Joint Report of December 2017 which is an approach that will ensure that there is no hardening of the border in Ireland and wants to see the ‘backstop’ option as defined in paragraph 49 included in the legally binding withdrawal Agreement. In addition, this Council wants the full EU rights of citizens protected as proposed in the current draft Withdrawal Agreement”.

Councillor S McGuigan stated that yet again a crucial phase of the Brexit negotiations was progressing with a final Withdrawal Agreement to be approved in October 2018. He advised that whilst the British Government continue to push contradictory positions and state they do not wish to have a hard border the ‘line in the sand’ indicates that that is what the negotiations will deliver.

He referred to Paragraph 49 of the agreed Joint Report in particular the ‘backstop’ solution and stated that with no other solutions available this must come into play. He further stated that the backstop would not resolve all the problems and stressed that Sinn Féin would continue to push for alignment with the entire single market. Councillor McGuigan stated that it was important that the European Union hear from the people of the north and know that the view of the DUP is not everyone’s opinion. Councillor McGuigan also stated that he had previously sought an update in relation to Councils plans to protect the district from the effects of Brexit and that in order to do so Council should form a Brexit Working Group consisting of Councillors and Senior Officers.

Councillor McGinley seconded the motion.

Councillor Wilson stated the UUP respected the result of the majority who voted to leave and this is what would happen. He drew attention to the fact that the United Kingdom had the 5th largest economy in the world, that there could be no border up the Irish Sea and that the European Council were meeting today and thus anything decided at the Council meeting would be irrelevant and premature. He continued stating that the ‘backstop’ drives a thrust through the Belfast agreement, he stressed that ‘cool heads’ and a common sense approach was required and stated that as Unionists Brexit could not be used to isolate Northern Ireland from the rest of the United Kingdom.

Councillor Kearney stated that the EU summit today had been downgraded yet; he drew attention to the fact that it was two years since the referendum and six months since article 50 had been triggered. Councillor Kearney drew attention to the announcement earlier in the week that Airbus would pull out of the United Kingdom if

Brexit continues, 800 car workers jobs were in peril, the PSNI would need many more officers to deal with the issues and that ultimately this part of the world would lose much from Brexit yet appeared to have no say. He stated that Brexit had been described as the *"the undefined being negotiated by the unprepared in order to get the unspecified for the uninformed"*. In conclusion, he stated that the SDLP would support the motion.

Councillor McLean stated that the DUP would not support the motion and although they did not want a hard border, the motion was somewhat premature and concentrated on negativity. He emphasised that the world would not end at Brexit and members should remember why there was a border in the beginning.

Councillor S McGuigan welcomed that there was some positivity to the motion the essence of which was to look at the best interest of Mid Ulster. He stressed the need to look at possible scenarios and plan courses of action accordingly.

The Chair, Councillor McPeake clarified that the formation of the working group was an amendment to the motion.

The Chair, Councillor McPeake called for a vote on the motion with the amendment to convene a working group as undernoted:

"That this Council supports paragraph 49 of the agreed Joint Report of December 2017 which is an approach that will ensure that there is no hardening of the border in Ireland and wants to see the 'backstop' option as defined in paragraph 49 included in the legally binding withdrawal Agreement. In addition, this Council wants the full EU rights of citizens protected as proposed in the current draft Withdrawal Agreement. That this Council set up a Brexit Working Group made up of appointed Senior Managers and Members."

For	21
Against	8

The Chair, Councillor McPeake declared the motion carried.

The public and press left the meeting at 8.25 pm

Councillors McKinney and Mulligan left the meeting at 8.25 pm

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

Proposed by Councillor S McGuigan
Seconded by Councillor McNamee and

Resolved: That items C150/18 – C157/18 be taken as confidential business.

Matters for Decision

- (i) Minutes taken as confidential business at the Audit meeting held on 22 May 2018
- (ii) Minutes taken as confidential business at the Council meeting held on Thursday 24 May 2018
- (iii) Minutes taken as confidential business at the Planning Committee held on Tuesday 5 June 2018
- (iv) Minutes taken as confidential business at the Policy and Resources Committee held on Thursday 7 June 2018
- (v) Minutes taken as confidential business at the Special Planning Committee held on Wednesday 11 June 2018
- (vi) Minutes taken as confidential business at the Environment Committee held on Tuesday 12 June 2018
- (vii) Minutes taken as confidential business at the Development Committee held on Thursday 14 June 2018

C158/18 Duration of Meeting

The meeting was called for 7pm and ended at 8.31pm

CHAIR _____

DATE _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 July 2018 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Mallaghan, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Glasgow, Kearney, McAleer, McEldowney, McKinney, McPeake, Reid,

Officers in Attendance

Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Ms McKearney, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McCrystal, Senior Planning Officer
Ms McNally, Council Solicitor
Mr Stewart, Senior Planning Officer
Ms Grogan, Democratic Services Officer

Others in Attendance

Applicant Speakers

I/2013/0246/F	Ross Planning
LA09/2016/1010/F	Ross Planning
LA09/2016/1659/F	McKeown & Shields Architects
LA09/2016/1662/F	McKeown & Shields Architects
LA09/2017/0313/F	Manor Architects
LA09/2017/0948/F	Cllr Dominic Molloy
LA09/2017/0948/F	Manor Architects
LA09/2018/0158/DCA	Cllr Dominic Molloy
LA09/2018/0158/DCA	Manor Architects
LA09/2017/1241/O	Chris Cassidy – CMI
LA09/2018/0041/O	Chris Cassidy – CMI
LA09/2018/0042/O	Colm McGurk Architect
LA09/2018/0192/F	Terry Scullion Architect
LA09/2018/0213/O	Joe Diamond Architect
LA09/2018/0257/O	Donnelly Design
	Toirleach Gourley
LA09/2018/0398/O	Chris Cassidy – CMI
LA09/2018/0427/F	Aideen McFerran – RPS (Agent)
	Oonagh McCann – SGN (Applicant)
LA09/2017/0810/F	Manor Architects

The meeting commenced at 7 pm.

P089/18 Apologies

Cllrs Bateson, Mullan and Robinson.

P090/18 Declarations of Interest

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

Councillor Reid declared an interest in application LA09/2018/0153/O.

Councillor McPeake declared an interest in application LA09/2018/0192/F.

P091/18 Chair's Business

The Chair advised that the following planning applications would be deferred for an office meeting/withdrawn/submission of further information –

- LA09/2018/0041/O – Dwelling and garage approx 50m SE of 94 Kilrea Road, Portglenone for Mr Raymond Henry – deferred for an office meeting
- LA09/2018/0042/O – Site for dwelling 20m W of 15 Derrynoyd Lane, Moneyneena, Draperstown for Mr Aaron Kelly – deferred for an office meeting
- LA09/2018/0150/O – Dwelling and garage 200m E of 64 Springhill Road, Moneymore for Mr Thomas Nesbitt - withdrawn
- LA09/2018/0213/O – Site for dwelling and domestic garage at 60m SE of 101 Bancran Road, Draperstown for Mr Oliver Bradley – deferred for an office meeting
- LA09/2018/0257/O - Farm dwelling and garage 50m S of 75 Derrycourtney Road, Caledon for Mr Stephen Agnew - withdrawn
- LA09/2018/0398/O – Dwelling and garage 30m NE of 8a Rogully Road, Ballyrogully, Moneymore for Mr Thomas McVey – deferred for 30 days
- LA09/2018/0467/O – Site for dwelling and domestic garage 100m NE of 15 Ballydermot Road, Castledawson for Mr Mark Diamond – deferred for an office meeting
- LA09/2017/0810/F – Dwelling at Coltrim Lane, approx. 220m from Junction with Cookstown Road, Moneymore for Mr Mark Hamilton - until the outcome of an appeal

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved: That the above list of planning applications be deferred for an office meeting/ withdrawn or waiting on submission of further information and removed from tonight's list for consideration.

Matters for Decision

P092/18 Planning Applications for Determination

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

I/2013/0246/F Demolition of existing dwelling/out buildings and the construction of 24 new starter units opposite and adjacent to 9 Strifehill Road, Coolkeeghan, Cookstown for Mr Adrian Miliken

The Head of Development Management presented a report on planning application I/2013/0246/F advising that it was recommended for refusal and updated members on the situation to date.

The Chair advised that a request to speak had been received and asked Mr Ross to address the committee.

Mr Ross advised said that he was here tonight to speak against the application and was representing global business employers CDE and Keystone Groups as they were both major employers in the Mid Ulster area who generated a huge employment database.

He said that both business premises were close to the proposed development and that employment could be jeopardised if this application was approved. He said that in terms of manufacturing both involved outdoor activity of materials, dust and noise and that CDE in particular were looking to expand their business at the opposite side of the road which would be very close to the proposed development. He stated that zoned industrial land and PD8 were in place to protect the development and on the ground, he would commend the comments by the Head of Development Management to recommend refusal as this sends out a good news message to CDE and Keystone that the Council were being supportive of their rights as employers.

The Head of Development Management advised that the applicant had been issued a warning in 2011 when he proceeded to a pre-hearing, where it was deemed as an unsuitable site and now it has become more serious.

Councillor Clarke said that by listening to what was being said it seemed unfair to approve this application as it could lead to all sort of problems in the future and would agree with the proposed recommendation to refuse the application.

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved: That planning application I/2013/0246/F to refuse the application.

LA09/2016/1010/F Replacement and repositioning of existing dwelling and garage and extension to site curtilage at 51 Knockanroe Road, Cookstown for Reid Engineering

Members considered previously circulated report on planning application LA09/2016/1010/F which was recommended for approval.

Proposed by Councillor Reid
Seconded by Councillor Cuthbertson and

Resolved: That planning application LA09/2016/1010/F be approved subject to conditions as per the officer's report.

LA09/2016/1659/F Light engineering workshop and retention of associated yard and car parking area (revised access) at 70m W of 108 Aghnagar Road, Altaglushan, Galbally, Dungannon for Mr Hugh Gormley

Members considered previously circulated report on planning application LA09/2016/1659/F which was recommended for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved: That planning application LA09/2016/1659/F be approved subject to conditions as per the officer's report.

LA09/2016/1662/F Retrospective application for the retention of building in relation to machinery business (revised access) at 108a Aghnagar Road, Altaglushan, Dungannon for Mr Hugh Gormley

Members considered previously circulated report on planning application LA09/2016/1662/F which was recommended for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved: That planning application LA09/2016/1662/F be approved subject to conditions as per the officer's report.

LA09/2017/0313/F Housing development (23 units) at 40m W of 23 Loran Vale, Cookstown for Tullanure Construction

Members considered previously circulated report on planning application LA09/2017/0313/F which was recommended for approval.

Proposed by Councillor Bell
Seconded by Councillor Reid and

Resolved: That planning application LA09/2017/0313/F be approved subject to conditions as per the officer's report.

LA09/2017/0475/O Dwelling and garage to the rear of 48 Carnaman Road and 2 & 3 Curraghbrook Lane, Knockloughrim for H Millar Esq

Mr McCrystal, SPO presented a report on planning application LA09/2017/0475/O advising that it was recommended for refusal. He updated members on the background of the application.

In response to Councillor Bell's query about what point does a number of houses become a cluster, Mr McCrystal referred to PPS21 CTY2a dwellings in the countryside and stated that a cluster development must lay outside a farm and consist of 4 buildings with 3 being dwellings. He said that this application was not associated with a focal point like a crossroads or community buildings and that the landowner was only looking an additional site where dwellings were in front.

In response to Councillor McKinney's query about objections raised, Mr McCrystal advised that one objection was made relating to the number of dwellings in the area with no focal point.

Councillor Reid said that he had listened to all the comments raised tonight regarding this application and said as there was no focal point and doesn't meet the policy, with no-one in attendance to make a case, he would be supportive of the recommendation proposed.

The Chair, advised that speaking rights were applied for but it was after the deadline.

Councillor Cuthbertson said that he wasn't aware of this application being raised before and if so it would have been on the deferred list.

Mr McCrystal stated that the application wasn't deferred but that the Planning Appeals Commission advised that the Council had to reopen the case and look at it afresh again.

Councillor Cuthbertson said that there was never a meeting for members to discuss issues unlike others and there was no opportunity to avail of an office meeting.

The Council Solicitor said members should exercise caution on this as this was more like a procedure type of application. She said that the application was looked at in the past and there was some type of issue relating to a wrong address and if looked at the other way the Objector may have merits on it.

Councillor Reid said that he would be happy to propose the recommendation but would be happier if clarity was given on whether the proper procedures were followed like availing of an office meeting etc so that he feels that both parties have been fairly treated.

The Chair advised that the application had went through full Committee but was refused on an error relating to the address and was returned for consideration.

Proposed by Councillor Reid
Seconded by Councillor Gildernew and

Resolved: That planning application LA09/2017/0475/O be refused.

LA09/2017/0601/F Retrospective planning application for change of use from light industrial to sui generis gymnasium at Unit A4 The Business Centre Workspace, Draperstown for J Max Fitness

Members considered previously circulated report on planning application LA09/2017/0601/F which was recommended for approval.

Proposed by Councillor Clarke
Seconded by Councillor Kearney and

Resolved: That planning application LA09/2017/0601/F be approved subject to conditions as per the officer's report.

LA09/2017/0948/F Alteration/refurbishment of dwelling including reinstatement of rear return as accommodation block and removal of existing boundary walls at ground level at 10 Circular Road, Dungannon for Mr R Carson

LA09/2018/0158/DCA Partial demolition of rear return and existing boundary walls at 10 Circular Road, Dungannon for Mr R Carson

Councillor Cuthbertson declared an interest in applications LA09/2017/0948/F and LA09/2018/0158/DCA.

The Chair advised that LA09/2017/0948/F and LA09/2018/0158/DCA would be considered together.

Members considered previously circulated report on planning application LA09/2018/0158/DCA which was recommended for approval.

The Chair advised that a request to speak against the application had been received from Councillor Molloy and invited him to address the committee.

Councillor Molloy advised that he was here tonight to speak against the application as the previous application for apartments had been refused. He said that residents in the area were concerned that the building would be turned into a HMO for rental as previous enforcement case for HMO raised concerns. He said that there were 2 separate houses and intensification of access raised concerns as it was dangerous and as it was a conservation area, residents in the area would like to see the retention of the trees as they want the character of the area to remain.

The Chair advised that a request to speak in favour of the application had been received from Manor Architects and invited Ms Muldoon to address the committee.

Ms Muldoon advised that she was speaking in support of the application as there was history to the building and would rebut the previous speakers comments as it was up for approval as there had been no issues relating to the last application for apartments on this site.

She said that this application was for the resurrection of the establishment of a house to its previous state. She stated that the site inspection indicated that this wasn't being used as a HMO and that Roads Service raised no concerns with access and as that was a conservation area, the same residents' contacted Environmental Health relating to vermin at the site. She said that any concerns raised previously would be dealt with and that the approval of this application wouldn't be prejudiced.

Councillor Clarke said that the site backs onto a hill and could be recognised for its archaeological potential and felt that there should be a condition included referring to the supervision of excavation in the event of something important being located.

Proposed by Councillor Clarke

To have a condition included referring to supervision of any potential archaeological excavation at the site.

Mr Marrion, SPO advised that reports came back satisfactory with no conditions outlined relating to archaeological findings.

Councillor Reid felt that there was a lot of space between the houses but according to the Officer's report and listening to speakers here together there is a clause to protect the site and would be happy to recommend approval.

Councillor Cuthbertson said that he declared an interest in this application as he had objected to it in the past whilst a Councillor in Dungannon because Roads Service at that time had indicated that access wasn't safe. He enquired how it was possible to accommodate 2 carparking spaces for a 7 bedroom dwelling.

Mr Marrion referred to the existing layout of the plan and said that the applicant could proceed with a refurbishment without requesting approval. He said that the proposed development was for a use as a single dwelling with 7 bedrooms with alteration/refurbishment of a dwelling, including reinstatement of rear return as accommodation block and removal of existing boundary walls at ground level for betterment of access and parking.

Councillor Cuthbertson referred to the existing building and said that currently the plan shows the front part being in reasonable condition, but that the rear being in disrepair and what is being proposed is to take away the back wall and rebuild it with a new configuration which results in less bedrooms.

In response to Councillor Clarke's suggestion regarding archaeological supervision, the Head of Development Management advised that the condition needed to be reasonable and the suggestion to rush something through without the support of the Department may not be the best decision and said that he was content that the Department had assessed this for an potential archaeological dig purposes.

Councillor Clarke said that his proposal was only a precautionary measure as it was an area of archaeological potential.

The Head of Development Management said that he had sought advice from the Department regarding this and they were happy and that he would err on the side of caution.

Councillor Clarke withdrew his proposal.

Proposed by Councillor Reid
Seconded by Councillor McKinney and

Resolved: That planning applications LA09/2017/0948/F and LA09/2018/0158/DCA be approved subject to conditions as per the officer's report.

LA09/2017/0977/F Farm build as cattle shed 40m NE of 28A Toomag Road, Galbally, Dungannon

Members considered previously circulated report on planning application LA09/2017/0977/F which was recommended for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2017/0977/F be approved subject to conditions as per the officer's report.

LA09/2017/1215/F Residential development of 43 dwellings, associated road access including right hand turning lane on Moneymore Road (change of house types on plots 13-47 and 95-103 of approval LA09/2016/0730) at 14 Moneymore Road, Magherafelt for DMD Developments

Members considered previously circulated report on planning application LA09/2017/1215/F which was recommended for approval.

Proposed by Councillor Reid
Seconded by Councillor Cuthbertson and

Resolved: That planning application LA09/2017/1215/F be approved subject to conditions as per the officer's report.

LA09/2017/1216/F Housing development of 5 accessible dwellings with associated access, roads and landscaping at site adjacent to 40 Moneymore Road, Cookstown for Rose House Developments Ltd

Members considered previously circulated report on planning application LA09/2017/1216/F which was recommended for approval.

Proposed by Councillor Reid
Seconded by Councillor Cuthbertson and

Resolved: That planning application LA09/2017/1216/F be approved subject to conditions as per the officer's report.

LA09/2017/1241/O Site for 2 storey dwelling and domestic garage at 30m N of 38 Airfield Road, Toomebridge for Centum NU Ltd

Mr McCrystal, SPO presented a report on planning application LA09/2017/1241/O advising that it was recommended for refusal.

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

Mr Cassidy stated that planning permission would be granted for a dwelling at an existing cluster of development provided all the following criteria are met:

- The cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings; - The Department are content this element is met
- The cluster appears as a visual entity in the local landscape; travelling both directions along the road site is read with existing development.
- The cluster is associated with a focal point such as a social/community building/facility, or is located at a cross roads – the cluster is associated with 3 focal points:
 - a) Moyola Nature reserve runs adjacent to the site. This reserve consists of a formal pathway design to disabled standards, bird hides and fishing stands. It is widely advertised as depicted above and heavily used by the general public
 - b) A helicopter training school located adjacent to the site
 - c) The Moyola River that borders the site
- The identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster – as depicted there is development to the east and south of the site
- Development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and the development rounds of the cluster at this location
- Development would not adversely impact on residential amenity – there are no objections from neighbours and the Department are content the proposal will not affect neighbours.

Mr Cassidy referred to the latest planning appeal findings of the 6th June 2018 and said that the introduction of the proposed development would lie into the cluster being sited between No's 59 and 61 to the rear of No. 63, and it would not encroach into open countryside. The proposal meets the other five requirements of Policy 2a and can be

said to comply with the overall thrust of the policy which is to round off and consolidate an existing cluster of development without changing the overall character of an area. This being the case I do not find it a determining failing that the cluster is not located at a focal point or a crossroads. Policy CTY 2a is met in the round and the proposed development is acceptable in principle in the countryside under this Policy. The Council has not sustained its third reason for refusal.

The Head of Development Management advised that there was an argument within the policy in and around criteria and if he wanted to go to Moyola Nature Reserve he didn't need to go down that road.

Mr Cassidy said that there was hectares of ground and that this was in the area.

In response to the Head of Development Management regarding the focal point to the site, Mr Cassidy advised that it was clearly seen when you walk down road and from the site where bird hides etc are visibly seen.

The Head of Development Plan advised that the helicopter training school was previously approved for residential only and enquired if this was still the case.

Mr Cassidy said that it was approved for 26 days per year flying and was based in Ballymena and not Toomebridge. He said that it's very busy as tours of the lough is extremely popular.

In response to a query about how long the school has been operational, Mr Cassidy advised that it was operational for 10 years, but that it wasn't just a training school as he had an office at the site for commercial use also.

The Head of Development Management referred to the Appeals Decision and said that the key things that jumped out at him was the Commissioner's comment where it only accepts it as a focal point as it integrated into the countryside and 2 houses to either sides.

Mr Cassidy said that he would have to contradict the Head of Development Management as there were 6 appeals for decision and that planning appeals were very consistent on that.

Councillor Gildernew asked if we could get clarification on what identifies a focal point and would like to see a list of these and it can be confusing.

The Head of Development Plan outlined to members what identified as a focal point in the countryside for new dwellings:

- *The cluster lies outside of a farm and consists of at least four buildings of which at least three are dwellings (excluding ancillary buildings such as garages or outbuildings);*
- *The cluster appears as a visual entity in the landscape;*
- *The cluster is associated with a focal point;*
- *The site provides adequate enclosure and is bounded on at least two sides with other development in the cluster;*

- *Development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alters its character or visually intrude into the open countryside;*
- *Development would not have an adverse impact on residential amenity.*

Councillor Reid said that crossroads, community centres etc have all been discussed and maybe even a river, an old bridge and railway and agreed with Councillor Gildernew that it can be sometimes be a bit unreliable. He said that there were 7 other dwellings and asked how long that this been established and the Officer indicated that it was open into the countryside, with some trees being planted to blend it in as it was beside No. 38. Fishing and wildlife are prominent and he found it hard to know because there are some good points and some bad points.

Councillor Clarke agreed with Councillor Reid and said that he raised a relevant point. The focal point in this cluster and asked if it had a name as 7 dwellings were within a short space and proposed to defer the application until further discussions have taken place to get clarification.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2017/1241/O be deferred for an office meeting.

The Council Solicitor said that this came up last month and that members should take time to look at the wording as the focal point has not been defined and has to be in the context of the policy itself. She said that whilst there was an element of flexibility the policy has be adhered to.

LA09/2017/1619/F A three bay cantilever bus shelter at the footpath outside and adjacent to 42 Main Street, Bellaghy for Clear Channel NI Ltd

Mr McCrystal, SPO presented a report on planning application LA09/2017/1619/F advising that it was recommended for refusal.

Councillor McAleer left the meeting at 8 pm and returned at 8.03 pm.

Proposed by Councillor McKinney
Seconded by Councillor Reid and

Resolved: That planning application LA09/2017/1619/F to refuse.

Councillor McPeake said that it was important that another solution was found as a matter of urgency due to the other existing bus shelter being removed before the winter emerges.

Councillor Reid suggested that a letter be sent out to the applicant asking him to relocate the bus shelter as soon as possible due to safety concerns.

LA09/2017/1727/F Playground incorporating play equipment with wet pour safety surfacing and asphalt concrete surfacing; 2.4m wire mesh fence and 3m wide double gate at lands to the rear of business units, Linenhall Business and Community Centre, 67 Kilrea Road, Upperlands for Mid Ulster District Council

All members declared an interest in the above item.

Members considered previously circulated report on planning application LA09/2017/1727/F which was recommended for approval.

Proposed by Councillor McKinney
Seconded by Councillor Reid and

Resolved: That planning application LA09/2017/1727/F be approved subject to conditions as per the officer's report.

LA09/2018/0041/O Dwelling and garage approx. 50m SE of 94 Kilrea Road, Portglenone for Mr Raymond Henry

Resolved: That planning application LA09/2018/0041/O to be deferred for an office meeting.

LA09/2018/0042/O Site for dwelling 20m W of 15 Derrynoyd Lane, Moneyneena, Draperstown for Aaron Kelly

Resolved: That planning application LA09/2018/0042/O be deferred for an office meeting.

LA09/2018/0150/O Dwelling and garage, 200m E of 64 Springhill Road, Moneymore for Mr Thomas Nesbitt

Resolved: That planning application LA09/2018/0150/O be withdrawn.

LA09/2018/0192/F 2 Storey rear extension of 5 Harmony Hill, Castledawson for Mrs P Ryan

Members considered previously circulated report on planning application LA09/2018/0192/F which was recommended for approval.

Proposed by Councillor Clarke
Seconded by Councillor Kearney and

Resolved: That planning application LA09/2018/0192/F be approved subject to conditions as per the officer's report.

**LA09/2018/0213/O Site for dwelling and domestic garage at 60m SE of 101
Bancran Road, Draperstown for Mr Oliver Bradley**

Resolved: That planning application LA08/2018/0213/O be deferred for an office meeting.

**LA09/2018/0257/O Farm dwelling and garage 50m S of 75 Derrycourtney Road,
Caledon for Stephen Agnew**

Resolved: That planning application LA09/2018/0257/O be withdrawn.

**LA09/2018/0288/O 2 No. dwellings between 4 & 8 Aghaginduff Road, Dungannon
for Mr Cathal Quinn**

Members considered previously circulated report on planning application LA09/2018/0288/O which was recommended for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved: That planning application LA09/2018/0288/O be approved subject to conditions as per the officer's report.

**LA09/2018/0317/O 2 No. dwellings at lands between 61 & 65 Kilnacart Road,
Dungannon for Mr Thomas Cassidy**

Members considered previously circulated report on planning application LA09/2018/0317/O which was recommended for approval.

Councillor Gildernew said that he was concerned about the size of the site and asked for clarification.

Mr Marrion said that a similar site had been approved across the road where it has already been accepted. He said that the road had a double infill and if someone came forward with the same site characteristics that this would have to be approved also.

Proposed by Councillor Reid
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2018/0317/O be approved subject to conditions as per the officer's report.

The Council Solicitor said that members should be mindful of the previous decision as this may not have been the best decision as it could be deemed by some as a poor decision.

LA09/2018/0398/O Dwelling and garage 30m NE of 8a Rogully Road, Ballyrogully, Moneymore for Mr Thomas McVey

Resolved: That planning application LA09/2018/0398/O be deferred for 30 days.

LA09/2018/0427/F Approximately 3.5km underground gas transmission pipeline with associated temporary site works at lands at Coltrim Road from the Moneymore Road to Coltrim Lane, the Drumrot Road between Coltrim Lane and Moneyhaw Road from its junction with Drumrot Road, Bridger Street to Hammond Street, Circular Road to the Magherafelt Road, Moneymore for SGN Natural Gas

Members considered previously circulated report on planning application LA09/2018/0427/F which was recommended for approval.

Proposed by Councillor Reid
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2018/0427/F be approved subject to conditions as per the officer's report.

LA09/2018/0467/O Site for dwelling and domestic garage 100m NE of 15 Ballydermot Road, Castledawson for Mark Diamond

Resolved: That planning application LA09/2018/0467/O be deferred.

LA09/2018/0475/F Access laneway with associated entrance pillars and gates to serve dwelling and garage approved under planning ref H/2014/0246/O and LA09/2017/1179/RM immediately adjacent to 62 Killycon Road, Portglenone for Seamus McAllister

Members considered previously circulated report on planning application LA09/2018/0475/F which was recommended for approval.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved: That planning application LA09/2018/0475/F be approved subject to conditions as per the officer's report.

LA09/2017/0810/F Dwelling at Coltrim Lane, approx. 200m from junction with Cookstown Road, Moneymore for Mr Mark Hamilton

Mr McCrystal, SPO presented a report on planning application LA09/2018/0810/F advising that it was recommended for refusal.

Resolved: That planning application LA09/2018/0810/F be put on hold until the outcome of an appeal.

**LA09/2018/0153/O Dwelling and garage 72m NW of 21 Whitetown Road, Newmills
for Mr Kenneth Reid**

Councillor Reid declared an interest in the above application and withdrew to the public gallery.

Members considered previously circulated report on planning application LA09/2018/0153/O which was recommended for approval.

Proposed by Councillor McAleer
Seconded by Councillor Gildernew and

Councillor Cuthbertson asked how the situation had changed as the committee didn't want anything going out of the meeting.

Mr Marrion advised that the issue related to a 10 year rule and information was provided that clarified that this was well within 10 years, between 2004 and 2005 before planning policy came into force, so the application was properly within the timeframe and approval granted.

Resolved: That planning application LA09/2018/0153/O be approved subject to conditions as per the officer's report.

Councillor Reid returned to the committee.

Councillor Reid said that he wanted to clarify to members that all proper procedures were followed and done accordingly.

Councillor Cuthbertson said his reason for asking was because he remembered distinctively Dr Boomer stating that he would require a face to face meeting to see why the application was refused and only wanted clarification on why it was overruled.

Matters for Information

P093/18 Minutes of Planning Committee held on 5th June 2018

Members noted minutes of Planning Committee held on Tuesday 5th June 2018.

P094/18 Receive information on recent Judicial Review decision for consideration.

The Head of Development Management updated members on recent Judicial Review decision for consideration.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Reid
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 P095/18 to P100/18.

Matters for Decision

- P095/18 Receive draft Development Plan Strategy – Introduction & Growth Strategy
P096/18 Receive Enforcement Reports

Matters for Information

- P097/18 Confidential Minutes of Planning Committee held on Tuesday 5 June 2018
P098/18 Enforcement Live Case List
P099/18 Enforcement Cases Opened
P100/18 Enforcement Cases Closed

P101/18 Duration of Meeting

The meeting was called for 7pm and concluded at 9.15 pm.

Chair _____

Date _____

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 4 July 2018 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor McNamee, Chair

Councillors Burton (7.15 pm), Clarke, Cuddy, Doris, Elattar, Forde, McAleer, McEldowney, McFlynn, Molloy, Monteith, Wilson

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
Mr McShane, Acting Head of Leisure
Miss Thompson, Committee Services Officer

The meeting commenced at 7.02 pm.

D138/18 Apologies

Councillor G Shiels.

D139/18 Declaration of Interests

The Chair reminded members of their responsibility with regard to declarations of interest and advised any declarations could be taken throughout the meeting.

Councillor McEldowney declared an interest in Washingbay Wetlands Trust.

Councillor Molloy declared an interest in Square Wheels Cycling Club.

Councillor Clarke declared an interest in Broughderg Area Development Association.

Councillor Monteith declared an interest in Comhaltas Uladh.

The Chair, Councillor McNamee declared an interest in Cookstown INF.

D140/18 Chair's Business

The Chair, Councillor McNamee commended Carol Doey and all involved with the success of Cookstown Summer Carnival on 29 June 2018. Councillor McNamee stated that this was the first Road Closure Order for an event outside of Council and that all had worked well.

The Chair, Councillor McNamee stated that concerns had been raised at the Environment Committee in relation to making community groups aware of the requirements of making a Road Closure Order for an event.

The Head of Tourism advised that a community group newssheet is sent by email/posted to 1000 groups in the District. This newssheet provides information on the legislative requirements and timescales for making a Road Closure Order for an event, the Officer stated that there was also up to date information available on Council's website and that officers have been assisting groups to ensure the journey through legislation is smooth.

Matters for Decision

D141/18 Strategic Business Case for the proposed development of Railway Park and Ballysaggart Lough

The Head of Parks presented previously circulated report which sought approval to progress proposed developments at Railway Park and Ballysaggart Lough.

Councillor Molloy proposed that Council proceed to appoint a suitably qualified and experienced Integrated Consultancy Team (ICT) to develop an outline business case and design options for Phase 1 of the Railway Park development proposal and asked what the timescale was for appointing the ICT.

The Head of Parks stated that timescale for appointing the ICT would be in the region of three months.

Councillor Monteith seconded Councillor Molloy's proposal but had some concern in relation to appointing consultants to prepare a business case which was being internally funded. The Councillor stated that Council had very skilled officers and questioned the need to appoint further consultants.

The Director of Leisure and Outdoor Recreation agreed that Council did have skilled officers but that the appointment of consultants for this phase of the development was to prepare the technical design options of what will go into the park which was specialised and that Council had not considered in detail at this stage. The Director stated that Council wanted to progress development of Railway Park as there were other issues preventing progress at Ballysaggart Lough.

The Chair, Councillor McNamee stated it appeared to be necessary to appoint the ICT in order to progress development of Railway Park.

Councillor Monteith reiterated his concerns and proposed that a report be brought back to committee detailing the amount of money spent on consultants by budget holders responsible to the Development Committee over the lifetime of Mid Ulster District Council.

Councillor Cuddy seconded Councillor Monteith's proposal and asked if there were any opportunities for external funding for the development of Railway Park.

Councillor Cuddy also referred to the creation of a link between Railway Park and Dungannon Park and hoped this had not been forgotten about.

The Head of Parks stated that opportunities to progress links between the two parks were always being sought and that progress in development of Railway Park may help in achieving this. The officer stated that Phase 1 was the most expensive of the three elements of Railway Park development and that there was a desire to make progress but that funding was not readily available however any future funding opportunities would be pursued.

Councillor Cuddy stated that in order to satisfy external funders professional costs are usually increased.

Councillor Wilson felt that the figures in relation to amount spent on consultants may be distorted as officers may not have the expertise needed and that the Development sections within Council were fully stretched. Councillor Wilson stated he did not think officers would seek to bring consultants in unless they were needed.

Councillor Monteith stated he believed the amount of money spent on consultants will be substantial and that Council needs to consider whether it would be cheaper to employ a number of people with the necessary skills.

- Resolved** That it be recommended to Council –
- To approve the appointment of a suitably qualified and experienced Integrated Consultancy Team (ICT) to develop an outline business case and design options for Phase 1 of the Railway Park development proposal.
 - To prepare report detailing the amount of money spent on consultants by budget holders responsible to the Development Committee over the lifetime of Mid Ulster District Council.

Councillor Burton entered the meeting at 7.15 pm.

D142/18 Washingbay Wetlands Park Development Plan

The Head of Parks presented previously circulated report which sought approval for Washingbay Development Plan and financial contribution to project costs.

Proposed by Councillor Doris
Seconded by Councillor Clarke and

- Resolved** That it be recommended to Council –
- To give endorsement to the Washing Bay Masterplan as presented by Muintir na Mointeach and Lough Neagh Landscape Partnership on 9 May 2018 (appendix 1 to report).
 - That a request be made to Policy and Resources Committee to allocate £25,000 to Project 1 (Walkway with park lighting) through the Council's Capital Programme.

- That Council act as lead partner on Project 1 to manage design, procurement and delivery aspects of the scheme with the appointment of an ICT design team.
- To allocate £1,000 to Lough Neagh Landscape Partnership for Project 2 (Lough Neagh Access Project) Technical Design Stage (RIBA Stage 4) for submission to Mid Ulster Rural Development Programme Lough Neagh Cooperation Programme.
- To approve SLA amendment between Council and Muintir na Mointeach to include extension of inspection/maintenance responsibilities associated with the improved infrastructure.
- To seek Permissive Path Agreement with Derrylaughan GAC for creation of additional public path to provide loop trail at Washingbay Wetlands Park.

D143/18 Visitor Signage at Lough Fea

The Head of Parks presented previously circulated report which advised of upgrade to current visitor information signage and user data collection methods at Lough Fea.

The Chair, Councillor McNamee stated he used the pathway around Lough Fea regularly and would be against cyclists also using the pathway as some parts of the path were narrow and that the addition of cyclists would create a dangerous environment. Councillor McNamee stated there was a need to consult with users and local community groups before proceeding to allow cyclists to use the pathway.

Councillor McFlynn stated she agreed with the Chair's comments and that to introduce cyclists to the pathway could be a disaster waiting to happen. Councillor McFlynn referred to Davagh Forest and that Council created two separate trails at that location, one for walkers and another for cyclists.

Councillor Clarke agreed with the previous comments and stated that the pathway at Lough Fea lends itself to walking and that part of the attraction is that cyclists will not be encountered whilst using the path. Councillor Clarke stated that consultation with users and community groups was important before moving forward.

Councillor Wilson stated that he also used the path at Lough Fea and that any cyclists which he had observed did not create a problem as they cannot get the whole way around the pathway.

The Chair, Councillor McNamee suggested that Council undertake consultation with users of pathway at Lough Fea and local community groups before proceeding to permit cyclists use of the path.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That it be recommended to Council to consult with users and local community groups in relation to the proposed dual use trail options for both walkers and cyclists at Lough Fea.

D144/18 Economic Development Report

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

- **Revitalisation Projects**

Proposed by Councillor Molloy
Seconded by Councillor Clarke and

Resolved That it be recommended to Council to prepare and submit ‘shelf ready’ applications to DfC for Magherafelt, Dungannon and Cookstown revitalisation projects during 2018/19. If projects are successful in attaining funding from DfC, then approval is given to provide 20% match funding from Council’s capital budget, of approximately £58,000.

- **Broadband Working Group**

Councillor Clarke proposed option 2 (10 Members) to serve on the Broadband Working Group.

Councillor Molloy seconded Councillor Clarke’s proposal.

Councillor Wilson proposed option 1 (5 Members) to serve on the Broadband Working Group on the proviso that if a member was unable to attend a meeting that a substitute could attend in their place.

Councillor Cuddy seconded Councillor Wilson’s proposal.

Members voted on Councillor Wilson’s proposal –

For – 6
Against – 6

The Chair, Councillor McNamee used his casting vote to vote against Councillor Wilson’s proposal.

Members voted on Councillor Clarke’s proposal –

For – 6
Against – 6

The Chair, Councillor McNamee used his casting vote to vote for Councillor Clarke’s proposal.

Members were reminded to submit their nominations to the Head of Economic Development by 20 July 2018.

Resolved That it be recommended to Council to nominate ten members to serve on the Broadband Working Group. Nominations based on the D'hondt system (5 SF, 2 DUP, 2 UUP, 1 SDLP).

Councillor Monteith referred to another working group being set up without a time limit, the Councillor advised that Council's Constitution states that working groups should be time limited but that this does not happen and that working groups end up becoming permanent.

Councillor Molloy stated he took the point of Councillor Monteith and that it should be within the terms of reference of the working group to have a time limit for its existence.

The Director of Business and Communities advised that a terms of reference would be drafted for consideration at the first meeting of the Broadband Working Group and brought back to the Committee for approval.

- **Mid Ulster Mail Business Awards**

The Head of Economic Development advised that two categories remained available for sponsorship namely SME Business of the Year and Best Retailer. The officer advised that Johnston Press have confirmed they will launch and host the Awards in the Clogher Valley area, if Council sponsors an award category.

Councillor Wilson proposed that Council sponsor the SME Business of the Year category.

Councillor Molloy seconded Councillor Wilson's proposal.

Resolved That it be recommended to Council to sponsor the SME Business of the Year award category in the Mid Ulster Business Awards at a cost of £1,750 + vat, subject to the Awards being both launched and hosted in the Clogher Valley area, and the additional promotional work as outlined by Johnston Press in Appendix 1 to the report being carried out.

- **Village Renewal Projects**

Councillors Clarke, Forde, McAleer, McEldowney and Wilson declared an interest in this item.

In response to Councillor Forde's question the Head of Economic Development advised that each of the six areas has a village plan and projects can be identified quickly from that and agreed with local village representatives to enable works to be tendered and delivered soon thereafter.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve reallocation of £87,978 underspend to date, and any further underspend in subsequent procurement processes, to the six villages detailed below up to a value of £240,000, which have not been allocated funding.

- Knockloughrim/Curran - £40,000
- Tamlaght, Culnady and Innishrush - £40,000
- Dunnamore, Gortacladdy, Killeenan - £40,000
- Ballymaguigan/Creagh - £40,000
- Washingbay/Killeen - £40,000
- Tullyhogue/Tullywiggan/Donaghey - £40,000

- **Fibre Broadband to Rural Northern Ireland**

Report on Fibre Broadband to Northern Ireland noted.

- **Council ESF Match Funded Programmes 2018-2022**

Update report on ESF match funded programmes noted.

- **GDPR Business Seminar – 16 May 2018**

GDPR Seminar Update noted.

D145/18 Community Development Report

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

- **Good Relations and Community Festivals rolling grant award**

Proposed by Councillor Forde
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to approve the grant award recommendations under the Community Local Festivals grants (£9,150) and Good Relations Grant (£2,905) as outlined at appendix 1 of report.

- **Peace IV Partnership**

Councillors Doris, McNamee and Wilson declared an interest in this item.

Proposed by Councillor Molloy
Seconded by Councillor Forde and

Resolved That it be recommended to Council to approve the Peace IV Partnership recommendations as set out in report.

- **Decade of Anniversaries (DOA)**

Councillor Clarke declared an interest in this item.

Proposed by Councillor McFlynn
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to approve the Decade of Anniversaries grant recommendations as outlined in appendix 3 of report.

- **Tender for the Mid Ulster General Advice contract**

Councillor Wilson proposed to proceed to go to tender for the Mid Ulster General Advice contract.

Councillor McEldowney asked if the current provider (Citizens Advice Mid Ulster – CAMU) was doing what they were supposed to be doing as every other advice office was inundated with people who had been to CAMU beforehand.

The Head of Community Development advised that CAMU were meeting the targets set by Council and that these are start to end targets. The officer advised that there had been some issues with CAMU not taking on every appeal but that this matter had been rectified. The officer stated that if Members were aware of problems with the service being provided these should be brought to the attention of officers.

In response to Councillor Monteith's question the Head of Community Development stated that CAMU had provided clarification on what appeals they were taking on and that Council was providing guidance to CAMU.

Councillor Doris stated that the point raised by Councillor McEldowney was important, that CAMU were constantly getting funding from Council and that problems needed to be addressed.

Councillor Molloy stated he was aware of a number of people who had come to him in which their payments could have been enhanced.

Councillor Monteith stated he knew of two cases in which people had been advised by CAMU that their appeal would not be successful and on this advice they had withdrawn their appeal. Councillor Monteith stated that as doctor's notes etc were only available on the day of an appeal it was impossible for CAMU to judge whether or not appeals would be successful beforehand.

Councillor McAleer stated that people can access doctor's notes before an appeal but that they need to pay for this.

Councillor McFlynn seconded Councillor Wilson's proposal.

Councillor Elattar asked if this tender would have the same conditions or if these would be changed.

The Head of Community Development stated that the tender being advertised will be an open competition, that the conditions of the tender can be reviewed and brought before Members for consideration.

Councillor Cuddy asked if the service being provided was the same across all offices or if one office in particular was not performing.

The Head of Community Development stated that the main CAMU offices have to maintain the same opening hours and similar with secondary offices; however outreach varied based on need.

The Director of Business and Communities stated that due to the introduction of the likes of PIP the landscape across the District had changed since 2015 and that it was important that the service being provided works for everyone.

Councillor Monteith stated that specialist advice was lacking in rural areas and that expertise was needed. The Councillor felt that general advice services should be able to sign post to the most appropriate body for support.

- Resolved** That it be recommended to Council –
- To proceed to tender for the Mid Ulster Advice Contract.
 - That the specification and conditions of the proposed Mid Ulster Advice Contract be brought before Members for consideration.

- **Community Development Update**

Noted.

D146/18 Regional and Minority Language Bursary Scheme

The Head of Culture of Arts presented previously circulated report which sought approval for –

- Regional and Minority Language Bursary Scheme Allocation to be awarded to successful applicants for 2018-2019.
- Delivery of Irish Language Activity Funding Programmes 2018-2019 across Mid Ulster District Council.

The Head of Culture and Arts advised of typographical error in report and that recommendation in relation to allocation for Irish Language Activity should read £55,918 as per main body of report.

Proposed by Councillor Molloy
Seconded by Councillor Clarke and

- Resolved** That it be recommended to Council that –
- Regional and Minority Language bursaries be approved for the 146 successful applicants identified with a total amount allocated of £30,000.
 - Irish Language Activity be approved for 20 groups with a total allocation of £55,918.

D147/18 Learning Journey to The Boyne Valley for 40 Tourism Cluster Group Members and Lead Officers

The Head of Tourism presented previously circulated report which outlined plans to develop a one day Learning Journey to the Boyne Valley on 26 September with Tourism Cluster Business members and lead tourism officers. The report also informed Members of a cluster business opportunity to promote Mid Ulster District Council's tourism offering.

Proposed by Councillor Burton
Seconded by Councillor Forde and

- Resolved** That it be recommended to Council –
- To support the Boyne Valley Learning Journey proposal.
 - To invite the competitors and family members from the Commonwealth Clay Pigeon Shooting Competition event, which is being held at Aughnacloy and Galbally to a Mid Ulster District tourism promotional event at the Hill of The O'Neill on 12 September.

D148/18 Loan of Council Equipment to External Groups or Organisations

The Head of Tourism presented previously circulated report which provided update in relation to Council's previously agreed policy and procedure in relation to Lending Council equipment to non-profit groups.

The Head of Tourism advised that from April to June this year there had been 25 instances when equipment had been loaned.

Councillor Clarke asked if the equipment that was being loaned out was coming back to Council in good condition.

The Head of Tourism advised that when equipment is being loaned out it is checked before it is borrowed and again when it is returned for any damage by the same person. The officer advised that there had been one instance when equipment had been damaged and that the group who borrowed that equipment paid for its repair.

Proposed by Councillor Clarke
Seconded by Councillor Burton and

- Resolved** That it be recommended to Council to lend/hire items of specific equipment (as per appendix 4 of report) to non-profit groups, subject to the third party agreeing to and complying with Council's terms and conditions which include the payment of a £50 refundable deposit,

providing evidence in the requisite form of appropriate public liability insurance with an indemnity limit of £5 million and an indemnity to principal clause, and an appropriately authorised representative of the group completing all authorised documentation in advance of the equipment being lent/hired with all documentation to be completed and submitted no later than 14 days before the third party intends to take possession of the equipment.

D149/18 Project Coordinating Officer for the Sperrins

The Head of Tourism presented previously circulated report which sought approval for budget to employ a Project Officer and Administration Assistant to coordinate and implement the Sperrin Future Search Action Plans on behalf of the four local Councils within the Sperrins area.

In response to Councillor Clarke's question the Director of Business and Communities advised that the thematic groups are continuing to work together and that an action plan is in place which Council is committed to. The Director stated that the challenge now was to get a resource in place to deliver the action plan and that the report details the mechanism for doing this. The Director advised that so far funding was not available to fund these posts but that Councils were sharing the cost equally between them.

Councillor Clarke stated that the fact Councils were making a commitment may present opportunities for funding in the future.

Councillor Burton asked if the employment of officers would go beyond this Council term.

The Director of Business and Communities advised that the terms of employment had yet to be worked up, that the posts would be time bound but this could not be specified at the moment. The Director stated that the Sperrins had never had a coordinated approach from Councils before now and that the post being proposed would be a demanding position.

Councillor Burton stated that Council already have a number of staff working in tourism and asked if the project coordinating officer post was that specific that staff already employed would not have the necessary skills.

The Director of Business and Communities advised that internal staff from across the four Councils would be able to apply for the position.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to provide funding (2018/19 - £6937, 2019/20 - £16273) to appoint a Project Coordinating Officer and Administration Assistant.

Matters for Information

D150/18 Minutes of Development Committee held on Thursday 14 June 2018

Members noted minutes of Development Committee held on Thursday 14 June 2018.

D151/18 Culture and Arts Progress Report

Members noted previously circulated report which provided update on progress across Culture and Arts Services and to highlight events that took place in the last quarter. The report also highlighted specific events and activities within the Culture and Arts Service which are currently being developed by the officer team and will take place in the future.

D152/18 US Grant Ancestral Homestead Grading

Members noted previously circulated report which advised of the grading application for US Grant Homestead.

D153/18 Visitor Information Centres Mystery Shopper 100% Achievement

Members noted previously circulated report which advised of both Cookstown and Dungannon Visitor Information Centres receiving 100% in Tourism Northern Ireland's Mystery Shopper reports.

The Chair, Councillor McNamee stated that to achieve a 100% score was a credit to all involved.

Councillor Clarke stated that the 100% score was a great achievement which did not come about by chance.

D154/18 Corporate Events

Members noted previously circulated report which advised of forthcoming corporate events taking place during August and September 2018.

D155/18 WorldHost Ambassador Training – Lake Torrent, Coalisland

Members noted previously circulated report which outlined the WorldHost Ambassador initiative for Coalisland in preparation for the World Superbike Championships in Spring/Summer 2019.

Councillor Doris welcomed the WorldHost Ambassador Training for Coalisland.

D156/18 Big Ted's Party 2018

Members noted previously circulated report which advised of the annual Big Ted's Party Event at US Grant Homestead from 4-8 June 2018.

D157/18 Upskilled and Ready for Business

Members noted previously circulated report which advised of the recent business engagement initiative “Upskilled and Ready for Business” aimed at realising the skills needs of the local tourism and hospitality industry in Mid Ulster.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Burton 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 D158/18 and D1/18.

Matters for Decision

D158/18 Maghera Town Centre Forum – Proposed Membership

D159/18 Cyclical Replacement Plan for Leisure Fitness Equipment

Matters for Information

D160/18 Confidential Minutes of Development Committee held on
14 June 2018

D161/18 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.03 pm.

CHAIR _____

DATE _____

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 July 2018 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor McKinney Chair

Councillors Ashton, Buchanan, Cuddy, Doris, Elattar, Gildernew, Kearney, McPeake, S McGuigan, Molloy, M Quinn

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Dyson, Head of Human Resources
Mr Kelso, Director of Public Health & Infrastructure
Mrs Kerr, Head of Finance
Mr McCance, Head of Culture and Arts
Ms McNally, Council Solicitor
Mr O'Hagan, Head of ICT
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

The meeting commenced at 7.00 pm.

PR150/18 Apologies

Councillors Bateson, Totten, Forde, McLean.

PR151/18 Declaration of Interest

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

PR152/18 Chair's Business

None.

Matters for Decision

PR153/18 Lease of lands at Pomeroy Forest from DAERA/Forest Service – Update

The Council Solicitor drew attention to the previously circulated report to update Members on DAERA/Forest Service's ("FS") legal arrangement with the Council in relation to lands at Pomeroy Forest and to seek approval to the amended terms.

Proposed by Councillor S McGuigan
Seconded by Councillor Molloy and

Resolved: That it be recommended to the Council to agree the revised terms of the Agreements as annexed at section 6 of the report between DAERA/FS and the Council.

PR154/18 Village Renewal Scheme: Rural Development Programme 2014-2020 Lease of non-owned Council Lands

The Council Solicitor drew attention to the previously circulated report to seek Members' approval in principle to enter into a lease agreement with various landowners in respect of different projects under the Village Renewal Scheme.

Proposed by Councillor Gildernew
Seconded by Councillor Cuddy and

Resolved: That it be recommended to the Council that approval be granted for the Council to enter into a Lease with the relevant Landowners in respect of the Projects listed in section 3.2 under the Rural Village Scheme, the terms of each individual Lease to be agreed and approved by Council.

PR155/18 Gas to the West – Option Agreement and Easement request re Lands at Railway Park, Dungannon

The Council Solicitor drew attention to the previously circulated report to seek Members' approval in principle for the Council to enter into an Option Agreement for an Easement in relation to the laying of a natural gas pipeline at lands at Railway Park, Dungannon ("the Site").

Councillor Ashton said that there was a lot of disruption within Dungannon and enquired how much disruption was anticipated for Railway Park.

The Council Solicitor said that she couldn't be sure but would be liaising with the relevant officers and third parties to get all the relevant details and update members on the situation.

Councillor Cuddy declared an interest in the item as he owns some land beside the path.

Proposed by Councillor S McGuigan
Seconded by Councillor M Quinn and

Resolved: That it be recommended to the Council that approval be granted for the Council to enter into an Option Agreement and subsequent Easement with SGN in relation to lands at Railway Park, Dungannon, the final terms of which are to be negotiated.

PR156/18 Service Improvement Plan – Finance

The Head of Finance drew attention to the previously circulated report to provide Members with an update in relation to the Finance Department Service Improvement Plan for 2018/19.

Councillor Cuddy referred to item 4.1 of the report and said that the plan starts off with what was said in the previous year and felt that it should be saying what it should be now and felt that it would be beneficial to have a traffic light system to show members where we currently were.

The Head of Finance said what was circulated tonight was only a summary as the overview of the performance is produced by the Performance Manager.

Councillor Cuddy said it was all good results, but should pick up for what is planned for next year and show it on the report.

The Director of Finance was that Councillor Cuddy had made a valid point but that his department was following the format of what other departments had done within their plans.

Councillor Cuddy said that from what he could see, the listed items were all wins and positive results and asked was there anywhere it showed not so positive items.

The Director of Finance said that there had been some delay in delivering the benefits of relocating the finance staff to Cookstown which had been identified in the previous year's plan due to delays in agreeing job descriptions, etc. Some of the anticipated actions had therefore been rescheduled into the current (2018/19) plan.

Councillor Cuddy said that it was important that measures were kept including all minuses also.

The Chief Executive said that the plan was done in a house style, but said that it was up to this committee how they wish to see the report i.e amended or targets not reached or achieved and said that this could be easily remedied.

Councillor Cuddy said that members needed to see the not so good things as members were here to support officers anyway they could.

In response to Councillor Molloy's query about the end of year plan, the Chief Executive advised that some are done and some are not as it can be extensive, but actions could be traced back through quarterly indicators.

The Chief Executive said that an additional column could be added if members so wished.

Proposed by Councillor Gildernew
Seconded by Councillor Cuddy and

Resolved: That it be recommended to the Council to adopt the Service Improvement Plan for Finance and note the contents of the report and that an additional line be included in future service improvement plans for targets amended/not reached etc. in the previous year.

PR157/18 Request to Illuminate Council Property – July 2018

The Head of ICT drew attention to the previously circulated report to consider a request from Pancreatic Cancer UK to mark Pancreatic Cancer Awareness month by lighting up/illuminating Council Buildings on World Pancreatic Cancer Day – Thursday 15th November 2018.

Proposed by Councillor Molloy
Seconded by Councillor M Quinn and

Resolved: That it be recommended to the Council to approve the request to light up Ranfurly House & Visitor Centre, Dungannon; Burnavon Arts & Cultural Centre, Cookstown and; Bridewell, Magherafelt purple on the evening of Thursday 15th November for World Pancreatic Cancer Day.

Councillor Cuddy said that it may be beneficial to find a way of drawing people's attention to what the colour represented as it was important for this to be highlighted.

PR158/18 Internal Bi-lingual Signage Mid Ulster District Council Facilities

The Head of Culture and Arts drew attention to the previously circulated report to ask Members' to consider draft designs for new Internal bi-lingual signage for Mid Ulster District facilities accessed by the Public.

Councillor Cuddy enquired about the costs incurred to implement the signage at the relevant sites.

The Head of Culture and Arts advised that the installation of internal signage would be rolled out as part of the wider signage programme led by the Technical Services team. Installation of internal signage would coincide with the erecting of the external signage at each location. Given the variances in signage requirements at each venue, the costs would vary from location to location.

Councillor Cuddy asked that costs be brought back to a future committee meeting.

The Chair said that signage must be implemented at council facilities in line with policy which included any facilities that were open to the public.

Councillor Ashton said she wished to voice her Party's objection to the proposal and that her party was consistent throughout this approach due to the public's disapproval of the whole initiative.

Proposed by Councillor S McGuigan
Seconded by Councillor McPeake and

Resolved: That it be recommended to the Council to approve the proposed designs for internal bi-lingual signage with Council facilities. Costs incurred to be brought to a future meeting.

PR159/18 Peace IV Shared Space Project – Donaghmore Riverside Project Agreement

The Council Solicitor advised that upon review, it would be more appropriate to take item PR159/18 Peace IV Shared Space Project - Donaghmore Riverside Project Agreement in Open Business as opposed to Confidential Business.

The Council Solicitor drew attention to the previously circulated report to seek Members' approval with regard to entering into a Project Agreement with Donaghmore District and Community Association ("DDCA") in respect of lands at Donaghmore Riverside Walkway.

The Council Solicitor drew attention to the first and last paragraphs of section 3.2 of the Report, in that the lands were actually owned by St Patrick's GAA and DDCA has a permissive path over them.

Proposed by Councillor Molloy
Seconded by Councillor M Quinn and

Resolved: That it be recommended to the Council to approve the Project Agreement between the Council, St Patrick's GAA and Donaghmore District Community Association as set out in Appendix A of the report.

Matters for Information

PR160/18 Minutes of Policy and Resources Committee held on Thursday 7 June 2018

Members noted minutes of Policy and Resources Committee held on Thursday 7 June 2018.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Gildernew
Seconded by Councillor S McGuigan and

Resolved: In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR161/18 to PR172/18.

Matters for Decision

- PR161/18 Proposal to consider the purchase of property 12, 14 and 15 Market Square, Dungannon (also known as Castle Buildings)
- PR162/18 Proposal from Dungannon Enterprise Centre to transfer ownership of part of Drumcoo Playing Fields, Dungannon
- PR163/18 Staffing Matters for Decision
- PR164/18 Dungannon Leisure Centre Repairs

- PR165/18 Dungannon Youth Project Delivery
PR166/18 The re-calculation of holiday pay to recognise regular
 voluntary overtime worked by staff in 2016/17 and
 2017/18 leave years following recent case law

Matters for Information

- PR167/18 Policy & Resources Confidential Minutes of Meeting held
 on Thursday 7 June 2018
PR168/18 Contracts and DAC
PR169/18 Financial report for 2 months ended 31 May 2018
PR170/18 Staffing Matters for Information
PR171/18 Managing Attendance
PR172/18 GDPR Compliance and Progress Update

PR173/18 Duration of Meeting

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

Chair _____

Date _____

Minutes of Special Meeting of Mid Ulster District Council held on Monday 9 July 2018 in the Council Offices, Circular Road, Dungannon

Chair	Councillor McPeake
Members Present	Councillors Ashton, Bateson, Buchanan, Burton, Clarke, Cuddy, Cuthbertson, Elattar, Forde, Glasgow, Kearney, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, Milne, Mulligan, O'Neill, M Quinn, Reid, Robinson, J Shiels, Totten and Wilson
Officers in Attendance	Mr Tohill, Chief Executive Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Ms Keys, Marketing and Communications Officer Ms McNally, Council Solicitor Mr Moffett, Head of Democratic Services Miss Thompson, Democratic Services Officer
Others in Attendance	Northern Ireland Housing Executive – Ms Bradley and Mr Dallat

The meeting commenced at 7.04 pm

SC16/18 Apologies

None.

SC17/18 Chair's Business

None.

SC18/18 Declarations of Interest

None.

Matters for Decision

SC19/18 To discuss the situation regarding Travellers at Ballyronan

The Chair, Councillor McPeake stated he was at the site at Ballyronan on the day the High Court Order was being served and saw that the eviction of Travellers from this site would effect six or seven children and that as Chairman of the Council he could not stand over what was being done. The Chair stated he had called for tonight's special Council meeting as he felt he did not know enough of the background, implications or legal issues surrounding the eviction of Travellers from site at Ballyronan.

The Chair stated that the first available date for meeting was tonight and referred to the good attendance of Members as a level of interest being shown.

Councillor Wilson asked what Council's legal position was in relation to responsibilities for the Travelling Community.

The Chair, Councillor McPeake stated that Members would be advised of Council's legal position through the meeting and called upon the Director of Public Health and Infrastructure to provide background on the matter.

The Director of Public Health and Infrastructure advised that a group of Travelling families have been based in the Northern part of the Mid Ulster Council area in recent years, moving from one site to another. The Director advised that in 2014 Travellers were encamped at Council property at Newferry on the River Bann and that formal action was taken by Council at that time to repossess the land back. Another or same group of families then located to a site at the Creagh Industrial Park which resulted in formal action being taken by the Department for Infrastructure – Roads at the end of 2015. A group of families then moved in to the Council car park at Shore Road, Ballyronan in October/November 2016, and following legal actions by Council the property was repossessed. The carpark was again re-entered by a group of Travelling families in March 2018 resulting in legal actions being taken by Council to gain repossession, a High Court Order was issued on Monday 25 June 2018 for this effect. The Director advised that there was an existing structured Traveller site facility provided in Coalisland, managed by the Northern Ireland Housing Executive (NIHE).

The Director of Public Health and Infrastructure advised that over the past 12-18 months the NI Human Rights Commission undertook a study in relation to Travellers' accommodation and that Mid Ulster District Council was consulted in relation to same. The Director advised that the study subsequently made a number of recommendations with regard to all Public Authorities ensuring they gave consideration to their legal obligations in relation to Travellers and their families.

The Director of Public Health and Infrastructure advised that Council have been liaising with NIHE in relation to Traveller accommodation and from this Council agreed to undertake a scoping study to identify potential sites in the Northern region of the Council District. As a result, five opportunity sites were identified –

- Land adjacent to Creagh Industrial Site
- Runway portion of land adjacent to Creagh Industrial Site
- Picnic area adjacent to Moyola River
- O'Neill Park, Ballymaguigan
- Traad Point, Ballyronan

The Director advised that further consultations took place with NIHE in relation to the potential sites and that NIHE indicated that they would like to explore the potential of site at Traad Point.

The Chair, Councillor McPeake invited Mr Dallat from Northern Ireland Housing Executive to address the meeting.

Councillor Elattar declared an interest as she sat on Northern Ireland Housing Council.

Mr Dallat stated that NIHE are responsible for the provision of Traveller accommodation and to this end were working with Council to seek out potential sites for Travellers within Mid Ulster District. Mr Dallat stated that NIHE have two temporary halting sites, one at Legahory, Craigavon and the other at Daisy Fields, Letterkenny Road.

In terms of looking at potential site at Ballyronan, Mr Dallat stated that this exercise was at an early stage and would involve community consultation in relation to any planning application.

Councillor Bateson stated that there had been a lot of discussion, misinformation and negative comments on social media in the past couple of weeks regarding Travellers at Ballyronan and potential site at Traad. The Councillor stated he had also heard and received positive comments in relation to the matter and stated he had been encouraged by this. Councillor Bateson referred to lack of response from Unionist Members, however he realised that all may not be aware of the situation and was not making a negative comment.

Councillor Bateson stated that a number of marginal groups had been treated badly over the years, none more so than Irish Travellers. The Councillor stated that Sinn Féin have been supportive of progressive development in relation to the Travellers and are not embarrassed to be on the side of the Irish Traveller.

Councillor Bateson stated he was from the Loughshore at Traad and knew the area well, the Councillor stated he was comfortable in the company of people from Traad and equally that of Travellers. Councillor Bateson stated that when the site at Traad was identified as a possibility he could have said that he didn't want it on his patch but stated that any identified sites should be subject to due process and that he would like to think that any other Member would have dealt with the situation similarly.

Councillor Bateson stated he was not in conflict with the people of Traad, that he had been supportive of Traad in the past and that he would take his part in the blame that Traad had not reached its full potential. The Councillor stated that he hoped the ongoing discussion in relation to Traad reawakened the potential for further development.

Councillor Bateson stated that the current situation needed to be addressed and that Traad should remain on the table as a potential site going forward.

Councillor Elattar proposed that a cross party meeting be held with Council Officers and NIHE to visit potential sites and assess their feasibility.

The Chair, Councillor McPeake stated that the purpose of tonight's meeting was to come to a solution in the interim and that what Councillor Elattar had suggested was a possibility.

Councillor Kearney stated he would like a timeline of events which had led to tonight's meeting and asked whether the High Court Order had been enforced.

The Director of Public Health and Infrastructure advised that Council had secured a High Court Order on Monday 25 June and that this Order had been served but that the Travellers still remained on site.

Councillor McLean stated that since the notice of tonight's meeting had been issued the DUP MLA for Mid Ulster along with himself and other Members had been inundated with calls in relation to situation at Ballyronan. The Councillor stated that callers concerns related to unsanitary conditions at the site, dumping of rubbish, scantily dressed women, and vehicles using the walkways as roads. Councillor McLean asked if NIHE and Council had received any complaints in relation to the state of the site or what observations had been made.

Councillor McLean stated that whilst no one wanted to see Travellers without proper accommodation they had come onto the site at Ballyronan illegally, the Councillor apologised that he had been unable to visit the site and see the situation for himself but that the picture that was being painted was based on the comments of several callers. Councillor McLean stated that if this was the behaviour of Travellers in the area they were not doing much to bring the wider community on side.

The Chair, Councillor McPeake stated that when he had visited the site last week it had been clean and tidy. The Chair asked if any receptacles had been given by Council for rubbish.

Councillor McLean questioned whether Council should be encouraging those breaking the law by providing bins.

The Chair, Councillor McPeake stated that he had observed a number of forty gallon drums filled with rubbish at the site.

Councillor McLean referred to previous eviction carried out under legacy Council following which it took Council staff two days to get the site clean and tidy again. The Councillor stated that if Members were being asked to make a decision then they needed to know the facts and that the Council Officer had not been able to confirm if this was the same or a different family who had been moved from other sites. Councillor McLean stated that the views of the community also needed to be taken on board.

The Director of Public Health and Infrastructure stated that it was inevitable that if there was an unauthorised encampment without proper facilities there would be dumping and public health concerns. The Director advised that Council had received public health complaints and that the conditions raised by Councillor McLean would be present on site at Ballyronan.

Councillor Wilson stated he was unaware of situation at Ballyronan and would like to hear a timeline of events which had led to tonight's meeting. The Councillor also asked what previous meetings had taken place and who was invited to these meetings. Councillor Wilson stated that he had no difficulty with the report of the Human Rights Commission but felt that Council were not answerable to the Human Rights Commission.

The Chair, Councillor McPeake stated that Council would be answerable to Human Rights Commission.

Councillor Wilson stated that Council can take on board the comments of the Human Rights Commission but that Council is ultimately answerable to the Audit Office.

The Council Solicitor stated that the Human Rights Commission can make recommendations and take action if it feels their recommendations are not being carried through.

Councillor M Quinn asked when the High Court Order had been served, if Council was the body responsible for Traveller holding sites and if the Travellers at Ballyronan had been advised/offered site at the NIHE temporary halting sites.

The Director of Public Health and Infrastructure advised that Council has assisted NIHE with their statutory responsibility of making Traveller accommodation sites available by identifying potential sites. The Director stated that Council has followed due process in obtaining a High Court Order which was issued on 25 June and that the Travellers were clearly aware of this process and what they needed to do.

Councillor McFlynn referred to earlier comment by Councillor Bateson in relation to positive comments and stated that she had received nothing only negative comments and that the people of Traad had asked her to speak on their behalf. The Councillor stated that she had visited the site at Ballyronan and that there was an illegal encampment to which Council had served a High Court Order. Councillor McFlynn referred to an online petition against the use of Traad as a potential site and that this petition had received 850 signatures since Friday. The Councillor advised that the matter first arose at the Environment Committee in April and was discussed again in May, she advised that there had been no further discussion at that Committee since then. Councillor McFlynn stated that the situation had moved quickly and that she would like to know what Council's responsibility was as she believed provision of Traveller accommodation was within the remit of NIHE.

The Chair, Councillor McPeake stated that in terms of process, a working group had been set up in relation to Travellers, this working group had only met 2-3 times and that all Members had been invited to these meetings. Through the working group potential sites were identified and brought forward. The Chair stated that the site at Traad was the only one that met the size requirement of 2 acres and that there was merit in widening the scope of identifying further sites in the District. The Chair stated that it was the responsibility of NIHE to provide accommodation for Travellers but that Council had played its part in helping to identify potential sites.

Councillor McFlynn asked if the family at Ballyronan had been offered accommodation at another site.

Mr Dallat advised of the two emergency halting sites at Legahory, Craigavon and Daisy Field, Letterkenny Road but stated that neither of these sites may be where the family wanted to go. Mr Dallat stated there was provision for 8 spaces at Legahory and 12 spaces at Daisy Field.

Councillor Cuddy asked what Members sat on the working group.

The Director of Public Health and Infrastructure stated that there had been two meetings of the group and that all Members were invited to the first meeting, the Director apologised if all Members had not been invited to the second meeting of the group. The Director stated that the scoping study when completed had been brought to the Environment Committee.

Councillor Ashton asked why Members had not received any briefing papers before tonight's meeting.

The Director of Public Health and Infrastructure advised that the special meeting had been called at short notice and that papers had been previously considered at the May meeting of the Environment Committee. The Director advised there was nothing to add to those papers circulated apart from providing the legal update.

Councillor Reid stated he had received an email in relation to situation at Ballyronan from a member of the public and that the same email had been forwarded by a Council Officer to all Councillors. Councillor Reid stated that as he was Chair of the Environment Committee in which the subject of Travellers had previously been discussed he was disappointed that no other Council Officers had contacted him in relation to the matter. The Councillor felt that the situation at Ballyronan had been mishandled and asked what it had cost Council to seek the High Court Order.

The Chair, Councillor McPeake stated that the notice of tonight's meeting was in relation to the situation at Ballyronan and looking at an interim solution. The Chair stated that the situation has been ongoing for 2 ½ years and that he felt further discussion was needed but not to rehearse what had happened at the working group. The Chair stated that Councillor Elattar had made an earlier proposal to bring Members, officers and NIHE together to assess sites for their feasibility.

Councillor McGinley stated there was a need for cross party solutions, he felt that the proposal put forward by Councillor Elattar was good but that it was not a Sinn Féin lobby but rather a moral approach which should be taken. Councillor McGinley stated that the working group was not solely made up from Sinn Féin membership and that he was aware of other Members who had attended the working group meetings.

Councillor M Quinn referred to the two emergency halting sites already in place and questioned why further provision needed to be made and if it was a case that the family wanted to stay within the area.

Councillor Cuddy proposed that Council follow through with the High Court Order to move Travellers from site at Ballyronan.

Councillor J Shiels stated that there was prejudice towards Travellers but that Council had a responsibility to uphold the law and seconded Councillor Cuddy's proposal.

Councillor McFlynn asked how Council sits legally if it decides to have an interim site for Travellers.

Councillor McLean asked if Council had the authority to go against a High Court Order.

Councillor McPeake stated that the meeting needed to move into confidential business in order to get legal advice.

Councillor Wilson proposed that the meeting continued in open business.

Councillor McLean seconded Councillor Wilson's proposal.

Councillor Glasgow asked who the working group answered to as he had not seen minutes of what had been discussed at those meetings. The Councillor asked if the minutes of the working group meetings were available.

The Chair, Councillor McPeake stated that minutes were all available.

The Council Solicitor stated that it would be prudent for the meeting to go into confidential business as there were a number of legalities which could be explored and advised upon better in closed session.

Members voted on Councillor Wilson's proposal to continue the meeting in open business –

For - 17

Against – 12

Councillor McGinley seconded the Chair, Councillor McPeake's proposal based on the advice of the Council Solicitor and queried if Council could take a decision that was not scheduled on the agenda.

The Chief Executive advised that there was a risk in taking a decision that was not on the agenda however officers were in the hands of Members as to how to proceed. He added that the risk would be greater if the decision was the opposite of that proposed. The Chief Executive added that these were special circumstances which Council had never faced before as the families had always moved on when legal proceedings had progressed to this stage.

Councillor McGinley proposed that the meeting adjourn for 10 minutes based on the advice offered by the Chief Executive.

Councillor S McGuigan seconded Councillor McGinley's proposal.

Councillor Glasgow stated that he could not find the minutes of the working group and asked if these could be made available during the adjournment.

Councillor Reid stated he would also like the cost of obtaining the High Court Order to be made available during the adjournment.

The meeting adjourned at 8.11 pm and recommenced at 8.21 pm.

The Chair, Councillor McPeake asked if there were any counter proposals to Councillor Cuddy's proposal.

No other counter proposal was put forward.

Resolved That Council proceed with the High Court Order to move Travellers from site at Ballyronan.

The Chair, Councillor McPeake referred to Councillor Elattar's proposal and asked if NIHE would be available to take part in meeting with Council Members and Officers.

Mr Dallat stated that NIHE would be available to meet with Council to further explore the provision of Traveller accommodation in Mid Ulster. Mr Dallat also stated that if Council had any hard core areas in their ownership in the District that NIHE could provide portaloos and water facilities at such sites as an interim measure.

Councillor Elattar stated that she would like what she had proposed to happen as soon as possible.

Councillor Bateson asked if NIHE would be agreeable to the scoping study being widened.

Mr Dallat stated the would be certain the Place Shaping Team would be willing to widen the scope of study.

Councillor Clarke stated that the vast majority of land is in private ownership.

Mr Dallat stated that public lands needed to be investigated in the first instance before seeking private land opportunities.

Councillor McGinley stated that whilst NIHE has the statutory responsibility in relation to Traveller accommodation Council has a moral responsibility to the people. He stated that Council needed to be innovative in how it dealt with Traveller accommodation and that this needed to be done quickly.

The Chair, Councillor McPeake stated that a meeting be convened as quickly as possible to discuss interim and permanent Traveller accommodation provision.

Councillor McFlynn suggested that the scoping exercise needed to be widened out to the whole of Mid Ulster area.

Councillor McGinley stated that due process needed to be followed in relation to achieving a permanent site but that Council needed to move quickly in the interim. Councillor McGinley seconded Councillor Elattar's proposal.

Resolved That a meeting between Council Members, Officers and NIHE be convened at the earliest opportunity to discuss interim and permanent Traveller accommodation provision and visit sites as required.

In response to Councillor McLean's comment the Chair, Councillor McPeake stated that there had been no opposition to Councillor Cuddy's proposal.

Councillor McLean referred to the term 'legal process' and asked where this had come from.

The Chief Executive stated that a senior Council Officer working under delegated authority had secured the High Court Order.

Councillor McLean asked who stopped the legal proceedings, the Councillor stated he understood that the Police had went to serve the Order and had not been allowed to do it.

The Chief Executive advised that the legal proceedings had not been stopped.

Councillor McLean stated that he would like some clarity as he understood the Police had been hindered in serving the High Court Order.

The Chair, Councillor McPeake stated he felt Councillor McLean was wrong in his understanding.

Councillor McLean stated he was happy to be proved wrong but that Members needed to know the facts.

The Chair, Councillor McPeake stated that clarification in relation to serving of the High Court Order would be provided at meeting with officers and NIHE.

Councillor Glasgow referred to his request for the minutes of the working group and stated that he would like these circulated.

The Chair, Councillor McPeake stated that working group was a wrong title that it was more of a task and finish group and that all Members had been invited to the first meeting of this group.

Councillor Glasgow stated he would just like to see an account of the meetings.

Councillor Kearney stated that there was a lot of public interest in this matter and referred to the letter submitted to Council from a Member of the public. The Councillor stated that this letter contained a lot of questions and it would be helpful if this was responded to in order to get the trust of the community.

Councillor Reid referred to his earlier request to know the cost of obtaining the High Court Order, the Councillor stated that rate payers were entitled to know the cost of obtaining the Order and this information should be made available in open business. The Councillor also referred to meeting between Council and NIHE and stated that the residents of the Traad area also needed to be contacted in relation to the suitability of potential site at Traad. Councillor Reid stated that the issue of Traveller accommodation needed to be handled correctly going forward as he felt that the situation before Members tonight had been handled badly.

The Chief Executive advised that the cost of obtaining the High Court Order was not available at this stage but that the cost was necessary in order to secure vacant repossession of the site. Information on costs would be provided in due course.

Councillor Reid stated that there were still a few grey areas which needed to be addressed and referred to the need to put the legal process to the vote tonight.

Councillor McGinley clarified that the proposal was not put to a vote tonight.

Councillor M Quinn referred to meeting which had been agreed to be organised between Council and NIHE and asked if what comes out of that meeting will need to be brought back to another Special meeting of Council.

The Chair, Councillor McPeake stated that a further meeting may be required.

The Chair went on to thank those for attending the meeting, that he felt it had been useful in bringing Members up to speed on the situation at Ballyronan.

SC20/18 Duration of Meeting

The meeting was called for 7pm and ended at 8.40 pm.

CHAIR _____

DATE _____

Report on	Conferences, Seminars & Training
Date of Meeting	26 July 2018
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for attendance and the payment of registration/ attendance fees and associated costs, as incurred.
2.0	Background
2.1	Costs associated will be set against 2018-19 member Conference, Seminar and Training allocations.
3.0	Main Report
	The following seminar/ conference sessions and member training requests presented for consideration of representation from Mid Ulster Council.
3.1	Approval for Consideration of Attendance by Members
3.1.1	Conferences & Seminars
	None to report
3.1.2	Member Training Requests
	<i>Ulster of University (Cookstown) Diploma in Irish Language</i>
	<ul style="list-style-type: none"> • 2 year course commencing September 2018 at the Burnavon, Cookstown • Cost £911 per year plus one residential at an additional of £60-£100 • Travel and subsistence • Cllr McGinley to attend
3.2	Officer Approvals
	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.
4.0	Other Considerations

4.1	Financial, Human Resources & Risk Implications
	Financial: Costs will be set against Members 2018/2019 conference/seminar/training allocation. Any cost above allowance will be incurred by Member
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications:
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix A Member Conferences, Seminars & Training Appendix B Officers Conferences



Diploma in Irish Language (Cookstown)

2 Year Course
Starting September 2018

We are now accepting applications for our newly revised Diploma in Irish Language course at The Burnavon, Cookstown. The course aims to develop skills in reading, writing, listening and speaking.

Who should apply?

The course caters for a wide range of learners; you are welcome to apply if:

- you have studied Irish informally at short courses or classes in the community and would like to advance to a higher level of ability
- you studied Irish in school, e.g. to GCSE or AS level and would like to renew and extend your skills, and take a higher qualification
- you work in the Irish language sector but have no formal qualification in Irish

Applicants who have no previous experience of learning Irish but who can demonstrate an aptitude for language study may also apply.

Course Structure and Content

Students will complete one module per 12 week term:

Year 1: Introduction to Irish 1 (Term 1) Introduction to Irish 2 (Term 2)

Year 2: Intermediate Irish 1 (Term 1) Intermediate Irish 2 (Term 2)

Learning activities during classes will introduce students to real-world Irish as it is used in the community and in the Gaeltacht, and will seek to develop students' ability to read, write, comprehend and speak Irish independently.

Attendance

Classes take place every Monday evening from 6pm - 9pm; there are also 3 Saturday bootcamps per term 10am - 1pm, and 1 Gaeltacht Residential weekend in Gweedore, Co. Donegal per term (additional accommodation cost, £60 - £100).

Course Fees

£911 per year (payable in either 1, 5 or 10 installments). GAA members may apply for part-funding via the Gaeilge sa Chlub scheme (contact Ashelene Groogan: Ashelene.groogan.ulster@gaa.ie or call 028 3752 1900). For those on benefits, funding may also be available from studentfinancenl.co.uk.

Further information

To find out more about the course please email irishdip@ulster.ac.uk.

Apply online now at: ulster.ac.uk/apply/how-to-apply/undergraduate



Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Next Steps for Apprenticeships	30/8/18	1 – Officer	London	Yes
Local Government Commercialisation: Generating Income To Support More Effective Public Services	06/03/19	2 Officers	London	Yes

Report on	Consideration of Requests for Civic Recognition – July 2018
Date of Meeting	Thursday 26 July 2018
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

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

2.3	<u>Processing the Request</u> <ul style="list-style-type: none"> • Reviewed against the policy/criteria • Reviewed to identify if recognition provided for similar achievement within 3 years prior to this • Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception • Requests not meeting criteria will be recommended to Council to receive letter from Council Chair
2.4	Appendix A to this report sets out those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.
3.0	Main Report
3.1	Implementation of the policy facilitates the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members.
3.2	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.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That consideration be given to approving request for civic recognition requests
6.0	Documents Attached & References
	Appendix A – Civic Recognitions Recommended for Approval

July 2018 - Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
O'Donovan Rossa's GAC Under 14	John West Boys Div 1 Feile Peile na nOg 2018 - Cup	Cllr Totten Cllr McFlynn	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level 	For: N/A Date: N/A

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Derry GAA Ladies	TG4 Ulster Ladies JFC Winners	Cllr B McGuigan	<ul style="list-style-type: none"> Won competition at the highest level at a NI or Provincial level at the highest level of competition 	For: N/A Date: N/A
Derry GAA under 20s	Ulster GAA - Danny Murphy Cup	Cllr B McGuigan	<ul style="list-style-type: none"> Won competition at the highest level at a NI or Provincial level at the highest level of competition 	For: Previous Team won Championship received Civic Award Date: 24/7/17 Format of team make up changed
Derry GAA under 15s	Ulster GAA Brian McLernon Cup	Cllr B McGuigan	<ul style="list-style-type: none"> Won competition at the highest level at a NI or Provincial level at the 	For: N/A Date: N/A

			highest level of competition	
Derry GAA Under 17 Hurling Team	Bank of Ireland Celtic Challenge Under 17 Hurling Championship Corn William Robinson	Cllr B McGuigan	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level 	For: Previous Team won Ulster Championship received Civic Award Date: 24/8/17 Format of team make up changed
Emma Donnelly	Under 16 Ulster Poc Fada Championship	Cllr M Quinn	<ul style="list-style-type: none"> Won competition at the highest level at a NI or Provincial level at the highest level of competition 	For: N/A Date: N/A
Spice Cottages (Perry & Olive Reid)	Winners of the 2018 NITB Tourism Award - NI's Best Stay - Self Catering [Sponsored by Hoseasons]	Cllr McAleer	<ul style="list-style-type: none"> Won competition at the highest level at a NI or Provincial level at the highest level of competition 	For: N/A Date: N/A
Clogher Valley Agricultural Society	Queen's Award for Voluntary Service	Cllr Burton	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level. 	For: N/A Date: N/A
O'Donovan Rossa's GAC Under 14	John West Girls Div 4 Feile Peile na nOg 2018 - Cup	Cllr Totten Cllr McFlynn	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level 	For: N/A Date: N/A
Ballinderry Shamrocks GAC	John West Boys Div 5 Feile Peile na nOg 2018 - Cup	Cllr McFlynn Cllr G Bell	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level 	For: N/A Date: N/A

Boys Under 14				
Father Rocks (Cookstown) Boys Under 14	John West Boys Div 5 Feile Peile na nOg 2018 - Cup	Cllr McNamee	<ul style="list-style-type: none"> Received an outstanding achievement award at the highest level 	For: N/A Date: N/A

Other: Letter from Council Chair

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

Proposed Recipient	Achievement	Submitted by
none		

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	26 July 2018
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues which may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

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Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Communities	Classification of Registered Housing Associations in NI: Consultation Two- The Future of the House Sales Scheme	This consultation seeks views on the next stage of the Department's work in response to the decision of the Office for National Statistics to classify Registered Housing Associations to the public sector. If not reversed this classification decision has the potential to significantly reduce the amount of money available for the Northern Ireland Executive's programme for developing new social homes.	5pm on Monday 24 September 2018	
	Link to Consultation	https://www.communities-ni.gov.uk/consultations/classification-registered-housing-associations-northern-ireland-consultation-two-future-house-sales		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Justice	Domestic Homicide Reviews	This consultation is seeking views on a proposed model for the introduction of Domestic Homicide Reviews in Northern Ireland. This is intended to seek opportunities for learning from the tragic circumstances where an adult (aged 16+) has been killed as a result of domestic violence and abuse.	Friday 28 September 2018	
	Link to Consultation	https://www.justice-ni.gov.uk/consultations/domestic-homicide-reviews		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	

Report on	Correspondence to Council – July 2018
Date of Meeting	Thursday July 2018
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Minerals & Petroleum Branch, Department for the Economy</p> <p>The Minerals & Petroleum Branch of DfE has corresponded with the council offering to update and explain to members the mineral prospecting process. This has been offered following the query from the Council concerning airborne mineral prospecting activity in the Cookstown/ Moneymore area (see Appendix A).</p> <p>An information session has been offered for members and possible dates have been provided to the Mineral & Petroleum Branch. The session has not been confirmed.</p>
3.2	<p>Correspondence from Chief Executive, Derry City & Strabane District Council</p> <p>Derry City & Strabane DC passed a motion supporting a campaign by Marie Curie and Motor Neurone Disease Association on the definition of terminal illness (prognosis of 6 months or less) used for benefits eligibility including Personal Independence Payments. The motion seeks the support of other Northern Ireland for this campaign. (see Appendix B)</p>
3.3	<p>Correspondence from Chief Executive, Derry City & Strabane District Council</p> <p>Derry City & Strabane DC passed a motion supporting the use of Medical Cannabis when assessed as beneficial to the well-being of a recipient, and further prescribed by the recipients General Practitioner (see Appendix C).</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and consider, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Mineral & Petroleum Branch, Dept. for the Economy Appendix B: Derry City & Strabane District Council (motion - Marie Curie & MND Assoc.) Appendix C: Derry City & Strabane District Council (motion - Medical Cannabis)

Minerals and Petroleum
Branch
Dundonald House
Upper Newtownards Road
Belfast BT4 3SB
Telephone: 028 90 388462

27 June 2018

Councillor Sean McPeake
Chairman
Mid Ulster District Council
Ballyronan Road
Magherafelt
BT45 6EN

Dear Councillor McPeake

MINERAL PROSPECTING ACTIVITY – COOKSTOWN/MONEYMORE AREA

Thank you for your letter dated 19 June 2018 concerning the above matter.

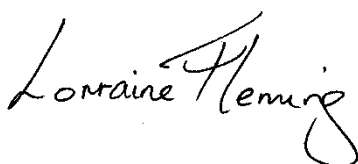
I can confirm that Shackleton Resources Ltd did undertake an airborne helicopter survey under a prospecting licence issued by the Department for the Economy, (DfE). The survey commenced on Tuesday 22 May 2018 and was completed on Thursday 24 May 2018. The survey was carried out to collect and record geophysical measurements to aid with understanding the underlying geology of the flight areas.

The company required clearance from the Civil Aviation Authority to fly over the area. The Northern Ireland Environment Agency, (NIEA) confirmed to DfE on Tuesday 15 May 2018 that it had no environmental issues with the survey being carried out. The Company also placed notices in the local newspapers advising of this airborne survey.

I note your disappointment that the Council didn't receive official notification of the activity within your district but there is no requirement for DfE to notify such activity to the Council. However, we note the Council's interest in such activity and have asked Shackleton Resources Ltd to engage fully with the Council and other stakeholders in the licence area to ensure full communication around proposed prospecting activities.

If it would be helpful to the Council I and GSNi colleagues would also be happy to meet with Councillors and Council officials to explain the mineral prospecting process and how the licences operate. Please let me know if you would wish to progress such a meeting and I will make the necessary arrangements.

Yours sincerely



Lorraine Fleming
Head of Minerals and Petroleum Branch



Our Ref: TJ

11 July 2018

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

Dear Mr Tohill

At a Meeting of Derry City and Strabane District Council held on 28 June 2018, the following Motion was unanimously passed:

That this Council acknowledges the joint Marie Curie and Motor Neurone Disease Association campaign highlighting deep concern about the impact of the current definition of terminal illness used for eligibility for benefits including Personal Independence Payments (PIP) in Northern Ireland.

Council notes that PIP has special rules for applicants with terminal illnesses, which allows people to access payments quicker and without a face-to-face assessment. However, this avenue is only open to those who have been given a prognosis of six months or less. This restriction is unfairly excluding many people with terminal illnesses, including those with Motor Neurone Disease (MND), chronic heart failure and COPD, as they fail to access PIP under the special rules, meaning they have to wait much longer for their payments and undergo face-to-face assessments.

Council affirms that this is unfair and denies people the best quality of life during the time they have left and calls on the Secretary of State for Northern Ireland to follow the lead of the Scottish government and implement the call from Marie Curie and the MND Association for a fairer definition of terminal illness that is based on clinical judgement and patient need, not a time-restricted estimation of life expectancy.

This Council will write to all of the other Councils in NI asking them to support this campaign.

I look forward to receiving your response in relation thereto.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Kelpie', with a large, stylized initial 'J'.

**John Kelpie
Chief Executive**



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Cittie & Strabane
Districk Council

Our Ref: TJ

11 July 2018

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

Dear Mr Tohill

At a Meeting of Derry City and Strabane District Council held on 28 June 2018, the following Motion was passed:

That Derry City & Strabane District Council supports the use of Medical Cannabis when its use is assessed as beneficial to the wellbeing of a recipient and then prescribed by the recipient patient's General Practitioner for such use.

This Council, being particularly concerned in regard to the life threatening condition endured by Billy Caldwell and all others within the district in a similar position, therefore urges the Home Office to withdraw its prohibition on such use of Medical Cannabis and the Northern Ireland Department of Health to explore licensing options of the same. That this campaign is taken forward by all eleven Councils.

I look forward to receiving your response in relation thereto.

Yours sincerely

John Kelpie
Chief Executive

