

**A**

**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 4 April 2017 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present** Councillor Clarke, Chair

Councillors Bateson, Bell, Cuthbertson, Gildernew, Glasgow, Kearney, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Mullen, Reid, Robinson, J Shiels

**Officers in Attendance** Dr Boomer, Planning Manager  
Mr Bowman, Head of Development Management  
Ms Doyle, Senior Planning Officer  
Mr Marrion, Senior Planning Officer  
Ms McCullagh, Senior Planning Officer  
Ms McEvoy, Head of Development Plan & Enforcement  
Ms McKearney, Senior Planning Officer  
Nora Largy, Council Solicitor  
Una Mullen, Council Solicitor  
Miss Thompson, Committee Services Officer

<b>Others in Attendance</b>	<b>Applicant Speakers</b>	
	I/2014/0074/F	Dr O’Kane Mr Grainger Councillor T Quinn Les Ross
	I/2014/0246/F	Dr O’Kane Mr Grainger Councillor T Quinn Les Ross
	LA09/2016/1195/F	Rev Patterson Mr McKeown Councillor Wilson
	LA09/2016/1416/O	Ms Morris
	LA09/2016/1680/A	Councillor McPeake

The meeting commenced at 7.01 pm

**P043/17 Apologies**

None.

**P044/17 Declarations of Interest**

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

Councillor McAleer declared an interest in planning application LA09/2016/1416/O.

Councillor Reid declared an interest in planning applications I/2014/0074/F and I/2014/0246/F.

Councillor McPeake declared an interest in planning applications LA09/2016/1300/O and LA09/2016/1680/A.

Councillor McEldowney declared an interest in planning application LA09/2016/0690/F.

#### **P045/17      Chair's Business**

The Planning Manager referred to addendum circulated in which it was proposed to withdraw the following applications from tonight's schedule –

I/2014/0413/F – Additional information has been submitted by agent. Application to be withdrawn to allow time for full consideration of this new information.

LA09/2016/1136/F – Alternative car parking provision is being considered by agent. Application to be withdrawn to allow further information to be presented in relation to compensatory car parking provision.

LA09/2016/1667/O – Additional information submitted by agent. Application to be withdrawn to allow time for full consideration of this new information.

The Planning Manager referred to previous discussions regarding publicity of planning clinics and advised of leaflet circulated which provides a guide to the Planning Department and includes reference as to how to make an appointment at a planning clinic. The Planning Manager advised that further publicity of planning clinics will be made through the press and that posters will also be placed in each of the Council Offices.

The Planning Manager advised that unofficial statistics for up until the end of February indicate that the planning department are meeting all targets in relation to local applications and enforcement.

Proposed by Councillor Reid  
Seconded by Councillor Bateson and

**Resolved**      That planning applications I/2014/0413/F, LA09/2016/1136/F and LA09/2016/1667/O be withdrawn from tonight's meeting schedule for the reasons stated as above.

## **Matters for Decision**

### **P046/17      Planning Applications for Determination**

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

#### **H/2013/0114/F      250kw wind turbine with a hub height of 31m at 150m North West of 14 Curragh Road, Maghera for Ivor Hyndman**

Ms Doyle (SPO) presented a report on planning application H/2013/0114/F advising that it is recommended for refusal.

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell and

**Resolved**      That planning application H/2013/0114/F be refused on grounds stated in the officer's report.

#### **I/2014/0074/F      Alteration of existing access and laneway to the rear of 51 Knockanroe Road, Cookstown for Reid Engineering**

#### **I/2014/0246/F      Retention of engineering workshop to include store, ancillary accommodation and storage yard at 55 Knockanroe Road, Cookstown for Reid Engineering**

The Head of Development Management presented a report on planning applications I/2014/0074/F and I/2014/0246/F advising that they are recommended for approval.

The Head of Development Management also referred to amendment of approval condition 4 for planning application I/2014/0246/F which will now seek to enclose outdoor saw to make it soundproof.

The Chair advised the committee that requests to speak on the application had been received and invited Dr O'Kane to address the committee in the first instance.

Dr O'Kane stated that the applications were contrary to policy and would have a detrimental impact on local residents. Dr O'Kane went on to state issues relating to overbearance and noise. Dr O'Kane stated that the business was established but that this was on a restricted site and that there was no approval outside of the CLUD.

Dr O'Kane stated that approval of workshop in 2010 was the breaking point for residents and that use of the site had intensified causing unacceptable impacts to local residents. Dr O'Kane advised that the site had doubled since 2010 and that there was no reference in the case officer's report regarding enforcement. Dr O'Kane requested that the committee undertake a site visit to the application site.

Mr Grainger advised that proposals claim to mitigate noise issues however it was stated that this would not be the case as predicted noise assessments indicate that there will be significant additional adverse noise impacts on residents. The predicted

difference for 57 Knockanroe Road is +23dB and +9dB for 53 Knockanroe Road and it was advised that a difference of around +10dB or more is likely to be an indication of significant adverse impact.

Mr Grainger advised that BS4142 was applicable to the case and that a local authority should not dismiss this and stated that if the planning applications are approved Council could be implicated in any future action. Mr Grainger advised that the proposal is set in a rural location and that, if approved, would cause unacceptable noise nuisance to neighbouring residents.

Dr O’Kane further stated that access is contrary to policy.

The Planning Manager referred to Mr Grainger’s comments in relation to noise and that an increase of +20dB is predicted. The Planning Manager asked what the noise level is predicted to be.

Mr Grainger advised that, if approved, a noise level of 57dB is predicted.

The Planning Manager asked if noise readings had been taken as the site currently stands.

Mr Grainger advised that there is a current noise level of 37dB.

The Planning Manager questioned how the noise level would increase at the site if some operations were to be moved from outside to inside, most of the building already had approval and that some soundproofing had been carried out.

Mr Grainger advised that metal in the yard would still be required to be moved and that the outdoor saw, which was one of the noisiest pieces of equipment on site, was not enclosed.

The Planning Manager advised that the outdoor saw is part of a certificate of lawful development.

Councillor T Quinn advised that the proposed access will result in a further detrimental impact on the amenity of local residents. Councillor Quinn advised that 51 Knockanroe Road was in the ownership of the applicant and that there was no guarantee this house could not be demolished in the future.

Councillor Quinn stated that TransportNI have continually reduced visibility splays relating to application I/2014/0074/F and that this is of great concern and is felt will prejudice road safety. Councillor Quinn questioned why the application was not being assessed against required standards and advised that adjacent residents were regularly being inconvenienced by HGV vehicles. Councillor Quinn stated that these vehicle movements had a negative impact on residents and rural amenity.

Councillor Quinn stated that the engineering works could no longer be accommodated within the area and went on to describe impact on neighbouring residents –

53 Knockanroe Road – Fowley Family – The building overshadows the garden, kitchen, utility room and bedrooms at the rear of the home. The building is dominant and overbearing and is out of character with no. 53 appearing to be hemmed in. There are also negative impacts caused by noise, odour, disturbance, hours of operation and light spill.

57 Knockanroe Road – Mrs Reid – Overbearance of garden area, domination of outward views from garden, kitchen, utility room and bedrooms at rear of home. Negative impacts also caused by noise, odour, disturbance, hours of operation and light spill.

50 Knockanroe Road – Mr Sloan – Significant negative impacts from noise, odour, hours of operation and light spill.

Councillor Quinn also advised that Mrs Reid's son, who has Autism, has been forced to move from home as he finds the noise distressing.

Councillor Quinn stated that when the Fowley family bought their home in 2005 there was an agricultural shed for small scale engineering works and were advised at that time that there were no disturbance issues or cause for complaint.

Councillor Quinn stated that the objectors were not aware planners were treating the 2010 application as an extension rather than a replacement as they had been informed and this was the reason they had not objected to the 2010 application.

Councillor Quinn advised that the CLUD is 0.7 acres and that there is no approval outside of this area. Councillor Quinn also referred the masterplan application currently being worked on which indicates that the business intends to expand further in the future.

Mr Ross stated that he felt objectors had exerted pressure on planners and have exhausted the planning system. Mr Ross advised that he was representing the applicant who was a significant employer in the area and had been in existence from before objectors lived in the area. Mr Ross advised that he had corresponded with objectors who did not want to engage to find a solution.

Mr Ross stated that the main issues of objection were noise and traffic and that a lot of hours had been put in to bring these applications to an approval. Mr Ross advised that roads assessments had been carried out, acoustic barriers were in place and working hours had been reduced. Mr Ross also advised that the outside saw had been in place for a number of years. Mr Ross advised that the changes to access would be of benefit to objectors and that work on a masterplan application will further address concerns. Mr Ross felt that the objectors had gone to extraordinary lengths to close the business down, conversely, the applicant had gone to extraordinary lengths to accommodate objectors and make a success of their business.

The Planning Manager advised that he had always found objectors to be courteous and that objections raised were on planning grounds. The Planning Manager advised that if this was a virgin site there would be no doubt this application would be refused however the reality of the situation was that there was lawful activity on site.

The Planning Manager advised that the business could continue to use the existing access and that nothing could be done about this, he advised that he believed the applications and recommendations were rational and would make life better for both parties.

Councillor Cuthbertson proposed the approval of the two applications.

Councillor Mallaghan felt there was an opportunity for a site visit with the proviso that when the application came back to committee there was no need for tonight's discussions to be rehearsed. The Councillor proposed that a site meeting be undertaken. Councillor Mallaghan also referred to masterplan application and asked if there was opportunity to wait on this coming forward and consider the three applications together.

The Planning Manager advised that if tonight's applications were refused an enforcement notice had already been served meaning Council could proceed to court action.

Councillor Glasgow stated he would be supportive of a site meeting taking place as he did not feel his questions could be answered tonight. Councillor Glasgow seconded Councillor Mallaghan's proposal.

Councillor Cuthbertson asked what the context of the site meeting would be.

The Planning Manager suggested that the site meeting consist of visiting the application site and objectors properties.

Councillor Cuthbertson felt a site visit would be pointless as the applicant would be aware of the visit taking place and that there would be no noise on the day.

Councillor Robinson stated that the applications were for an established business and questioned what other conclusion would be arrived at from a site meeting. The Councillor felt that all precautions had been taken to accommodate objectors and stated he would second Councillor Cuthbertson's proposal.

Councillor Bateson stated that consideration should be given to the detrimental impact of residents when Members are on site.

Councillor McKinney asked if it was possible to request that steel be cut when Members were on site.

The Planning Manager stated that the amenity of objectors was key and that they should be protected against what already exists.

Members voted on Councillor Cuthbertson's proposal to approve applications I/2014/0074/F and I/2014/0246/F –

For – 3

Against – 11

**Resolved** That planning applications I/2014/0074/F and I/2014/0246/F be deferred for site meeting.

**I/2014/0413/F** **Windfarm comprising 6 no. wind turbines with a blade to tip height of 126.5m and all ancillary works at Beltonanean, Ballynasollus, Beleevena-More and Ballynagilly townlands, Cookstown for Beltonanean Renewable Energy Ltd**

Application withdrawn to allow for consideration of additional information submitted.

**H/2015/0054/F** **Extension to front of existing agricultural sales yard to provide farm shop, canteen and additional livestock pens adjacent to 57 Magherafelt Road, Draperstown for Mr Michael O’Kane**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Kearney and

**Resolved** That planning application H/2015/0054/F be approved subject to conditions as per the officer’s report.

**LA09/2016/0690/F** **Retrospective application for beauty salon and car sales areas with associated office and valet facility adjacent to 3 Killymuck Road, Upperlands for Mr B McCloskey**

Councillor McEldowney advised that she had been contacted by the agent who was unable to attend tonight’s meeting and asked that the application be deferred at the request of the agent.

Proposed by Councillor J Shiels  
Seconded by Councillor McAleer and

**Resolved** That planning application LA09/2016/0690/F be deferred for an office meeting

**LA09/2016/0704/O** **Single storey dwelling and domestic garage 50m North East of 31A Springhill Road, Moneymore for George McGarvey**

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

Proposed by Councillor Reid  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2016/0704/O be approved subject to conditions as per the officer’s report.

**LA09/2016/0950/F Temporary permission for siting of static caravan at site adjacent and North of 91 Brackaville Road, Coalisland for Mr and Mrs T Maughan**

**LA09/2016/1547/F Dwelling and garage at site adjacent and North of 91 Brackaville Road, Coalisland for Mr Thomas Maughan**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Reid and

**Resolved** That planning applications LA09/2016/0950/F and LA09/2016/1547/F be approved subject to conditions as per the officer's report.

**LA09/2016/1136/F Single storey coffee shop unit at Oaks Retail Park, Oaks Road, Dungannon for MBCC Foods (Ireland) Ltd**

Application withdrawn to allow further information to be presented in relation to compensatory car parking provision.

Councillor McKinney asked how often applications can be withdrawn.

The Planning Manager advised that in relation to this application the agent believes they can submit further information and that it was proposed to withdraw the application until consideration can be given to any new information received.

Councillor Cuthbertson felt that agents were not making any attempt to provide information until applications were being brought to committee. The Councillor felt that this matter needed to be looked at and such applications should stay on the schedule for determination.

Councillor McPeake stated there were a number of reasons why agents don't respond to requests for further information, one of these reasons is because TransportNI are not providing responses on time. The Councillor advised that he had raised this issue before but that the problem was still continuing. Councillor McPeake felt that it would be important to know the reason why an application was being refused and that it would be unfair to refuse an application due to no response being received from a third party.

The Planning Manager advised that he believed the planning department and committee were getting it right in respect of determining planning applications and that statistics are showing this.

Councillor Bateson referred back to planning application H/2015/0054/F and stated he did not understand how TransportNI had responded with no issues regarding this application as there were severe traffic issues in Draperstown on market days.

**LA09/2016/1195/F Extension to existing church building to provide church hall, toilet facilities, store and additional Sunday School room at Cookstown Independent Methodist Church, Morgans Hill Road, Cookstown for Rev Malcolm Patterson**

Ms McCullagh (SPO) presented a report on planning application LA09/2016/1195/F advising that it is recommended for refusal.

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

Mr McKeown advised that the Church had been on site since 1985 and is surrounded by existing development. Mr McKeown referred to the Church's outreach with the local community and that a number of young people have been taken off the streets through the activities offered by the Church. Mr McKeown stated that the issue with car parking is only on Sunday mornings as during the week there is ample parking available, Mr McKeown stated that roads were not as busy on Sunday.

Mr McKeown went on to express the need for the extension and advised he had written permission from Mr Patrick (owner of RT Autoparts) to allow users of the Church to park outside his premises on a Sunday morning therefore providing an additional 18-20 spaces. Mr McKeown appealed to Members to weigh up the concerns against the good work of the Church in the community.

The Planning Manager asked if the written permission referred to could be provided.

Mr McKeown stated that he could provide this.

The Planning Manager stated he would like the opportunity to explore how this permission could be made a condition of approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor Gildernew

To defer the application

Councillor Cuthbertson stated that there were not many places of worship that had a car park, the Councillor stated that it was illegal to park on double yellow lines however this would be a police enforcement issue as Council does not have any authority regarding on street parking. Councillor Cuthbertson proposed that the application be approved.

Councillor Wilson stated he had no conflict of interest in relation to this application as he attended Cookstown Methodist Church.

Councillor Wilson advised that the Church was situated on a road which has yellow lines but also traffic islands meaning cars cannot park along the road, the Councillor stated that parking in the adjacent housing development is the main issue of concern. Councillor Wilson stated that when he attends sporting events in areas

such as Windsor Park there is no car parking available. The Councillor felt that the Church was a victim of its own success and to refuse the application would deprive people of their place of worship, the Councillor advised that the Church does great work in the community and questioned what difference there was in this application and that approved earlier in the meeting for Draperstown Market. Councillor Wilson finished by showing photographs of congestion in Draperstown when the market is on and stated he would be fully supportive of the application made by Cookstown Independent Methodist Church.

Councillor Gildernew stated that if TransportNI had concerns in relation to the application it was safer for Council to defer the application until this is addressed.

Councillor McKinney stated he did not believe the application would cause extra traffic and that the permission from Mr Patrick would alleviate parking concerns. Councillor McKinney proposed that the application be approved on condition of suitable arrangement being made with Mr Patrick.

Councillor Gildernew seconded Councillor McKinney's proposal.

The Planning Manager felt Members had three options – to refuse the application, which he did not believe there was an appetite for, to approve the application outright, however he was not fully aware of the implications of this or to defer the application to allow for consideration of parking permission. The Planning Manager stated the latter of the three options would offer a win win situation for everyone.

Councillor Glasgow stated that the proposal would mean a loss of 12 car park spaces however, as stated tonight, there was the opportunity to gain 18-20 spaces which would rule out any concerns of TransportNI.

Councillor Robinson felt that a consistent approach was required in relation to TransportNI concerns however the potential to gain car parking spaces shed a different light on the matter.

The Planning Manager advised that notice would have to be served on Mr Patrick in relation to his parking permission therefore in order to do this he suggested that the application be deferred.

Councillor Robinson proposed that the application be deferred.

Councillor Reid stated that it was unfortunate the committee could not approve the application.

The Planning Manager explained that parking permission does not form part of the planning application at the moment and that it would be wise to defer the application to consider this detail.

Councillor McKinney seconded Councillor Robinson's proposal.

**Resolved** That planning application LA09/2016/1195/F be deferred for an office meeting.

**LA09/2016/1300/O Dwelling at site 20m North East of 49 Brough Road and adjacent to Brough Road Crossroads, Castledawson for Mr Cathal McOscar**

Ms Doyle (SPO) presented a report on planning application LA09/2016/1300/O advising that it is recommended for refusal.

Councillor McPeake advised he had been contacted by the agent who requested deferral of the application as he believed the proposal should be considered as part of a cluster following previous decision taken at a previous meeting to approve a neighbouring application.

Proposed by Councillor J Shiels  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2016/1300/O be deferred for an office meeting.

**LA09/2016/1416/O Dwelling 60m North West of 70 Cullenrammer Road, Lisgallon, Dungannon for Sarah Morris**

Mr Marrion (SPO) referred to the sensitive nature of the application and suggested that it be considered in confidential business.

Proposed by Councillor Bell  
Seconded by Councillor McAleer and

**Resolved** That planning application LA09/2016/1416/O be considered under confidential business.

**LA09/2016/1539/F Dwelling (amended drawing) North and adjacent to 20 Lisnagowan Road, Carland for Gary Devanney**

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

Proposed by Councillor Bell  
Seconded by Councillor Reid and

**Resolved** That planning application LA09/2016/1539/F be approved subject to conditions as per the officer's report.

**LA09/2016/1667/O Dwelling and domestic garage/store 78m North of 8 Shore Road, Ballinderry Bridge, Cookstown for Patricia McCusker**

Application withdrawn to allow for consideration of additional information submitted.

**LA09/2016/1678/O Dwelling and garage at lands approx. 70m West of 73  
Gorestown Road, Moy for Mr Paul Mallon**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2016/1678/O be approved subject to conditions as per the officer's report.

**LA09/2016/1680/A Retention of temporary mobile hoarding on a flatbed lorry,  
for 12 months, at 95m East of 51 Castledawson Road,  
Magherafelt for DMD Developments**

Ms Doyle (SPO) presented a report on planning application LA09/2016/1680/A advising that it is recommended for refusal.

Councillor McPeake advised that the agent for this application was unable to attend tonight's meeting however the purpose of the proposal is to assist with the marketing of a housing development at Tobermore Road, Magherafelt. Councillor McPeake advised that this marketing had been key to securing house sales and stated that the developer had already invested 5 million in the development to date with a further 4 million to be invested, the Councillor also referred to the employment which had been secured through working on the housing development. Councillor McPeake advised that TransportNI had no objections to the application and that the reason for refusal related to amenity however, the Councillor stated that such advertising was not unusual at entrance points to a town and was not out of place in the area.

Councillor McPeake withdrew to the public gallery.

The Head of Development Management provided clarification on the definition of advertising under policy AD1 and stated that the officers concerns are in relation to locality and that it was regrettable to have such a structure at the entrance to a town. The Head of Development Management advised that if this application is approved Council would not be able to control the future content of advertising and that Council could be put in a difficult position if further similar applications are received.

Councillor Cuthbertson expressed the need for consistency and referred to previous discussions regarding signage at Aughnacloy and Ballygawley. Councillor Cuthbertson proposed that the application be refused.

Councillor Gildernew stated that this application was not the same as signage at Aughnacloy and Ballygawley and highlighted that in relation to this application signage for nearby Lidl store would still be there after 12 month period had elapsed if this application was approved. Councillor Gildernew proposed that planning application LA09/2016/1680/A be approved.

Councillor McKinney seconded Councillor Gildernew's proposal.

Councillor Glasgow asked if there was a statutory body in relation to content of advertising.

Councillor Bateson commented that he travelled the road where this advertising is located everyday and that he had not noticed the lorry at the roadside.

Councillor Reid commented that housing developments usually do have some kind of hoarding type advertising.

Councillor Cuthbertson felt that if the application was approved then in theory anyone could make an application to secure advertising.

Councillor Bateson stated that the length of the advertising term could be shortened.

The Head of Development Management stated that this could be looked at however the impact would still be the same only for a lesser time.

Members voted on Councillor Gildernew's proposal to approve the application –

For – 11

**Resolved** That planning application LA09/2016/1680/A be approved with condition that signage be removed 12 months from date of approval.

*Meeting recessed at 9.00 pm and recommenced at 9.23 pm.  
Councillor Gildernew did not return to the meeting.*

**LA09/2016/1682/RM      Dwelling and garage at lands 15m West of 26  
Drumkee Road, Dungannon for Mr Neil Kearney**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2016/1682/RM be approved subject to conditions as per the officer's report.

**LA09/2016/1700/O Farm dwelling 100m North East of 28 Thornhill Road,  
Carland for John Donaghy**

Ms McCullagh (SPO) presented a report on planning application LA09/2016/1700/O advising that it is recommended for refusal.

Councillor Mallaghan stated that this application was similar to LA09/2016/1678/O which was approved earlier in the meeting and felt that if the red line was extended for this application it would be identical to what was approved earlier.

The Head of Development Management advised that as the red line of this application cannot be extended then the same siting condition achieving a cluster attached to the earlier case cannot be achieved and that's what makes this application different to what had been approved earlier. He stated that the proposal was on a poorly chosen site and that other realistic opportunities were available.

Councillor Reid asked what the stipulated distance was in relation to clustering and stated that he was familiar with Thornhill Road and that there were a number of properties which accessed directly onto this road. The Councillor also felt that if the proposal was built too close to a farm complex that this can also raise problems. Councillor Reid felt that the agent had not informed the applicant that their application was up for refusal and proposed that the application be deferred for an office meeting.

Councillor McAleer seconded Councillor Reid's proposal.

The Head of Development Management advised that policy CTY10 does not state specific distances but advises that buildings should be grouped sensitively. He advised that there were other alternative locations for the proposal.

**Resolved** That planning application LA09/2016/1700/O be deferred for an office meeting.

**LA09/2016/1811/F Removal of condition 3 of planning approval  
LA09/2015/0885/F, in relation to visibility splays approx.  
350m South of the Dale Farm complex, 139 Moneymore  
Road, Cookstown for Solar Farm DFD Ltd**

The Chair, Councillor Clarke proposed that this application be considered alongside LA09/2016/1816/F which is listed later in the schedule.

Seconded by Councillor Bell.

**Resolved** That planning application be considered alongside LA09/2016/1816/F later in schedule.

**LA09/2017/0035/O Dwelling and garage at lands adjacent to 231 Shore Road,  
Ballymaguigan for Adrian Martin**

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

Proposed by Councillor Bateson  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2017/0035/O be approved subject to conditions as per the officer's report.

**LA09/2017/0039/O Reposition of previous approval H/2014/0161/O for replacement dwelling at lands 85m West of 12 Drumnacannon Road, Upperlands for Ian and Heather Millar**

Ms Doyle (SPO) presented a report on planning application LA09/2017/0039/O advising that it is recommended for refusal.

The Head of Development Management stated that the applicant had not helped themselves by cutting existing vegetation however they could still submit a reserved matters application.

Proposed by Councillor Bateson  
Seconded by Councillor McEldowney and

**Resolved** That planning application LA09/2017/0039/O be refused on grounds stated in the officer's report.

**LA09/2017/0040/O Two storey dwelling and garage at site adjacent to Maghera Granite Works and showroom at 20 Falgortrevy Road, Maghera for Matthew O'Kane**

Councillor Kearney advised he had been contacted by the applicant's mother who stated they only became aware that the application was up for refusal the day before and that the agent was not aware of the protocol of the Council. On this basis a deferral was requested.

The Head of Development Management stated that if further information could be provided this would be beneficial.

Proposed by Councillor McKinney  
Seconded by Councillor Bateson and

**Resolved** That planning application LA09/2017/0040/O be deferred for an office meeting.

**LA09/2016/0648/O Replacement dwelling approx. 100m North of 102 Glassdrummond Road, Aughnacloy for Mr James Stinson**

Application withdrawn by applicant.

**LA09/2016/1811/F Removal of condition 3 of planning approval LA09/2015/0885/F, in relation to visibility splays approx. 350m South of the Dale Farm complex, 139 Moneymore Road, Cookstown for Solar Farm DFD Ltd**

**LA09/2016/1816/F Extension of existing vehicular lane to provide access to the approved Dale Farm Solar Farm (LA09/2015/0885/F) at Dale Farm, Moneymore Road, Cookstown for Solar Farm DFD Ltd**

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

The Planning Manager advised that following discussion at last month's meeting planning application LA09/2016/1816/F was deferred for one month for all parties to come together to try to reach a favourable outcome in relation to objections raised. The Planning Manager advised that he was in receipt of correspondence which stated that objections in relation to this application were now withdrawn and thanked all parties for reaching an agreement.

Councillor McKinney asked if the conditions attached previously had been a waste of time.

The Planning Manager advised that conditions attached previously were in relation to access and that all parties were written to in this regard. The Planning Manager advised that everyone was now agreed on a way forward and felt that the process had been useful.

In response to Councillor Glasgow's questions the Planning Manager advised there was no longer any dispute regarding access and confirmed with the applicant's agent that they did not want to withdraw any of their applications. The Planning Manager advised that conditions would be applied in which one or other access could be used, but not both.

Councillor Mallaghan stated that both applications meet planning requirements.

Councillor Reid felt that the access used should be that applied for at the start.

Councillor Cuthbertson asked what had changed from last month when Members were advised access could not go onto a protected route.

The Planning Manager advised that TransportNI recommended approval as traffic movements were so small that intensification was not an issue.

Councillor Cuthbertson stated that it appeared someone was biding for time.

The Planning Manager stated that if Councillor Cuthbertson was making an accusation against him he was entitled to ask for this in writing.

Councillor Mallaghan stated that when the application was discussed last month Members were advised there would be no impact on traffic and that issues related to objections raised. The Councillor stated that Councillor Cuthbertson's comments were scandalous.

The Planning Manager asked if Councillor Cuthbertson wanted his comments retracted from the minute.

Councillor Cuthbertson stated he had nothing to hide.

Councillor Mallaghan stated that perhaps Councillor Cuthbertson's comments should be included in the minutes and that if the Planning Manager felt there was defamation of his character he could take the matter further.

Councillor McPeake stated he was deeply concerned at Councillor Cuthbertson's comments which appeared to be directed towards the top table.

The Planning Manager stated that the agreement by objectors was separate to anything the committee had done.

Proposed by Councillor Reid  
Seconded by Councillor McAleer and

**Resolved** That planning applications LA09/2016/1811/F and LA09/2016/1816/F be approved subject to conditions as per the officer's report.

**P047/17 Response to Antrim and Newtownabbey Council POP Consultation**

The Head of Development Plan and Enforcement presented previously circulated report in relation to Council's response to Antrim and Newtownabbey Borough Council's Local Development Plan Preferred Options Paper consultation.

**Resolved** That Council issue response to Antrim and Newtownabbey Borough Council in line with the contents of the circulated report.

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

Proposed by Councillor Shiels  
Seconded by Councillor Mallaghan 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 part of item P046/17 and items P048/17 to P052/17.

**Matters for Decision**

- P046/17 Planning Applications for Determination – Item deferred from Open Business
- P048/17 Enforcement Case
- P049/17 Verbal Report on the procedure for issuing closure letters in respect of enforcement cases – At the January 2017 Planning Committee it was agreed that we would write to the applicant when an enforcement case is resolved.

**Matters for Information**

- P050/17 Live Caseload
- P051/17 Cases Opened
- P052/17 Cases Closed

**P053/17      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 10.35 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

**B**

**Minutes of Meeting of Mid Ulster District Council held on Thursday 27 April 2017 in the Council Offices, Circular Road, Dungannon**

**Chair:** Councillor Wilson, Chair

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

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

The meeting commenced at 7pm

**C71/17 Apologies**

Councillors Buchanan, Elattar, S McGuigan and J Shiels

**C72/17 Declarations of Interest**

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

*Councillor Monteith declared an interest in D083/17 Grants Report –Community Venue Grants - Ballysaggart Area Community Association.*

*Councillor McPeake declared an interest in D083/17 Grants Report – Community Venue Grants – Termaneeny Community Association*

*Councillor McFlynn declared an interest in D083/17 Grants Report – Community Development and Good Relations Grants – Loup Women's Group*

The Chair, Councillor Wilson advised that those declarations made at the Development Committee would carry forward.

**C73/17 Chair's Business**

Councillor Cuthbertson advised that for the past six months the clock at St Anne's Church, Dungannon had been broken. He further stated that the four faces of the

clock whilst owned by the Church, was widely recognised as the town clock. The Councillor advised he had met with the Select Vestry of St Anne's and requested that Council through the Department of Business and Communities investigate if they could assist the Church in funding repairs. Councillor Cuthbertson advised that the legacy Council in Dungannon had assisted the church in the past as the work was specialised and there was no one in Northern Ireland who could carry out such repairs.

The Chair, Councillor Wilson advised that the matter would be investigated.

### **Matters for Decision**

#### **C74/17      Receive and consider minutes of matters transacted in "Open Business" at the Council meeting held on Thursday 23 March 2017**

Proposed by Councillor Cuddy  
Seconded by Councillor T Quinn and

**Resolved**      That the Minutes of the Meeting of the Council held on Thursday 23 March 2017(C49/17 – C63/17 and C69/17), transacted in "Open Business" having been printed and circulated were considered and signed as accurate and correct.

#### **C75/17      Receive and consider minutes of matters transacted in "Open Business" at the Special Council meeting held on Thursday 30 March 2017**

Councillor McAleer advised that her apology had not been recorded in the minute.

Proposed by Councillor Reid  
Seconded by Councillor B McGuigan and

**Resolved**      That the Minutes of the Meeting of the Special Council held on Thursday 30 March 2017(SC16/17 – SC21/17) transacted in "Open Business" having been printed and circulated, subject to the foregoing, were considered and signed as accurate and correct.

#### **C76/17      Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Planning meeting held on Tuesday 4 April 2017**

Councillor Clarke drew attention to the accuracy of a section of the planning minutes in relation to debate during which a statement had been made regarding the 'top table', in that they had some part in delaying an application. He stated that he felt the minute was not an accurate reflection of the discussion.

The Chair, Councillor Wilson asked Councillor Clarke to clarify the number of the application to which he was referring.

Councillor Mallaghan advised he could clarify and stated that two applications had been considered together and clarified the reference numbers to be LA09/2016/1811 and LA09/2016/1816. He advised that the minute read that, 'Councillor Cuthbertson stated that it appeared someone was biding their time' but at the meeting his recollection was that the Councillor had accused the 'top table' of corruption and that he had been given the option to withdraw the statement. The Councillor continued stating that it was only fair that if the people at the 'top table' were being spoken about in such a manner, that is, the Chair, Vice Chair of Committee, the Planning Manager and other Planning staff that it is reflected in Council documents.

In response, Councillor Cuthbertson stated that Councillor Mallaghan had stated he had used the word 'corruption' and emphasised that he had not used the word at the meeting.

The Chair, Councillor Wilson stated that there were two conflicting opinions.

Councillor Mallaghan proposed that Council takes time to talk to the minute taker to see the notes taken and bring them back so that an accurate reflection of the debate can appear in the minute.

*Councillor McLean entered the meeting at 7.05pm*

Councillor Wilson stated that this could happen but he was mindful of delaying applications.

Councillor McKinney suggested that Council accept the recommendations and the minutes be rectified at a later date.

Proposed by Councillor McKinney  
Seconded by Councillor Bell and

**Resolved** That the

- (i) The Minutes of the Planning Committee meeting held on Tuesday 4 April 2017 (P043/17 – P047/17 and P053/17) transacted in "Open Business", were following clarification with the minute taker, be reviewed in relation to P046/17 Application Numbers LA09/2016/1811/F and LA09/2016/1816/F and approved at a future date; and
- (ii) That the recommendations of the Planning Committee meeting held on Tuesday 4 April 2017 (P043/17 – P047/17 and P053/17) transacted in "Open Business", having been printed and circulated, were progressed.

**C77/17 Receive and consider the minutes and recommendations of matters transacted in "Open Business" at the Policy and Resources Committee meeting held on Thursday 6 April 2017**

Proposed by Councillor Gildernew  
Seconded by Councillor Cuddy and

**Resolved** That the Minutes and recommendations of the Policy and Resources Committee meeting held on Thursday 6 April 2017 (PR065/17 – PR071/17 and PR080/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

**C78/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee held on Tuesday 11 April 2017**

Proposed by Councillor McNamee  
Seconded by Councillor Mulligan and

**Resolved** That the Minutes and recommendations of the Environment Committee meeting held on Tuesday 11 April 2017 (E084/17 – E105/17 and E113/17) transacted in “Open Business”, having been printed and circulated, were considered and adopted.

**C79/17 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee held on Thursday 13 April 2017**

*Councillor Monteith declared an interest in D083/17 Grants Report - small grants - CCE Dungannon*

Proposed by Councillor Molloy  
Seconded by Councillor Clarke and

**Resolved:** That the Minutes and recommendations of the Development Committee meeting held on Thursday 13 April 2017 (D072/17–D088/17 and D094/17) transacted in “Open Business”, having been printed and circulated, subject to the foregoing, were considered and adopted.

**C80/17 Conferences and Seminars**

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

**(i) Officer Approvals**

- NILGA Making Planning Work: Seminar 1
  - Wednesday 17 May 2017, Riddell Hall, Belfast;
- Dundalk Widows Group: Conference on Women in Modern Ireland;

- Friday 19<sup>th</sup> and Saturday 20<sup>th</sup> May 2017, An Grianan, The ICA, Headquarters in Termonfeckin, Co Louth

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fees
Rebuilding Ireland – an Integrated Approach through Local Government	27 <sup>th</sup> April	1	Co Meath	Free
Place Making:- context, culture & vision	25 <sup>th</sup> May	2 Planning Officers	Crumlin	Free

(i) Retrospective Approval

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fees
Institute of Internal Auditors Ireland Conference	7 <sup>th</sup> April	1	Dublin	£300

Proposed by Councillor Glasgow  
Seconded by Councillor Bateson and

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

**C81/17 Consideration of Requests for Civic Recognition**

The Chair, Councillor Wilson referenced the previously circulated report and sought approval for civic recognition requests for those groups and individuals listed in line with council Receptions Policy.

Proposed by Councillor Glasgow  
Seconded by Councillor Reid and

**Resolved** That approval be given to submitted requests for civic recognition.

**C82/17 Additional Audit Committee Meeting May**

The Head of Democratic Services drew attention to the previously circulated report seeking approval for an additional audit committee meeting on Tuesday 23 May 2017.

Proposed by Councillor McFlynn  
Seconded by Councillor Ashton and

**Resolved** That Council approve an additional audit committee to be held on Tuesday 23 May 2017.

### **Matters for Information**

#### **C83/17 Consultations notified to Mid Ulster District Council**

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

#### **C84/17 Correspondence**

The previously circulated paper on correspondence to Council was noted.

**Resolved:** That the correspondence contained within the previously circulated report was noted.

### **Confidential Business**

Proposed by Councillor B McGuigan  
Seconded by Councillor Glasgow and

**Resolved:** That items C85/17 – C94/17 be taken as confidential business.

- (i) Minutes taken as confidential business at Council Meeting held on Thursday 23 March 2017
- (ii) Minutes taken as confidential business at the Audit Committee meeting held on Tuesday 28 March
- (iii) Minutes taken as confidential business at the Planning Committee held on Tuesday 4 April 2017
- (iv) Minutes taken as confidential business at the Policy and Resources Committee held on Thursday 6 April 2017
- (v) Minutes taken as confidential business at the Environment Committee held on Tuesday 11 April 2017
- (vi) Minutes taken as confidential business at the Development Committee held on Thursday 13 April 2017
- (vii) Purchase of Land at Kilreish Estate, The Loop, Moneymore, County Londonderry – Deed
- (viii) Form of Deed for Village Improvement Scheme consultancy team
- (ix) Form of Deed for Coalisland Public Realm Scheme consultancy team
- (x) Briefing paper – Chief Executive

*The press left the meeting at 7.10 pm*

**C95/17      Duration of Meeting**

The meeting was called for 7pm and ended at 7.37pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

C

**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 2 May 2017 in Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Clarke, Chair

Councillors Bell, Cuthbertson, Gildernew, Glasgow, Kearney, McAleer, McElowney, McKinney, McPeake, Mullen, Reid, Robinson, J Shiels

**Officers in Attendance**

Dr Boomer, Planning Manager  
Mr Bowman, Head of Development Management  
Ms Doyle, Senior Planning Officer  
Mr Marrion, Senior Planning Officer  
Ms McCullagh, Senior Planning Officer  
Ms McEvoy, Head of Development Plan & Enforcement  
Ms McKearney, Senior Planning Officer  
Nora Largy, Council Solicitor  
Una Mullen, Council Solicitor  
Ms Grogan, Committee Services Officer

**Others in Attendance**

**Applicant Speakers**

LA09/2015/0147/F  
LA09/2016/0356/F  
LA09/2016/1053/F  
LA09/2017/0053/O  
LA09/2017/0249/F

Chris Cassidy – CMI Planners  
Shane Devlin – Clyde Shanks  
Philip Marshall – HMB Architects  
Philip Marshall – HMB Architects  
Uel Henry – HMB Architects

The meeting commenced at 7.02 pm.

**P054/17 Apologies**

Councillors Bateson and Mallaghan.

**P055/17 Declarations of Interest**

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

**P056/17 Chair's Business**

The Chair, Councillor Clarke advised the committee that he welcomed the submission of an Environmental Statement in connection with application LA09/2016/1307/F by Lake Torrent Motor Sport Centre of Excellence. The application is for the construction of a motor sport racetrack and associated ancillary buildings together with community buildings which will enhance the Mid Ulster and generate tourism in the area.

The Planning Manager advised that consultations would be carried out with the relevant consultees in order to progress this application as quickly as possible.

Councillor Cuthbertson referred to the Council meeting held on Thursday 27<sup>th</sup> April where serious issues were raised in relation to matters at the previous Planning meeting on Tuesday 4<sup>th</sup> April and felt that these needed addressed before proceeding with this meeting tonight.

Councillor Cuthbertson raised the issue of the accuracy of the Minutes and felt that if some members were not happy with the way that the Minutes are taken, then consideration should be given to having the proceedings recorded the same as the Council meeting.

Councillor McPeake said that he had no problem with the accuracy of the Minutes as it would be impossible to get word for word, but felt that if Members wasn't happy that this was a clear indication they should have the right to raise it at the full Council meeting.

The Planning Manager referred to the Minutes concerned and felt that there would be no good will coming from having the meeting recorded as it was a reasonable submission and if members wanted to raise any issues or concerns, then this should be done through the Chief Executive's office. He asked that this Committee not take this meeting into distribute as minutes are a true reflection of the meeting.

Councillor Cuthbertson advised that he personally had no issue with the way the Minute Taker takes the Minutes and in the past defended them, but felt that this issue needs to be clarified on whether to proceed with recording the proceedings or not.

The Chair, Councillor Clarke advised that this was no reflection on the Minute Taker and felt that it was impossible to record word for word what was said, but that he would leave it up to members to decide on the best way forward.

Councillor McKinney advised that he had no issue with the way the Minutes are taken and felt that the only problem on the night was that there was a heated discussion between members and now that there was time to reflect, it's time to move forward and leave things as they are without recording the proceedings.

Proposed by Councillor McKinney  
Seconded by Councillor McPeake and

**Resolved:** To remain as things are and not to proceed with recording of the Planning Committee.

## **Matters for Decision**

### **P057/17 Planning Applications for Determination**

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

**LA09/2015/0147/F      Four 2-bed apartments at 32 Mullaghboy Lane, Magherafelt  
for Mr Philip Donaghy**

Ms Doyle (SPO) presented a report on planning application LA09/2015/0147/F advising that it was recommended for refusal.

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

Mr Cassidy advised that the proposal was a reduced scheme from the originally proposed one, from the original 6 no. 2 bed apartments to 4 no. 2 bed apartments. This scheme has been reduced in correspondence with the Council.

Mr Cassidy referred to his reasons for overturning the refusal:

**PPS3 – Policy AMP 2 –**

- The proposed access to the apartments is at the same location as the access to the current dwelling.
- There is no in-curtilage parking provided in the proposed scheme and therefore traffic will not be slowing down to enter the site at this junction, therefore the development will not prejudice the safety or convenience of road users at this junction.
- The nature and scale of the development will not result in a major increase in traffic to the area.
- The existing road network together with the low speed and volume of traffic using the adjacent public road could accommodate for this scale of development.

**PPS3 – Policy AMP 7 -**

- A reduced level of car parking provision should be considered acceptable at this location and would promote alternative transport modes
- This is a highly accessible location within a few minutes walking distance to the town centre and is well served by public transport
- The development would benefit from on street parking capacity available in the immediate vicinity of the site

**PPS 7 Addendum Safeguarding the Character of Established Residential Areas –  
LC1**

- The proposed density of this development is not significantly higher than that found in the surrounding established residential area
- The development is in keeping with the overall character of the residential area and has been designed to be sympathetic to surrounding residential properties
- All dwelling units and apartments are built to a size not less than those set out in Annex A

Mr Cassidy advised that in summing up his reasons for approving the application, this development would provide necessary housing within the town of Magherafelt and had been designed in a sympathetic and sensitive manner and would not cause unacceptable harm to the character of the residential area.

Councillor Bell advised that by looking at this, the parking would appear to be the biggest issue and enquired if there was any way that this application could be advanced, given that there was a housing shortage in the area.

The Planning Manager stated that when this application came to Planning Committee, it was felt that this was the best decision as recommended by TransportNI, and looking at the application now, the development would be located near a road junction where it would be more than likely that people would park to get closest to their premises as possible, but that there may be some leeway to get some sort of compromise and that he too was aware of the need for additional housing in the area.

Councillor Reid suggested reverting the matter back to the Planning Manager so he could liaise with TransportNI and the Architect to try and come to some sort of compromise.

The Planning Manager said that it would be reasonable to have a meeting with TransportNI and the Architect as this may be more beneficial.

Proposed by Councillor Reid  
Seconded by Councillor Bell and

**Resolved:** That planning application LA09/2015/0147/F be deferred for an office meeting so that the Planning Manager can liaise with TransportNI and the Architect to see if a compromise can be reached.

**LA09/2016/0356/F Retention and regrading of excavated soil at lands W of 45 and 47 Mullaghboy Glen, Magherafelt for Mr John Keatley**

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

Proposed by Councillor J Shiels  
Seconded by Councillor Bell and

**Resolved:** That planning application LA09/2016/0356/F be approved subject to conditions as per the officer's report.

**LA09/2016/1053/F Free range poultry shed with 2 feed bins and a standby generator building at land approx. 150m SE of 42 Drumard Cross Road, Dungannon for Mr Ronald McGuigan**

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

Proposed by Councillor Reid  
Seconded by Councillor McKinney and

**Resolved:** That planning application LA09/2016/1053/F be approved subject to conditions as per the officer's report.

**LA09/2016/1667/O Dwelling and garage/store 78m N of 8 Shore Road, Ballinderry Bridge, Cookstown for Mrs Patricia McCusker**

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

Proposed by Councillor McPeake  
Seconded by Councillor McKinney and

**Resolved:** That planning application LA09/2016/1667/O be approved subject to conditions as per the officer's report.

**LA09/2017/0053/O Dwelling and garage 150m SW of 283 Pomeroy Road, Lurganeden, Dungannon for Mr Colin Moore**

Ms McCullagh (SPO) presented a report on planning application LA09/2017/0053/O advising that it was recommended for refusal.

*Councillor Cuthbertson left the meeting at 7.22 pm.*

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

Mr Marshall advised the committee that his client had a very clear and define need for a new dwelling on the farm. He lives at the home farmhouse with other family members and had worked very hard over the last number of years to build up a very successful poultry farm supplying eggs to a local egg packer.

Mr Marshall stated that a number of sites were examined before submitting this application. He advised that:

- 1) **Site 1** – immediately NE of the farm dwelling was found to be unsuitable for the following reasons:
  - a) The site is very steep and slopes down to a small river which would prove dangerous.
  - b) This site was an old sand pit which has been filled over many years which would mean providing adequate foundations almost impossible.
  - c) This site is bounded on the lower side by a small river. Upon checking NI Flood Map it was discovered that part of the lower section of the site lies within the 100 year flood level and the client confirmed that the river does flood and in the past part of the river bank and field had been washed away by flood water due to the fact that the soil is very sandy. To build a dwelling on this site would be very unsafe.
  - d) Due to topography of the area the existing farm dwelling towers over the site and there would be no privacy on the site due to overlooking from the existing dwelling.
- 2) **Site 2** – immediately SE of the main cattle farm and although this would satisfy Section C of CTY 10 as it is just to the rear of the main cattle farm but is totally unsuitable for that very fact – it is immediately to the rear of the main cattle farm

and could only be accessed through the working farmyard which is totally unacceptable in modern society.

- 3) Site 3** – SE of the 2<sup>nd</sup> poultry shed within the fenced range. The site would satisfy Section C of CTY 10 but was found to be unsuitable for the following reasons:
- (a) Too close to the chicken shed <50m.
  - (b) Sited within the chicken range which would not be allowed by the egg company.
- 4) Site 4** – Approximately 70m SE of 2<sup>nd</sup> poultry shed. This is the application site and has been found to be the most suitable and satisfies Section C of CTY 10. Although a preferred siting was indicated, the site is over 100m deep and the client would be willing to move further back on the site. Although the site is quite open and does not benefit from mature vegetation but that is the nature of the area. The land is very sandy and pure indeed pure sand which does not support mature trees. The site would require planting to aid integration and this together with a setback with a modest dwelling could be a successful site. The client has already demonstrated his willingness to plant trees/shrubs as he had planted a significant section of land adjacent to the poultry sheds (the plants have been carefully selected to grow in light sandy soil).

In summing up, Mr Marshall advised that his client had a genuine and real need for a new dwelling. His client was a successful poultry farmer and needed to live beside his business and taking everything into consideration the most practical site has been chosen.

In response to the Planning Manager's query on Site 1, Mr Marshall advised that it was an old disused sand pit and part of it has running sand and water, which do not mix.

Councillor Reid suggested deferring the application for an office meeting until more information was received.

Councillor Gildernew advised that on shared land it's difficult to get a mortgage. He said that he was surprised why this application was not approved in the first instance as the applicant needed to be in a close proximity of the chicken houses if the alarms goes off. This could be detrimental to his livelihood otherwise.

The Planning Manager advised there could be issues if there were repossession issues with the dwelling and no right of access. He felt that the whole purpose of the policy was the cluster and that this site with the hills could pose some Environmental Health problems with materials which could've been put there. He felt that more information was needed and that the proposal to defer the application was the best option. He said that it does not meet the policy test and that the Planners cannot recommend approval in line with planning policy on what the option is.

Councillor Gildernew agreed with the Planning Manager and felt that there could be issues trying to get a Farmer to share a lane and in his opinion this would be virtually impossible.

The Planning Manager said that it may be likely that in time another poultry house could be erected and if this was the case, it would be impossible to get a mortgage. He said

that he had no intention to plough through the farm buildings and was only trying to find the best possible solution.

Councillor McKinney said that he understood that the Planning Officers had criteria to follow but that it made sense to go with Option 4 as it was the most practical.

Councillor Robinson said that he would have concerns about a dwelling being too close to a farmyard due to farm safety.

Proposed by Councillor Reid  
Seconded by Councillor McKinney

**Resolved:** That planning application LA09/2017/0053/O be deferred for an office meeting until further information is sought.

**LA09/2017/0249/F Disabled access to hall at 3A Bridgend Road, Coagh for The Trustees, Coagh Masonic Hall**

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

Proposed by Councillor Gildernew  
Seconded by Councillor Robinson and

**Resolved:** That planning application LA09/2017/0249/F be approved subject to conditions as per the officer's report.

**LA09/2016/0947/O Dwelling and garage 100m NW of Strawmore Lane and Glengomn Road, Draperstown for Vincent McKenna**

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

Proposed by Councillor Bell  
Seconded by Councillor Robinson and

**Resolved:** That planning application LA09/2016/0947/O be approved subject to conditions as per the officer's report.

**LA09/2016/1343/O Dwelling and garage at lands adjacent to 30 Annaginny Road, Newmills for Robert Williamson**

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

Proposed by Councillor Kearney  
Seconded by Councillor McKinney and

**Resolved:** That planning application LA09/2016/1343/O be approved subject to conditions as per the officer's report.

**P058/17 Receive report on applications for Moneymore Orange Hall**

The Head of Development Management presented previously circulated report to ask for agreement for an 'interim' recommendation of approval in principle on planning application LA09/2016/0193/F and related Listed Building Consent (2016/0194/LBC) and that the Planning Manager issues a letter of comfort to this effect.

The purpose of this is to permit the applicant to acquire funding in order to carry out an archaeological assessment of the site, as requested by HED, which must be completed prior to a final decision and the issuing of any approval notice.

Proposed by Councillor Glasgow  
Seconded by Councillor Robinson and

**Resolved:** That Council agree to the Planning Manager issuing a letter of comfort to the applicant indicating that the Council are satisfied that the proposal is in accordance with planning policy and approved subject to the satisfactory outcome of the archaeological assessment and agreement of HED.

**P059/17      Receive Planning Department's Service Improvement Plan 2017-18**

The Planning Manager presented previously circulated report to provide Members with a copy of the Service Improvement Plan (SIP) for the Planning Department for the period 2017-18.

*Councillor McKinney left the meeting at 7.43 pm and returned at 7.46 pm.*

Councillor McPeake said that he would be happy to agree to the Service Improvement Plan and when he attends other forums, it is quite evident that this Council is much more advanced compared to neighbouring ones and would like to commend Dr Boomer and his team on such tremendous work.

The Chair, Councillor Clarke advised that as a member of the Sperrins Group, it shows how solid works are being achieved and targets met and moving forward this continues. He agreed with Councillor McPeake's sentiments and said that the work that Dr Boomer and his team do is invaluable.

Councillor Kearney stated that it was obvious from the recent Planning workshops that Mid Ulster is the lead Council on Planning and all the people present were very impressed and appreciated all the work which is being carried out to make Mid Ulster a better place.

Proposed by Councillor McPeake  
Seconded by Councillor McKinney and

**Resolved:** That the Planning Department Service Improvement Plan 2017-18 be agreed and noted.

**P060/17      Receive correspondence from 'Community Places'**

The Chair advised that 'Community Places' be withdrawn from the Agenda.

## **Matters for Information**

### **P061/17      Minutes of Planning Committee held on Tuesday 4 April 2017**

Proposed by Councillor McKinney  
Seconded by Councillor Bell and

Members noted minutes of Planning Committee held on Tuesday 4 April 2017.

### **P062/17      Note Appeal Decision**

Members noted previously circulated report which advised of recent Planning Appeal decisions.

## **Confidential Business**

Proposed by Councillor Reid  
Seconded by Councillor Robinson and

**Resolved:** That items P063/17 to P068/17 be taken as confidential business.

### **P069/17      Duration of Meeting**

The meeting was called for 7 pm and concluded at 8.35 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**D**

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 May 2017 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Gildernew, Chair

Councillors Ashton, Buchanan, Cuddy (7.10 pm), Elattar, McKinney, McLean, Molloy, M Quinn, Totten

**Officers in Attendance**

Mr A Tohill, Chief Executive  
Mrs Canavan, Director of Organisational Development  
Ms Mezza, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr JJ Tohill, Director of Finance  
Miss Thompson, Committee Services Officer

The meeting commenced at 7.00 pm.

**PR081/17 Apologies**

Councillors Forde, McPeake and S McGuigan.

**PR082/17 Declaration of Interest**

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

**PR083/17 Chair's Business**

None.

**Matters for Decision**

**PR084/17 Tascomi Hosted Solutions**

The Head of ICT presented previously circulated report which sought approval for the extension of contract with Tascomi hosted solutions for Building Control and Environmental Services from 2017-2020.

Councillor McLean stated that he felt that the officer's explanation meant Council was taking the right approach in relation to this matter.

Proposed by Councillor McLean

Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to extend contract with Tascomi Services to provide hosted solutions to Mid Ulster for the period 2017-

2020 at a cost of £75,471.80 per annum. Council will subject the services to competition in line with Procurement Policy at the end of that period.

#### **PR085/17    Leisure Identity System**

The Head of Marketing and Communications presented previously circulated report which sought approval for the introduction of a new identity system for the Council's leisure and recreational facilities.

Councillor McLean felt that the colour schemes for Cookstown and Dungannon leisure centres were quite similar and asked if there could be any alteration to these colour schemes to make them more distinguishable.

The Head of Marketing and Communications advised that the colours used were taken from the council colour palette. The officer agreed that the colour schemes for Cookstown and Dungannon leisure centres were similar and advised that further consideration could be given to the tone of the colouring.

Councillor McLean advised that he would agree in principle with what had been put forward and would endorse the process. The Councillor stated that if others were happy then he did not want to make an issue of the colour schemes.

In response to Councillor Ashton's question regarding use of logos the Head of Marketing and Communications advised that the designs put forward were not logos as such but rather a form of brand identity for leisure and recreation facilities. The officer advised there was a need to differentiate between facilities whilst keeping a consistent association with Council.

Councillor Elattar asked if the proposed design identity of facilities were going to be bi-lingual.

The Head of Marketing and Communications advised that the designs were not stand alone logos and that Council's bi-lingual logo would be included on publications for these facilities. The officer advised that draft designs could be provided to show what layout of bi-lingual publications would look like.

Councillor Molloy felt there was not enough contrast in the colouring of the graphic used on some designs.

The Head of Marketing and Communications advised that the colouring of designs could be refined.

*Councillor Cuddy entered the meeting at 7.10 pm.*

Proposed by Councillor McKinney  
Seconded by Councillor Molloy and

**Resolved**    That it be recommended to Council that further consideration be given to tone and contrast of colouring of designs and that further draft

designs be brought back to committee which include bi-lingual translation.

**PR086/17     Marketing and Communications Service Plan 2017/18**

The Head of Marketing and Communications presented previously circulated report which detailed Service Plan for Marketing and Communications for the 2017-2018 year.

Proposed by Councillor Elattar  
Seconded by Councillor McKinney and

**Resolved**     That it be recommended to Council to agree the Service Plan for Marketing and Communications for 2017/18.

**PR087/17     Organisational Development Service Plan 2017/18**

The Head of Organisational Development presented previously circulated report which detailed Service Plan for Organisational Development for the 2017-2018 year.

Councillor Ashton asked how many staff were currently employed through an agency and if positions came up within the organisation if they could apply.

The Head of Organisational Development advised that there were currently less than 10 staff employed through an agency and that these staff have to be in position for 12 weeks before they can apply for an internal post.

Proposed by Councillor McLean  
Seconded by Councillor Cuddy and

**Resolved**     That it be recommended to Council to agree the Service Plan for Organisational Development for 2017/18.

**PR088/17     Democratic Services Service Plan 2017/18**

The Head of Democratic Services presented previously circulated report which detailed Service Plan for Democratic Services for the 2017-2018 year.

In response to Councillor Ashton's question regarding service budget the Head of Democratic Services advised that the Chairman's Allowance referred to within service plan was not a special responsibility allowance but was made up of receipt based allowance and money set aside for receptions.

Proposed by Councillor Elattar  
Seconded by Councillor Totten and

**Resolved**     That it be recommended to Council to agree the Service Plan for Democratic Services for 2017/18.

## **PR089/17 Policy and Resources Committee Meeting – June 2017**

The Head of Democratic Services presented previously circulated report which gave consideration to the rescheduling of June Policy and Resources Committee meeting to avoid the General Election now set for the same date.

Proposed by Councillor Buchanan  
Seconded by Councillor Ashton and

**Resolved** That it be recommended to Council that the June meeting of Policy and Resources Committee take place on Wednesday 7 June 2017 at 7pm in Cookstown Offices.

## **Matters for Information**

### **PR090/17 Minutes of Policy and Resources Committee held on Thursday 6 April 2017**

Members noted minutes of Policy and Resources Committee held on Thursday 6 April 2017.

### **PR091/17 Elected Member Engagement with Youth Forum and Students from Special Schools**

The Head of Democratic Services presented previously circulated report which provided an update on Members engagement events.

Members noted the content of the report.

### **PR092/17 Member Services**

No issues.

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

Proposed by Councillor Molloy  
Seconded by Councillor M Quinn and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR093/17 to PR099/17.

### **Matters for Decision**

PR093/17 Chair and Deputy Chair Receptions in Council Facilities  
PR094/17 Finance Service Plan 2017/18  
PR095/17 IT Service Plan 2017/18  
PR096/17 Staffing Matters

**Matters for Information**

PR097/17 Confidential Minutes of Policy and Resources Committee  
held on Thursday 6 April 2017

PR098/17 Staffing Matters

PR099/17 Contracts and DAC

**PR100/17 Duration of Meeting**

The Chair, Councillor Gildernew advised the committee that as this was his last meeting in the Chair, he wanted to thank officers and members for their support during his term as Chairman of Policy and Resources Committee.

The meeting was called for 7 pm and ended at 7.35 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**E**

**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 9 May 2017 in Council Offices, Ballyronan Road, Magherafelt**

<b>Members Present</b>	Councillor Cuthbertson (Chair)  Councillors Buchanan, Burton, Gillespie, Glasgow, Kearney, McFlynn, McGinley, B McGuigan, Mulligan (7.03 pm), J O'Neill, M Quinn, Reid (7.02 pm), Totten
<b>Officers in Attendance</b>	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr McAdoo, Head of Environmental Services Mrs McClements, Head of Environmental Health Mr Lowry, Head of Technical Services Mr Scullion, Head of Property Services Mr Wilkinson, Head of Building Control Miss Thompson, Committee Services Officer

The meeting commenced at 7.00 pm

**E114/17      Apologies**

Councillors S McGuigan, McNamee

**E115/17      Declarations of Interest**

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

**E116/17      Chair's Business**

The Chair, Councillor Cuthbertson referred to recent anti-social behaviour which took place on council property in which persons were consuming alcohol. The Chair advised that Police were called in relation to the matter however they advised that as the activity was taking place in a non designated drinking zone then no enforcement action could be taken. Councillor Cuthbertson called on officers to undertake a review of all council facilities/property to ascertain what areas are designated/not designated.

*Councillor Reid entered the meeting at 7.02 pm.*

Councillor B McGuigan advised he had experienced similar issues in the past and that Police had also advised at that time they could not take enforcement action when there is no signage in place.

*Councillor Mulligan entered the meeting at 7.03 pm.*

Councillor Reid referred to previous concerns regarding illegal drinking beside Tesco in Dungannon and advised that, at that time, an officer of the Council advised that

Police did have the power to take enforcement action even though signs were not erected.

Councillor B McGuigan stated that Police had advised him differently in that signage had to be erected for them to take action.

The Director of Public Health and Infrastructure stated it was his understanding that an area had to be designated for enforcement action to be taken. The Director advised that a report would be brought to a future committee meeting regarding the designation of Council owned properties/facilities.

The Chair, Councillor Cuthbertson advised that he had been contacted by an angry constituent who went to Dungannon recycling centre to enquire about availability of free compost. The constituent advised that on enquiring, an operative working at the site stated "Don't ask me, I haven't a clue what you're on about." Councillor Cuthbertson advised he was at the same site later in the day and had seen two pallets of compost and asked if a further supply would be made available at a later date.

The Head of Environmental Services advised that 2-3 pallets of compost had been made available at each of the three sites (Cookstown, Dungannon, Magherafelt) however this was all distributed within a few hours.

Councillor Burton advised she had been approached by an environmental services employee and asked if the pay and grading review of environment and property was complete and operational.

The Director of Environment and Property advised that the outcome of the pay and grading review had been agreed by Council and was being implemented. The Director advised that payment of backpay would be made to all affected staff by end of May.

Councillor McGinley referred to new layout of reports and asked why branding had been removed.

The Director of Environment and Property advised that changes to the processing of confidential business within agendas, minutes and reports were agreed at March P&R Committee. The Director advised that the report template was amended to include the seven exemption categories in which officers are required to select at least one if they want a report to be considered under confidential business. The Director advised he would follow up as to why branding had been removed from report template.

Councillor Reid asked if backpay for pay and grading review of environment and property had been budgeted for.

The Director of Environment and Property advised that monies had been set aside from previous years budgets in order to make backpay payments.

## **Matters for Decision**

### **E117/17      Transport NI Proposals to Mid Ulster Council – Proposed Disabled Persons' Parking Bay, Main Street Ballygawley**

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed provision of a Disabled Persons' Parking Bay at Main Street, Ballygawley.

Proposed by Councillor McGinley  
Seconded by Councillor Reid and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to provision of a Disabled Persons' Parking Bay at Main Street, Ballygawley.

### **E118/17      Transport NI Proposals to Mid Ulster Council – Proposed No Waiting At Any Time, Sloan Street Dungannon**

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed introduction of No Waiting At Any Time on Sloan Street, Dungannon.

Proposed by Councillor McGinley  
Seconded by Councillor Reid and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to introduction of No Waiting At Any Time on Sloan Street, Dungannon.

### **E119/17      Transport NI Proposals to Mid Ulster Council – Proposed Revocation of a Disabled Persons' Parking Bay, Sullenboy Park Cookstown**

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed revocation of a Disabled Persons' Parking Bay at Sullenboy Park, Cookstown.

Proposed by Councillor McGinley  
Seconded by Councillor Reid and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to revocation of a Disabled Persons' Parking Bay at Sullenboy Park, Cookstown.

### **E120/17      Rainey Street Public Toilet Options**

The Head of Property Services presented previously circulated report which provided a number of options in relation to Public Toilets at Rainey Street, Magherafelt.

Councillor B McGuigan asked what other toilet facilities were available within Magherafelt town.

The Head of Property Services advised that toilet provision was available in The Bridewell, a council facility, whilst other provision was available at the bus station, shopping centre and other retailers in the town.

Councillor B McGuigan asked what the £65,000 cost of a new modular semi-automatic toilet block included.

The Head of Property Services advised that £65,000 covered the outright purchase and installation of the unit. He further advised that there would be an additional maintenance payment which could be in the region of approximately £9,000 per annum.

Councillor McFlynn advised of other similar automated toilet facilities throughout the District and stated that option two or three listed within the report would be preferred. The Councillor advised that there was a significant footfall in the town and asked what facilities were available out of normal working hours when other premises would be closed.

Councillor McGinley stated that an additional option would be to close Rainey Street toilets.

The Director of Environment and Property advised that following previous discussion at March meeting and subsequent articles in press a number telephone calls were received from the public expressing concern at closure of Rainey Street toilets.

In response to Councillor Gillespie's question the Head of Property Services advised that income from a coin operated facility would come back to Council.

Councillor McFlynn stated that Cookstown and Dungannon were both well serviced for toilet provision and did not think that Rainey Street toilets should be closed outright. Councillor McFlynn proposed that Council move ahead with either option two or three as detailed in report.

Councillor Reid felt that £9,000 was a considerable amount for annual maintenance.

Councillor McGinley asked if there was detail on the usage of these toilets and the opening hours of same.

The Head of Property Services advised that usage of public toilets was not monitored in any facilities across the District. Opening hours of the toilets are from 7.30 am to dusk. The Head of Property Services also clarified that the £9,000 maintenance cost was provided by one supplier and would have to be market tested. It was also advised that if Members chose to go with the purchase of an automated toilet block there would be no further need for an attendant at this location.

Councillor Kearney referred to the night time economy in Magherafelt and felt that to close the Rainey Street toilets would be depriving the area of a service.

In response to the Chair's question the Head of Property Services advised that as a maintenance contract is in place, there were very little additional running costs to other automated toilet provision throughout the District.

Councillor B McGuigan asked what the cost of maintenance would be if options one or two were agreed.

The Head of Property Services advised that if the existing toilet provision was refurbished or replaced he would expect £9,000 to cover cost of maintenance and attendant.

Councillor Reid proposed option one – full refurbishment of existing toilet provision.

Councillor Burton asked which option offered the most protection against vandalism and enquired if another option may be to leave toilets within Bridewell open.

The Director of Environment and Property advised that reception cover would be required if toilets were to be left open within Bridewell. The Director stated that option two would provide a higher level of certainty for Council in relation to future running costs.

The Head of Property Services advised that option three offered the most protection against vandalism.

Councillor Reid stated he withdrew his earlier proposal and would now propose option two – New replacement masonry toilet block. Councillor Reid asked what running costs would be associated to this option.

The Head of Property Services advised that running costs for option two would also be in the region of £9,000.

The Director of Environment and Property clarified that the running costs for Rainey Street toilets were already included within the budget.

In response to Councillor B McGuigan's question the Director of Environment and Property advised that subject to successful application being made for funding, toilets at Rainey Street could be replaced within the next year.

Councillor McFlynn seconded Councillor Reid's proposal.

**Resolved** That it be recommended to Council to close the existing facility at Rainey Street with a view to their replacement once financial resources become available. The Head of Property Services to make an urgent application to the Council through the Policy and Resources Committee for an allocation under the Capital Programme for the replacement of Rainey Street toilets.

Councillor Burton referred to discussion at March meeting in relation to further investment being required for toilets in Augher. The Councillor stated that whilst these toilets were kept to a high standard the tiling and installations were very out of date.

The Head of Property Services advised that the assessment taken of Augher toilets was fair and that there were toilets within the District that were in a poorer condition. The officer advised that he would look again at the condition of Augher toilets after the toilets in poorer condition had been brought up to standard.

Councillor Burton stated that there were some toilets without seats or lids and that this was unhygienic. The Councillor felt that the toilets in Augher were well used and were the first accessible toilets after coming off the motorway and should be kept to a higher standard.

#### **E121/17      Property Services Service Plan 2017/18**

The Head of Property Services presented previously circulated report which detailed Property Services Service Plan for 2017/18.

Proposed by Councillor B McGuigan  
Seconded by Councillor Kearney and

**Resolved**      That it be recommended to Council to approve the Property Services Service Plan for 2017/18.

#### **E122/17      Environmental Services Service Plan 2017/18**

The Head of Environmental Services presented previously circulated report which detailed Environmental Services Service Plan for 2017/18.

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

**Resolved**      That it be recommended to Council to approve the Environmental Services Service Plan for 2017/18.

#### **E123/17      Street Naming and Property Numbering**

Members considered previously circulated report regarding the naming of new residential housing developments within Mid Ulster as follows –

Site off Tamnamore Road, Dungannon

Proposed by Councillor Burton  
Seconded by Councillor McFlynn and

**Resolved**      That it be recommended to Council to name development off Tamnamore Road, Dungannon (Street 1) as Cobblers Manor.

Proposed by Councillor McFlynn  
Seconded by Councillor Burton and

**Resolved**      That it be recommended to Council to name development off Tamnamore Road, Dungannon (Street 2) as Cobblers Avenue.

#### **E124/17      Building Control Service Plan 2017/18**

The Head of Building Control presented previously circulated report which detailed Building Control Service Plan for 2017/18.

Proposed by Councillor Mulligan  
Seconded by Councillor Gillespie and

**Resolved**      That it be recommended to Council to approve the Building Control Service Plan for 2017/18.

#### **E125/17      Environmental Health Service Plan 2017/18**

The Head of Environmental Health presented previously circulated report which detailed Environmental Health Service Plan for 2017/18.

Proposed by Councillor Glasgow  
Seconded by Councillor Reid and

**Resolved**      That it be recommended to Council to approve the Environmental Health Service Plan for 2017/18.

#### **E126/17      Technical Services Service Plan 2017/18**

The Head of Technical Services presented previously circulated report which detailed Technical Services Service Plan for 2017/18.

Proposed by Councillor Mulligan  
Seconded by Councillor Kearney and

**Resolved**      That it be recommended to Council to approve the Technical Services Service Plan for 2017/18.

#### **Matters for Information**

#### **E127/17      Minutes of Environment Committee held on Tuesday 11 April 2017**

Members noted minutes of Environment Committee held on Tuesday 11 April 2017.

#### **E128/17      Transport NI Proposals to Mid Ulster Council – Proposed Classification and Reclassification at Magherafelt Bypass**

Members considered previously circulated report which sought agreement in relation to proposal from Transport NI with regard to proposed classification of Magherafelt Bypass as the A31 and reclassification of a section of the existing A31 as the B40.

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Transport NI in relation to proposed classification of Magherafelt Bypass as the A31 and reclassification of a section of the existing A31 as the B40.

#### **E129/17      Bulky Waste Collection Service**

Members noted previously circulated report which provided update on the Council's bulky waste collection service.

#### **E130/17      Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2016**

Members noted previously circulated report which provided an update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for the (quarter three) period of October to December 2016.

#### **E131/17      Re-launch of Council Brown Bin Collection Scheme**

Members noted previously circulated report which provided update on progress of Council's re-launch of the brown bin kerbside collection scheme.

Councillor Burton asked if officers were content that brown bins were being used as intended and if there were any areas where these bins were not being put out for collection.

The Head of Environmental Services advised that the relaunch of the brown bin collection scheme in April had seen increased brown bin weights being collected in the past couple of weeks.

The Director of Environment and Property advised that following the rollout of brown bins in rural Dungannon area a significant increase in usage was observed. The Director advised that Mid Ulster District Council had achieved the highest recycling rate of all eleven councils for the third consecutive quarter and stated that it would be important to monitor the transfer of material from black bin to brown bin as this would have both economic and environmental advantage. The Director also advised that Mid Ulster District Council had one of the best composting rates of the eleven councils.

#### **E132/17      Disposal of Assets – Fleet/Plant**

Members noted previously circulated report which advised of the disposal/sale of surplus fleet, plant and equipment from Mid Ulster District Council for the period 1 September 2016 to 8 April 2017.

#### **E133/17      Houses in Multiple Occupation (HMO) Bill and drafting of subordinate legislation**

Members noted previously circulated report which advised of the current position on Houses in Multiple Occupation (HMO) Bill and drafting of subordinate legislation.

**E134/17      Food Hygiene Rating Scheme Week of Action (20-24 February 2017)**

Members noted previously circulated report which provided update on the second Food Hygiene Rating Scheme (FHRS) Week of Action undertaken to assess compliance with the requirements of the statutory FHRS.

**E135/17      Radon in Homes in Northern Ireland: 2016 Data Report**

Members noted previously circulated report which provided information on radon measurements in the Mid Ulster area.

**E136/17      Building Control Workload**

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

**E137/17      Entertainment Licensing Applications**

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

Proposed by Councillor B McGuigan  
Seconded by Councillor McFlynn and

**Resolved**      That it be recommended to Council to note the content of report items E127/17 to E137/17.

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

Proposed by Councillor Glasgow  
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 E138/17 to E141/17.

**Matters for Decision**

E138/17      Ballymacombs Proposed Surface Water Drainage Works

**Matters for Information**

E139/17      Confidential Minutes of Environment Committee held on Tuesday 11 April 2017

E140/17      Off Street Car Parking Update 2016-2017

E141/17      Contracts Update

**E142/17      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.03 pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**F**

**Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 11 May 2017 in the Council Offices, Ballyronan Road, Magherafelt**

<b>Members Present</b>	Councillor Molloy, Chair  Councillors Burton (7.06) Cuddy, Doris, Elattar, Forde, McAleer, McElDowney, McNamee, Monteith, T Quinn, and Wilson
<b>Officers in</b>	Ms Campbell, Director of Leisure and Outdoor Recreation
<b>Attendance</b>	Mr McCreesh, Director of Business and Communities Mr Browne, Head of Tourism Mr Glavin, Head of Leisure Mr Hill, Head of Parks Ms McKeown, Head of Economic Development Ms Grogan, Committee Services Officer
<b>Others in Attendance</b>	JJ Tohill, Director of Finance

The meeting commenced at 7 pm.

**D095/17      Apologies**

Councillors Clarke, J Shiels and G Shiels.

**D096/17      Declaration of Interests**

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

Councillor Cuddy declared an interest in Economic Development Service Improvement Plan – Improvement Programme

Councillor Wilson declared an interest in Economic Development – Enterprise.

**D097/17      Chair's Business**

The Chair, Councillor Molloy passed his condolences on behalf of the Committee to Mr Tony McCance, Head of Culture and Arts on the recent death of his mother.

**Matters for Decision**

**D098/17      Community Development**

The Director of Business and Communities drew attention to the previously circulated report to update members on the following areas within Community Development section:

- Peace IV
- Community Support – Grants, Support, Advice, Village Planning, Community Centres
- PCSP
- DSD Neighbourhood Renewal
- Good Relations

Proposed by Councillor McNamee  
Seconded by Councillor McEldowney

**Resolved:** That it be recommended to the Council to approve the contents of the Community Development Report.

#### **D099/17      Community Development Service Plan 2017-18**

The Director of Business and Communities drew attention to the previously circulated report, which was recommended approval.

Proposed by Councillor McNamee  
Seconded by Councillor Forde and

**Resolved:** That it be recommended to the Council to approve the Community Development Service Plan 2017-18.

#### **D100/17      Tourism NI Awards, 18 May 2017 Enniskillen Castle**

The Head of Tourism drew attention to the previously circulated report to seek approval for the Council Chair and one other to attend the Tourism NI – Tourism Awards ceremony in Enniskillen.

Councillor Wilson advised that he was unable to attend the event as Chair and advised that the Deputy Chair, Councillor McAleer would be attending in his place.

In addition to attending the Tourism NI Awards the Head of Tourism gave an update regarding the Never Felt Better Festival which he had reported to Committee at the April meeting. He outlined that after the April meeting they had consulting with the town businesses and the Chamber of Commerce in Magherafelt regarding their involvement during the festival. And during this time they had requested the Council run the festival later in the summer/autumn and asked for additional help and assistance on how to they should use the brand before and during this festival. The Head of Tourism advised the Committee that he would bring a report to them with more information as this progressed.

Proposed by Councillor Wilson  
Seconded by Councillor Forde and

**Resolved:** That it be recommended to the Council that approval be granted for the Deputy Chair plus one other to attend the event.

*Councillor Burton entered the meeting at 7.06 pm.*

**D101/17      Tourism Department Service Plan 2017-18**

The Head of Tourism drew attention to the previously circulated report, which was recommended approval.

Proposed by Councillor Wilson  
Seconded by Councillor Forde and

**Resolved:** That it be recommended to the Council to approve the Tourism Department Service Plan 2017-18.

**D102/17      Economic Development Service Plan 2017-18**

The Head of Economic Development drew attention to the previously circulated report, which was recommended for approval.

The Head of Economic Development advised that Economic Development service try to build up events year on year and to do have a focus on something different from the previous years, such as the shop improvement scheme in 2016/17 to village regeneration in 2017/18. A wide range of projects are outlined, but the main focus this year would be on village regeneration.

The Director of Business and Communities advised that there has been very positive progress being made with 102 shop improvement schemes being completed and from a town centre perspective, there would be a focus on addressing dereliction this year. Pilot work is currently being carried out in Dungannon and would hope to progress this project as a matter of priority.

Proposed by Councillor Cuddy  
Seconded by Councillor Wilson and

**Resolved:** That it be recommended to the Council to approve the Economic Development Service Plan 2017-18.

**D103/17      Parks Service - Service Plan 2017-18**

The Head of Parks drew attention to the previously circulated report, which was recommended for approval.

Proposed by Councillor Wilson  
Seconded by Councillor Cuddy and

**Resolved:** That it be recommended to the Council to approve the Parks Service - Service Plan 2017-18.

**D104/17      Reservoir Safety**

The Head of Parks drew attention to the previously circulated report to update members of Council's role and responsibilities in relation to the Reservoir Act (NI) 2015 and to seek Council approval for completion of Section 10 Reports for Dungannon Park and Ballysaggart Lough.

Councillor Cuddy enquired if there was any update in relation to the sites at Altmore as that funding had already been set aside by the legacy Dungannon Council to buy these. He advised that he had requested an update on numerous occasions but never received a reply.

Councillor Monteith agreed with Councillor Cuddy and stated that there were two reservoirs in Cappagh and that it would be important to get this dealt with, as this could be detrimental to the area.

Councillor Monteith referred to Ballysaggart Lough and enquired if there was going to be a plan to develop the area. He said that 12 months ago it was agreed that something would be drawn up and now month on month nothing changes. He said that we were two years into the new Council and three years in the shadow and yet still nothing has been done. He said that he would like to know if there was anything that could be done to try and sort this as this was the fault of this Council and not DCAL.

The Head of Parks advised that Ballysaggart Lough was being looked at under the Capital Projects scheme and would be one of the largest projects to come on board. He said that he was aware of the importance of Ballysaggart Lough to the local community and that it was the Council's responsibility to try and find resources to fund the development of the area and would be confident that progress could be made.

The Chair, Councillor Molloy enquired if a meeting could be arranged with all DEA's so members could be made aware of ongoing progress in the area.

The Head of Parks agreed that this would be beneficial as Ballysaggart Lough was a very prominent site in the area.

Councillor Monteith said that if Ballysaggart Lough was in the development plan that he would be very interested in seeing it to see if lighting, footpaths and access to Dungannon town was in it. He said that road safety and maintenance was very important and would like to see an update brought to the next committee meeting so a decision on funding could be reached.

The Head of Parks advised that the Altmore project was brought before the legacy Dungannon Council and it was his recollection that the costs were in the regions of hundreds of thousands and that this project would need to be revisited again.

Councillor Cuddy advised that funding set aside was in the region of £100,000 and that he would like an update to be brought to the next Committee Meeting.

Councillor Burton enquired how as a Council we could help villages i.e. Caledon Regeneration Partnership to try and source funding and asked if it was possible to assign an officer to work with the group to develop their proposals. She felt that it would be useful to try and facilitate groups and get them involved to include the added attraction of the Beam Engine and have the expertise of the Tourism Manager.

The Director of Business and Communities advised that Council would always be supportive of groups bidding for funding to develop their areas and we would assist, where possible by attending meetings etc, to provide input and guidance, however, Council could not appoint staff members to work on projects being spearheaded by individual groups.

The Director of Business and Communities advised that he was aware of a number of organisations intending to submit applications to the Heritage Lottery Fund which included groups in Caledon and Draperstown and indicated that a group in Slaughneil may also approach Council for support with regard to separate funding opportunity. He said that the Head of Economic Development and himself had met with groups in Caledon and Draperstown this week and have asked them to document their requirements so these could be brought before members for consideration.

Councillor Burton raised the issue of the road safety at Round Lake, Fivemiletown and said that it was one of the best walking facilities in the area which needed to be investigated as a matter of urgency. She said that from 2005 she had continuously raised the issue with Transport NI and every time they respond with a "Dear John" letter and due to the safety aspect this needs looked at before a fatality occurs.

The Director of Leisure and Outdoor Recreation advised that a strategy is being developed for play, parks and outdoor recreation and this would allow the Council to provide a framework to work on and would envisage to have a more detailed session to address issues concerning disabled play facilities and other points to involve the concept plan so there was an umbrella and strategic approach.

**Resolved:** That it be recommended to the Council to grant approval for the procurement of suitably qualified consultant engineers for the production of section 10 Reports as required for Dungannon Park and Ballysaggart Lough. Update on progress at Ballysaggart Lough to be brought to next Committee meeting.

#### **D105/17      Washingbay Healthy Living Centre**

The Head of Parks drew attention to the previously circulated report to seek permission for the consideration of request from Muintir na Mointeach Ltd to permit the proposal to develop an extension to the existing Community Centre building on the Council owned site.

Proposed by Councillor Wilson  
Seconded by Councillor Doris and

**Resolved:** That it be recommended to the Council that approval be given to the request to permit development proposal subject to all statutory conditions being met by the lessee.

**D106/17      Leisure Services Service Plan 2017-18**

The Head of Leisure drew attention to the previously circulated report, which was recommended for approval.

Proposed by Councillor T Quinn  
Seconded by Councillor McNamee and

**Resolved:** That it be recommended to the Council to approve the Leisure Services Service Plan 2017-18.

**D107/17      Changing Block at Aughnacloy Grass Pitch**

The Head of Leisure drew attention to the previously circulated report to advise Members on proposals to uplift existing Changing Block at Aughnacloy Grass Pitch to be relocated at Aughnacloy College's 3G soccer pitch.

Proposed by Councillor Cuddy  
Seconded by Councillor Wilson and

**Resolved:** That it be recommended to the Council that approval be given to the uplift of the existing Changing Block at the Grass Pitch in Aughnacloy and to resite it at the 3G Soccer Pitch in Aughnacloy College subject to there being no cost to Council.

**D108/17      Mid Ulster District Council Every Body Active 2020**

The Head of Leisure drew attention to the previously circulated report to advise on the Mid Ulster District Council Every Body Active 2020 (MUDC EA 2020) Programme for 2016/17 and to get Members agreement on the Draft MUDC EA 2020 Action Plan 2017/18 to be forwarded to Sport NI (SNI) for their approval.

Councillor Wilson stated that this was a terrific and very worthwhile initiative and that he welcomed the programme. He advised that he had been contacted by a member from Life is for Living after Cancer (LiLAC) approximately six weeks ago raising concern about the non-reply from the Council regarding her query about this programme taking place in every other Council area except Mid Ulster.

The Head of Leisure advised that the query is presently with the Manager, but would investigate the matter and get it actioned.

Proposed by Councillor Wilson  
Seconded by Councillor Doris and

**Resolved:** That it be recommended to the Council that approval be granted for Officers to proceed on the basis of the Every Body Active 2020 Year 1 Report and Draft Action Plan for 2017/18.

### **Matters for Information**

#### **D109/17 Minutes of Development Committee held on Thursday 13 April 2017**

Members noted minutes of Development Committee held on Thursday 13 April 2017.

#### **D110/17 Lough Neagh Partnership CORE Funding**

Members noted previously circulated report, which provided an update on progress on Lough Neagh Partnership CORE Funding to date.

#### **D111/17 Lough Neagh Partnership HLF Landscape**

Members noted previously circulated report which provided an update on progress on Lough Neagh Partnership HLF Landscape to date.

#### **D112/17 Mid Ulster District Tourism Development Group**

Members noted previously circulated report, which presented Minutes of the Tourism Development Group meeting held on Wednesday 8<sup>th</sup> February 2017 and ratified at meeting on 5<sup>th</sup> April 2017.

Councillor Burton raised concern regarding the accuracy of number recordings at Tourism Centres and said that there was a need for a more robust system for recording genuine figures.

Councillor Cuddy also raised concern about the accuracy of numbers recorded at Ranfurly House Arts and Visitor Centre and advised that the counter system had been faulty for a lengthy period of time and enquired if this had been remedied yet.

The Head of Tourism advised that is being dealt with under the Service Improvement Plan and would be looking at visitor information and how to go forward.

Pedestrian counters for Dungannon Park for the July-Sept period, should read 49,688 visitors.

#### **D113/17 Mid Ulster Rural Development Partnership**

Members noted previously circulated report, which provided an update to members on progress with the interim rural development strategy for Mid Ulster.

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

Proposed by Councillor McNamee  
Seconded by Councillor Burton

**Resolved:** Om 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 D114/17 to D117/17

**Matters for Decision**

D114/17 Matters for Decision Economic Development Report

D115/17 Refurbishment Work to Cookstown Leisure Centre  
Biomass Boiler

D116/17 Greenvale Leisure Centre Management Contract Review

**Matters for Information**

D117/17 Confidential Minutes of Development Committee held on  
Thursday 13 April 2017

**D118/17 Duration of Meeting**

The meeting commenced at 7 pm and concluded at 8.25 pm

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**G**

<b>Report on</b>	Conferences & Seminar – May 2017
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on seminars and conferences received. To seek approval for attendance and the payment of registration/ attendance fees and associated costs, as incurred.
<b>2.0</b>	<b>Background</b>
2.1	Costs associated will be set against 2017-18 member Conference and Seminar allocations.
<b>3.0</b>	<b>Main Report</b>
	The following seminar/ conference sessions are presented for consideration of representation from Mid Ulster Council.
3.1	<b>Approval for Consideration of Attendance by Members</b>
3.1.1	<b>Somme Association Messines Battlefield Tour 2017</b> <ul style="list-style-type: none"> <li>Tuesday 6 June to Friday 9 June 2017</li> <li>Cost £599 plus additional £60 for Redmond Dinner, travel and subsistence</li> </ul>
3.1.2	<b>Department of Foreign Affairs, Ireland - Battle of Messines Ridge – Centenary Event</b> <ul style="list-style-type: none"> <li>An Invitation has been received for representation from Mid Ulster District Council to attend the aforementioned event as detailed at appendix a. Members attending the Somme Association Messines Battlefield Tour may wish to consider attendance.</li> <li>Independent travel £600 approx (flights, Eurostar travel, taxi and hotel) plus other travel and subsistence</li> </ul>
3.1.3	<b>Greystones La Touche Legacy Seminar – Creating a New State</b> <ul style="list-style-type: none"> <li>Launch is Monday 29 May 2017 with the conference taking place on Friday 29 September – Saturday 30 September 2017 Greystones Golf Club, Whitsed Road, Greystones, Co Wicklow</li> <li>Conference fee is €100 plus accommodation, travel and subsistence costs</li> </ul>

3.2	<p><b><u>Officer Approvals</u></b></p> <p>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.</p>
4.0	<p><b>Other Considerations</b></p> <p><b>Somme Association Messines Battlefield Tour 2017 (3.1.1)</b></p> <p>This tour was reported to Council in March in order that the Somme Association might register interest the level of interest. The costs associated with the tour were received and circulated to Members on 10 May 2017. Note as the costs are relatively high any costs over and above conference/seminar budget of £750 must be met by Members.</p> <p><b>Department of Foreign Affairs, Ireland - Battle of Messines Ridge – Centenary Event (3.1.2)</b></p> <p>An Invitation has also been received for representation from Mid Ulster District Council to attend the aforementioned event as detailed at appendix a. Members attending the Somme Association Messines Battlefield Tour may wish to consider attendance.</p>
4.1	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: as detailed above</p> <p>Human:</p>
4.2	<p><b><u>Equality and Good Relations Implications</u></b></p>
4.3	<p><b><u>Risk Management Implications</u></b></p>
5.0	<p><b>Recommendation(s)</b></p>
5.1	<p>Approval for attendance at the conferences/ seminars by members and council officers as required.</p>
6.0	<p><b>Documents Attached &amp; References</b></p>
6.1	<p>Appendix A      Conferences &amp; Seminar Details</p> <p>Appendix B      Officer Approvals</p>

**Somme Association**

**Messines Battlefield Tour**

**Tuesday 6 June to Friday 9 June inclusive**

Cost Per Person - £599.00

Payable to: Selective Travel Management - Groups Department

Murray's Exchange, Lower Ground Floor, 1 Linfield Road, Belfast, BT12 5DR, United Kingdom

Flights – Inclusive of hand and hold luggage

Easyjet U2830 ECONOMY Tue 06-Jun-17 06:15 Belfast International - Gatwick

Easyjet U2837 ECONOMY Fri 09-Jun-17 17:55 Gatwick - Belfast International

Hotel

Hotel Ibis, Tourcoing

Single Room Accommodation (Twin/Double available on request)

Breakfast Included

06/06/17

Redmond Dinner at Kemmelberg Hotel - £60 – payable to the Somme Association

07/06/17

Official Commemoration at Messines (Councils should have received invitations to this)

Evening Service at Menin Gate

08/06/17

Dawn Service at Loan Tree/Spanboekmolen

Visit to Somme Area

The honour of the presence of

Ba mhór an onóir é

## Mid Ulster District Council

is requested at a ceremony to  
mark the centenary of the

a bheith i láthair ag searmanas  
i gcomhair chomóradh céad bliain

### Battle of Messines Ridge

at the Island of Ireland  
Peace Park, 7<sup>th</sup> June  
2017

RSVP by 12<sup>th</sup> May 2017 to:  
[messines@dfa.ie](mailto:messines@dfa.ie)

### Chath Dhroim Messines

ag Páirc Shíochána Oileán na  
hÉireann, an 7<sup>ú</sup> Meitheamh  
2017

RSVP faoin 12<sup>ú</sup> Meitheamh 2017  
chuig: [messines@dfa.ie](mailto:messines@dfa.ie)



United Kingdom  
of Great Britain  
and Northern Ireland



Ireland



Stad Mesen

**LA TOUCHE LEGACY,  
C/o Greystones Municipal District,  
Civic Offices,  
Mill Road,  
Greystones,  
Co. Wicklow.  
Tel: 01 2876694 Fax: 01 287 7173  
Email: [GreystonesMD@wicklowcoco.ie](mailto:GreystonesMD@wicklowcoco.ie)**

15<sup>th</sup> May 2017

**To all Local Authorities  
in Ireland**

Dear Sir/Madam,

For 28 years the Greystones La Touche Legacy Seminar has provided good quality Local Authority focused material, and 2017 is to be no different. This year's theme is 'Creating a New State'.

Speakers for the weekend include Professor Michael Laffan, Emeritus Professor, UCD; Dr. Conor Mulvagh, UCD; Professor Maurice Manning; Dr. Ida Milne & Dr. Mel Farrell, NUI, Maynooth; Dr. Leeann Lane, DCU and Ms. Joan Kavanagh, Historian. The guest speaker at the Seminar Dinner on Saturday 30<sup>th</sup> September is Dr. Martin Mansergh, Historian, former Minister of State and former advisor to successive Taoisigh.

The conference will launch this year on Monday 29<sup>th</sup> May 2017 at 7.30 p.m. in Greystones Golf Club, followed by a lecture by Professor Michael Laffan, Emeritus Professor, UCD. The conference proper will then commence at 4 p.m. on Friday 29<sup>th</sup> September and continue on Saturday 30<sup>th</sup> September 2017. Lectures on Friday will start after the official opening and lectures on Saturday 30<sup>th</sup> September start at 10 a.m. with the Jim Brennan Memorial Lecture at 11.45 a.m. The event will take place in Greystones Golf Club, Whitshed Road, Greystones, Co. Wicklow.

Conference fee is €100 to include all lectures, conference dinner with guest, teas, coffees and light lunch on Saturday. Accommodation is not included.

We would be delighted to welcome delegates from your authority to Greystones for this event.

Yours sincerely,

*George A. Jones,*

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**GEORGE A. JONES,  
CHAIRMAN,  
LA TOUCHE LEGACY COMMITTEE  
Tel: (home) 01 2875678; (mobile) 086-8217357 Email: [gjjones@eircom.net](mailto:gjjones@eircom.net)**

## Appendix B    Approval Sought

### Retrospective Approval

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
Jaipur Literary Festival	20-21 <sup>st</sup> May 17	1	London	Yes

**H**

<b>Report on</b>	Consideration of Requests for Civic Recognition – May 2017
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

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

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

4.2	<b><u>Equality and Good Relations Implications</u></b>
4.3	<b><u>Risk Management Implications</u></b>
5.0	<b>Recommendation(s)</b>
5.1	That consideration be given to approving request(s) for civic recognition.
6.0	<b>Documents Attached &amp; References</b>
6.1	Appendix A    Submitted Requests

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

### Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Cunningham Covers	Queen's Award for Enterprise	ClIr A Forde	<ul style="list-style-type: none"> <li>Won a competition at an United Kingdom level;</li> </ul>	For: N/A  Date: N/A
F P McCann	Considerate Constructions National Site Award	ClIr McFlynn	<ul style="list-style-type: none"> <li>Won a competition at an United Kingdom level;</li> </ul>	For: N/A  Date: N/A
Mid Ulster MS Society	MS Society United Kingdom Awards 2017	ClIr McFlynn	<ul style="list-style-type: none"> <li>Won a competition at an United Kingdom level</li> </ul>	For: N/A  Date: N/A
Francis Quinn	All Ireland Champion & Ulster Champion Irish Athletic Boxing Association	ClIr McNamee	<ul style="list-style-type: none"> <li>Won a competition at an All Ireland Level</li> </ul>	For: All Ireland Boxing Achievement Date 15 April 2016

### Category: Civic Award

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Patrick McDonagh	Ulster Champion All Ireland Semi Finalist Irish Athletic Boxing Association	ClIr McNamee	<ul style="list-style-type: none"> <li>Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Brooklyn McDonagh	Ulster Champion All Ireland Semi Finalist Irish Athletic Boxing Association	ClIr McNamee	<ul style="list-style-type: none"> <li>Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A

Charles McDonagh	Ulster Champion All Ireland Semi Finalist Irish Athletic Boxing Association	Cllr McNamee	<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Jamie Johnston	Ulster Champion All Ireland Finalist Irish Athletic Boxing Association	Cllr McNamee	<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Paul Hanna	Ulster Champion All Ireland Finalist Irish Athletic Boxing Association	Cllr McNamee	<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Guy Wallace	Ulster Champion All Ireland Semi Finalist Irish Athletic Boxing Association	Cllr McNamee	<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Feet Beat	WDAI Ireland Championship Section winners <ul style="list-style-type: none"> <li>• <i>60+ Competition</i> - Lily Ryan Gold</li> <li>• <i>Adult Team of 4</i> - Shannon Maguire, Davina McKeown, Yasmin O'Neill &amp; Gemma Armstrong</li> <li>• <i>30+ Team of 4</i> – Lily Ryan, Dana McPeake, Gisela Kerr, Maria Devlin</li> <li>• <i>Team of 4 Kids Choreography</i> – Terez Hughes, Chiara McGeary, Alanna O'Donnell, Mariead Donnelly</li> <li>• <i>Children &amp; Apos Club</i> – 12 members</li> <li>• <i>Kids Partners</i> – Terez Hughes and Chiara McGeary</li> <li>• <i>Adult 25/35 and Proam Division Best Newcomer</i>- Gemma Armstrong</li> </ul>	Cllr J O'Neill	<ul style="list-style-type: none"> <li>• Arts &amp; Music at an All-Ireland, Level</li> </ul>	<b>For: Success in 2016 competition</b> <b>Date: 7.11.16</b>

	<ul style="list-style-type: none"> <li>• <i>Open Division Adult &amp; Advanced Section age 36/49</i> – Dana McPeake;</li> <li>• <i>Proam Division Novice</i>– Shannon Maguire</li> </ul>			
Cookstown Hockey Club	<ul style="list-style-type: none"> <li>• Ulster Premier League, Anderson cup, Nigel Cheevers Memorial trophy and the Ulster Indoor title.</li> </ul>		<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> N/A  <b>Date:</b> N/A
Rainey Hockey Club	<ul style="list-style-type: none"> <li>• Ulster Champions (Under 11s)</li> <li>• Ulster Junior Cup (Senior 2nds)</li> <li>• Promotion to Premier League (Senior 1sts)</li> </ul>		<ul style="list-style-type: none"> <li>• Won a competition at a Northern Ireland or provincial level</li> </ul>	<b>For:</b> Senior 1sts winning Ulster Senior Cup  <b>Date:</b> 26.1.17 brought to Council

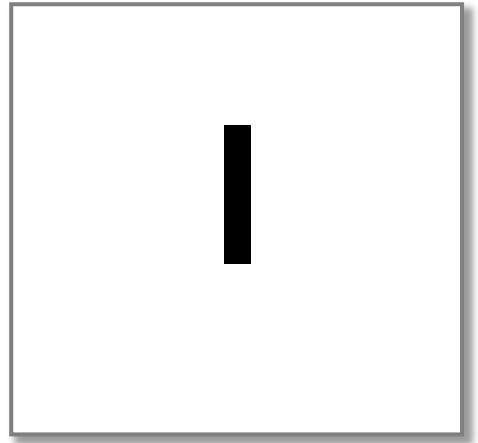
#### Category: Chair & Deputy Chair Reception

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

#### 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
<i>Bill Eastwood Contracts</i>	<i>Master Builder Awards – Category Commercial Projects – Highly Commended</i>	Cllr John McNamee
Feet Beat	Cup winners and placings in the recent WDAI All Ireland Championship	Cllr J O'Neill



<b>Report on</b>	Invitation to attend Irish Government Seanad Special Select Committee on the UK withdrawal from the EU - Wed 7 <sup>th</sup> June
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	A Tohill, Chief Executive

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To receive notification of correspondence received by the Border Corridor Local Authority Group from Irish Seanad Special Committee on the UK Withdrawal from the EU.
<b>2.0</b>	<b>Background</b>
2.1	The Council has received a copy of correspondence received by the Border Corridor Local Authority Group (administered by the East Border Region) inviting a delegation from the aforementioned to a meeting of the Seanad Special Select Committee on Wednesday 7 <sup>th</sup> June. The correspondence is attached as appendix A. The Terms of Reference of this committee is also attached, as Appendix B.
2.2	The invitation has arisen as an outworking from a recent event held in Lough Erne Resort, Co Fermanagh.
<b>3.0</b>	<b>Main Report</b>
3.1	The Seanad Special Select Committee will be meeting on Wednesday 7 <sup>th</sup> June in Leinster House, Dublin where there will be an opportunity for a delegation from the Border Corridor Local Authority Group to attend and address meeting followed by a question and answer session. The focus of this meeting will be on 'all-island issues' relating to the UK withdrawal from the EU.
3.2	The delegation from the Border Corridor Local Authority Group will be accommodated from 2pm - 3.30pm to engage on the matter.
3.3	The East Border Region (who is administering the Local Authority Group) has suggested that 2 representatives from each border council should attend. They have requested an indication of member/council officer representation.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b><u>Financial &amp; Human Resources Implications</u></b>

	<p>Financial: not applicable</p> <p>Human: not applicable</p>
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>Not applicable</p>
<b>4.3</b>	<p><b><u>Risk Management Implications</u></b></p> <p>Not applicable</p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	To consider and agree representation at the meeting of the Special Seanad Select Committee on the UK withdrawal from the EU scheduled for Wednesday 7 <sup>th</sup> June at 2pm in Leinster House, Dublin
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<p>Appendix A Letter from Seanad Special Select Committee</p> <p>Appendix B Terms of Reference of the Seanad Special Select Committee</p>



**Roghchoiste Speisialta an tSeanad  
um an Ríocht Aontaithe do  
Tharraingt Siar as an Aontas  
Eorpach**  
Teach Laighean  
Baile Átha Cliath 2  
SeanadWUKEU@oireachtas.ie  
Teil: (01) 618 3189

**Seanad Special Select  
Committee on the Withdrawal  
of the United Kingdom from  
the European Union**  
Leinster House  
Dublin 2  
SeanadWUKEU@oireachtas.ie  
Tel: (01) 618 3189

11 May 2017  
Border Corridor Local Authority Group,  
c/o Ms Pamela Arthurs,  
Chief Executive Officer,  
East Border Region,  
2 Monaghan Court, Newry,  
County Down, BT35 6BH.

**REF: I95**  
**Issued by email,**

**Re:- Invitation to attend a meeting of the Seanad Special Select  
Committee on the UK's Withdrawal from the European Union**

Dear Ms Arthurs,

In recognition of the potential consequences of the decision of the United Kingdom to withdraw from the European Union, the Seanad has established a Special Select Committee to consider the implications for Ireland. The Terms of Reference of the Committee are attached. To assist the Committee in its consideration, the Committee will be holding a number of hearings, on specific questions.

In this regard, I am directed by Senator Neale Richmond, Chairman of the Seanad Special Select Committee, to invite a suitable delegation from the **Border Corridor Local Authority Group** to attend a meeting of the Committee on **Tuesday 7 June**. The day of meetings which you have been invited to will focus on **all-island issues**.

The Committee meeting will be held in the Seanad Chamber, Leinster House. The meeting will be conducted in public session and will be televised within the Leinster House complex and web-cast live. Footage of the meeting will be available to broadcasting organisations and a transcript will be published in due course. RTÉ also receives the feed live and web-casts selected Committee meetings on its website.

**Structure of Presentations**

In preparing for their presentation it is important to note that the Seanad Special Select Committee will be focused on exploring **solutions** to the challenges that will arise following the UK's withdrawal from the EU. The

Committee would therefore appreciate if the delegation could prepare their presentation/s to address the following:

1. The most significant challenge(s) that they have identified;
2. The solution or solutions that they believe might best address the challenge;
3. Relevant precedents, if any; and
4. The manner in which their solutions might be implemented.

The Committee understands that they may have more background information or details on the challenges they have identified, but in order to maintain the focus of the meeting, it may not be possible to explore all of these on the day. The Committee however welcomes any **written submissions** they would like to make that either provide background or provide further depth to the points they would like to make. It would be helpful if any written submissions could be provided to me by early on the 5<sup>th</sup> June at the latest for circulation to Members.

### **Format of the meeting**

Initially, the delegation will be invited to make a **short** opening statement, which will be followed by a question and answer session with Members of the Committee. Please forward the opening statement/s, in electronic format, to me by lunchtime on 6<sup>th</sup> June so that it can be distributed to Members in advance of the meeting.

We will need confirmation of the names of the delegation as well as any others they would like to be accompanied by (who will sit in the public gallery), so please send their details (indicating their name and area of responsibility) as early as possible so that I can ensure security clearance for them, but no later than lunchtime on 6<sup>th</sup> June.

### **Privilege**

Please note that any members of the delegation who speak are protected by absolute privilege in respect of the evidence they are to give to the Committee. However, if they are directed by the Committee to cease giving evidence in relation to a particular matter and they continue to so do, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person(s) or entity by name or in such a way as to make him, her or it identifiable. For more information, please refer to the Witness Protocol which has also been sent to you.

Please do not hesitate to contact me if you require any further information or clarification, by telephone at 01-6183189 or by email at [heidi.lougheed@oireachtas.ie](mailto:heidi.lougheed@oireachtas.ie).

Yours sincerely,



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Heidi Lougheed  
Clerk to the Committee



Seanad Éireann  
Leinster House  
Kildare Street  
Dublin 2

Seanad Éireann  
Teach Luíghnean  
Sráid Chinn Dara  
Baile Átha Cliath 2

Cléireach na Dála,

Tá Seanad Éireann tar éis an tOrdú seo a leanas a dhéanamh:

Seanad Éireann has made the following Order:

“D’ainneoin aon ní sna Buan Orduithe—

That, notwithstanding anything in Standing Orders—

(1) mar aitheantas ar na hiarmhairtí ionchasacha a thiocfaidh mar thoradh ar bhreith na Ríochta Aontaithe tarraingt siar as comhaltas an Aontais Eorpaigh, go ndéantar Coiste Speisialta, ar a dtabharfar Roghchoiste Speisialta an tSeanaid um an Ríocht Aontaithe do Tharraingt siar as an Aontas Eorpach (‘an Coiste’) a cheapadh chun impleachtaí na tarraingthe siar sin i leith na hÉireann a bhreithniú, ag tagairt go háirithe do na nithe seo a leanas:

(1) In recognition of the potential consequences of the decision of the United Kingdom to withdraw from membership of the European Union, a special committee, which shall be called the Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union (‘the Committee’), be appointed to consider the implications for Ireland of such withdrawal, with particular reference to the following matters:

- (a) na himpleachtaí do gheilleagar na hÉireann ag cásanna imeachta chrua nó imeachta bhoig,
- (b) an caidreamh idir an Stát agus Tuaisceart Éireann,
- (c) cearta saoránachta phobal uile Thuaisceart Éireann,
- (d) an Comhlimistéar Taistil agus an Teorainn: gluaiseacht earraí, seirbhísí agus daoine idir an Stát agus Tuaisceart Éireann agus idir Éire agus An Bhreatain Mhór,
- (e) talmhaíocht agus iascach,
- (f) iompar, fuinneamh agus cumarsáid,
- (g) leas, sláinte agus oideachas,

- (a) the implications for the Irish economy of hard and soft exit scenarios,
- (b) relations between the State and Northern Ireland,
- (c) the citizenship rights of all the people of Northern Ireland,
- (d) the Common Travel Area and the Border: movement of goods, services and people between the State and Northern Ireland and between Ireland and Great Britain,
- (e) agriculture and fisheries,
- (f) transport, energy and communications,
- (g) welfare, health and education,

agus do cibé nithe gaolmhara eile a chinnfidh an Comhchoiste.

and to such other related matters as the Committee may determine.

- (2) Deichniúr comhalta a bheidh ar an gCoiste, ar comhalta amháin díobh An Seanadóir Neale Richmond a bheidh ina Chathaoirleach/ina Cathaoirleach agus a mbeidh naonúr díobh ainmnithe ag an gCoiste Roghnóireachta mar a leanas:

Grúpa Fhine Gael	2 chomhalta,
Grúpa Fhianna Fáil	2 chomhalta,
An Grúpa Neamhspleách	2 chomhalta,
Grúpa Shinn Féin	1 chomhalta,
An Grúpa Comhpháirteachais	
Phoiblí	1 chomhalta,
Grúpa Pháirtí an Lucht	
Oibre	1 chomhalta.

- (2) The Committee shall consist of ten members, of whom one shall be Senator Neale Richmond who shall be Chairman, and of whom nine shall be nominated by the Committee of Selection as follows:

Fine Gael group	2 members,
Fianna Fáil group	2 members,
Independent group	2 members,
Sinn Féin group	1 member,
Civil Engagement group	1 member,
Labour group	1 member.

- (3) Cúig is córam don Choiste.

- (3) The quorum of the Committee shall be five.

- (4) Beidh ag an gCoiste na cumhachtaí a mhínítear i mBuan-Ordú 71 seachas míreanna (2A), (3), (4), (4A), (4B), (6), (6A), (6B) agus (6C) de.

- (4) The Committee shall have the powers defined in Standing Order 71, other than paragraphs (2A), (3), (4), (4A), (4B), (6), (6A), (6B) and (6C) thereof.

- (5) Ní bheidh feidhm ag míreanna (2) go (6), go huile, de Bhuan-Ordú 76 maidir leis an gCoiste.

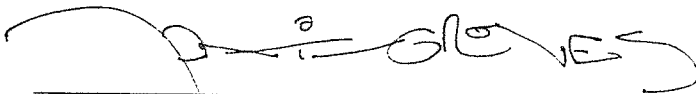
- (5) Paragraphs (2) to (6) inclusive of Standing Order 76 shall not apply to the Committee.

- (6) Ní bheidh feidhm ag mír (2) de Bhuan-Ordú 83 maidir leis an gCoiste.

- (6) Paragraph (2) of Standing Order 83 shall not apply to the Committee.

- (7) Déanfaidh an Coiste tuarascáil deiridh a thabhairt do Sheanad Éireann nach déanaí ná 30 Meitheamh, 2017.

- (7) The Committee shall make a final report to Seanad Éireann not later than 30<sup>th</sup> June, 2017."



Martin Groves.  
Cléireach an tSeanaid.

23 February 2017

c.c. Charles Hearne, Committee Secretariat.  
Michelle Grant, Committee Secretariat.  
Tom Malone, Committee Secretariat.  
Heidi Loughed, Clerk to the Joint Committee on European Affairs.

**J**

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

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the consultations notified to Mid Ulster District Council for comment, since the last meeting of Council.
<b>2.0</b>	<b>Background</b>
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues which may be pertinent to council services and/or the District.
<b>3.0</b>	<b>Main Report</b>
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided as Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b><u>Financial &amp; Human Resources Implications</u></b>  Financial: N/A  Human: N/A
<b>4.2</b>	<b><u>Equality and Good Relations Implications</u></b>  Not Applicable
<b>4.3</b>	<b><u>Risk Management Implications</u></b>  Not Applicable
<b>5.0</b>	<b>Recommendation(s)</b>

5.1	Members review and note consultations notified to Mid Ulster District Council
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Details of Current Consultations

## Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Education Authority	Strategic Plan 2017-2027	This is the first Strategic Plan 2017 – 2027 for the EA. It sets out their priorities for how to support and challenge schools as they work to achieve positive outcomes for Children and Young People.	30 May 2017	
	Link to Consultation	<a href="http://www.eani.org.uk/about-us/consultations/strategic-plan-2017-2027">http://www.eani.org.uk/about-us/consultations/strategic-plan-2017-2027</a>		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Infrastructure	Taxis in Bus Lanes	Trial on Belfast Rapid Transit Routes and Long Term Access Arrangements for Taxis.	16 June 2017	
	Link to consultation	<a href="https://consultations.nidirect.gov.uk/dfi-traffic-and-engineering-policy-branch/taxis-in-bus-lanes">https://consultations.nidirect.gov.uk/dfi-traffic-and-engineering-policy-branch/taxis-in-bus-lanes</a>		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Agriculture, Environment and Rural Affairs (DAERA)	UK Air Quality Plan	Consultation on a draft revised UK Air Quality Plan for tackling nitrogen dioxide	15 June 2017	
	Link to consultation	<a href="https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide">https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide</a>		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Antrim and Newtownabbey Borough Council 2017-2030	Draft Leisure Strategy	This Leisure Strategy 2017-2030 sets out the 'big picture' the approach of the provision and delivery of leisure over the next thirteen years. The Council want to align the services we deliver to the needs of residents and increase access to opportunities regardless of age or income.	6 July 2017	
	Link to Consultation	<a href="https://consultations.antrimandnewtownabbey.gov.uk/chief-executives-office/leisure-strategy/">https://consultations.antrimandnewtownabbey.gov.uk/chief-executives-office/leisure-strategy/</a>		

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern Ireland Fire & Rescue Service (NIFRS)	Review of Road Safety Strategy	The NIFRS feel it is now appropriate to review their Strategy with the aim of assessing what remains achievable during year 3 of the 2014-2019 Strategy and to make recommendations for future focus.	28 July 2017	
	Link to consultation	<a href="http://www.nifrs.org/consultation/">http://www.nifrs.org/consultation/</a>		

**K**

<b>Report on</b>	Correspondence to Council – May 2017
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	P Moffett, Head of Democratic Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on correspondence received for attention of Council.
<b>2.0</b>	<b>Background</b>
2.1	This paper makes reference to correspondence received to be brought to the attention of Council. Items are referred to in 3.0 below.
<b>3.0</b>	<b>Main Report</b>
3.1	<b>Correspondence from Fermanagh &amp; Omagh District Council – Motion on Restatement of the Area of Natural Constraints</b>
3.1.1	Fermanagh & Omagh council has written to confirm that it recently passed a motion on the above matter and is seeking support to lobby the Department of Agriculture, Environment and Rural Affairs to abandon its position to reduce the funding by 60% for the Area of Natural Constraint (ANC) Scheme.
3.1.2	The motion passed by Fermanagh & Omagh Council seeks support from the other 10 councils for their position to write to Political Party Leaders, Farming Unions and the Secretary of State. The letter is attached as Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b><u>Financial &amp; Human Resources Implications</u></b>  Financial: Not applicable  Human: Not applicable
<b>4.2</b>	<b><u>Equality and Good Relations Implications</u></b>  Not applicable

<b>4.3</b>	<b><u>Risk Management Implications</u></b>  Not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Council notes and consider, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A – Letter from Fermanagh & Omagh District Council

Your Ref  
Our Ref  
Date Democratic Services  
Email 9 May 2017



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

Mr Anthony Tohill  
Chief Executive  
Mid Ulster District Council  
Ballyronan Road  
MAGHERAFELT  
BT45 6EN

Brendan Hegarty  
Chief Executive



Dear Anthony

**RE: Motion – Restatement of the Area of Natural Constraint Scheme**

At a recent meeting of Fermanagh and Omagh District Council, the Council approved the following Motion:-

**That this Council:**

- (i) Notes that farming in the Fermanagh and Omagh Council area is the most important industry and source of income in rural areas;
- (ii) Notes the very serious concern in the farming community at the cutting of the Area of Natural Constraint scheme;
- (iii) Writes to all the Party-Political leaders, Farming Unions (UFU, NIAPA), NILGA and the Secretary of State James Brokenshire, requesting their support and commitment to reinstate the ANC scheme to at least 2016 levels; and
- (iv) Invites the 10 other Councils to support this motion by also writing to all the Party leaders and the Farming Unions, as well as the Secretary of State James Brokenshire, requesting the reinstatement of the ANC scheme.

The Council is calling for widespread support for its request to lobby the Department of Agriculture, Environment and Rural Affairs (DAERA) to abandon its current decision to reduce the Area of Natural Constraint (ANC) Scheme funding by 60% and then to withdraw it in 2018. The Council is calling for the ANC Scheme to be fully reinstated as it is vital to the survival of a significant number of farmers including those in the South West where much of the area is categorised as a Severely Disadvantaged Area (SDA).

As per point (iv) above, Fermanagh and Omagh District Council is asking that your Council will consider and support the Motion. For the purpose of writing to all the Political Party leaders, it was agreed by Members that this would relate to the 11 registered political parties in Northern Ireland and a schedule containing details of the parties is attached.

On behalf of Fermanagh and Omagh District Council, I thank you in anticipation of your Council's support.

Yours sincerely

**Brendan Hegarty**  
Chief Executive

**Political Parties in Northern Ireland (Registered)**

<b>PARTY</b>	<b>LEADER</b>	<b>HEADQUARTERS</b>	<b>CONSTITUENCY OFFICE</b>
DUP	Arlene Foster	91 Dundela Avenue Belfast BT4 3BU	27 East Bridge Street Enniskillen Co Fermanagh BT74 7BW
Sinn Fein	Michelle O'Neill	53 Falls Road Belfast BT12 4PD	
SDLP	Colum Eastwood	121 Ormeau Road Belfast BT7 1SH	Northside Village Centre Glengallagh Road Derry BT48 8NN
UUP	Robin Swann	Strandtown Hall 2-4 Belmont Road Belfast BT4 2AN	13-15 Queen Street Ballymena Co Antrim BT42 2BB
Alliance Party of Northern Ireland	Naomi Long	88 University Street Belfast BT7 1HE	56 Upper Newtownards Road Belfast BT4 3EL
Traditional Unionist Voice	Jim Allister	38 Henry Street Ballymena BT42 3AH	
Green Party in Northern Ireland	Steven Agnew		76 Abbey Street Bangor BT20 4JB
UK Independence Party	Paul Nuttall	Lexdrum House King Charles Business Park Newton Abbot Devon TQ126 UT	David McNarry 35 Saintfield Mill Saintfield Parks Saintfield BT24 7FH

<b>PARTY</b>	<b>LEADER</b>	<b>HEADQUARTERS</b>	<b>CONSTITUENCY OFFICE</b>
Progressive Unionist Party	Billy Hutchinson	182 Shankill Road Belfast BT13 1QT	
People Before Profit Alliance	Gerry Carroll	208 Falls Road BELFAST BT12 6AH	
Animal Welfare Party	Vanessa Hudson	71-75 Shelton Street London WC2H 9JQ	