

**A**

## **Minutes of Meeting of Mid Ulster District Council held on Thursday 26 June 2014 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Mallaghan, Chair (Presiding Councillor)  
Councillor Reid, Vice Chair (Deputy Presiding Councillor)

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

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Mrs Canavan, Lead Human Resource Officer  
Mr Moffett, Change Manager  
Mr JJ Tohill, Lead Finance Officer  
Mrs Hall, Business Support Officer  
Mrs Smith, Council Business Manager

The meeting commenced at 7 pm

### **C11/14 Chair's Business**

The Chair referred to a number of tragic accidents in the area and on behalf of the Council expressed condolences to the families concerned.

In terms of procedure the Chair stated that on occasions it will be necessary for the Council to take items in committee due to the sensitivity of the business and he hoped that the press and public would understand. He also requested members to identify themselves when speaking.

### **C12/14 Declarations of Interest**

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

### **C13/14 Receive and adopt minute of matters transacted in "Open Business" at Council meeting held on Thursday 5 June 2014**

Proposed by Councillor S McGuigan  
Seconded by Councillor Clarke and

**Resolved** That the Minutes of the Meeting of the Council held on Thursday 5 June 2014, transacted in 'Open Business' having been printed and circulated be taken as read and signed as correct.

## **Matters for Decision**

### **C14/14 Governance Arrangements for the transitional period**

The Chief Executive presented a report setting out governance arrangement for the Council during the transitional period and sought Members' approval:

- to establish four committees Development, Environment, Planning and Policy and Resources.
- to appoint 16 members to each committee, including the Presiding Councillor and Deputy Presiding Councillor as ex-officio members.
- to permit any member to be present and heard at any committee meeting but only committee members to have voting rights.
- Committee meetings to take place at 7 pm.

Proposed by Councillor McNamee  
Seconded by Councillor Totten and

**Resolved** That the report on the governance arrangements for the transitional period, including the above recommendations, is adopted

### **C15/14 Filling Positions of Responsibility for the transitional period**

Following the adoption of the Governance Arrangements for the transitional period the Chair called upon the nominating officer of each party, in order of d'Hondt, to select and nominate for the next available position of responsibility (11 positions – appendix 1).

### **C16/14 Appointment of Councillors to Committees for the transitional period**

An UUP Member stated that group leaders plus one met, discussed and selected appointments to Committees and was disappointed that the outcome of that meeting was not now being carried forward and stated that does not auger well for the rest of the term and asked once again that Sinn Féin would consider honouring what previously selected.

A DUP Member stated that was of the opinion that everyone was going to honour their word and concurred with the remarks made. He stated that he was unhappy with the situation but that DUP would be honouring its word.

The Chair stated that the meeting was a dry run to consider filling positions, a mistake was made and acknowledged and an email was issued immediately to outline how Sinn Féin would be proceeding.

The Chair called upon the nominating officer of each party to nominate members to fill their entitled minimum spaces on each committee.

The Chair called upon the nominating officer of each party to select and nominate for their remaining positions on each committee.

Paper attached, appendix 1, shows outcome of above procedure.

#### **C17/14      Scheme of Councillors Allowances for the transitional period**

The Lead Finance Officer presented a report setting out legislative requirements in relation to allowances payable to councillors, namely the basic, special responsibility, dependents' carers' and travel and subsistence and recommended that maximum rates specified in the schedule be paid. He sought Members' approval for the proposed scheme of allowances including the suggested allocation of special responsibility allowance.

Proposed by Councillor S McGuigan  
Seconded by Councillor Bell and

**Resolved** That the scheme of allowances, including the suggested allocation of special responsibility allowance, be adopted

#### **C18/14      STC Financial Reporting Arrangements**

The Chief Executive referred to correspondence and legislation advising of the financial reporting requirements in 2013/14 and 2014/15 in respect of Statutory Transition Committees (STC) and the need for the Council to designate an officer of the Council as its Chief Financial Officer and sought approval to appoint the Chief Executive as Chief Financial Officer. He also sought approval of the draft unaudited STC Financial Statements 2013-14.

Proposed by Councillor Gildernew  
Seconded by Councillor T Quinn and

**Resolved** That the Chief Executive be designated Chief Financial Officer of Mid Ulster District Council and that the draft unaudited STC Financial Statements 2013-14 be approved and signed.

An UUP Member expressed concern at the cost of audit and hoped that this was not reflective of costs moving forward.

The Chief Executive shared the Member's concern but stated that the cost is levied by the Local Government Audit Office and the Council has no control over these and can only express its concern.

## **C19/14      Lead council for HR and Finance for the transitional period**

The Chief Executive presented a report and sought Council approval for Dungannon & South Tyrone Borough Council, who had acted as lead council for the Mid Ulster Statutory Transition Committee, to act as lead council on behalf of Mid Ulster District Council during the transitional period in respect of finance and human resource matters.

Proposed by Councillor McPeake  
Seconded by Councillor McLean and

**Resolved**      That approval as sought by adopted.

## **C20/14      NILGA Consultation Event on Rates Convergence**

The Change Manager presented details of Rate Convergence Consultation Event, organised by NILGA, to be held on Monday 30 June 2014, 10.00 am to 12.30 pm, in Magherafelt District Council Offices.

A UUP Member commented that of the £30m set aside for rates convergence Mid Ulster District Council will not get much benefit as cluster councils were prudent and had competently managed their budgets.

The Chair agreed with the comment made.

Proposed by Councillor Dillon  
Seconded by Councillor B McGuigan and

**Resolved**      That approval be granted for any interested members and relevant officers to attend the event.

## **C21/14      DSD Budget Allocation Model**

The Chief Executive advised members of correspondence received from the DSD Minister in respect of the DSD Budget Allocation Model. Following consultation the Budget Allocation Model had been revised to reflect comments made by Councils. As a result the proposed allocation of annual budget for Mid Ulster District Council now stands at £2.99m, a reduction of £0.468m in figures previously provided. He stated that this would have a severe detrimental effect on the ability of the Council to discharge its local urban regeneration and community development responsibilities.

The Chief Executive further advised that there was a need for urgent discussions with the DSD Minister in relation to this matter and that a meeting has been scheduled for 1 July 2014 at 3.15 pm in Stormont.

Sinn Féin Members stated that this was a challenging and difficult position, they had concern with how process of calculating figures had been arrived at and that the funding allocation model needed to be subject to rural

proofing. There was a need for robust engagement with the Minister. This was the 6<sup>th</sup> most deprived area, received 2<sup>nd</sup> smallest allocation and is far from the Executive stated position that functions would be cost neutral at point of transfer. In relation to Coalisland and Dungannon neighbourhood renewal no money is currently coming from DSD for project development. Also concern expressed that this might not be the final cut in the budget.

An UUP Member stated that this is the first big test in the RPA process and stated that the Dungannon & South Tyrone area had benefited from funding under neighbourhood renewal and the understanding was that most of the money is being directed to the centre of Belfast. It is very important to have a meeting with the Minister.

A DUP Member stated that questions needed to be asked, that money was preliminary for urban area and asked what funding was coming from the Department of Agriculture and Rural Development and if do not know that a letter should be issued.

The Chair stated that an announcement was made today by the Department of Agriculture and Rural Development.

A SF Member stated that at the moment Council should be concentrating minds on what in front of it ie DSD funding.

A SDLP Member agreed with the sentiments expressed and asked what the makeup of the delegation was.

The Chair in response stated that it was hoped to send a cross party grouping comprising two from each party plus the independent member and asked that party leads get in touch with the Change Manager to advise of attendees.

The Independent Member stated that was unable to attend meeting but that he agreed with the comments made and particularly that this may not be the final cut in the budget.

Proposed by Councillor Monteith  
Seconded by Councillor Dillon and

**Resolved** That a cross party delegation from Mid Ulster District Council meet with the DSD Minister

### **Matters for Information**

#### **C22/14 Expenditure control for the transitional period**

The Chief Executive advised of a Departmental Direction in respect of expenditure of existing Councils during the transition period. The direction requires existing Councils, in the period 26 May 2014 to 31 March 2015, to seek

the consent of the new Councils (in shadow form) prior to entering into capital contracts in excess of £250k and revenue contracts in excess of £100k.

**C23/14      Local Government Reform capacity building funding allocation for the transitional period**

The Change Manager updated members on the development of a Capacity Building Plan and learning opportunities being scheduled throughout the transitional period for Mid Ulster cluster.

**IN COMMITTEE**

Proposed by Councillor McNamee  
Seconded by Councillor T Quinn and

**Resolved**      That item C24/14 and C25/14 be taken in committee.

The press left the meeting at 7.52 pm.

**C26/14      Duration of Meeting**

The meeting commenced at 7.00 pm and ended at 8.06 pm.

CHAIR (Presiding Councillor) \_\_\_\_\_

### Committee Membership: 2014-2015

<b>Council</b>	
Presiding Councillor (Chair)	Cllr Cáthal Mallaghan, SF
Deputy Presiding Councillor (Vice Chair)	Cllr Kenneth Reid, UUP

<b>Committee</b>	
<b>Development</b>	<p>Cllr Frances Burton, DUP (Chair) Cllr Kate McEldowney, SF (Vice-Chair)</p> <p>Cllr Linda Dillon, SF Cllr Catherine Elattar, SF Cllr Caoimhe O'Neill, SF Cllr Dominic Molloy, SF Cllr John McNamee, SF Cllr James Shiels, DUP Cllr Anne Forde, DUP Cllr George Shiels, UUP Cllr Tony Quinn, SDLP Cllr Sharon McAleer, SDLP Cllr Trevor Wilson, UUP Cllr Barry Monteith, Ind Cllr Cáthal Mallaghan, SF Cllr Kenneth Reid, UUP</p>
<b>Environment</b>	<p>Cllr Walter Cuddy, UUP (Chair) Cllr Brian McGuigan, SF (Vice-Chair)</p> <p>Cllr Mickey Gillespie, SF Cllr Sean McGuigan, SF Cllr John McNamee, SF Cllr Joe O'Neill, SF Cllr Ronan McGinley, SF Cllr Clement Cuthbertson, DUP Cllr Wilbert Buchanan, DUP Cllr Frances Burton, DUP Cllr Sharon McAleer, SDLP Cllr Christine McFlynn, SDLP Cllr Robert Mulligan, UUP Cllr Denise Mullen, SDLP Cllr Cáthal Mallaghan, SF Cllr Kenneth Reid, UUP</p>



<p><b>Planning</b></p>	<p>Cllr Martin Kearney, SDLP (Chair) Cllr Sean Clarke, SF (Vice-Chair)</p> <p>Cllr Gavin Bell, SF Cllr Peter Bateson, SF Cllr Kate McEldowney, SF Cllr Phelim Gildernew, SF Cllr Seán McPeake, SF Cllr Wills Robinson, DUP Cllr James Shiels, DUP Cllr Clement Cuthbertson, DUP Cllr Mark Glasgow, UUP Cllr Denise Mullen, SDLP Cllr Derek McKinney, UUP Cllr Tony Quinn, SDLP Cllr Cáthal Mallaghan, SF Cllr Kenneth Reid, UUP</p>
<p><b>Policy &amp; Resources</b></p>	<p>Cllr Seán McPeake, SF (Chair) Cllr Anne Forde, DUP (Vice-Chair)</p> <p>Cllr Catherine Elattar, SF Cllr Sean McGuigan, SF Cllr Ronan McGinley, SF Cllr Peter Bateson, SF Cllr Darren Totten, SF Cllr Kim Ashton, DUP Cllr Wilbert Buchanan, DUP Cllr Mark Glasgow, UUP Cllr Malachy Quinn, SDLP Cllr Christine McFlynn, SDLP Cllr Dominic Molloy, SF Cllr Paul McLean, DUP Cllr Cáthal Mallaghan, SF Cllr Kenneth Reid, UUP</p>

<p><b>External Appointments</b></p>	
<p>Partnership Panel for Northern Ireland</p>	<p>Cllr Tony Quinn, SDLP</p>

**B**

**Minutes of Planning Committee Meeting of Mid Ulster District Council held on Wednesday 9 July 2014 at 7pm, in the Council Offices, Burn Road, Cookstown**

**Present:** Councillor Kearney, Chair  
Councillor Clarke, Vice Chair

**Councillors:** Bateson, Bell, Cuthbertson, Gildernew, Glasgow, McEldowney, McKinney, McPeake, Mallaghan, Mullen, Tony Quinn, Reid, Robinson, J Shiels

**Officers:** Chief Executive  
Clerical Officer

**In Attendance:** Ms Hilda Clements, Principal Planning Officer  
Ms Deirdre McSorley, Area Planning Manager

**P1/14 Apologies**

There were no apologies.

**P2/14 Declarations of Interest**

There were no declarations of interest.

**P3/14 Planning Committee Terms Of Reference For Transitional Period**

The Chief Executive introduced the Terms of Reference and advised members that the Mid Ulster District Council at its meeting on 26 June 2014 established four committees to take forward the work of the Council during the transitional period and that the Terms of Reference for these committees had been set by the Council.

**P4/14 Development Plan Regulations**

The Chairman welcomed Ms Hilda Clements, Principal Planning Officer Western Area Planning Office to the meeting.

Ms Clements gave a presentation to members on The Planning (Local Development Plan) Regulations (NI) 2015.

The regulations are required to implement Part 2 of the Planning Act (Northern Ireland) 2011 to enable the preparation of new local development plans (LDPs) by the new 11 councils. The regulations will ensure that LDPs are delivered in an effective and consistent manner across Northern Ireland, while minimising the complexity of the preparation

process and the regulatory burden on councils. The regulations have been drafted to meet the expectations of the Department and other stakeholders as expressed during the passage of the Planning Act (Northern Ireland) 2011, particularly as regards improved community engagement with the planning system, and greater transparency in the decision making process. The aim is to bring regulations into force by April 2015. The intention is then for councils to prepare their own up-to-date LDPs.

These regulations set out the detail of the new local development plan process and include; The sequence of LDP preparation from creation of a timetable through to adoption by the council; The roles of the council, the Department and independent examiner; Functions post adoption including annual monitoring, review and revision; and Departmental intervention powers and transitional arrangements.

The Chairman thanked Ms Clements for her presentation.

#### **P5/14 Planning Reform Consultation**

The Chairman welcomed Ms Deirdre McSorley, Area Planning Officer Western Area Planning Office to the meeting.

Ms McSorley gave a presentation to members on The Planning Reform and Transfer to Local Government: Proposals for Subordinate Legislation.

The Department of the Environment issued a consultation paper which sets out proposals for subordinate legislation to introduce reforms to the planning system and transfer responsibility for the majority of planning functions to the new district councils in April 2015.

The proposed legislation relates to the following elements of the planning process; local development plans; statements of community involvement; the new three-tier hierarchy of development applications i.e. local, major and regionally significant; revised procedures for managing applications through the system; listed buildings; and the management of council owned land.

Ms McSorley highlighted; proposals for subordinate legislation; statement of community involvement; publicity, consultation and agreement on SCI, new approach to development management, hierarchy of development, pre-application community consultation, pre-determination hearings, schemes of delegation, new development management procedures, publicity arrangements.

The Chairman thanked Ms McSorley for her presentation.

Members expressed concern that a major piece of legislation had to be responded to by the 20 August and stated that although the consultation had been issued in April that the new Shadow Council had not come into effect till the end of May. Members AGREED that a letter should be sent to the Minister asking for a four week extension to the consultation period.

Members AGREED that a further meeting regarding this matter would need to be arranged to allow for proper consideration by Members in advance of sending a response on the consultation. Members also AGREED that if expert help was required that this should be obtained.

The meeting ended at 8.10 p.m.

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Chair

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Date

**C**

**Minutes of Policy & Resources Committee Meeting of Mid Ulster District Council held on Wednesday 9 July 2014 at 8pm, in the Council Offices, Burn Road, Cookstown**

**Present:** Councillor McPeake, Chair  
Councillor Ford, Vice Chair

**Councillors:** Ashton, Bateson, Buchanan, Elattar, Glasgow, McFlynn, McGinley, Sean McGuigan, McLean, Mallaghan, Molloy, Malachy Quinn, Reid, Totten

**Officers:** Chief Executive  
Clerical Officer  
Lead Finance Officer  
Lead Human Resource Officer  
Head of Development Services, MDC  
Head of Arts & Culture Services, CDC

**PR1/14 Apologies**

Apologies were received on behalf of Councillors McLean and Molloy.

**PR2/14 Declarations of Interest**

There were no declarations of interest.

**PR3/14 Policy & Resources Committee Terms of Reference for Transitional Period**

The Chief Executive advised members that the Mid Ulster District Council at its meeting on 26 June 2014 established four committees to take forward the work of the Council during the transitional period and that the Terms of Reference for these committees had been set by the Council.

The main areas for the Policy & Resources Committee were Finance, Human Resources, ICT, Governance, and Marketing & Communications. In addition any areas that were not covered by the other committees would come into the Policy & Resources Committee.

## **PR4/14 Transition Working Groups**

### **Finance & Procurement Transition Working Group**

The Lead Finance Officer presented the Finance & Procurement Transition Working Group Update Paper a copy of which had been previously circulated.

The Committee NOTED the report.

### **Human Resources Transition Working Group**

The Human Resources Officer presented the Human Resources Transition Working Group Update Paper a copy of which had been previously circulated.

The Committee NOTED the report.

### **ICT Transition Working Group**

The Head of Development Services, Magherafelt District Council, presented the ICT Transition Working Group Update Paper a copy of which had been previously circulated.

The Committee NOTED the report.

### **Communications Transition Working Group**

The Head of Arts & Culture Services, Cookstown District Council, presented the Communications Transition Working Group Update Paper a copy of which had been previously circulated.

The Committee NOTED the report.

## **PR5/14 Mid Ulster Council Corporate Plan for Transitional Period**

The Chief Executive presented the Corporate Plan for the Transitional Period, a copy of which had been previously circulated. The Chief Executive advised that the plan was essentially a Work Plan to achieve the aims of the Shadow Council by 1 April 2015.

The Committee ADOPTED the report.

## **PR6/14 DoE Consultation on Model Standing Orders**

The Chief Executive presented the Draft Local Government (Standing Orders) Regulations (NI) 2014 and Model Standing Orders, a copy of which had been previously circulated.



Members AGREED that this matter be discussed at the next Party Reps meeting, that parties provide their views to the Chief Executive prior to this meeting and that a workshop session be arranged to which all Members of Council be invited.

#### **PR7/14 Environmental Health & Building Control Group Structures**

The Chief Executive presented a paper on the future direction for group structures in Environmental Health and Building Control a copy of which had been previously circulated.

The Chief Executive advised that this matter had been discussed at officer level and consensus reached on the way forward, a copy of the report prepared on the proposed direction for the future of group structures within councils and transferring functions had been circulated with the agenda papers.

Members AGREED with the suggested approach for the future of group structures for Environmental Health and Building Control.

Members also AGREED with the suggested approach for Property Certificates and Houses in Multiple Occupation on the basis that these functions will be dispersed across councils as soon as possible and until then costs of these functions be apportioned based on usage of the service not population.

A further paper is to be brought to Council on arrangements for the delivery of Animal Welfare and Emergency Planning within an 11 council model.

On the proposal of Councillor McGuigan, seconded by Councillor Reid the Committee RECOMMENDED the adoption the report.

#### **PR8/14 Local Government Reform Joint Forum Scheme of Transfer of Staff**

The Human Resources Officer presented the Local Government Reform Joint Forum Scheme of Transfer of Staff a copy of which had been previously circulated.

This Scheme of Transfer for Local Government Staff is made under Schedule 10 of the Local Government Act (NI) 2014 and sets in place the arrangements for the transfer of staff to the 11 new council structures. It confirms that existing contractual terms and conditions will be protected in accordance with current employment legislation such as TUPE.

On the proposal of Councillor McFlynn, seconded by Councillor Reid the Committee RECOMMENDED the adoption the report.

**PR9/14 Procurement of Content Management Solution for Council Intranet And Website**

The Head of Development Services, Magherafelt District Council, presented the Procurement of Content Management Solution for Council Intranet and Website a copy of which had been previously circulated.

As part of developing and implementing a communication plan the development of a new website and intranet were recognised as key solutions in developing good communication practices across the organisation. Procurement of a system is required to enable the council to achieve that goal through a competitive process. Provision of a CMS accessible via a browser interface for min 50 users is required. Implementation of an Intranet to facilitate internal collaboration, news, events and internal applications, documents, policies and communications. Implementation and design of a fully responsive website presence for Mid Ulster Council. Training and on-going support.

On the proposal of Councillor Mallaghan, seconded by Councillor Bateson the Committee RECOMMENDED the adoption the report.

**PR10/14 Procurement of a Unified Communications System**

The Lead Finance Officer, presented the Procurement of a Unified Communications System for Council report a copy of which had been previously circulated.

The Lead Finance Officer advised that cost could be in the region of £100,000 plus VAT. The original ICT convergence budget approved by the Statutory Transition Committee (STC) included a specific budget allocation of £30,000 plus VAT which was based on the anticipated costs of replacing a telephone PABX on a like for like basis. However, further analysis of business needs has identified that a simple replacement PABX will not deliver on the operational requirements and, in particular, will not address the issues associated with transferring (in) staff, who will require access to central government unified communications infrastructure. At the time of budget approval the STC recognised the need for potential virement between budget headings and there may also be potential for Cookstown and Dungannon District Councils to contribute some funds from legacy Council budgets which had been previously earmarked for their own telephony upgrades.

On the proposal of Councillor Mallaghan, seconded by Councillor McGuigan the Committee RECOMMENDED the adoption the report.

## **PR11/14 Procurement of Mid Ulster Council Insurances**

The Lead Finance Officer, presented the Procurement of Mid Ulster Council Insurances report a copy of which had been previously circulated.

The Mid Ulster Council, although only legally obliged to maintain Employers Liability insurance (minimum limit of indemnity £10million), will seek to mitigate its exposure to insurable risks by maintaining appropriate insurances with reputable insurers of sound financial standing.

On the proposal of Councillor McGuigan, seconded by Councillor Mallaghan the Committee RECOMMENDED the adoption the report.

## **PR12/14 Managing Convergence of District Rates Consultation**

The Lead Finance Officer presented the Response to DFP Rating Policy Division's consultation on Managing Convergence of District Rates report a copy of which had been previously circulated.

The Lead Finance Officer advised that The NI Executive has agreed to allocate up to £30million to fund transitional arrangements to manage rates convergence and has developed an outline scheme which will adjust the district rate bills of those ratepayers facing increases as a result of RPA. Land & Property Services will implement the (final) scheme by applying a reduction to the domestic and non-domestic District Rates which will be used to calculate rates bills. It will not involve grants being made to Councils nor will it require Councils to strike more than one rate for their respective areas.

The final scheme will have regard to the proposed eligibility for Transitional Relief (TR) for rates convergence, including the need for thresholds and any other conditions to ensure that the scheme works effectively and stays within budget.

The final scheme will also have regard to the period over which relief will be given, e.g. 4 years, and the level of relief to be given in each year, e.g. Year 1 - 80%, Year 2 - 60%, Year 3 - 40% and Year 4 - 20%

Members AGREED that a further paper is issued on this matter with options on the implications to ratepayers clearly identified.

Members also AGREED that to expedite this matter that this topic is discussed at the next Party Reps meeting.

**PR13/14      Designation of Local Government Auditor**

Members NOTED receipt of a letter dated 18 June 2014 from the Department of the Environment regarding the Designation of Local Government Auditor.

**PR14/14      Department Funding for Change Managers/Change Management Teams**

Members NOTED receipt of a report from the Lead Finance Officer advising members that the Department of the Environment has offered Mid Ulster District Council funding for Change Managers/Change Management Teams for the period 2014/2015.

**PR15/14      Risk Register for the Transitional Period**

Members NOTED receipt of a report from the Lead Finance Officer advising members of the Risk Register for the Transitional Period.

**PR16/14      Business Cases for Redundancy Linked to Local Government Reform**

Members NOTED receipt of a letter dated 3 June 2014 from the Department of the Environment regarding the Local Government Act (NI) 2014: Application of Clause 123(4) – Severance.

*The meeting ended at 10.25 p.m.*

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Chair

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Date

**D**

**Minutes of Environment Committee of Mid Ulster District Council held on Thursday 10 July 2014, in the Council Offices, Burn Road, Cookstown**

**Members Present:** Councillor Cuddy, Chair  
Councillor B McGuigan, Vice Chair

**Councillors:** Buchanan, Burton, Cuthbertson, Gillespie, McAleer, McFlynn, McGinley, S McGuigan, McNamee, Mallaghan, Mullen, Mulligan, Joe O'Neill, Reid

**Officers In Attendance:** Mr Tohill, Chief Executive  
Mr Cassells, Magherafelt DC (Item 4.2)  
Mr Kelso, Cookstown DC (Items 4.1 & 5)  
Mrs McClements, Dungannon & Sth Tyrone BC  
Mr Young, Magherafelt DC

The meeting commenced at 7.00 pm.

**Chair's Business**

The Chair called the meeting to order, welcomed all to the first Environment Committee Meeting of Mid Ulster District Council and outlined the Agenda Items for consideration.

**E1/14 Apologies**

There were no apologies to the meeting.

**E2/14 Declarations of Interests**

There were no declarations of interest.

**E3/14 Environment Committee Terms of Reference for the Transitional Period (A)**

The Chief Executive advised Members that the Mid Ulster District Council at its meeting on 26 June 2014 had established four Committees to take forward the work of the Council during the transitional period and that the Terms of Reference for each Committee had been set by Council.

The Chief Executive advised that as per the agreed Terms of Reference the Mid Ulster District Council has not delegated any authority to the Environment Committee during the transitional period.

Meetings of the Environment Committee would take place on the Wednesday following the first Monday in each month at 7 pm.

#### **E4/14 To receive updates from Transition Working Groups (B)**

##### **Environmental Health & Building Control**

The Director of Environmental Health & Building Control (Cookstown DC), gave a comprehensive overview on the remit and scope of the Group and on the scoping and baseline activities that have and will be taken forward on a cross-council basis for the shadow period. He indicated that specific work plans and timelines are in place to assist with this transition and was confident that come 1 April 2015, Council would be able to provide an efficient, effective and 'fit for purpose' service, built on uniformity across the Mid Ulster District Council area.

A DUP Member sought clarity on how best service delivery in conjunction with the Public Health Agency will be provided across the Mid Ulster Council area.

The Officer assured the Member that PHA were currently reviewing the area of contracts within Partnership Programmes and discussions would be ongoing.

The Chair suggested that the Officer corresponds with the PHA at the earliest opportunity and reports back to the Environment Committee.

**Resolved** Officer to correspond with PHA in regards to Partnership Programmes / Contracts and report back to Environment Committee.

A SF Member queried if costing of 'fleet fuel' was included within the area of Utility / Energy Management Contracts.

The Officer provided a breakdown of current utility costs across the three Council areas.

The Chair indicated that Dungannon & Sth Tyrone BC had examined the possibility of purchasing a wood chip burner, but technicalities had prevented this from going ahead.

A UUP Member raised the issue of PHA Contracts and the possibility of developing arrangements within Councils.

The Officer advised that the overall aim is to have one contract for each Council in each respective service delivery area.

The Chief Executive advised the Committee that a composite list of all contracts, including scale of costs, will be brought before the Environment Committee as soon as practicable.

The Chair agreed that this summary report would be extremely useful as soon as possible.

**Resolved** Summary report on composite list of Contracts and scale of costs to be provided for Environment Committee as soon as possible.

A UUP Member asked if figures of savings in respect of Group Services will be available to Committee.

The Officer advised that discussions are ongoing in respect of Group Service provision for the Mid Ulster District Council and when all issues had been addressed a report would be presented to the Environment Committee for their subsequent consideration and recommendation.

A DUP Member raised the issue of animal Welfare legislation and the arrangements for picking up of dead animals which are a blight in the area of Tourism within the District.

The Officer advised that the Animal Welfare legislation had been introduced some two years ago, on the understanding that in light of changes within the Group Structure, further revisions would take place before April 2015, on service delivery and a report would be brought to the Committee at a later date outlining the proposed way forward.

**Resolved** A report be brought to the Committee at a later date outlining the proposed future service delivery arrangements under Animal Welfare legislation.

### **Waste and Technical Services Transition Working Group**

The Director of Operational Services (Magherafelt DC), gave a comprehensive overview on the remit and scope of the Group and on the scoping and baseline activities that have and will be taken forward on a cross-council basis for the shadow period. He indicated that specific work plans and timelines are in place to assist with the smooth transition to uniformity moving forwards to April 2015.



A SF Member stated that in his opinion the recycling systems in place were becoming more complicated and would Mid Ulster District Council be in a position to maintain our targets.

The Officer advised that in conjunction with NILAS, consultation was ongoing across the three Council areas to assist Councils with their statutory roles and responsibilities in respect of their individual Waste Management Plans. Consideration will also be given to meeting targets, reducing landfill waste, staff resources and budgets across the service delivery for the Mid Ulster District Council area.

A SF Member asked if the proposed changes to the Waste and Technical Services function could prove more costly.

The Officer advised that in the area of the provision of suitable waste vehicles, there may be an additional cost implication. However, these are all issues currently under discussion.

#### Matters for Consideration

#### **E5/14          Paper on DSD Affordable Warmth Programme – Mid Ulster Cluster (C)**

The Director of EH & Building Control (Cookstown DC), advised that the new Affordable Warmth Programme will replace the current Warm Homes Scheme which has operated across NI since 2009. The Warm Homes Scheme was scheduled to finish at the end of June 2014, however the Department have now extended the current contract, to complete in March 2015. This decision was taken to enable all Councils to put appropriate arrangements in place for programme delivery.

He advised Members on some of the key issues that will be critical to delivery of the Programme across the Mid Ulster District Council area. Consideration will be given to financial, staff resource and IT platform arrangements, utilising both the services of the Environmental Health and Building Control Teams.

An official launch of the scheme will take place in September 2015.

A SF Member welcomed the introduction of the Scheme but asked if more funding would be provided for double glazing in current single-glazed dwellings.

The Officer advised he had already written to the DSD in respect of this matter but would flag it up again.

**Resolved** It was resolved that the Director of EH & BC (Cookstown DC) continues to liaise with DSD in respect of finances for the provision of double glazing in currently single-glazed dwellings.

**Duration of Meeting**

The meeting was called for 7 pm and ended at 8.04 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**E**

**Minutes of Development Committee of Mid Ulster District Council held on Thursday 10 July 2014, in the Council Offices, Burn Road, Cookstown**

**Members Present:** Councillor Burton, Chair  
Councillor McEldowney, Vice Chair

**Councillors:** Dillon, Elattar, McAleer, McNamee, Mallaghan, Molloy, C O'Neill, Reid, J Shiels, G Shiels, T Quinn, Wilson

**Officers In Attendance:** Mr Tohill, Chief Executive  
Mrs Campbell (Magherafelt DC)  
Mr Frazer (Dungannon DC)  
Mr Glavin (Cookstown DC)  
Mr McCreesh, (Cookstown DC)  
Mr McAdoo (Cookstown DC)

The meeting commenced at 8.10 pm

**Business**

The Chair called the meeting to order, welcomed all to the first Development Committee Meeting of Mid Ulster District Council and outlined the Agenda Items for consideration.

**D1/14 Apologies**

Apologies were offered on behalf of Councillors Forde and Monteith.

**D2/14 Declarations of Interests**

There were no declarations of interest.

**D3/14 Development Committee Terms of Reference for the Transitional Period (A)**

The Chief Executive advised Members that the Mid Ulster District Council at its meeting on 26 June 2014 had established four Committees to take forward the work of the Council during the transitional period and that the Terms of Reference for each Committee had been set by Council.

The Chief Executive advised that as per the agreed Terms of Reference the Mid Ulster District Council had not delegated any authority to the Development Committee during the transitional period.

Meetings of the Development Committee would take place on the Thursday following the first Monday in each month at 7 pm.

#### **D4/14      To receive updates from Transition Working Groups (B)**

##### **Development and Regeneration Working Group**

The Acting Chief Executive (Cookstown DC), gave a comprehensive overview on the remit and scope of the Group and on the scoping and baseline activities that have and will be taken forward on a cross-council basis for the shadow period, in respect of Development and Regeneration across the Mid Ulster District Council area.

A DUP Member stated that in regard to Rural Development, the SWARD cluster, consisting of Cookstown, Dungannon and Magherafelt Councils had been one of the most successful and that Members have engaged in discussions with DARD officials, to ensure continued successful roll-out of Development and Regeneration Services across the Mid Ulster District Council area.

##### **Community Planning Group**

Officers provided the Development Committee with a comprehensive overview of the Community Planning Group, indicating that the Development of the Plan is very much a work in progress and will involve continued input from the three cluster Councils, stakeholders and partners. It is critical that the Mid Ulster District Council embarks on this project in an inclusive manner, engaging internally at all levels.

Following a query from a SF Member regarding the recent meeting with the DSD Minister, the Chief Executive advised that the cross party delegation put forward a robust case to the Minister outlining the Mid Ulster concerns on the DSD Budget Allocation Model and the funding of public realm schemes. He advised that a response is awaited.

##### **D4/14/4.3    Sport and Leisure**

The Director of Operations (Magherafelt DC), gave a comprehensive overview on the remit and scope of the Group. He provided a summary of activities taken to date, priorities, tasks, work plans and financial resources required to take the Sport and Leisure Group forward on a cluster basis towards April 2015.

A UUP member stated that in view of privatisation of the Leisure Centre in Magherafelt, he was concerned that Council, could be driven into a way of privatisation across the board.

The Officer outlined the contractual arrangements in place between Greenvale and Pulse Fitness, which has provided to be a more cost effective way of delivering the service. North Down have similar arrangements in place and Belfast City Council are examining their options.

The UUP Member indicated that the issue of contractual arrangements between Magherafelt and Pulse costings do not reflect what happens in Cookstown and Dungannon and that the Committee needs to bear that in mind to ensure we don't disadvantage Cookstown and Dungannon Councils.

A SF Member queried the deficit budget between revenue and what the service costs for each leisure centre.

An SDLP Member asked the Officer to tease out the level and cost of delivery of a comprehensive Sports and Leisure Services across the Mid Ulster District Council area and report back to Committee.

**Resolved** The Director of Operations to prepare a detailed costings paper in respect of Sports and Leisure Services to the Development Committee.

### **Matters for Consideration**

#### **D5/14 Paper on Proposal for Mid Ulster Sport and Leisure Membership Scheme (C)**

The Director of Operational Services (Magherafelt DC), outlined the key issues, timetables and costs of convergence of 'front of house' IT Systems for all three current Councils, while facilitating an element of compatibility with Greenvale.

It was recommended that the Development Committee endorse the recommendation to Council with regard to the introduction of a Mid Ulster Council Sport and leisure Membership Scheme and brings back a detailed report to the September Committee meeting.

The Chair indicated that there is a clear need to engage with the community and re-affirm what their particular needs and aspirations are in respect of this Scheme, with the aim of having all information collated during January / February 2015, with proposed first draft prepared for June 2015.

An SDLP Member mentioned the possibility of combining Community Engagement Events with compilation of the Mid Ulster Business Directory.

A SF Member raised the question that if at the end of the five year period, there would be an option for termination of the contract.

The Officer indicated in September 2017, there would be minimal or no termination costs.

The SF Member indicated he would be very supportive of the scheme, but totally opposed to privatisation.

The Officer agreed to take on board Members' comments.

**Resolved** The Sports and Leisure TWG to bring back a detailed report on the Mid Ulster District Council Sport and Leisure Membership Scheme, to the September Development Committee meeting.

**D6/14 Paper on Response to consultation on new EU Programmes: INTERREG and PEACE (D)**

Officers indicated that it is proposed that the new PEACE Programme, to be known as PEACE IV, will be delivered with a distinct focus on Shared Education; Children and Young People; and Share Spaces and Services; and Civil Society.

Funding streams should be accurately matched and delivered to address local economic, social and environmental needs specific to the area covered by INTERREG Funding, of which Mid Ulster District Council is positioned.

The response highlights that the consultation document and new programme appears to predominately direct funding to resourcing government departments for 'mainstream activity'. It also indicates that community led 'bottom up' approaches to identifying and delivering local activities of benefit is absent from the draft programme.

A UUP Member stated that the draft response needed strengthen to outline the concerns regarding payment in euro, the proposed 15% match funding noting areas of deprivation and that the time period of the scheme was effectively 5 years not 7.

The Acting Chief Executive (Cookstown DC), advised that the consultation period ends on 28<sup>th</sup> July 2014.

A SF Member stated that the last training exercise had proved very effective in bringing people together across the three Councils and it was important to continue in this vein to secure match funding for the programme.

It was recommended that the Committee consider and adopt the draft response for submission.

An SDLP Member stated that in respect of children and young people, the work 'play group' should be replaced with 'pre-school'.

**Proposed by** Councillor J McNamee  
**Seconded by** Councillor T Wilson

The draft response be adopted with the inclusion of Member's comments.

### **Duration of Meeting**

The meeting was called for 8 pm and ended at 9.30 pm.

The Chief Executive thanked everyone for their attendance and advised that the Committee would meet again in September 2014.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_