



22 December 2021

Dear Councillor

You are invited to attend a meeting of the Council to be held in
The Chamber, Dungannon and by virtual means Council Offices, Circular Road,
Dungannon, BT71 6DT on Thursday, 28 October 2021 at 19:00 to transact the
business noted below.

A link to join the meeting through the Council's remote meeting platform will follow.

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | | |
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| 4. | Council minutes of meeting held on 23 September 2021 | 5 - 24 |
| 5. | Planning Committee minutes of meeting held on 5 October 2021 | 25 - 60 |
| 6. | Policy & Resources Committee minutes of meeting held on 7 October 2021 | 61 - 70 |
| 7. | Environment Committee minutes of meeting held on 12 October 2021 | 71 - 82 |
| 8. | Development Committee minutes of meeting held on 14 October 2021 | 83 - 112 |
| 9. | Conference Report | 113 - 118 |
| 10. | Civic Recognition Report | 119 - 126 |

Matters for Information

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Notice of Motions

- 13 Councillor Doris to move
This Council recognises that a lack of work life balance contributes to work related stress, low productivity and burnout amongst workers; accepts that there is a growing body of International evidence that shows that moving to a four day working week, without a reduction in income, enhances productivity and happiness amongst workers; acknowledges that many companies have trialled the concept of a four day working week and found it had positive impacts both for business and workers; calls on the Council and Department for Economy to establish working groups and pilot programmes that support employers to trial the concept of a four day working week amongst their employees.
- 14 Councillor Quinn to move
This Council recognises that the £20 Universal Credit uplift has provided a lifeline to many families and recognises the devastating impact that its removal will have at this critical juncture of the recovery period with workers dealing with the end of the furlough scheme and massive increases in energy bills. The Council also recognises that the removal of the £20 per week payment will be devastating for those living here, will push more people into poverty, increase reliance on foodbanks, and increase homelessness, as well as having dire consequences for our local economy. The Council calls on the Communities Minister, in the absence of any further action from the Westminster government, to liaise with her colleague Finance Minister Conor Murphy, to reverse this cut for the remainder of the financial year and commit to expediting a long term strategy to tackle the shameful levels of poverty and social deprivation across Mid Ulster.
- 15 Councillor Graham to move
That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across Northern Ireland and calls on the Minister for Communities to establish a departmental led fuel poverty task force to assist the department in developing solutions to support those impacted and prevent many more people from falling into fuel poverty.
- 16 Councillor Black to move
This Council expresses their deepest sympathy to the family, friends and colleagues of Sir David Amess MP, following his horrific murder on 15th October. This tragedy again highlights the unacceptable risks faced by elected representatives and other public servants. Further, it must

be recognised that toxic elements of social media continue to be a breeding ground for vile, threatening and hate filled posts, which may raise the rhetoric, and be a contributing factor in violent attacks in wider society. I call on this Council to write to the Northern Ireland Executive Office, highlighting our concerns, and ask that a review be carried out of all possible steps that can be taken to protect public servants in their roles here in Northern Ireland.

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

Matters for Decision

17. Council Confidential minutes of meeting held on 23 September 2021
18. Planning Committee confidential minutes of meeting held on 5 October 2021
19. Policy & Resources Committee confidential minutes of meeting held on 7 October 2021
20. Environment Committee confidential minutes of meeting held on 12 October 2021
21. Special Planning Committee confidential minutes of meeting held on 13 October 2021
22. Development Committee confidential minutes of meeting held on 14 October 2021
23. Audit Committee confidential minutes of meeting held on 19 October 2021

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 September 2021 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor McLean												
Members Present	Councillors Ashton*, Bell*, Black, Brown*, Buchanan*, Burton, Clarke, Corry*, Cuddy, Cuthbertson*, Doris*, Elattar*, Gildernew*, Glasgow*, Graham*, Hughes*, Kearney*, Kerr, Mallaghan, N McAleer*, S McAleer*, McFlynn, B McGuigan*, S McGuigan, McKinney, McNamee*, D McPeake*, S McPeake*, Milne*, Molloy, Monteith, Oneill, Quinn, Totten* and Wilson												
Officers in Attendance	Mr McCreesh, Chief Executive Ms Canavan**, Director of Organisational Development Ms Campbell**, Director of Leisure and Outdoor Recreation Mr Kelso**, Director of Public Health & Infrastructure Mr Moffett, Head of Democratic Services Mr Tohill, Director of Finance Mrs Forde, Member Support Officer Ms Ursula Mezza**, Head of Marketing & Communications												
In Attendance	Agenda Item 4 - Deputation: Northern Ireland Housing Executive <table> <tr> <td>Grainia Long</td><td>Chief Executive</td></tr> <tr> <td>Paul Isherwood</td><td>Director</td></tr> <tr> <td>John McCartan</td><td>Regional Manager</td></tr> <tr> <td>Sharon Crooks</td><td>Area Manager</td></tr> <tr> <td>Ailbhe Hickey</td><td>Regional Place Shaper</td></tr> <tr> <td>Bernie Duffin</td><td>Housing Analytics</td></tr> </table>	Grainia Long	Chief Executive	Paul Isherwood	Director	John McCartan	Regional Manager	Sharon Crooks	Area Manager	Ailbhe Hickey	Regional Place Shaper	Bernie Duffin	Housing Analytics
Grainia Long	Chief Executive												
Paul Isherwood	Director												
John McCartan	Regional Manager												
Sharon Crooks	Area Manager												
Ailbhe Hickey	Regional Place Shaper												
Bernie Duffin	Housing Analytics												

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm

The Chair, Councillor McLean welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. The Chair in introducing the meeting detailed the operational arrangements for transacting the business of the meeting in the chamber and by virtual means, by referring to Annex A to this minute.

C170/21 Suspension of Standing Order 30.2 Amendment to Standing Orders

The Chair, Councillor McLean sought approval for suspension of Standing order 30.2 - Amendment to Standing Orders.

Proposed by Councillor McFlynn
Seconded by Councillor S McGuigan and

Resolved That Council Suspend Standing Order 30.2 – Amendment to Standing Orders

C171/21 Adoption of Interim Standing Orders on Remote Access to Meetings

The Chief Executive presented previously circulated report which considered an amendment to the Standing Orders of Council following the Local Government (Meetings and Performance) Act (Northern Ireland) 2021 coming into operation on 27th August 2021. This legislates remote meetings until 25 March 2022

Proposed by Councillor S McGuigan
Seconded by Councillor Mcflynn and

Resolved To approve the amendment to the Standing Orders with specific reference to the Local Government (Meetings and Performance) Act (NI) 2021 on remote meetings and that the meeting proceed under the Council Standing Orders

C172/21 Apologies

Councillors Colvin, Forde, Mullen & Robinson

C173/21 Declarations of Interest

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

Councillor Monteith declared an interest in agenda item 28 *Document for Sealing: Lease Agreement between Mid Ulster District Council and Thomas Clarke Gaelic Football Club* in respect of lands known as West Park Playing Fields, Lisnahull, Dungannon

C174/21 Chair's Business

The Chair Councillor McLean stated that his punch line is Council pushes well above weight and drew attention to some of Council activities over the past month. He said that Council continues to maximise connections to full fibre broadband for the benefit of residents. Under the Full Fibre NI project, the Council has been awarded £3.4m to move 80 Council facilities (including all Council offices, all Leisure centres, arts and

2 – Council (23.09.21)

cultural and tourism facilities) to full fibre broadband, saving the Council in the region of £2m on broadband charges over the next 20 years. The installation is 75% complete and the project will be completed by December of this year. He advised that Council continues to support local business through the pandemic and play a key role in the revitalisation of town and village centres. Figures received from the Economic Development service indicate that just over £1.3M of Covid-19 Business Grants have been delivered to 587 businesses across the district in the past twelve months.

The Chair, Councillor McLean drew attention to the achievements of Environmental Services and advised that Officers have been successful in obtaining ISO 45001 accreditation for Drumcoo Waste Transfer Station and Recycling Centre. ISO 45001 is the world's first International Standard for occupational health and safety (OH&S). It provides a framework to increase safety, reduce workplace risks and enhance health and well-being at work, enabling an organization to proactively improve its OH&S performance. He further advised that the Council's Bin smART campaign has been shortlisted for a prestigious National Recycling Award in the Small Campaign of the Year category.

More than 500 primary school aged children across the district entered the Bin smART competition, which ran from the end of January to 10 March 2021. The aim of the competition was to make children more aware of the items that can be recycled through the blue bin and enhance their understanding of the importance of recycling and re-using our waste.

In the area of Arts and Culture the Chair, Councillor McLean said that after an 18 month closure to theatres, live performances were once again being programmed. While venues adapted superbly to the pandemic by staging some amazing virtual events, there's no substitute for the experience of being physically present in a performance space. He said all looked forward to welcoming audiences back to Seamus Heaney HomePlace, Hill of the O'Neill and Ranfurly House, and the Burnavon in the weeks ahead.

The Chair, Councillor McLean referred to Property improvement works with a value of over £300K scheduled to take place at two local cemeteries managed by the Council. Forthill Cemetery in Cookstown and Polepatrick Cemetery in Magherafelt are both to benefit from new lighting, the construction of new and refurbished pathways, tree planting and in the case of Polepatrick, an extension to the existing car park.

The Chair advised that in July, together with Minister Edwin Poots MLA he had revealed a significant £1M refurbishment to the Round Lake Camping and Recreation site, just outside Fivemiletown. Included within the revamp was the complete refurbishment of the existing Lake House visitor building to include improved common spaces, shower facilities, and a new Changing Places facility. The changes to the Lake House are complemented by the upgrade of the children's play area on site to an all-ability play area.

Other work on site has included the addition of a new performance space and amphitheatre, extension of caravan and camping pitches, improvements to trails, landscaping and entrance/pedestrian footpaths.

The Chair also highlighted the recent industry achievements of Henry Brothers, Magherafelt in receiving two prestigious awards, the Platinum standard in the Deloitte Best Managed Company Awards 2021, awarded by Deloitte Ireland in association with Bank of Ireland and in receiving the Business in the Community Awards Northern Ireland Responsible Company of the Year 2021 and stated he would be sending letter of congratulations to them.

Resolved That the Chair forward a letter to Henry Brothers to commend them on receiving prestigious awards

- the Platinum standard in the Deloitte Best Managed Company Awards 2021, awarded by Deloitte Ireland in association with Bank of Ireland; and
- Business in the Community Awards Northern Ireland Responsible Company of the Year 2021

In relation to Council Meetings the Chair said that COVID is still present and there may be a desire for a return to full in person meetings but on checking with Officers the 2 metre social distancing health guidance is still in place. As the reduction in August from 2 metre to 1 metre only applied to the hospitality industry Councils was bound to continue but would be kept abreast of changes.

Councillor Mallaghan said that one of the last things he had done as Chair of the Council was host a civic reception for Micky Harte which had been an opportunity to close the chapter on what was a golden era for Gaelic games in Tyrone. However, he stated that just a few months later tens of thousands of Mid Ulster citizens were able to watch the Tyrone senior football team lift the Sam Maguire cup in Croke Park in what he hoped will be the beginning of another wonderful chapter for the county. He also highlighted that the 2021 all Ireland final was the most watched on record on TV and I know from speaking to people from both sides that they enjoyed the match.

Councillor Mallaghan said he wished to pay tribute to Brian Dooher and Fergal Logan who like their predecessor Micky Harte won their first All Ireland in their first year of management. They had inherited a special group of players who showed all of Ireland the unquenchable hunger of the underdog. He also took the opportunity to be very parochial for a moment highlighting his fellow Pomeroy Plunkett player Kieran McGeary, Tyrone's vice captain who has had an absolutely brilliant year picking up numerous man of the match awards, made the team of the year and on course for player of the year. Councillor Mallaghan acknowledged the community in their support of this team and how right across the county the white and red was visible in every town, village and small settlements. The fans were acknowledged by the players as bringing so much to the game and the occasion. He said that 2021 had seen both Derry in the minors and Tyrone in the seniors claim the biggest prize and Councils contribution towards that cannot be underestimated as Mid Ulster council

has a proud reputation of supporting Gaelic games across the counties and in the clubs and that investment by the local authority ensures clubs and counties can play at the top level. In conclusion Councillor Mallaghan proposed a civic reception to be held for the Tyrone Team at the earliest convenience and within the rules of course public health advice.

Councillor Wilson sought clarification on a point emphasising that his query was in no way aimed at the sports teams who had excelled. He asked what policy the civic reception was being taken under referring to Tullylagan pipe band who in 2019 had won the World competition but only 5 had been invited.

In response the Head of Democratic Services clarified that the band referred to were Grade 3b and because in the piping world there are higher attainable grades ranging from Grade 1 to 4B it went through as a civic reception and thus 5 recipients had been able to attend. He concluded that Councillor Mallaghan was proposing a civic honour as the team could not achieve higher than the All Ireland title which they has achieved.

Resolved That the Chair That Chair host a civic honours reception to Tyrone Team (seniors) on winning the 2021 All Ireland GAA Championship played in September 2021 in line with the Council policy and procedures.

Councillor McFlynn drew attention to the situation in Afghanistan and the refugees now coming to our shores. She paid tribute to groups who are currently gathering up clothing together with other essentials and asked if there is anything council can be doing either alone or with others. Councillor McFlynn stated she was aware it was not Council's remit and sought advice from the Chief Executive.

In response the Chief Executive stated it was a pertinent question and advised Council had engaged with Stormont officials and the NIHE and were awaiting strategic direction. In conclusion he said an update would be provided when relevant information was received.

Councillor Wilson said he was speaking in relation to Cookstown DEA whereby Council had been very supportive in moving gas to all major towns and had helped, where possible. He said that now gas pipes had been put in place a number of people had applied to get gas connected but could not get a response from the company and there appeared to be a reluctance to talk to customers. He said that if one was being cynical was the company holding off until prices rise as people have no opportunity to go to elsewhere.

Resolved That Council to write to SGN Natural Gas Limited to seek an urgent meeting with regard to the difficulty proposed customers are experiencing in communicating with the company to initiate gas connections.

The Chair Councillor McLean said that a further item of Chair's Business would be heard in Confidential business.

C175/21 Deputation: Northern Ireland Housing Executive

The Chair, Councillor McLean welcomed representatives from Northern Ireland Housing Executive to the meeting and invited them to present the Mid Ulster Housing Investment Plan Annual Update.

Ms Long the Chief Executive introduced the NIHE team and delivered a presentation and made reference to the previously circulated report.

Ms Long drew particular attention to the revitalisation of the NIHE and the announcement by the Minister for Communities in November 2020 which permitted the NIHE to borrow to fund sustainable investment in existing stock.

The Chair, Councillor McLean sought Members' questions.

Councillor Molloy thanked Ms Long for the presentation and said he was aware of the definition of affordable housing from the Department for Communities and NIHE but stressed that housing needed to be affordable for all. He said that in Dungannon affordable housing for those on housing benefit is simply not there as people cannot afford to find the difference in the housing benefit and the actual cost of the rent. He said that the gap is widening especially in relation to private rental and social housing emphasising that the matter needs addressed as a matter of urgency.

In response Ms Long stated she would not disagree and that the NIHE are very conscious that the gap between demand and supply is widening. She said that the shaping plan would take a more local approach and said that they direct housing associations towards areas of high need. She stressed that the critical issue is bringing sites forward and working closely with councils to ensure good local planning. Ms Long also referred to a longer term issue in that they have not been able to build houses for some time and this was what was required for a long term solution. She said that place shaping would help but unfortunately there was no easy solutions.

Councillor Milne thanked Ms Long for the presentation and stated that poor workmanship by contractors had been brought to his attention whereby it was taking up to 4 weeks to install a kitchen and that communications between contractor and clients was poor. Councillor Milne highlighted that families had been left without cooking facilities. He also referred to a scheme to spruce up the outside of houses when workmen had not been allowed to access the roof due to insurance issues.

In response Ms Long said the NIHE would follow up with Councillor Milne regarding specific issues in relation to the standard of workmanship as they had a team of inspectors to ensure that work is carried out to the required standard.

Mr Isherwood said that there is a major labour shortage in NI and that the NIHE were endeavouring to work with contractors particularly around signing off work for example kitchens. He stressed that whilst some jobs may be taking longer there was clear procedures in place that at the end of each night people should be reconnected to all utilities. He said that they were aware of general issues across the region and would most certainly raise the issue of communication.

Councillor Monteith concurred with Councillor Milne regarding communication around maintenance which he said was shocking and the worst he had seen in 20 years. He said that maintenance in the community was virtually non-existent for example railings and that the presentation did not reflect the facts on the ground. Councillor Monteith concurred with Councillor Molloy stating that rental housing in Dungannon was a disgrace and that young people cannot live in the community they grew up in and could not buy a house in Dungannon town. He drew attention to page 30 of the report and said that year on year the request is made to present the graph on rental prices per settlement. He quoted rental prices from a Dungannon estate agent, £600 per month for a mid terrace former NIHE home, £750 per month for an end of terrace former NIHE home and stated that these examples highlight that the figures in the report do not reflect what is happening in Dungannon. He said that people living in poverty had no hope of securing housing where they grew up and stated that in wider settlements social new build was £150 per week. He concluded that social housing fails to make it reasonable for people to afford to live in Dungannon.

Ms Long said she heard loud and clear what was being said. In relation to the poor communication between contractors and clients she said this was taken very seriously and would be followed up. Referring to the private sector rents placed on former NIHE homes, Ms Long said this highlights how the selling of NIHE stock has not had the desired effect and when public homes are sold society loses out and the lesson should be taken from this. Ms Long reiterated earlier comments that the NIHE had not been able to build new stock and thus have to work in partnership with social housing providers. She concluded that they do recognise the gap and how stark it is becoming between demand and supply but it was hoped as the NIHE are given additional powers this will improve.

Ms Hickey added that an additional pressure on the rental market is the lack of turnover in social stock, she highlighted that policy issues were being updated and assured that the NIHE were constantly working to bring forward sites for social housing. Ms Hickey said that it was hoped to have DEA meetings recommencing in November when issues as aforementioned can be addressed.

Councillor Burton sought clarity on emergency housing sharing a recent example when a person had been living in fear due to a threat to their life yet at every avenue hands seem to be tied. She sought clarity as to whether the policy regarding emergency housing was fit for purpose and was there any hope to have it reviewed.

In response Ms Long said they take such requests very seriously and would contact the Member directly regarding the matter.

In relation to the policy Mr McCartan said that he could not comment on specifics but said if there was safety and security issues alternative accommodation is offered in the interim of reports being received. He said there is a highly experienced housing solution team well versed in the legislation who are very approachable that deal with such requests. He emphasised that when a person is under threat in their home it is a very serious matter.

The Chair, Councillor McLean stated the Member would pass on the details.

Councillor Mallaghan referred to an ongoing issue over a few years in Pomeroy in relation to maintenance to properties. He spoke of the draughts coming in to homes especially when there was issues with fuel poverty and the request for replacement doors which he had been assured would be met. He referred to comments regarding procurement, contractors and Covid but that when he had ultimately took the matter to the press within a few days he had received an email to say the works would take place in November. He said in such circumstances people were being bluffed as he had been told that the doors were procured at the prices in 2018 and he finds it difficult to accept that for two years the matter drifted but once the press was involved it was sorted. He said that NIHE tenants deserve much better. He concluded commending them on recent works in relation to gardens and in bloom schemes.

The Chair, Councillor McLean stated that the aforementioned was worthy of note and asked that the NIHE contact Councillor Mallaghan directly with a response to his question.

In response, Ms Long gave a personal assurance that this would be done.

Mr Isherwood stated that his staff had been in communication with Councillor Mallaghan.

The Chair, Councillor McLean said the issue had been pending for two years and the Councillor deserved a response as to why.

Councillor Kerr concurred with Councillors Monteith and Molloy with regard to housing association housing not serving to meet the need especially in areas of deprivation. He stated that there were many issues in Coalisland where families were on low incomes and could not meet the rent. He spoke of the communication problems between contractors and tenants and stated that the resident is living with the ongoing problem, he said that housing was a basic human right and people deserved to be treated better. In conclusion he stated that it may be worthwhile where residents were living with poor housing that the environmental health team become involved.

The Chair, Councillor McLean requested the NIHE team to make contact with Councillor Kerr directly.

Councillor Cuthbertson spoke of substandard work in relation to repairs. He paid tribute to the local NIHE manager who endeavoured to do her best in difficult circumstances. He raised the issue of cavity wall insulation leading to mould.

Ms Long stated that she would follow up on Councillors queries in relation to repairs, quality and communication and reiterated that there was no alternative other than housing associations at present. She said that in Coalisland the projection is 132 units but there were 192 families in housing stress.

Mr Isherwood stated that Council had responded to the consultation on cavity wall insulations and advised there is a significant cost to repairs which would have to compete with other projects. He said the final report would be presented to the board in October following which it was hoped to bring forward a pilot scheme to deal with the problems and a methodology for same.

Mr Isherwood stated he could make a presentation to Council regarding the issue.

Resolved That NIHE to be invited to present to the Environment Committee in relation to Cavity Wall Insulation Scheme

In conclusion, the Chair thanked the NIHE team for their attendance and said that issues to be addressed could be taken up with the individual Members.

The Chief Executive took the opportunity of welcoming Ms Long to the post and welcomed the willingness to work with Members who would look forward to progressing issues at the forthcoming DEA meetings. He paid tribute to the previous Director, Siobhan McCauley and her contribution to the community plan. He concluded by saying that Council would continue to work in partnership with them to address the housing shortage in Mid Ulster.

Matters for Decision

C176/21 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on Thursday 22 July 2021

Councillor Kerr drew attention to C148/21 Chair’s Business in relation to Covid and stated that he had been contacted by teachers who were also in trade unions with regard to the Public Health Agency taking charge of contact tracing in schools. It was highlighted that local school staff and trade unions had highlighted issues in relation to the lack of protection the methodology applied offered to children and staff alike together with the additional administrative burden it was placing on staff.

The Chair, Councillor McLean stated that he thought many of these issues had been resolved but stated that the comments could be passed onto the Public Health Agency.

Resolved That Council write to the Public Health Agency expressing concerns in relation to Contact Tracing arrangements with respect schools

Councillor Monteith drew attention to C157.21 and the proposed meeting with the BMA and Royal College of General Practitioners and requested that an item be added to the agenda to discuss the withdrawal of 'GP Out of Hours Services' in Dungannon and seek clarity on when it would return. He stated that the GP provision in the area was on its knees and requested that Council also write to the SHSCT to ask when the service would be returned.

Proposed by Councillor Monteith
Seconded by Councillor Cuthbertson and

Resolved That

- (i) at the scheduled meeting with the BMA and Royal College of General Practitioners an item be added to the agenda to discuss the withdrawal of 'GP Out of Hours Services' in Dungannon and seek clarity on when it return;
- (ii) Council write to the Southern Health and Social Care Trust to seek clarity as to when the 'GP Out of Hours Services' will be reconvened emphasising the need for expediency.

The Chief Executive advised that a letter requesting a meeting had been forwarded on the 6 August and it was hoped to have a date confirmed in the near future.

Councillor Cuthbertson drew attention to C149.21 Deputation Department for Infrastructure and the references to the suspension of tenders for resurfacing. He advised that he had seen on their website that works were taking place in Gilford, County Down and requested that council send a letter seeking an update on the situation in Mid Ulster.

Resolved That Council write to the Minister for Infrastructure to seek an update as to when the scheduled resurfacing works are expected to re-commence in Mid Ulster district.

Councillor Doris drew attention to C154/21 Development Committee Minutes and the reference to a report outlining the current provision in leisure centres for those with additional needs and said whilst she knew it would take time to prepare a thorough report the item needed to be kept on the agenda.

Proposed by Councillor Kerr
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Council held on Thursday 22 July 2021 (C146/21 – C158/21 and C169/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C177/21 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on 3 August 2021

Proposed by Councillor Black
Seconded by Councillor Quinn and

Resolved That the Minutes of the Planning Committee held on Tuesday 3 August 2021 (P100/21 – P105/21 and P111/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C178/21 Receive and Consider Minutes of matters transacted in “Open Business” Special Development Committee Minutes of Meeting held on 2 September 2021

Proposed by Councillor Kerr
Seconded by Councillor Molloy and

Resolved That the Minutes of the Special Development Committee held on Thursday 2 September 2021 (D128/21 – D134/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C179/21 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 7 September 2021

Proposed by Councillor Black
Seconded by Councillor Quinn and

Resolved That the Minutes of the Planning Committee held on Tuesday 7 September 2021 (P117/21 – P122/21 and P129/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C180/21 Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 9 September 2021

Councillor Kerr drew attention to PR165/21 Provisional Recommendations on Local Government Boundaries Review and spoke of the impact the proposed changes would make in Coalisland which would could potentially move some electors out of the Neighbourhood Renewal area and thus any associated support programmes. Councillor Kerr requested that Council write to the Boundary Commission to express concern regarding the proposed changes and how they could lead to people being disadvantaged.

Councillor Brown advised that Members had been notified that the opportunity for comments had now closed. In response the Chair, Councillor McLean suggested that Councillor Kerr personally forward his comments to the Local Government Boundary Commission.

Proposed by Councillor S McGuigan

Seconded by Councillor Molloy and

Resolved That the Minutes of the Policy and Resources Committee held on Thursday 9 September 2021 (PR157/21 – PR168/21 and PR175/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C181/21 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 14 September 2021

In response to Councillor Kerr’s query regarding the withdrawal of an application for a bus shelter referred to in E200/21 Bus Shelter Update report the Director of Public Health and Infrastructure advised that once the decision was ratified at Council, applicants would be contacted.

Councillor Corry referred to E201/21 regarding Defibrillators and advised that she had been contacted regarding the cost of servicing the devices as community groups were finding this expensive. She requested that consideration be given to some sort of grant for replacement of pads and other items which were ‘one-of’ use as it was distressing if the devices were not operational due to lack of replacement equipment.

In response the Director of Public Health and Infrastructure advised that an options paper would be brought to a future committee for consideration.

Resolved That a report be brought to the Environment Committee outlining the options with regards to servicing/restocking of defibrillators at community orientated sites

Proposed by Councillor Oneill

Seconded by Councillor Wilson and

Resolved That the Minutes of the Environment Committee held on Tuesday 14 September 2021 (E187/21 – E210/21 and E221/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C182/21 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 16 September 2021

Councillor Clarke drew attention to D155/21 Sperrin Partnership Project and the approval for an onsite meeting regarding concerns around possible irreparable damage to archaeological sites around Davagh and asked how soon the meeting could be convened.

In response the Chief Executive advised that the Director of Leisure and Outdoor Recreation would follow up with the Member. Councillor Clarke stressed the meeting should be as soon as possible to prevent further damage.

Councillor Kerr drew attention to D154/21 Forest Recreation Development Programme and said at the meeting an undertaking had been given that he would receive an update as to when the Washingbay Walkway would be painted and to date he had not received same.

Councillor Burton referred to the issue raised by Councillor Kerr and concurred with the need for a meeting as soon as possible of the Tourism Group of which she is Chair.

Councillor Burton referred to D151/21 Chair's Business - Birthing Pool at Craigavon Hospital and again stressed the importance of the request for its reinstallation for low risk mums to be. She stated that she had been inundated with requests as every other midwifery led unit had at least one in operation. Councillor Burton said that some were opting for their babies to be delivered in baths and the situation was not ideal for either the expectant mother, the father or staff in attendance. In conclusion Councillor Burton said that she had also raised the matter at NILGA and neighbouring Councils would be writing to the Trust regarding the matter and the local MP was also involved.

Councillor S McAleer concurred with Councillor Burton and stressed the importance of the facility being reinstated.

Proposed by Councillor Clarke
Seconded by Councillor Kerr and

Resolved That the Minutes of the Development Committee held on Thursday 16 September 2021 (D149/21 – D165/21 and D170/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C183/21 Conference Report

The Head of Democratic Services sought approval for the previously circulated report on conferences, training and seminars.

Councillor S McAleer to be added to Centre for Cross Border studies.

Proposed by Councillor Kerr
Seconded by Councillor Clarke and

13 – Council (23.09.21)

Resolved That approval be given to submitted requests for conferences, seminars and training as outlined in the appendix to the report.

C184/21 Civic Recognition Nominations

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, and as detailed within the report at appendix A.

Councillor Doris requested her name be added to letter for Stewartstown Harps Ladies Team.

It was noted that Mark Doherty, Electric Ireland All Star and Laclan Murray, Electric Ireland All Star be added to the civic reception list.

Councillor Wilson drew attention to the recommendation for Ellie McMenemy and requested that it be realigned to civic reception status as although previously included in an award the competition won was a higher category.

In response the Head of Democratic Services stated he would review the request and upload accordingly, if deemed.

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

- (i) Mark Doherty, Electric Ireland All Star
- (ii) Laclan Murray, Electric Ireland All Star
- (iii) Add Cllr Doris name to letter for Stewartstown Harps Club;
- (iv) Ellie McMenemy to be reconsidered by Head of Democratic Services to realign to civic reception status in line with Cllr Wilson's request

Matters for Information

C185/21 Correspondence

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

In response to Councillor Kerr's query regarding the decision last month to bring a report to the Environment Committee regarding the concept of "Rights of Nature" the Head of Democratic Services stated that he would have the matter checked and brought to a future Environment Committee meeting and confirm in due course.

C186/21 Consultations Notified to Mid Ulster District Council

Members considered previously circulated report on consultations notified to Mid Ulster District Council for comment.

Councillor Kerr drew attention to the Department of Health: Cancer Strategy for NI 2021-2023 and proposed that Council make a response and should also do all within its power to raise the profile on various charities.

The Chair said he had engaged in promotions for various charities to raise their profile and that a workshop for the community should be advertised on social media platforms.

Councillor Corry drew attention to the consultation Northern Health and Social Care Trust (NHSCT) how we propose to purchase domiciliary care provided by non-statutory providers. She spoke of the distress and immense pressure individuals and families are coming under due to cutbacks in care packages.

The Chair, Councillor McLean said that Councillors should feed into the consultations responses to ensure they are both positive and constructive.

Resolved That an all Member workshop be arranged to prepare a response to consultation from Northern Health & Social Care Trust with regards to how we propose to purchase domiciliary care provided by non-statutory providers

Councillor Burton supported the consultation regarding domiciliary care stating that often beds in hospitals cannot be freed up as care packages are not in place highlighting that should a family bring the person home without the care package they then go to the back of the queue. With regard to the Cancer Strategy consultation she said that she had heard from district nurses that due to covid restrictions many people are not getting access to the care required and Council needs to link into cancer care providers to attain information for the response.

The Chair, Councillor McLean stated that a firm approach was required from Members and this Council, and Members should support officers by engaging in the process.

Councillor Elattar concurred and said that a zoom session should be publicised that groups can link into.

Attention was drawn to the closing date of the Cancer Consultation and it was agreed that that the Environment Committee have delegated authority to agree the response which is due on 20 Oct 2021, should an extension for responses not be offered by the Department.

Proposed by Councillor Mallaghan
Seconded by Councillor Monteith and

Resolved That

- (i) a workshop with Members and Community be arranged to prepare a response to Department for Health Cancer Strategy for NI 2021-2031 and that the Environment Committee have delegated authority to agree the response which is due on 20 Oct 2021, if an extension for responses is not offered by the Department;
- (ii) that the department workshops be promoted on various platforms to ensure maximum participation

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

The live broadcast concluded at 8.50 pm

Proposed by Councillor Mallaghan
Seconded by Councillor Kerr and

Resolved That items C187/21 to C199/21 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 22 July 2021
- (ii) Planning Committee confidential minutes of meeting held on 3 August 2021
- (iii) Special Planning Committee confidential minutes of meeting held on 7 September 2021
- (iv) Planning Committee confidential minutes of meeting held on 7 September 2021
- (v) Policy and Resources Committee confidential minutes of meeting held on 9 September 2021
- (vi) Environment Committee confidential minutes of meeting held on 14 September 2021
- (vii) Development Committee confidential minutes of meeting held on 16 September 2021
- (viii) Magherafelt Depot
- (ix) Document for Sealing: Deed of Grant of Gas Pipe Easements at Lands East of Moneyhaw Road, Moneymore, between Mid Ulster District Council and SGN Natural Gas Limited
- (x) Document for Sealing: Lease Agreement between Northern Ireland Housing Executive and Mid Ulster District Council in respect of lands situated at Henderson Park, Stewartstown
- (xi) Document for Sealing: Lease Agreement between Mid Ulster District Council and Thomas Clarke Gaelic Football Club in

respect of lands known as West Park Playing Fields, Lisnahull,
Dungannon

- (xii) Document for Sealing: Deed of Transfer in respect of lands situated at Park View, Castledawson, from Northern Ireland Housing Executive to Mid Ulster District Council
- (xiii) Document for Sealing: Deed of Transfer in respect of lands situated at Roan Park, Eglish, from Clanmil Housing Association Limited to Mid Ulster District Council

C200/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.10 pm

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

Good evening and welcome to our meeting of Mid Ulster District Council in the Chamber, Dungannon whether you have joined us remotely or in the Chamber.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda – apologies and then a roll call of members in attendance.

Date _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 5 October 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Black, Chair

Councillors Bell, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow*, Hughes*, Mallaghan, McFlynn, McKinney, D McPeake, S McPeake, Quinn*, Robinson

Officers in Attendance

Mr Bowman, Head of Development Management
Ms Donnelly, Council Solicitor
Ms Doyle, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McClean**, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Mr McKeown*, Senior Planning Officer
Mr McGinley, ICT Support
Ms Grogan, Democratic Services Officer

Others in Attendance

Councillor Gildernew***
Councillor Molloy***

LA09/2021/0352/F Declan McKenna
LA09/2019/0733/O Orin Quigg
LA09/2019/0763/O Chris Cassidy***
LA09/2020/0881/O Carol Gourley
LA09/2020/1119/O Chris Cassidy***
LA09/2020/1225/O Martin Kearney
LA09/2021/0495/O Mark Nelson
LA09/2021/0495/O Councillor Glasgow*

* Denotes members and members of the public present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7 pm.

P130/21 Apologies

The Service Director of Planning.

P131/21 Declarations of Interest

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

The Chair reminded members of a number of items on the agenda tonight which related to Mid Ulster District Council as applicant in the event of them wishing to declare an interest:

Agenda Item 4.10 – LA09/2020/1497/F - 20 x 30m 3G multi use games area (MUGA) at the Presbyterian Church with ancillary works including floodlighting infrastructure (no Lighting) and fencing; upgrading of the existing carpark, new footpath, link with raised kerb to the school and the MUGA and new railings and gates along Edendoit Road frontage at land adjacent to 1 Edendoit Road, Pomeroy, Dungannon for Mid Ulster District Council.

Agenda Item 4.13 – LA09/2020/1643/F – Walking trails within Pomeroy Forest, on the site of the existing trails and a sensory garden to the S of the vacant site of the previously abandoned new forestry building at 56 Pomeroy Road Tanderagee Road, Pomeroy, for Mid Ulster District Council.

Agenda Item 4.19 – LA09/2021/0645/A - 4 signs 100mm x 200mm x100mm above ground level at Ballyronan Road roundabout, Magherafelt for Mid Ulster District Council.

Agenda Item 4.20 – LA09/2021/0646/A - 4 signs 100mm x 200mm x100mm above ground level at Ballyronan Road roundabout, Magherafelt for Mid Ulster District Council.

Agenda Item 4.21 - LA09/2021/0647/A 4 signs 100mm x 200mm x100mm above ground level at Aughrim Road, roundabout, Magherafelt for Mid Ulster District Council.

Agenda Item 4.23 – LA09/2021/0749/F - Change of use from existing part forest and provision of carpark (110m SW of 25 Brackagh Road, Iniscarn Road, Iniscarn, Desertmartin) and provision of play park within the existing forest (275m SW of 25 Brackagh Road, Iniscarn Road, Iniscarn, Desertmartin). Upgrade of existing forest trails and ancillary trail signage / waymarker posts - Iniscarn Forest, Iniscarn Road, Desertmartin for Mid Ulster District Council.

All members in attendance declared an interest in the above items relating to Mid Ulster District Council as a named applicant.

Councillor S McPeake declared an interest in Agenda Item 5.8 – LA09/2021/1093/F – Agricultural general purpose storage shed adjacent to 68 Lurgylea Road, Dungannon for James Gerard McElroy.

Councillor Glasgow declared an interest in Agenda Item 5.17 – LA09/2021/0495/O – Infill dwelling at site NW of 7a Killycurragh Road, Orritor, Cookstown (with access via Craigs Road) for Mr Maurice Freeburn.

Councillor Bell declared an interest in Agenda Item 5.13 – LA09/2020/1394/O – Dwelling on a farm between 112 & 118 Ardboe Road, Moortown, Cookstown for Ruairi Donnelly and Aimee O'Neill.

P132/21 Chair's Business

The Chair also referred to addendum which had been circulated earlier in the day and asked if those joining remotely had seen this document and had time to read it.

Members joining remotely confirmed that they had seen the addendum and had time to read it.

The Chair advised that as there was a lot on the agenda tonight, there was another date in the diary for Tuesday 26 October should it be required for any items in an overspill. He stated that this would become evident as the meeting progressed and a decision being made at that point if so required. He advised that any applicants/agents listening in which may have their applications deferred would have an opportunity to present at the overflow meeting if required.

The Head of Development Management referred to the below applications which were on the agenda for determination and sought approval to have the following applications deferred from tonight's meeting schedule for an office meeting –

Agenda Item 4.7 – LA09/2020/1046/F – Retention and relocation of partially constructed Farm Shed for farm machinery storage and animal shelter and amendments to approved under LA09/2017/0977/F at 40m NE of 28A Toomag, Galbally for Noel McElduff.

Agenda Item 4.8 – LA09/2020/1098/F – Retention of existing structure to outdoor drinks area at Regans Bar, 19 Hall Street, Maghera for Bernard Regan.

Agenda Item 4.9 – LA09/2020/1322/O – Dwelling adjacent to 59 Drumaspil Road, Drumcrow, Dungannon for Eamonn Donnelly.

Agenda Item 4.12 – LA09/2020/1590/F – Farm building to incorporate stables, farm office, central heating plant room, agricultural storage and farm machinery garage, creation of farm laneway & alterations to public road access at 50m SE of 21 Tandragee Road, Pomeroy for Mr Kyle Smyth.

Agenda Item 4.15 – LA09/2021/0273/O – Site for dwelling and garage at Land at Tullaghmore Road, Roughan Road Cross Roads opposite and 30m S of 57 Tullaghmore Road, Dungannon for Joanne Badger & Jamie Allen.

Agenda Item 4.16 – LA09/2021/0317/O – Infill dwelling and garage between 23 and 27a Macknagh Lane, Upperlands, Maghera for Mr Paddy McEldowney.

Agenda Item 4.17 – LA09/2021/0352/F – Stable and store at lands approx. 55m W of 303 Battleford Road, Dungannon for Mr Patrick McKenna.

Agenda Item 4.18 – LA09/2021/0443/O – Dwelling & garage in gap site 30m W of 154 Battery Road, Cookstown for Shauna Quinn.

Agenda Item 4.25 – LA09/2021/0874/O – Dwelling and garage 30m NE of 122 Creagh Road, Anahorish, Castledawson for Mr Malachy Gribbin.

Agenda Item 4.26 – LA09/2021/0910/O – Dwelling in an infill site at land 200m SW of 211 Ardboe Road, Moortown for Patrick Quinn.

The following items to be withdrawn from tonight's schedule:

Agenda Item 5.4 – LA09/2020/0841/O – Site for a dwelling and domestic garage at approx. 45m W of 59 Lurgaboy Lane, Dungannon for Darren McKenna (withdrawn)

Agenda Item 5.7 – LA09/2020/1027/F – Infill site for 2 dwellings and garages between 11B and 11E Hillside Road, Upperlands for Danny McMaster (withdrawn)

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That the above planning applications be deferred for an office meeting. Also two aforementioned applications be withdrawn from tonight's planning schedule.

Matters for Decision

P133/21 Planning Applications for Determination

LA09/2019/0387/F Retention of dwellings (not constructed in accordance with I/2005/0596/F) and minor additional levels to rear garden at 19 & 21 Lucy Street, Pomeroy for Laurence McDonald

Members considered previously circulated report on planning application LA09/2019/0387/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0387/F be approved subject to conditions as per the officer's report.

LA09/2020/0007/O Residential development with open space, landscaping, new road infrastructure and associated site works including the demolition of farm outbuildings at and adjacent to 185 Ballyronan Road, Ballyronan Magherafelt for Sylvia Watt

Members considered previously circulated report on planning application LA09/2020/0007/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/0007/O be approved subject to conditions as per the officer's report.

LA09/2020/0480/F Erection of 3 additional commercial units and associated car parking (Amended Plan) at existing yard at 3A Desertmartin Road, Tobermore for Asphalt Burner Services

Members considered previously circulated report on planning application LA09/2020/0480/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/0480/F be approved subject to conditions as per the officer's report.

LA09/2020/0521/F Residential Development of 30 Semi-Detached & 7 Detached Dwellings with associated access, Roads, Footway, Landscaping & Parking at Site Between Nos 6 & 8a Drumearn Road and to the rear of Nos 1, 1a & 1b Killycurragh Road Orritor Cookstown for Gallion Development (NI) Ltd

Members considered previously circulated report on planning application LA09/2020/0521/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0521/F be approved subject to conditions as per the officer's report.

LA09/2020/0739/F Site for 2 detached dwellings and garages at 25m W of 76 Gortgonis Road Coalisland for Mr Conor Tennyson

Members considered previously circulated report on planning application LA09/2020/0739/F which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor Colvin and

Resolved That planning application LA09/2020/0739/F be approved subject to conditions as per the officer's report.

LA09/2020/0759/F Housing development consisting of 8 dwellings with associated access, roads, landscaping and provision of temporary treatment plant (Amended Plan) at lands adjacent to 121 Ruskey Road, The Loup, for Mr McVey

Members considered previously circulated report on planning application LA09/2020/0759/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0759/F be approved subject to conditions as per the officer's report.

LA09/2020/1046/F Retention and relocation of partially constructed Farm Shed for Farm machinery storage, and animal shelter and amendments to approved under LA09/2017/0977/F at 40m NE of 28A Toomog, Galbally for Noel Mc Elduff

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2020/1098/F Retention of existing structure to outdoor drinks area at Regans Bar, 19 Hall Street, Maghera for Bernard Regan

Agreed that application be deferred for an office meeting earlier in meeting.

LA09/2020/1322/O Dwelling adjacent to 59 Drumaspil Road, Drumcrow Dungannon for Eamonn Donnelly

Agreed that application be deferred for an office meeting earlier in meeting.

LA09/2020/1497/F 20 x 30m 3G multi use games area (MUGA) at the Presbyterian Church with ancillary works including floodlighting infrastructure (no Lighting) and fencing; upgrading of the existing carpark, new footpath, link with raised kerb to the school and the MUGA and new railings and gates along Edendoit Road frontage at land adjacent to 1 Edendoit Road, Pomeroy, Dungannon for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2020/1497/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/1497/F be approved subject to conditions as per the officer's report.

Councillor Mallaghan declared an interest in the above application as he sits on the project board for Connecting Pomeroy.

LA09/2020/1570/O Site for dwelling and garage at 20m SW of 128 Lisaclare Road Lisaclare, Dungannon for Joe Quinn

The Head of Development Management said that members were probably aware that no speaking or deferral requests had been sought in relation to the above application and after looking into the background of the application he felt there may be some

personal circumstances which probably haven't been properly teased out yet so far. He advised members that he wouldn't be adverse to a deferring the application for an office meeting if members were in agreement.

Proposed by Councillor McFlynn
Seconded by Councillor Bell and

Resolved That planning application LA09/2020/1570/O be deferred for office meeting.

LA09/2020/1590/O Farm building to incorporate stables, farm office, central heating plant room, agricultural storage and farm machinery garage, creation of farm laneway & alterations to public road access at 50m SE of 21 Tandragee Road, Pomeroy for Mr Kyle Smyth

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2020/1643/F Walking trails within Pomeroy forest, on the site of the existing trails, and a sensory garden to the S of the vacant site of the previously abandoned new forestry building at 56 Pomeroy Road Tandragee Road, Pomeroy, for Mid Ulster District Council

Councillor Hughes declared an interest in the above application as a member of Connecting Pomeroy group.

Councillor Mallaghan declared an interest in the above application as a member of Connecting Pomeroy group.

Members considered previously circulated report on planning application LA09/2020/1643/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2020/1643/F be approved subject to conditions as per the officer's report.

LA09/2021/0095/O Infill dwelling and garage 35m NE of 8 Drumconready Road, Maghera, for Joe Heron

Members considered previously circulated report on planning application LA09/2021/0095/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/0095/O be approved subject to conditions as per the officer's report.

LA09/2021/0273/O Site for dwelling and garage at Land at Tullaghmore Road Roughan Road Cross Roads opposite and 30m S of 57 Tullaghmore Road Dungannon for Joanne Badger & Jamie Allen

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2021/0317/O Infill dwelling and garage between 23 and 27a Macknagh Lane, Upperlands, Maghera for Mr Paddy Mc Eldowney

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2021/0352/F Stable and store at lands approx. 55m W of 303 Battleford Road Dungannon for Mr Patrick McKenna

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2021/0443/O Dwelling & garage in gap site 30m W of 154 Battery Road Cookstown for Shauna Quinn

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2021/0645/A 4 signs 100mm x 200mm x100mm above ground level at Moneymore Road roundabout, Magherafelt for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2021/0645/A which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/0645/A be approved subject to conditions as per the officer's report.

LA09/2021/0646/A 4 signs 100mm x 200mm x100mm above ground level at Ballyronan Road roundabout, Magherafelt for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2021/0646/A which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/0646/A be approved subject to conditions as per the officer's report.

LA09/2021/0647/A 4 signs 100mm x 200mm x100mm above ground level at Aughrim Road, roundabout, Magherafelt for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2021/0647/A which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/0647/A be approved subject to conditions as per the officer's report.

LA09/2021/0678/O Dwelling at land adjacent to and SE of 39 Brookend Road Ardboe for Seamus McGuckin

Mr Marrion (SPO) presented a report on planning application LA09/2021/0678/O advising that it was recommended for refusal.

Proposed by Councillor Colvin
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0678/O be refused.

LA09/2021/0749/F Change of use from existing part forest and provision of car park (110m SW of 25 Brackagh Road, Iniscarn Road, Iniscarn, Desertmartin) and provision of play park within the existing forest (275m SW of 25 Brackagh Road, Iniscarn Road, Iniscarn, Desertmartin). Upgrade of existing forest trails and ancillary trail signage / waymarker posts - Iniscarn Forest, Iniscarn Road, Desertmartin for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2021/0749/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2021/0749/F be approved subject to conditions as per the officer's report.

LA09/2021/0831/F Application to vary condition 14 of LA09/2019/0665/F to facilitate early occupation of the completed new school building prior to the completion of all site works which will include in curtilage turning/drop off areas at Holy Trinity College 9-29 Chapel Street Cookstown for St Patrick's Educational Trust Limited

Members considered previously circulated report on planning application LA09/2021/0831/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/0831/F be approved subject to conditions as per the officer's report.

LA09/2021/0874/O Dwelling and garage 30m NE of 122 Creagh Road, Anahorish, Castledawson for Mr Malachy Gribbin

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2021/0910/O Dwelling in an infill site at land 200m SW of 211 Ardboe Road Moortown for Patrick Quinn

Agreed that application be deferred for an office meeting earlier in the meeting.

LA09/2019/0733/O Infill dwelling at 156m SW of 30 Mulnavoo Road, Draperstown for Cormac McCormick

Members considered previously circulated report on planning application LA09/2019/0733/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2019/0733/O be approved.

LA09/2019/0763/O Dwelling and garage for a Lough Neagh fisherman at 29m S of 6 Annaghmore Road, Cookstown for Sean Quinn

Mr Marrion (SPO) presented a report on planning application LA09/2019/0763/O advising that it was recommended for refusal.

The Chair advised that a request to speak in favour of the application and invited Mr Cassidy to address the committee.

Mr Cassidy advised that all his life, eel fishing has been Mr Quinn's livelihood, and indeed, the livelihood of his parents and grandparents before him. He has a full eel licence to fish the lough and a copy of this had been sent into Council. Mr Quinn rises at 4am every single morning to lift the fishing lines laid the day before.

Mr Cassidy stated that the Councils Local Development Plan 2030 was launched on 22nd February 2019, Part J of the policy for dwellings within the plan relates to a dwelling for the holder of a commercial fishing licence, which the applicant has, with the application being submitted in June 2019, 4 months after the plans release.

It was anticipated the plan would proceed fairly quickly and this application could have been approved but due to technical errors and objections it was still awaiting release. These errors and objections have clearly prejudiced Mr Quinn who under the draft plan was fully entitled to a house.

He said that he could see no reason why this application cannot be parked until the release when it will almost certainly gain approval and asked that members consider this avenue.

Councillor S McPeake sought clarification on whether the agent suggested parking this application until the outcome of the Local Development Plan and if this was the case then he would propose to do so as to refuse it now could result in negative connotations. He agreed with the agent that there could be more complications in terms of the timeframe and felt that it was a fair suggestion that it be kept alive until the outcome of the Local Development Plan was published and a sensible suggestion.

The Head of Development Management said that it would be practical for members to exercise some caution in relation to this application. He said that this could result in banking applications where there was a reliance on policy which was probably a considerable period away yet. He said that it seemed equally reasonable that this application could be resubmitted at such times when there was a policy finalised and in place which could be implemented immediately. He stated that he would be cautious about building a backlog of applications, held pending an outcome of the plan and was also aware of the delays relating to it. He advised members that this application had a fair wind since 2019 and had failed on other policy and no current policy in PPS21 and aren't really any other exceptions of CTY1 where this application can find a safe home. He asked members to be mindful of starting to bank up applications pending outcome of the plan, then this could result in a significant amount of cases.

Councillor S McPeake said that he was not so sure where this lay within the draft plan as this was a completely new policy proposal that was being discussed and felt that by looking back at our plan there were tweaks here and there and for him personally, he didn't see any big sways of new applications coming in which would probably merit holding back. He felt that this was a unique policy change that was being discussed and not tweaking around the edges of the margins as if this was the case then this could encourage lots of new applications coming forward.

Councillor Colvin said that whilst he could understand the arguments, he felt there wasn't the scope legally or under the Council's procedures to actually defer and in his opinion that was what the Planning Officer's was alluding to. In his experience of Building Control a decision had to be made and our plan was unlikely to be ratified by the Department for quite some time and these things have to be taken into consideration.

The Chair stated that he had sympathy for both sides of this but felt if the application was to be refused, it doesn't prevent the applicant from applying again when the policy exists to actually determine the application.

Proposed by Councillor McPeake

Seconded by Councillor Bell

To defer the application until the Local Development Plan was in place.

Councillor Colvin sought clarification on how long the application was going to be deferred for and also requested a legal opinion on whether it was appropriate to do it. He said that he would be supportive of deferring the application for one month until legal opinion was sought.

The Chair enquired if Councillor Colvin was against the notion of what was suggested, to defer this application indefinitely until such times that a policy exists to mark it against.

Councillor Colvin advised that he would have to vote against that suggestion.

Proposed by Councillor Colvin

To defer the application for one month until legal opinion was sought.

The Council Solicitor advised that if the Council deferrals were set out in the planning procedures to consider an application and for further information, further negotiation or a site visit and before deferring the application, advice from the Planning Manager should be sought. She said that a deferral may be the case for a short basis to require further information and not for an indefinite period.

The Chair following up on Councillor Colvin's point advised if the committee was moving in the direction of deferring this until such times the policy came into force to be able to examine it against and asked if this could not fit into the definition of the reasons for deferral.

The Council Solicitor advised that this would need to be investigated to see if there was a way to indefinitely defer it and a justification for that. She said that she would be more content to defer the application for one month to consider this.

Councillor Brown referred to Councillor Colvin's comments and said that he would be of the same opinion. He said that two years down the line no-one knows what's going to happen once it goes to the Department in Belfast and they may come back and say that there may be changes made. He advised if this application was put on hold and a housing application was received and refused, then then agents could come along saying '*but under the new policy this would allow this to be in*' and the next thing the Council would be creating a rod to break our own backs. He said that he would be happy to second Councillor Colvin's proposal and doesn't mind if it was a deferral for one month pending what the Council Solicitor has said as long it wasn't a long drawn out process.

Councillor McFlynn sought clarification on what would happen if the site was refused and if the applicant could reapply again for the same site down the line. She enquired if the applicant/agent would be prepared to withdraw it until such times the Local Development Plan was active and then reapply.

The Head of Development Management confirmed that the applicant/agent could reapply on the same site and advised that there had already been a previous refusal on this.

Mr Marrion confirmed that there was a previous refusal which was appealed to the Planning Appeals Commission.

The Head of Development Management advised that legislation does prevent repeat applications or subsequent within a certain time period, but nothing in theory to stop a future application. He stated that this could be withdrawn but this needed to be before members made a decision. He said that members needed to be aware that there could be a flood of applications being received once there was a message out in the public domain that the Council was prepared to bank these applications long term and this could raise some difficult procedural matters for officers to manage.

The Chair said he took on board both arguments and asked if Councillor S McPeake after hearing what he heard still wished to leave his proposal as it was or potentially defer the application for one month to allow this to be considered further and a potential agreement around that.

Councillor S McPeake confirmed that he would be happy to defer the application for one month for further clarification on legal issues.

Proposed by Councillor Colvin
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0763/O be deferred for one month until clarification is sought on legal issues.

LA09/2019/1183/F Retention of Building for Communal Site Canteen, Locker Room & First Aid Facilities, adjacent to 18 Cookstown Road, Dungannon for Barry O'Neill

Mr Marrion (SPO) presented a report on planning application LA09/2019/1183/F advising that it was recommended for refusal.

Councillor McKinney said that he was aware that the main sticking point was the access but to use it for a communal site canteen, locker room and first aid facilities was not going to make any additional access because no-one was going to go in there an extra 10 times in the day and only servicing people on the site. He said that he doesn't see the crucial point of access as anyone which was on the site was going to access the site anyway and no additional access for day to day running for communal site canteen, locker room and first aid facilities or whatever. He felt that it was a little harsh to indicate that the access was the main sticking point as development was there for food etc. and not going to add to the traffic flow in his opinion.

The Chair stated that from Councillor McKinney's comments he was saying that it wasn't going to intensify the use of the site in essence.

In response to a query, Mr Marrion (SPO) advised that officers had tried to explore with the agent whether or not there was intensification of the access. The agent was to provide surveys showing the amount of traffic using the access and making a case that this wasn't intensifying the use which they weren't able to do and nothing further submitted to Planning Department.

Mr Marrion (SPO) reminded members that there was enforcement on this site and if this application was to be approved, it would be approved with conditions which would limit the use of the site and may result in further enforcement action taken down the line.

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1183/F be refused.

LA09/2020/0841/F Site for a dwelling and domestic garage at approx. 45m W of 59 Lurgaboy Lane, Dungannon for Darren McKenna

Agreed that application be withdrawn from the schedule earlier in the meeting.

LA09/2020/0881/O Dwelling & garage at approx.140m NW of 57 Tullyodonnell Road, Rock for Mr Enda Mallon

Ms McCullagh (SPO) presented a report on planning application LA09/2020/0881/O advising that it was recommended for refusal.

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

Ms Gourley said she wished to raise a few points which were raised in the case officer's report. She stated what was critical tonight was that there was no weight given to the previous approval of the site under the old rural planning strategy and during the deferred office meeting Dr Boomer agreed that extent of approval was not implemented was a material consideration and given considerable weight. She said that she was disappointed that it had come back again and the report still doesn't mention that it was still a material factor and critically wise does acknowledge that it was within a different policy context, the same integration and rural character tests apply same as previous. The situation on the ground hasn't changed and to any degree to warrant a dismissal on those grounds as evident of page 4 of the case officer's report, the site was well back from the road, benefits from mature stand of trees which was clear to see on the location plan which would sit on the proposed house effectively screening it from view. The farm lane up to the site is surrounded by a mature hedgerow with intermittent trees and did acknowledge the ancillary work up to the site that the main laneway would have to be widened, but the critical hedgerow which provided the screening doesn't have to be removed or displaced as this can easily happen in the winter months and won't affect the growth of the hedgerow as it can be moved to the side a few metres.

In relation to the visual linkage and clustering, Ms Gourley advised that the policy allowed for an alternative site where there were justifiable reasons that a site at the main farm group wasn't available. She said that this was a small 50 acre holding, $\frac{3}{4}$ of which were contracted over to Moy Park for organic farming and thousands of chickens roam freely around 5 out of the 7 fields the applicant owns and for biodiversity security reasons it isn't an option to develop a family home in any of the 5 fields associated with Moy Park, which leaves 2 fields (fields 4 and 5 on map), with field 5 looking ideal given that a house could be developed in all size of a farm grip, but this was the applicant's most largest and valuable field for crop rotation. She said that cutting into this field would affect crop harvest and the applicant's single farm payment claim which was needed each year to sustain the farm business and keep it afloat. Field 5 is also open to the elements as it lacks mature boundaries for enclosure and rises steeply from the road in comparison to the selected site, in the corner of field 4 was well screened and had previously obtained approval and due to the mature trees within the site this corner of the field wasn't suitable for crop growing or eligible for inclusion for the single farm payment claim. She advised that an alternative site was selected within walking distance of the largest chicken house for surveillance and convenience purposes and said that a common sense approach was required in decision making and that policy wasn't to be slavishly followed as other factors alongside policy in reaching a formed decision.

In conclusion Ms Gourley advised that there was a need to have a site that worked for the applicant and to work for the farm business and not to disrupt the everyday running and management of the business enterprise.

The Head of Development Management advised that he was aware that there was an old historical permission on this site and assumed that it was for an old replacement dwelling.

Ms Gourley confirmed that full planning permission was approved for a replacement dwelling which belonged to the applicant's deceased brother. This was approved due to it being well integrated and no rural character issues.

The Head of Development Plan felt that there was no fall-back position here and said that the difficulty here now was that officers were just not looking at an integration test but how the applicant/agent link the side of the cluster. He said that this was a curious and referred to page 4 of the case officer's report which indicates although it has overflow it doesn't look to be far away, which may be a result of topography.

He referred to the agent's comment regarding walking distance but said ideally the policy was a bit more precise and appreciated what was said about how close it was and referred to what CTY10 said in terms of visual linkage and distance, particularly the statement *"it must be visually linked with those buildings with little appreciation of any physical separation that may exist between them"*

In response from Head of Development Plan's query, Ms Gourley advised that the distance was 70 metres. She advised that this was the distance from the site itself to the chicken house to the north of the farm grouping. She advised that this site was for the applicant's son which works alongside his father and owns the chicken house.

As the applicant's son operates and running of the chicken house this would be the main source of surveillance i.e. check chickens at night and other things which may arise at short notice and require immediate attention for successful running of the business and within walking distance.

Ms Gourley updated members on biodiversity and health and safety at the site due to chickens running freely in some of the fields and not appropriate to have alternative sites due to the close proximity of the young family.

Councillor Mallaghan said he would like to address a few things on this particular application and given what he heard from the agent and read within the report. He said that he was looking at this application from some experience as a Poultry farmer himself and there was a need to look at this site and in the event of the farmer wishing to expand the site as some of the time when things are progress well and a decision taken to erect another house. He referred to page 4 of the officer's report and enquired where the farmer was going to put up his next poultry house and by looking at this it was going to be right down in field 5 as there was a need to have the chickens to range out each side particularly in an organic set up like this.

He said that he wished to raise the other issue which wasn't quite policy related and more of a common sense issue. If the farmer was doing this the other way about and applying for a poultry house, he would have to ensure that the house was 150m away from another residential property, but in this case we were expecting this young family to build their new house right on the farm, right next to cattle houses and poultry houses. He said that with an operation like this there was going to be at least 4 to 5 articulated trucks using the lane every week. He said that although policy states to build as close to a cluster as possible, he felt in these circumstances exceptions could be made and where poultry was concerned, there was a need to bring on board other considerations due to the high risk relating to avian influenza and ILT which can be brought onto a farm by vehicles which was very hard to manage particular where there was a shared access.

Councillor Mallaghan felt that there was enough grounds in what he had heard to make the exceptions and would make the proposal to recommend an approval for this application.

Councillor Clarke said that by listening to the agent and viewing the overhead information, felt that the proposed site was the best site as the Tullyodonnell Road runs across the bottom as far as he could see, which seemed to be a laneway up to the farmyard and this road seemed to be the safest. He referred to the vegetation into the entrance of the site on the overhead map, but he could see no vegetation around the other proposed sites and these looked exposed, particularly field 5. He felt that the main part of the Tullyodonnell Road where the main entrance would be with the farm buildings being behind the proposed site and would be happy to second Councillor Mallaghan's proposal to approve the application.

The Chair felt that there were a lot of issues raised in particular to clustering and topography of the land and various other issues of the site and enquired if it would be of any value conducting a site meeting for members. He said that he was aware of a

proposal being made already but this was a suggestion which may help members to move this along and come to a positive outcome.

Councillor Brown said that it was his understanding that this was an outline application and from what he had heard from the agent and other Councillors was quite happy to agree with them. He felt that the site identified was the best site rather taking away prime ground to build a house. He said that there was a laneway with vegetation and felt there was no need for a site visit against this application and the proposal which was made by Councillor Mallaghan and seconded by Councillor Clarke was sufficient and the right approach. He said that in his opinion it meets the criteria and there were other applications brought forward in the past for farm dwellings with a considerably further distance away and as the agent indicated it was 70 metres from the site to the nearest building which was the main place of work.

He said that the site which was identified meets the requirements and would be happy to support Councillor Mallaghan's proposal to approve the application.

Councillor McFlynn said that by listening to what the agent and case officer the main issue here should be safety for a young family. She said that this was a small country road with Lorries coming and going and safety of the family must be taken into consideration. She referred to site outlined in red and felt that this was well curtailed and had a hedgerow all around it and in her opinion the site needs to be well enough away from the main area of the farm, but close enough so the young family can continue their business and would be happy enough to agree with other members to go ahead and approve the site.

The Head of Development Management said that it was perfectly reasonable for members to consider health and safety in relation to this particular type of operation in terms of poultry farming and wasn't the first time it has been heard. In terms of visual linkage and if this had been a flat landscape and was somewhat disadvantaged because of the topography and was interested to hear what was stated earlier about not being able to visually link the farm grouping from the approach on the laneway or even see it. He felt that members should take into consideration the lack of visual connection with the farm grouping when considering also.

He said that he would have a slight concern regarding the amended location plan on page 332 of the overall report. He said that this had pulled the site back towards the northern boundary and the clump of trees seemed to be drawn on and enquired from the agent if there was an intention to develop behind those and retain the frontage vegetation there as this would not leave a lot of room.

Ms Gourley agreed that this was the case and would be happy to keep the periphery trees and would be happy to go with the Head of Development Management suggestion that the house type being a bungalow.

The Head of Development Management referred to Councillor Mallaghan's comments regarding policy and stated that there were two clear exceptions to a site away from the farm; health & safety relating to biosecurity risk and verifiable plans to expand on the farm which was secured permissions for additional poultry contracts. He said that members could consider in relation to health & safety risks as presented and attach

some weight to the previous permission or by it a very different policy context and was up to members to decide.

Councillor Glasgow said that when he was reading the report the main issue for him was the biosecurity as Moy Park operate a 24 hour operation and not the case of lorries operating from 9am to 5pm and more the case of coming and going in the middle of the night and no-one wants that when raising a young family on a farm. As said by previous speakers, a common sense approach needed to avail on this one and would have no issue supporting the proposal made for approval and the right avenue to go down as biosecurity weighs up why this exception must be made for this application.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0881/O be approved with appropriate conditions.

LA09/2020/0899/O Site for a dwelling & domestic garage at approx. 15m N of 69 Anneeter Road, Coagh, Cookstown for Mr Charles Mallon

Members considered previously circulated report on planning application LA09/2020/0899/O which had a recommendation for approval.

Proposed by Councillor Bell
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2020/0899/O be approved subject to conditions as per the officer's report.

LA09/2020/1027/F Infill site for 2 dwellings and garages between 11B and 11E Hillside Road, Upperlands for Mr Danny Mc Master

Agreed that application be withdrawn from the schedule earlier in the meeting.

LA09/2020/1093/F Agricultural general purpose storage shed adjacent to 68 Lurgylea Road, Dungannon, for James Gerard McElroy

Members considered previously circulated report on planning application LA09/2020/1093/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/1093/F be approved subject to conditions as per the officer's report.

LA09/2020/1119/O Domestic dwelling and garage in a cluster at 10m W of 44 Ballyscullion Road, Bellaghy, for Mr Brian Milne

Ms McCullagh (SPO) presented a report on planning application LA09/2020/1119/O advising that it was recommended for refusal.

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

Mr Cassidy advised that the existing cluster of development spans both sides of the road and extends from number 47 Ballyscullion Road to number 54 Ballyscullion Road. It comprises 12 houses and a number of outbuildings. The Council consider there to be a cluster of development here, as can be seen from the block plan it is bounded by two sides by other houses, site rounds of development at this location, with the sticking point appearing to be a focal point.

A focal point is considered as giving a place a 'sense of identity' and somewhere that is well known to the local community with a sense of presence, and so keeping within the spirit of the policy and he would consider there to be a number of focal points here.

Firstly the cottages that surround the site, these buildings were formally cottages which the workers from Ballyscullion house would have lived. The cottages are on the edge of the estate and are known locally as Ballyscullion Cottages. The listed boundary wall and listed gardens run adjacent to these cottages.

Secondly the cluster is a short distance from the main Bellaghy GAA grounds and what is known as the third pitch.

Thirdly to the north of our site at number 54a and within the cluster is a joinery business. This is a long established business having been here for over 40 years. The business pays business rates on the property and confirmation of this information has been given to Council today.

Mr Cassidy felt that the proposal meets the requirements of Policy 2a and can be said to comply with the overall thrust of the policy which is to round off and consolidate an existing cluster of development without changing the overall character of an area.

Mr Cassidy said that this being the case he would ask members to reconsider the decision.

The Head of Development Management said that by looking at this the main reason for refusal was the focal point and this was confirmed by the case officer.

In response to the Head of Development Management query, Mr Cassidy advised that the cottages were linked up to Ballyscullion House and this was where the workers would have lived at and known locally as Ballyscullion Cottages as previously stated meets 5 out of the 6 criteria and the bit which was left was the sticking point. He said that it was well documented that Planning Appeals were actually of the opinion that policy meets 5 out of the 6 criteria, the focal point isn't the sticking point and in the round if there was no focal point and beats everything else then they were happy to accept it.

The Head of Development Management said that he accepted this and indeed the committee had made a number of decisions which weren't met and as long as the policy was met in the spirit of the policy.

He said that the other issue was the use of the pitches and seemed fairly well removed here and was aware of the club house not being included as it was within the settlement. He said that it was awkwardly placed between three focal points where were relatively weak and would strongly suggest if members were in agreement to conduct a site visit to see what the reality was here, whether it was a cluster and what identity the joinery works have as it was only raised today and no chance to fully consider this.

Councillor Colvin said that he wasn't entirely clear and was listening to the arguments from the agent and agreed with the Head of Development Management that there was a need to have a look at this to see exactly what it was.

Proposed by Councillor Colvin

To hold a site visit before a decision was made on this application.

The Chair said that this may be a very wise move especially as the information only was received today.

Councillor Bell said that he would tend to disagree with the view that Wolfe Tones GAC ground which was approximately 150 - 200 yards down the road wasn't a focal point and a perfect example in his view of a focal point. He said that this was a community hub and the heartbeat of Bellaghy and you couldn't get any better of a focal point than the pitch and did acknowledge that it wasn't right beside the site but had seen other ones which the focal point was further away from the site which was approved. He said that he was very disappointed that the pitch was being considered as a focal point. He said that within the policy and had alluded to it a number of times, that it wasn't written in stone that a focal point was 200 metres, 300 metres, 400 metres away and sought clarity on that.

The Chair said that he took into consideration what Councillor Bell was saying about the distance and his understanding was that the focal point had to be within the cluster in which it was considered but asked the Head of Development Management to provide more clarity.

The Head of Development Management said just to clarify that he wasn't dismissing the pitch as a focal point and agreed it would be, but the circumstances here were different and read out to members a statement from the policy CTY2a – *“the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings”* and although it meets all these tests but the key one is that the cluster is associated with the focal point. He said that he was aware that Ballyscullion Road turns away from Bellaghy and quite highly vegetated on the roadside and feels significantly removed when travelling along the shoreline and he would struggle to have association with the pitch at that point but did acknowledge that it was a cluster in its own right, but just significantly weak on the focal point in his view.

Councillor McKinney said that he would be happy to second Councillor Colvin's proposal to conduct a site visit as he knows the road well and felt that the pitch was a bit far away.

The Chair said that it seemed a sensible way forward and asked members if they would be prepared to defer the application for one month for a site visit.

Councillor S McPeake said that by looking at one of the ordnance survey maps it seemed clear that it was rounding off perfectly for a cluster. He said that he also knew the road well as his mother was reared there and the cluster of houses was always recognised at that location and only made sense as these were homes for workers on the nearby estates. He said that this was a cluster in its own right and would be very supportive of it as it was only a few lengths away from the pitch and deserved merit.

The Chair said that the argument was strong amongst members and to hold a site meeting would be beneficial to explore in more detail and have an appreciation of that.

Proposed by Councillor Colvin
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/1119/O be deferred for one month for site meeting.

**LA09/2020/1217/F 2 dwellings with domestic garage (amended scheme)
immediately adjacent to 12 Station Road, Moneymore for
Cherrybrook Developments Ltd**

Members considered previously circulated report on planning application LA09/2020/1217/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/1217/F be approved subject to conditions as per the officer's report.

**LA09/2020/1225/O Infill dwelling at land adjacent to 214 Hillhead,
Castledawson for Jim McPherson**

Ms McCullagh (SPO) presented a report on planning application LA09/2020/1225/O advising that it was recommended for refusal.

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

Mr Kearney said that the main principle of this was does this site change the rural character of the area and would challenge any of the members which drive along the site and coming out of the Moyola Forest after a mile that the string of buildings including the new buildings started and now the near building to the side of the site which has been replaced does not create a very strong infill. He said that the site

wasn't potentially at risk and lies within a designated flood plain by NI Water and identify that would flood within the 100 year flood risk, so the sites as a result of the area long just this section of road up to the single house with the grip on the farm all lay within the floodplain with result that all the sites have been turned on their sides. Sites normally in the area would approximately 60m deep x 30m wide and this was now changed to 30m deep x 60m wide and advised that this was a very unique site and believes that the Council should consider its uniqueness. He said that a quick study was carried out on the size of the site for the potential joined site for a dwelling and it was established that a dwelling and a site within 0.6 acre site by any recommendation was not a large site and the remaining disputed land which was of Council concern left 0.18 acres which would not be suitable for a dwelling in the area because of the floodplain and also because of the slope of the land it would be situated on.

He asked a common sense approach be followed within the Mid Ulster area for a unique site that had very unique characteristics including very rare sites which lay adjacent to flood plains and are of this characteristic.

Councillor Colvin left the meeting at 8.24 pm and returned at 8.25 pm.

Councillor McKinney left the meeting at 8.24 pm and returned at 8.26 pm.

Councillor Bell left the meeting at 8.24 pm and returned at 8.27 pm.

The Head of Development Management said when making decisions on sites there was a need to take into consideration plot sizes and taking a fair assessment of what the average plot size would be and the sizes vary very significantly here. Clearly one of the impediments would be the flood risks as it does squeeze the sites towards the road which wasn't debateable and more of a fact. He questioned the house designs and whether it was feasible to have garages to the side and other house designs could have been designed which could elevate the problem. He said that he was aware of Mr Kennedy's site and the agent had touched on it here and felt that this should merit a site visit. He asked members to be thoughtful of the fact if this application was allowed the other (highlighted in orange) could realistically and feasibly be applied for two dwellings and may be extremely difficult to resist as this would revert back to plot sizes again.

Councillor S McPeake said that he knew the site very well as he lives just 200-300 yards up the road from it and travels on the road every day. He agreed that it was very unique as the river comes out right behind the sites and was aware of Mr Kennedy's being laboriously designed to work within the constraints of the river which came right up to his back door which was also the case for the sites adjacent to it. He concurred with the agent regarding the design of the dwellings being on their side as there was no depth from the roadway to the Moyola River.

He said that he would be very supportive of this application as it wouldn't change the characteristics of that strength of roadway as it was already built up and another one or two dwellings at that location wouldn't change it any way materially.

Councillor Brown concurred with what Councillor S McPeake comments and said that there could be an opportunity to get two dwellings fitted into that space and felt it wouldn't be totally out of character and said that he would be happy to second Councillor S McPeake's proposal for approval if he made one or if there was a need for a site visit he would be happy to second that also.

The Chair sought clarification on what the proposal was regarding this application.

Proposed by Councillor S McPeake
Councillor by Councillor Brown

To approve the application given the uniqueness of the site.

The Head of Development Management asked members to be careful as there could be a difficulty in making a decision for further development of the other site (highlighted in orange) which wasn't yet before the committee for consideration.

Councillor Colvin said that he would also have concerns regarding these very long gap sites as it could be envisaged to be taken to the extreme of half mile long where people put houses in them. He said that members had gone out on a site visit very recently were looking at one which was very long and was really stretching the definition of a gap in his view and whilst he didn't know this area he would defer it to the knowledge to the people like Councillor S McPeake who does live there. He said that he would be concerned about the limits of gap sites and agreed with the Planning Officer that members had to be mindful of that forward.

The Chair said that he didn't have an issue in principle but felt that seeing it on site in terms of understanding all the facts around it, but advised that a proposal was on the table which was being seconded and sought members thoughts on how they wished to progress this application.

Councillor Colvin said that he wished to abstain from this as he preferred to leave it open in future to challenge sites where they were too long and didn't want to be bound by precedent.

The Council Solicitor said that it would be important for members tonight to be mindful in regards to the option to defer back for a site inspection if there was the opinion that perhaps this could lead to other considerations in the future for similar planning applications. She asked that careful consideration be given as this may set a precedent going forward.

The Chair advised if the application was to be approved tonight there was no going back for a deferral as the decision had been taken.

Councillor Colvin said that after listening to legal advice, he felt that it would be important to go and look at the site before a decision was made to satisfy ourselves. He said that although the committee likes to help people out in any way we can there was still an onus on us to take into consideration similar situations which could occur and bind ourselves.

Proposed by Councillor Colvin
Seconded by Councillor McFlynn

To conduct a site visit.

Councillor Bell said that he would be supportive of Councillor S McPeake and Councillor Brown's proposal to approve the application.

The Chair put Councillor S McPeake's proposal to approve the application to the vote:

For	7
Against	8

The Chair put Councillor Colvin's proposal for a site visit to the vote:

For	15
Against	0

Councillor Colvin's proposal was carried.

Resolved That planning application LA09/2020/1225/O be deferred for a site visit.

**LA09/2020/1317/O Site for dwelling and garage at lands between 17-19a
Drumrot Road, Moneymore for Miss Z McClintock**

Ms McCullagh (SPO) presented a report on planning application LA09/2020/1317/O advising that it was recommended for refusal.

Proposed by Councillor Colvin
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/1317/O be refused.

**LA09/2020/1394/O Dwelling on a farm between 112 & 118 Ardboe Road,
Moortown, Cookstown for Ruairi Donnelly and Aimee Oneill**

Members considered previously circulated report on planning application LA09/2020/1394/O which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/1394/O be approved subject to conditions as per the officer's report.

**LA09/2021/0103/F Dwelling under I/2006/0905/RM, 20m W of 24 Annahavil
Road, Dungannon for Miss Lyn Somerville**

Members considered previously circulated report on planning application LA09/2021/0103/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0103F be approved subject to conditions as per the officer's report.

LA09/2021/0331/O Site for dwelling at approx. 30m SE of 43 Ardagh Road, Coagh, for Mr Pat Mc Guckin

Members considered previously circulated report on planning application LA09/2021/0331/O which had a recommendation for approval.

Councillor Bell declared an interest LA09/2021/0331/O.

Proposed by Councillor Clarke
Seconded by Councillor D McPeake

Resolved That planning application LA09/2021/0331/O be approved subject to conditions as per the officer's report.

LA09/2021/0333/O Site for dwelling at approx. 20m NW of 90 Ballinderry Bridge Road, Coagh for Mr Pat Mc Guckin

Councillor Bell declared an interest LA09/2021/0333/O.

Members considered previously circulated report on planning application LA09/2021/0333/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/0333/O be approved subject to conditions as per the officer's report.

LA09/2021/0495/O Infill dwelling at site NW of 7a Killycurragh Road Orritor, Cookstown (with access via Craigs Road) for Mr Maurice Freeburn

Ms McCullagh (SPO) presented a report on planning application LA09/2021/0495/O advising that it was recommended for refusal.

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

Mr Nelson referred to the overview of proposal and stated that this was an outline application for a new infill dwelling under Planning Policy Statement 21, Policy CTY 8.

He referred to the reasons for refusal:

- (a) The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
- (b) The proposal is contrary to Policy CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the proposed dwelling is not located within an existing cluster of development; it does not appear as a visual entity in the local landscape; the cluster is not associated with a focal point or located at a cross-roads; it is not bounded on at least two sides with other development; and it cannot be absorbed into an existing cluster through rounding off.
- (c) The proposal is contrary to Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not constitute a gap site within a substantial and continuously built up frontage.
- (d) The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it would result in a detrimental change to the rural character of the countryside, in that the dwelling would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings.
- (e) The proposal is contrary to Policy CTY 15 of Planning Policy Statement 21 Sustainable Development in the Countryside in that the development if permitted would mar the distinction between the designated settlement limits and the surrounding countryside.

Mr Nelson outlined his response to the above reasons for refusal:

(1) Development is not bounded on at least two sides with other development

The Professional Planning Report states that during the case officer's site inspection, development of adjacent approved sites had not yet commenced and they did not note any construction started. These are noted as buildings 2, 3 & 4 on the Site Location Plan (Appendix A). This application was relying on buildings 1, 2 & 3 as a minimum to form a line of at least 3 buildings to satisfy the criteria for an infill dwelling. However, building 1 was only present during the case officer's site visit as development had not started on the remainder of the recently planning approved buildings. While the Professional Planning Report was correct at the time of writing, development has now in fact started on site for buildings 2 & 3 (refer to Appendix A) during the latter weeks of May 2021, which are progressing well on-site and have reached roof level (refer to Appendix B for photo). This application was using these buildings to satisfy the requirements for an infill dwelling, and now that development has now started, a line of at least 3 'buildings' now exist.

(2) Existing structure (building 1) to North is not considered a building

The Professional Planning Report states that 'Immediately north of the application site is a small square metal structure which appears to be used for storage. This structure does not appear to have the benefit of planning permission however imagery does appear to indicate it has existed in place for more than five years. Given the nature, small scale and finish of this structure, I am not satisfied this would constitute a building which could be used to bookend a gap site'. This is noted as building 1 on the Site Location Plan (Appendix A) / (refer to Appendix B for photo). In regard to infill

dwellings, Policy CTY 8 permits the development of a small gap site within a substantial built-up frontage and defines a substantial built-up frontage as ‘a line of 3 or more buildings along a road frontage’. It does not elaborate on what size or type a building should be. Indeed, the interpretation of a building under Statutory Rule of NI 2015 No 70 - The Planning (General Permitted Development) Order (NI) 2015 is as follows: a ‘building’ does not include plant or machinery or a structure or erection of the nature of plant or machinery and for the purposes of the Schedule does not include any gate, fence, wall or other means of enclosure but includes any structure or erection and any part of a building as so defined’ (refer to Appendix C). It is therefore apparent that under planning legislation, this structure is a building, and if considered so, all reasons for refusal can surely be overcome.

(3) Planning history of similar infill sites outside the settlement limits of Orritor

This outline application has a lot in common with the below applications, which have all recently been approved just outside the development limits of Orritor as ‘rounding off’ of development. Building 4 (LA09/2019/1245/O) was initially recommended for refusal as an infill dwelling as it was using buildings within the development limits of Orritor. However, it was ultimately approved as a ‘rounding off’ of development. Buildings 2 & 3 (LA09/2020/0824/O) located to the west of building 4 were considered as an exception to policy and also approved as a ‘rounding off’ of development based on the previously mentioned application, even though development of the previously mentioned application had not commenced. I therefore feel that this outline application has a lot in common with the above applications and sets a strong precedent for also considering the proposal as ‘rounding off’ of development. I also believe that a suitably located and dimensioned dwelling, while not meeting the strict letter of the clustering policy, would respect the general thrust of and spirit of the clustering policy given the number of houses around it, its enclosure by built development and location within the village of Orritor.

Councillor Clarke left the meeting at 8.47 pm and returned at 8.50 pm.

The Chair thanked for Mr Nelson for his presentation and asked for any members comments.

Councillor Glasgow said that he knew the site quite well and for anyone growing up in Orritor they would have been aware of this building for years upon years. He said at the end of the day this all comes down to this new guidance we were looking at the minute and how it was going to determine what direction was to be taken in the future. He felt it was a case of whether we disregard the true purpose for what these buildings were truly used for and had served a purpose within that field whether that be providing shelter for any form of animal and there was a need to be realistic as we were a rural Council and these type of buildings were well seen and used throughout the countryside of Mid Ulster. He said that he had seen smaller situations when you look at the structure of the buildings which were previously approved where it was merely 4 posts hammered into the ground and a piece of tin erected around the sides and roof to provide shelter for young calves or sheep and shouldn’t be writing this off as just a building as it was a building in its own merit as it continues to serve its purpose. He said that the agent had alluded that another house was going to tip the balance, which Councillor Glasgow disagreed with as Orritor was well beyond that and

was going to integrate quite well into Craigs Road and had the advantage of being tucked back and not visible in his opinion as it was a road that benefited greatly from great vegetation from the Killycurragh side coming back onto the Craigs Road.

He said that was why he declared an interest in the above application as he knows the road well and felt that this building shouldn't be written off as it continues to serve a purpose as a building.

The Head of Development Management referred to the Planning Advice Note (PAN) and said that this plan was submitted before that as a matter of fact and even with the relevant information and the PAN it would still leave the application extremely vulnerable and contrary to policy. He said even if building one was accepted as a lawful building, enquired from the agent where the line of three buildings were along the road frontage for the infill and felt that some of the houses doesn't have frontage onto Craigs Road and was struggling to understand that.

Mr Nelson advised that CTY8 Policy – 5.34 states *“Many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help maintain rural character. The infilling of these gaps will therefore not be permitted except where it comprises the development of a small gap within an otherwise substantial and continuously built up frontage. In considering in what circumstances two dwellings might be approved in such cases it will not be sufficient to simply show how two houses could be accommodated. Applicants must take full account of the existing pattern of development and can produce a design solution to integrate the new buildings”* and his interpretation of that was that there was a visual link between three buildings and ultimately all facing onto the Craigs Road frontage.

The Head of Development Management said that the visual linkage would still need to relate to a particular frontage and his view that this linked onto the road to the south not Craigs Road. He advised that building one had no planning permission and did not give weight to this and asked members to be mindful of that when assessing infill here.

Councillor Cuthbertson said if the applicant had gone down the road looking for a CLUD would have this had any more bearing on this application before being submitted to planning.

The Head of Development Management said that the CLUD was a way of identifying a lawfulness of a building and still wasn't convinced if this was accepted that as it was unknown how static it was by way of foundations. He felt this building was done to bookend a line of development for the purpose of infill and in his opinion it was doing very little and could be the case of extending and affecting the settlement of Orritor on a northerly way now. He reminded members that the 2 houses (on dotted lines) were approved as an exception to policy and not as an infill as the settlement ran down where the junction was and approved as an acceptance of rounding off.

Councillor Brown stated that he didn't know the area and asked if there was any merit in arranging a site meeting to see where it fitted in with policy amongst other things that the agent highlighted.

The Head of Development Management advised that it would be beneficial to see this type of application on the ground and had no issue with arranging a site meeting if members were in agreement.

Proposed by Councillor Brown
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/0495/O be deferred for a site meeting.

P134/21 Response to DAERA on Draft Cycle River Basin Management Plan

Mr McKeown (SPO) presented previously circulated report to inform members that the Department for Agriculture, Environment and Rural Affairs have invited comments on their draft 3rd Cycle River Basin Management Plan (RBMP). This report and attached letter sets out the Council's considered response to same.

Councillor Colvin left the meeting at 8.58 pm and returned at 9 pm.

Councillor Robinson left the meeting at 8.58 pm and returned at 9.01 pm.

Councillor McFlynn left the meeting at 9 pm and returned at 9.03 pm.

Proposed by Councillor S McPeake
Seconded by Councillor Clarke and

Resolved To agree the contents of the report and the attached letter which will be issued to DAERA in response to their consultation on the draft 3rd Cycle River Basin Management Plan.

P135/21 Correspondence from Dalradian Gold

The Head of Development Management presented previously circulated report in relation to Dalradian Gold writing to Council to dispute some of the comments made by members at the Committee and to invite the Planning Committee and members to visit their site operations.

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson and

Resolved That it be agreed that

- 1) The Planning Manager accepts the invitation from Dalradian Gold on behalf of Officers.
- 2) That it be appropriate for any members to attend if they so wish.

Councillor Cuthbertson left the meeting at 9.04 pm.

**P136/21 DfC, HED Public Consultation on Conservation Principles
Guidance for the Sustainable Management of the Historic
Environment in Northern Ireland**

Mr McKeown (SPO) presented previously circulated report for members to consider Mid Ulster District Council's written representation to public consultation paper by Department for Communities, Historic Environment Division Conservation Principles Guidance for the Sustainable Management of the Historic Environment in Northern Ireland. The paper sets out their proposal for a Conservation framework for the sustainable management of the historic environment in Northern Ireland.

The purpose of this public consultation is to seek the views of all interested parties on the Department's proposal. The consultation runs for eight weeks ending at 5 pm on 8th October 2021. DfC, HED to give due consideration to all responses and a synopsis of response will be published as soon as practicable following the consultation period.

Councillor Colvin declared interest in the above application due to being a member of Historic Monuments Council.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved To agree to the Written Representation (Annex A within report) and submit it as a Council's written representation to Public Consultation Paper Conservation Principles: Guidance for the sustainable management of the historic environment in Northern Ireland.

Key points to be:

- Lack of Governance, Accountability and Delivery Mechanisms
- No Government Body akin to Historic Scotland, Historic England and CaDU (Mandatory requirement to Identify, Manage, Monitor and Secure NI Heritage Assets)
- No Historic Environment NI Act and associated Regulations (Statutory Requirements)
- No Historic Environment NI Strategy (Enforcement Framework)
- No Historic Environment NI Communication Strategy (NI Heritage Networks)
- No Historic Environment NI Education and Training Strategy (Professional Accreditation/CPD)
- No Historic Environment NI Annual Report (Condition of NI Historic Environment)
- Insufficient or No Historic Environment NI Grants and Loans (Financial Investment)
- Lack linkages with draft PfG Outcome Based Priorities such as Public Health and Wellbeing; Heritage and Climate Crisis; Heritage and Economy
- Withdraw PPS23
- Proposed Pilot Programme HED Accredited Conservation Officers

Matters for Information

P137/21 Minutes of Planning Committee held on 7 September 2021

Members noted minutes of Planning Committee held on 7 September 2021.

P138/21 Receive Letter from Ulster Farmer's Union

Members noted correspondence received from Ulster Farmer's Union expressing concerns on the Planning Advice Note (PAN) Implementation of Strategic Planning Policy on the Development in the Countryside (Appendix 1).

Live broadcast ended at 9.08 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Brown
Seconded by Councillor S McPeake 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 P139/21 to P142/21.

Matters for Information

P139/21	Confidential Minutes of Special Planning Committee held on 7 September 2021
P140/21	Confidential Minutes of Planning Committee held on 7 September 2021
P141/21	Enforcement Cases Opened
P142/21	Enforcement Cases Closed

P143/21 Duration of Meeting

The meeting was called for 7 pm and concluded at 9.10 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the meeting of Mid Ulster District Council's Planning Committee in the Chamber, Magherafelt and virtually.

I specifically welcome the public watching us through the Live Broadcast feed. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I will let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening please raise your hand in the normal way and keep raised until advised to lower
- For members attending remotely, note that by voting on any application, you are confirming that you were in attendance for the duration of, and that you heard and saw all relevant information in connection with the application you vote on
- When invited to speak please introduce yourself by name to the meeting. When finished please put your audio to mute
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- An Addendum was emailed to all Committee Members at 5pm today. There is also a hard copy on each desk in the Chamber. Can all members attending remotely please confirm that they received the Addendum and that have had sufficient time to review it?
- If referring to a specific report please reference the report, page or slide being referred to so everyone has a clear understanding
- For members of the public that are exercising a right to speak by remote means, please ensure that you are able to hear and be heard by councillors, officers and any others requesting speaking rights on the particular application. If this isn't the case you must advise the Chair immediately. Please note that once your application has been decided, you will be removed from the meeting. If you wish to view the rest of the meeting, please join the live link.

- Can I remind the public and press that taking photographs of proceedings or the use of any other means to enable persons not present to see or hear any proceedings (whether now or later), or making a contemporaneous oral report of any of the proceedings are all prohibited acts.

Thank you and we will now move to the first item on the agenda.



ADDENDUM TO PLANNING COMMITTEE AGENDA

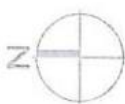
FOR PLANNING COMMITTEE MEETING ON: 5 October 2021

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

Chairs Business

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.1	Incorrect plan 01a was uploaded to report. See attached correct plan 01b which was used for the re-assessment.	Members to note.
5.3	Agent submitted late request to speak. Used before	Members to note.
5.4	Application withdrawn	
5.7	Application withdrawn	

Site Location Plan



Scale = 1:1250

OS Map Reference =
077-05 SE & SW
077-05 NE & NW

Site Area = 2461 m² / 0.246ha

Rev	Amendment	By	Date
A	DFI Roads amendments	OJQ	
B	DFI Roads amendments		PH 03.10.2019
C			
D			



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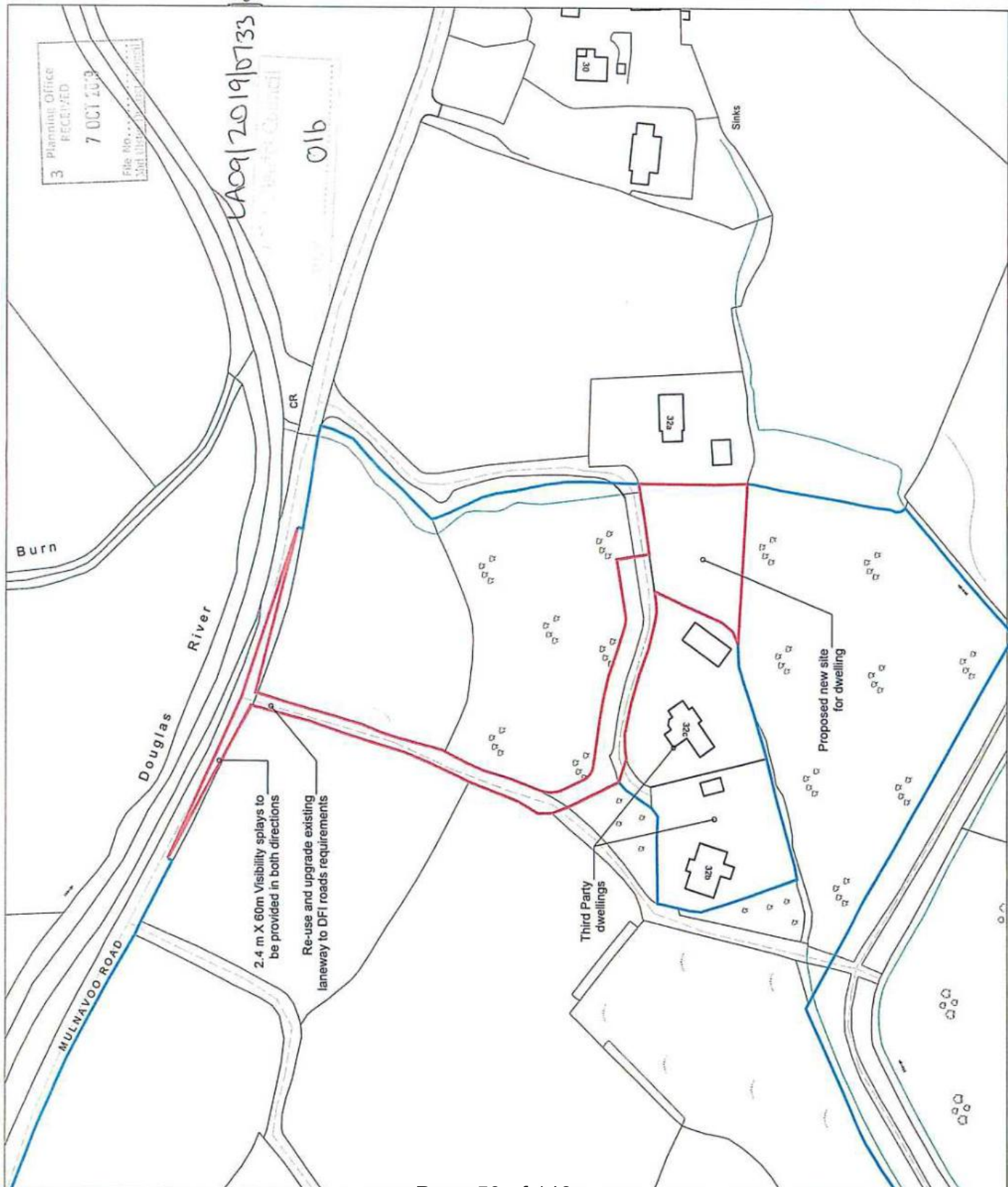
PROJECT TITLE

Outline planning application for infill
Dwelling 156 Metres South West of No.
30 Mulnavoo Road, Draperstown, Co. Derry

DRAWING TITLE

Planning Drawings
Site Location Map

PROJECT No.	DRG. No.	REVISION
791-18	PD-01	B
SCALE	DATE	DRAWN BY
1:1250 (A3)	23.08.19	OJQ
CLIENT	CHECKED BY	
C McCormick		
<input type="checkbox"/> Preliminary	<input checked="" type="checkbox"/> For Approval	<input type="checkbox"/> As Built
<input type="checkbox"/> Information Only	<input type="checkbox"/> For Construction	<input type="checkbox"/> OJQ architecture



Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 7 October 2021 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor McKinney, Chair

Councillors Ashton, Buchanan, Cuddy, Doris*, Elattar*, Forde, Gildernew*, Kearney, S McAleer*, S McGuigan, McLean, S McPeake, Molloy*, Quinn*

Officers in Attendance

Mr McCreesh, Chief Executive
Mrs Campbell**, Strategic Director of Environment
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance
Mrs Dyson**, Head of HR
Mr Hill**, Head of Parks
Mr Kelso, Director of Public Health & Infrastructure
Ms Linney**, Assistant Director of Development
Ms Mezza**, Head of Marketing and Communications
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance
Mr O'Hagan, Head of ICT
Mr Tohill, Strategic Director of Corporate Service and Finance
Miss Thompson, Democratic Services Officer

Others in Attendance

Councillor McFlynn*** (7.09 pm)

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

The Chair, Councillor McKinney welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor McKinney in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

PR176/21 Apologies

Councillor Totten.

PR177/21 Declarations of Interest

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

Councillor Buchanan declared an interest in agenda item 4 – Community Development – Connecting Pomeroy as he sits on the Connecting Pomeroy Committee.

PR178/21 Chair's Business

The Chair, Councillor McKinney advised there was an item of Chair's Business which would be taken in confidential business.

Matters for Decision

PR179/21 Community Development – Connecting Pomeroy

The Assistant Director of Development presented previously circulated report which sought approval to accept additional funding from the Rural Development Programme to extend the previously approved project at the court yard parking and amenity area at Pomeroy Forest.

Proposed by Councillor McLean
Seconded by Councillor S McGuigan and

- Resolved** That it be recommended to Council –
- (I) To accept funding from the Rural Development Programme (£60,750), with match contribution (£20,250), and proceed with the court yard parking and amenity area at Pomeroy Forest.
 - (II) To approve awarding delegated powers to the Policy and Resources Committee to approve the award of IST contractor at November 2021 Committee.

PR180/21 DAERA: Environmental Challenge Fund 2021/22

The Head of Parks presented previously circulated report which advised of successful application to the Department of Agriculture, Environment and Rural Affairs: Environment Challenge Competition 2020/21 for the redevelopment of Ballyronan Wood and sought approval to secure match funding for the redevelopment of the Wood project.

Councillor Kearney stated that this is a very worthwhile project and that the possible future link with Traad Point will also be something to look forward to. The Councillor stated that he had visited Ballyronan a number of times during the summer and that he felt the facilities there are probably the most up to date in any Council area. Councillor Kearney proposed the recommendation.

Councillor Forde seconded Councillor Kearney's proposal and stated that she had also visited Ballyronan a number of times recently and that it is a great facility.

- Resolved** That it be recommended to Council to allocate match funding of £47,454 to the Ballyronan Wood redevelopment from Council's Capital Programme budget allocations as part of the Council's Outdoor Recreation Five Year Strategic Plan.

PR181/21 Iniscarn Forest, DAERA - TRPSI Application

The Head of Parks presented previously circulated report which provided update on the application to DAERA for Tackling Rural Poverty and Social Isolation (TRPSI) funding to assist with the development of Iniscarn Forest and sought approval for match funding allocation from Council's Outdoor Recreation capital budget.

Councillor S McPeake proposed the recommendation and stated that Iniscarn Forest had always been popular but that during the pandemic the popularity of the facility was causing issues with car parking and had outgrown any previous investment.

Councillor Cuddy stated it was good to see several projects coming forward tonight to which there is significant capital funding going into and that this is being triggered by over 50% of external funding. The Councillor thanked the teams for their work in this regard and stated that rate payers' monies were being maximised. Councillor Cuddy seconded Councillor S McPeake's proposal.

The Chair, Councillor McKinney stated this is a good project and that local residents will be glad to see a car park at this location coming to fruition.

Resolved That it be recommended to Council to allocate match funding of £68,750 for the development of Iniscarn Forest subject to an agreed Letter of Offer from DEARA as part of the TRPSI funding allocation.

Councillor McFlynn joined the meeting at 7.09 pm.

PR182/21 Requests to Illuminate Council Property

The Assistant Director of Organisation Development, Strategy and Performance presented previously circulated report which considered requests received to illuminate/light up the Council's three designated properties to raise awareness of and mark;

- World Diabetes Day: Sunday 14th November 2021
- World Pancreatic Cancer Awareness Day: Thursday 18th November 2021
- NSPCC Walk for Children Day: Tuesday 21st December 2021

The officer advised that since the report had been published a further request had been received from North West Migrants Forum to illuminate Council's designated properties to mark Black History Month on 30 and 31 October 2021.

Councillor Cuddy proposed that Council's designated properties be illuminated as per the report and additional request as detailed tonight. The Councillor referred to the lighting of Ranfurly House in Dungannon which is illuminated by only two lights and stated that he felt additional lighting at this location would be beneficial.

Councillor Ashton seconded Councillor Cuddy's proposal with the addition of including the NIO proposal to illuminate properties on 22 October 2021 as part of the Northern Ireland Centenary Programme detailed within the report.

The Chair, Councillor McKinney stated that officers would come back with costing for additional lighting at Ranfurly House.

Councillor Molloy proposed the three requests detailed on the report and the additional request outlined by the officer tonight in relation to Black History Month. Councillor Molloy stated that he felt Council had previously taken a decision in relation to lighting up Council properties to mark the Centenary of Northern Ireland.

Councillor Quinn stated he supported the three requests listed in the report along with the additional request to mark Black History Month.

The Assistant Director of Organisation Development, Strategy and Performance advised that the report included correspondence from NIO which gives notification of plans to light up buildings across the UK on 22nd October as part of the Northern Ireland Centenary Programme.

Councillor Cuddy proposed that Council's designated properties be illuminated to mark the three requests listed in the report along with the additional request to mark Black History Month and that properties also be illuminated on 22 October as part of the Northern Ireland Centenary Programme.

Councillor Ashton seconded Councillor Cuddy's proposal and stated that the NIO proposal is a UK wide initiative and it would be good for Mid Ulster to be represented.

Councillor Doris stated that as an Irish Republican she would be voting against Council properties being illuminated to celebrate something which deserves no celebration which was the partition of Ireland. Councillor Doris stated she would second Councillor Molloy's proposal as previous discussions and decisions had taken place regarding illuminating Council properties for the Northern Ireland Centenary.

The Assistant Director of Organisation Development, Strategy and Performance stated that a decision was previously taken not to light up Council properties to mark the Northern Ireland Centenary at the start of May. The officer advised that the correspondence before Members tonight from the NIO is informative and it is up to Members how they wish to proceed.

Councillor Cuddy stated that everyone signed up to the Good Friday Agreement and that minorities should be respected and that the people of the Unionist community would like the opportunity to mark the Centenary of Northern Ireland.

The Strategic Director of Corporate Service and Finance clarified that costings referred to earlier does not refer to the cost of lighting up of buildings but rather the cost of additional lighting at Ranfurly House.

Councillor McLean stated it was his understanding that the Centenary Committee of the NIO was set up by the Executive which is a joint working group across all parties and that he thought that as this information had come through the auspices of the Executive Office it would have been favourably considered. Councillor McLean asked Councillor Molloy and Doris to reflect on their proposal to exclude lighting up Council properties to

mark the Centenary of Northern Ireland. Councillor McLean stated he appreciated the political viewpoint of other Members but that history could not be changed.

Councillor Molloy stated that this matter was discussed previously in April/May with a decision taken at that time. Councillor Molloy stated that the lighting up of Council properties is for charitable organisations and that he was content to stand over and keep to that.

Councillor Cuddy stated that there were instances in the past in which Council properties were lit up for non charitable organisations and asked Members to respect what was signed up to in the Good Friday Agreement. The Councillor stated that moving forward is about respecting other traditions and to work in partnership and that the request to light up Council properties to mark the Centenary of Northern Ireland was not going to change the world. Councillor Cuddy stated that all residents in the District paid rates and own part of the Council properties and it was a pity a way forward could not be found.

Councillor Doris stated that no one is trying to stop Unionists from celebrating the Centenary of Northern Ireland and that she has a good working relationship with Unionist Councillors however she would understand how Unionists would not be comfortable with lighting up Council properties to mark events such as the 1916 Easter Rising and would therefore not try to impose that opinion. Councillor Doris stated she continued to second Councillor Molloy's proposal and requested a recorded vote.

Councillor Quinn proposed that a vote be taken on the first four requests and a separate vote be taken in relation to lighting up properties to mark Centenary of Northern Ireland.

Councillor Molloy stated that his proposal was to light up Council properties on the three occasions outlined in the report and including the additional requested outlined in relation to Black History Month and that this had been seconded by Councillor Doris. The Councillor stated that Councillor Cuddy's proposal was to illuminate Council properties for all five occasions and should be voted on first.

The Strategic Director of Corporate Service and Finance advised that the original proposal was Councillor Cuddy's and this was to illuminate Council properties for all five occasions (three listed in report together with the additional request for Black History Month and to mark Centenary of Northern Ireland). Councillor Molloy and Councillor Doris then proposed and seconded an amendment which was to illuminate Council properties on four occasions (three listed in report and additional request for Black History Month). The officer advised that the amendment would be taken first -

Members voted on Councillor Molloy's proposal –

For – Doris, Gildernew, S McGuigan, S McPeake, Elattar, Kearney, Molloy, S McAleer, Quinn (9)

Against – Ashton, Buchanan, McKinney, Cuddy, Forde, McLean (6)

It was advised that the amendment had now become the substantive proposal and that Members were voting on whether they were for or against illuminating Council

properties on the four occasions (three listed in report and additional request for Black History Month).

For – Doris, Gildernew, S McGuigan, S McPeake, Elattar, Kearney, Molloy, S McAleer, Quinn (9)

Abstained – Ashton, Buchanan, Cuddy, Forde, McLean, McKinney (6)

It was advised that the substantive motion had been carried.

Resolved That it be recommended to Council to light up designated Council properties as follows -

- (I) World Diabetes Day on Sunday 14th November – colour blue;
- (II) World Pancreatic Cancer Day on Thursday 18th November – colour purple;
- (III) NSPCC Walk for Children on 21st December – colour green
- (IV) Black History Month on 30th and 31st October – colours green and red

PR183/21 Corporate Good Relations Working Group Meeting Report

The Assistant Director of Organisation Development, Strategy and Performance presented previously circulated report which provided details of the outworking's of the Corporate Good Relations Working Group that was held on 20th September 2021.

The Chair, Councillor McKinney stated he felt this was a paper exercise given what had just happened at tonight's meeting. Councillor McKinney highlighted that there was no one from the Unionist perspective in attendance at the working group and that he felt good relations within Council were nil.

Councillor Cuddy stated that there was no Unionist attendance at the working group because there was nothing there for Unionists.

Councillor Ashton stated that tonight was a demonstration of why there was no Unionist uptake at the working group and called into question the purpose of having the working group.

Councillor S McPeake stated it was disappointing that no Unionists attended the working group and that this said more about Unionism than anything else. The Councillor stated that the meeting was open to all Councillors and was an opportunity to bring grievances to the table and it was highly disrespectful to the outside facilitators who were there to facilitate the meeting that no Unionists attended.

Councillor Doris stated she felt the meeting was helpful and that it was disappointing that no Unionists were in attendance. The Councillor stated she hoped Unionists would consider attending future meetings as there was nothing to fear from talking to each other.

Councillor Cuddy stated it was good to hear Councillor Doris' comments but that from a Unionist point of view he felt there was nothing there. Councillor Cuddy stated that a sign of any party in control is how they treat the minorities around them and how well they work with them. Councillor Cuddy referred to the previous item of discussion and

how this would have been a simple, small gesture for the Unionist community. The Councillor stated that Unionist Councillors can go to meetings but that time and time again anything to do with the Unionist background is brushed under the carpet and that it gets to the stage that Unionist Councillors do not attend meetings because they aren't getting anything for the community they represent. Councillor Cuddy appealed to the majority on Council that it is how they treat the minority and that the minority feels it is not getting its fair share. The Councillor stated that Unionist Councillors needed to see more than words and that this can sometimes be hard but that is why there is frustration tonight and that this will continue until things change.

Councillor McLean stated that Councillor Cuddy had articulated the issue well and that as Chair of Council for this year he had played his part as a Unionist Councillor and had visited places and people which as a mature Unionist he believed it is his responsibility to do so. Councillor McLean stated he took exception to Councillor S McPeake's comments as they both would know each other better than some of the other Councillors having both sat on Magherafelt Council previously. Councillor McLean stated that he had attended meetings on many occasions in the past and that he felt they were just lip service to the Unionist Councillors. The Councillor stated he was for inclusiveness and discussing issues but that there was only a certain length of time this can be done and if such meetings are not profitable for Unionists then they would not be there. Councillor McLean stated that if the working group continues to meet and there is a genuine olive branch set before Unionist Councillors then he did not think there would be a problem in attending and being part of future discussions but that there needed to be something tangible and that at the moment it was not there. The Councillor stated he understood this may be difficult but that it was the reality.

Councillor Kearney stated he had attended the working group and could not remember the previous meeting of good relations. The Councillor stated that one of the things he took from the meeting was the huge role and responsibility on everyone to do their best. Councillor Kearney stated that there is an outside facilitator who is prepared to attend future meetings and again highlighted the responsibility of everyone to do their best and that he would continue to attend any future meetings.

The Chair, Councillor McKinney stated that for a meeting such as good relations to take place needs the opinions of both sides of the community and asked is the working group a tick box exercise for Council.

The Assistant Director of Organisation Development, Strategy and Performance stated that the role of the working group is embedded within the equality scheme and that its purpose is to create an environment to discuss and work out sensitive issues and that the working group held in September was convened to discuss the review of Dual Language Signage. The officer advised that the working group is part of the governance of Council and that its representation is a matter for parties if they wish to attend as the Standing Orders do not extend to working groups and their makeup. The officer added that there will be a further meeting of the working group in November.

Proposed by Councillor S McPeake
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the report of the Corporate Good Relations Working Group meeting held on 20th September 2021 as set out at appendix one of report.

PR184/21 Member Services

No issues.

Matters for Information

PR185/21 Minutes of Policy and Resources Committee held on 9 September 2021

Members noted Policy and Resources Committee Minutes of Meeting held on 9 September 2021.

PR186/21 Non-Domestic Rating Revaluation 2023

The Strategic Director of Corporate Service and Finance presented previously circulated report which provided update in relation to the Department of Finance's (DoF) non-domestic Rating Revaluation 2023.

Members noted the content of the report.

PR187/21 Full Fibre Project Update

Members noted previously circulated report which provided update regarding implementation of Full Fibre Project.

The Chair, Councillor McKinney stated it was good to see the continuing roll out of this programme which will help to bring broadband to rural areas.

Live broadcast ended at 7.46 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor Cuddy 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 Member consider items PR188/21 to PR198/21.

Matters for Decision

PR188/21 Davagh Forest Mountain Bike Trails – TRPSI Application
PR189/21 Cot Lane Footbridge

- PR190/21 DfC Revitalisation Scheme 2021/2022 – Coalisland Town Centre
- PR191/21 Chair's Business
- PR192/21 Review of Financial Statements 2020/21
- PR193/21 Staffing Matters for Decision

Matters for Information

- PR194/21 Confidential Minutes of Policy & Resources Committee Meeting held on 9 September 2021
- PR195/21 Contracts and DAC
- PR196/21 Staff Matters for Information
- PR197/21 ICT Update October 2021
- PR198/21 Update on Senior Staff Structure

PR199/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.55 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 12 October 2021 in Council Offices, Ballyronan Road,
Magherafelt and by virtual means**

Members Present

Councillor Brown, Chair

Councillors Buchanan, Burton, Cuthbertson, Graham,
Kearney, N McAleer, S McAleer*, S McGuigan*,
McNamee, O'Neill*, Totten*, Wilson

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment
Mr Gordon, Assistant Director Health, Leisure and
Wellbeing**
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director Environmental Services**
Mrs McClements, Head of Environmental Health**
Mr Scullion, Assistant Director Property Services**
Mr Wilkinson, Head of Building Control**
Miss Thompson, Democratic Services Officer

* Denotes members and members of the public present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

The Chair, Councillor Brown welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Brown in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

E222/21 Apologies

Councillors Glasgow, B McGuigan and Milne.

E223/21 Declarations of Interest

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

Councillor Burton declared an interest in Agewell under agenda item 10 – Positive Ageing Month.

Councillor S McGuigan declared an interest in Killeeshil Community Centre under agenda item 15 – Entertainment Licensing Applications.

E224/21 Chair's Business

Councillor Cuthbertson stated he wanted to highlight issues currently affecting Dungannon traders, residents and shoppers. The Councillor stated that since June virtually every approach road into the town had been dug up and filled in on several occasions, he stated that this work seemed to be ongoing seven days a week by utility companies and that there may be a further two utility companies who are going to do work in the town. Councillor Cuthbertson stated that in addition to this there has been an increase in complaints regarding traffic enforcement and tickets which have been issued with the apparent reason for this being a change in personnel in traffic attendants. The Councillor stated that traders only have a short window of opportunity in relation to the High Street voucher and that he had been contacted by someone who, after various detours around the town to avoid roadworks then received a parking ticket. Councillor Cuthbertson stated that the person advised him that they would not be back in Dungannon to spend their voucher when it arrived. Councillor Cuthbertson stated that this is a serious situation and asked officers to contact DfI and utility companies in relation to the issues raised. The Councillor stated that the message needs to go out that Dungannon is open for business and that roadworks, unless they are an emergency, should stop between now and Christmas and that there needs to be discussions with DfI in relation to traffic attendants and a common sense approach deployed in relation to the issuing of tickets. Councillor Cuthbertson stated that traders in the town have suffered immensely over the past 18 months and that there were now only ten weeks to Christmas in order to claw something back.

Councillor Wilson stated that people from the Dungannon area had contacted him to enquire what had been done in Cookstown when all the road works were ongoing there. The Councillor advised that during these works one of the things that was done was to put up signs to say Cookstown was open for business and that, listening to Councillor Cuthbertson, he felt this is the message that is needed for Dungannon. Councillor Wilson stated he supported Councillor Cuthbertson's comments and that it might be an idea to look at what was done in Cookstown to mitigate the circumstances at that time.

The Chair, Councillor Brown stated he agreed with all comments and that businesses are only starting to come back after Covid. The Chair stated that as many people as possible should be encouraged back into town centres and asked if there is anything that can be done in relation to a moratorium of works until after Christmas.

The Director of Public Health and Infrastructure stated it was disappointing to hear what is happening in Dungannon and that officers will make linkages with DfI Roads to set up a meeting. The Director stated that work normally has to be planned and scheduled with DfI Roads to ensure that there is free movement of traffic and that arterial routes are kept clear at peak times. The Director advised that officers would reflect on the comments raised tonight and seek to have a workshop with Dungannon DEA Members and DfI Roads.

Matters for Decision

E225/21 DfI Roads Proposal to Mid Ulster District Council - Proposed No Waiting At Any Time – Post Office Lane, Magherafelt

Members considered previously circulated report which sought agreement in relation to proposed No Waiting At Any Time – Post Office Lane, Magherafelt.

Proposed by Councillor N McAleer
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed No Waiting At Any Time – Post Office Lane, Magherafelt.

E226/21 DfI Roads Proposal to Mid Ulster District Council - Proposed 20MPH Speed Limit – Redford Park, Moy

Members considered previously circulated report which sought agreement in relation to proposed 20MPH Speed Limit – Redford Park, Moy.

Proposed by Councillor N McAleer
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 20MPH Speed Limit – Redford Park, Moy.

E227/21 DfI Roads Proposal to Mid Ulster District Council - Proposed 20MPH Speed Limit – Park View, Riverside North, Riverside South and Riverside Gardens, Castledawson

Members considered previously circulated report which sought agreement in relation to proposed 20MPH Speed Limit – Park View, Riverside North, Riverside South and Riverside Gardens, Castledawson.

Proposed by Councillor N McAleer
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 20MPH Speed Limit – Park View, Riverside North, Riverside South and Riverside Gardens, Castledawson.

E228/21 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report which considered the naming of new streets within residential Housing Developments within Mid-Ulster.

Site off Eglish Road, Dungannon

Councillor Cuthbertson stated he appreciated that the site was not far away from the Black Lough but that he would consider the area as Beechvalley or the road that connects the site is the Manse Road with the focal point being the Presbyterian Manse and that he felt this could be incorporated into the name of the development. Councillor Cuthbertson stated that the Black Lough is not visible from the site and proposed that officers go back to the developer to seek further naming options.

Councillor Graham seconded Councillor Cuthbertson's proposal.

Councillor S McGuigan stated that whilst he had no objection to what Councillor Cuthbertson had said he would propose the name Crannog Way and was content that this name met with policy.

Councillor McNamee seconded Councillor S McGuigan's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 6

Against – 7

Resolved That it be recommended to Council to name development off Eglish Road, Dungannon as Crannog Way.

Site off Mullaghboy Road, Bellaghy

Proposed by Councillor Kearney
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to name development off Mullaghboy Road, Bellaghy as Folly Brae.

E229/21 SLA for the administration of Office of Product Safety and Standards (OPSS) funding for product safety related work

The Head of Environmental Health presented previously circulated report which outlined a request received from Causeway Coast and Glens Borough Council (CCG) for a Service Level Agreement (SLA) to be established and agreed, in relation to the administration of Office of Product Safety and Standards (OPSS) funding for product safety related work. The SLA is between CCG, Mid Ulster District Council and the other 9 District Councils in Northern Ireland.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve the Service Level Agreement (SLA) in relation to the administration of the Department of Business, Energy and Industrial Strategy (BEIS) funding with Causeway Coast and Glens and the other District Councils in Northern Ireland, as outlined in Appendix 1 of report.

Matters for Information

E230/21 Minutes of Environment Committee held on 14 September 2021

Members noted minutes of Environment Committee held on 14 September 2021.

E231/21 Positive Ageing Month 2021

Members noted previously circulated report which advised of the planned events during Positive Ageing Month taking place during October 2021.

E232/21 Hydrofluorocarbons (HFCs) and Ozone-Depleting Substances (ODS) in Northern Ireland (NI)

Members noted previously circulated report which outlined the findings of a report on hydrofluorocarbons (HFCs), and ozone-depleting substances (ODS) in Northern Ireland which are important types of fluorinated greenhouse gases (F-gases).

E233/21 Community Resuscitation

Members noted previously circulated report which provided update on the procurement and provision by Mid Ulster District Council of additional AEDs in Mid Ulster District Council area.

Councillor Cuthbertson stated that having raised the issue several times at this Committee it was disappointing to now be told that the AED proposed at the President Grant Homestead is the responsibility of Tourism despite it being passed at this Committee last November. The Councillor stated that this is the first time the Tourism Department had been mentioned and felt that the buck was being passed from the Environment Committee.

In relation to Gardeners Hall, Councillor Cuthbertson felt that there seems to be an attitude of officers not following a decision made by the Environment Committee. The Councillor highlighted that Gardeners Hall belongs to the Council and is available for public hire but that it will be the only venue that Council has that does not have an AED. Councillor Cuthbertson stated that there is a registered AED at the boxing club at the rear of Gardeners Hall and that it had been agreed to discuss moving this AED to a more accessible location but that if these discussions were not successful there should still be an AED which is accessible to all at this location.

The Head of Environmental Health advised that other departments are working through discussions with the boxing club as they are responsible for the building. The officer went on to highlight the presentation given by NI Ambulance Service in which they spoke of an AED being available within 1 mile and she advised that there is another AED available within 0.2 miles of Gardners Hall. The Head of Environmental Health stated that officers hope to discuss further with the boxing club the proposal of moving their AED to a more accessible location and that she would follow up on this and advise Councillor Cuthbertson on how discussions are progressing.

Councillor McNamee referred to item raised at Council meeting in relation to maintenance of defibrillators. The Councillor stated that whilst it is good that all

defibrillators in the district are mapped out it is critical that they are all maintained and asked if there is a process of ensuring they are being maintained.

Councillor Cuthbertson stated it was still disappointing to hear that a year on the necessary conversations have still not taken place and now for the first time Members are hearing it is the responsibility of another department. The Councillor stated that Gardeners Hall is a Council building which is available for public hire and should have its own AED like every other Council facility and should not have to depend on a third party defibrillator which is located 3 or 4 streets away from the Hall.

The Head of Environmental Health stated that, in relation to Council owned properties with AEDs, it is the person responsible for that building who is responsible for the maintenance of the AED. The officer stated that officers could explore working with the Ambulance Service to see what could be done to improve the maintenance of community owned AEDs. The Head of Environmental Health advised that the cost of maintenance of community owned AEDs is borne by the community group and that Council has never taken a decision in relation to the supply or maintenance of AEDs which are not in its ownership. The Head of Environmental Health advised she would contact Councillor Cuthbertson with an update in relation to Gardeners Hall and again highlighted it is the department responsible for the building who are responsible for progressing discussions with the boxing club in relation to the siting of the AED at this location.

Councillor McNamee proposed that Council work with the Ambulance Service to explore and progress a system of checking whether an AED is being maintained as it would be a travesty to find an AED not working when it is needed in an emergency.

The Director of Public Health and Infrastructure advised that community defibrillators should be formally registered and that as part of the registration process there is a maintenance record and that the Ambulance Service may use this as a mechanism of supporting the community in ensuring the AED is maintained. The Director advised that this detail can be clarified with the Ambulance Service and a report brought back to Committee.

Councillor Burton seconded Councillor McNamee's proposal and also asked that the Round Lake be considered as a potential site for an AED.

The Head of Environmental Health stated that this would be investigated.

The Head of Technical Services advised that there is a defibrillator already installed at the Round Lake facility as part of the recent capital scheme.

Councillor Kearney referred to update in relation to Glenone River Walk and that there is no electricity supply on site for an AED. The Councillor stated that there is a developer on site with glamping pods who needs an electricity connection and suggested a link up in the future.

Councillor S McAleer stated it is important to keep community groups involved with the maintenance and use of an AED as she felt there is no point having them if people are afraid to use them.

The Chair, Councillor Brown agreed in that there was no sense in having something if it can't be used.

Resolved That it be recommended to Council to work with the Ambulance Service to explore a system of checking whether a community AED is being maintained and what support can be given to the community in this regard.

E234/21 Cancer Strategy for Northern Ireland 2021-2031 – Consultation

Members noted previously circulated report which advised of the opportunity to respond to a consultation document entitled "Cancer Strategy for Northern Ireland 2021-2031".

Councillor Burton stated that this is an important strategy and having spoken to cancer patients and their carers she would ask that immunology treatment needs to be stepped up in each specialist hospital and that elected members should be able to play their part in the strategy and its monitoring and governance. Councillor Burton requested that her comments above be added to the response previously circulated.

The Chair, Councillor Brown stated that all Members should have received the draft response to the Cancer Strategy for Northern Ireland.

Councillor Kearney acknowledged the workshop held on this consultation and commended officers who made the issues raised unique to Mid Ulster and that the key recommendation of the response is the need to prioritise the short, medium and long term issues. The Councillor stated he felt that the report was useful and that the workshop had been time well spent.

The Chair, Councillor Brown asked if the comments raised by Councillor Burton can be incorporated into the response.

The Head of Environmental Health stated that Councillor Burton's comments can be added to the response and highlighted that there were still a few days in which to submit the response. The officer advised that the comments/issues raised at the workshop have been incorporated into the draft response circulated but that if a Member would like to add any other comments she asked that these be forwarded to her so that the response can be finalised for the end of the week.

The Chair, Councillor Brown stated that as there is an opportunity for additional comments to be forwarded he asked if Members were content to proceed with the draft response circulated and to include Councillor Burton's comments as above.

Proposed by Councillor Kearney
Seconded by Wilson and

Resolved That it be recommended to Council to submit the draft response to the consultation on the Cancer Strategy for Northern Ireland 2021-2031 as previously circulated – to include comments raised by Councillor Burton as above and any other comments forwarded by Councillors prior to the submission date.

E235/21 Building Control Workload

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

E236/21 Entertainment Licensing Applications

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

E237/21 Dual Language Signage Requests

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

E238/21 Dual Language Signage Surveys

Members noted previously circulated report which advised of the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplate requests.

Councillor Cuthbertson referred to the request for dual language signage at Georges Street in Dungannon and he would have some concern regarding this as it is in the town centre and is not recognised as a highly residential area but that he would await the survey result coming back on this Street.

Councillor Cuthbertson stated that in relation to the surveys before Members tonight he felt it highlights the farce of the process as there was one survey in which the response was less than 10%. The Councillor stated the process is a waste of officers valuable time and Council money and that something needed to be changed. Councillor Cuthbertson stated that the outcome of the review of policy in relation to dual language signage was not satisfactory to all.

Councillor McNamee stated that there is a policy in place for dual language signage and referred to issues previously raised in relation to Earls Court in Dungannon and documentation within report on same. The Councillor referred to the advisory group which could discuss this issue and advised that there is a similar advisory group in Cookstown for the Burnvale development which he sits on. Councillor McNamee highlighted that Council's policy states that if the request meets the criteria then it should progress to survey and asked for update in relation to Earls Court.

The Head of Building Control advised that a survey has been issued in relation to Earls Court and officers are awaiting the outcomes on this. The officer advised that there was no issue with the request in relation to Earls Court meeting Council policy and that he discussed the issues previously raised with Radius Housing and NIHE and that their response is as noted in the report. The Head of Building Control advised that the outcome of the survey on Earls Court should be before Members at next month's Committee meeting.

E239/21 Bus Shelters Update

Members noted previously circulated report which provided an update on current bus shelter status.

Councillor N McAleer referred to bus shelter at Cappagh and stated that when this bus shelter was installed a park bench was removed, the Councillor asked if this bench will be reinstated. Councillor N McAleer asked for an update in relation to bus shelter at Brackaville and also whether Councillors would be issued with the neighbour consultation on bus shelter at St Colmans, Moortown.

Councillor Cuthbertson referred to bus shelter at Drumkee which had been vandalised in the early hours of the morning and thanked officers and staff for the quick response in repainting the bus shelter. The Councillor stated that a lot of time and effort went into the vandalism and that he expected officers to be speaking to Police on the matter.

Councillor O'Neill asked for update in relation to installation of bus shelters at Washingbay Road, Clonoe and Brackaville.

The Head of Technical Services advised that the issue with the park bench in Cappagh was being investigated and a response would be issued to Members in due course. In relation to bus shelters at Brackaville and Washingbay Road, the officer stated that these are approved and are being progressed for installation. The officer advised that Members would be issued with the neighbour consultation in relation to St Colmans, Moortown as is normal practice.

E240/21 Recycle Week 2021

Members noted previously circulated report which outlined the activities carried out for Recycle Week 2021.

The Chair, Councillor Brown commended the officers and team on the good messaging put out during Recycling Week. Councillor Brown highlighted that the report sets out messaging that will go out from now until the early part of next year which will help to encourage people to recycle.

Councillor Cuthbertson asked if there are any housing developments within Mid Ulster that only operate a black bin collection.

The Assistant Director Environmental Services advised that all areas are covered with the three bin system but if there were any particular issues with an area to advise him of this.

E241/21 Tullyvar Joint Committee Update

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

E242/21 Town Centre Footpath Snow/Ice Clearance Agreement Maps

Members noted previously circulated report which provided the treatment boundary maps associated with the annual agreement with DfI/Transport NI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.

Live broadcast ended at 7.40 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
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 E243/21 to E250/21.

Matters for Decision

E243/21	Installation of Memorial Bench on Council Property
E244/21	Extension of waste recycling and processing contracts

Matters for Information

E245/21	Confidential Minutes of Environment Committee held on 14 September 2021
E246/21	Clean Neighbourhood Action Plan
E247/21	Recovery of Building Control Fees
E248/21	Capital Framework – ICT Contracts Update
E249/21	Capital Framework – IST Contracts Update
E250/21	Capital Projects – Scoping Contracts Update

E251/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.15 pm.

CHAIR

DATE _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 14 October 2021 in the Council Offices, Ballyronan Road,
Magherafelt and by Virtual Means**

Members Present

Councillor Molloy, Chair

Councillors Ashton, Black (7.30 pm), Burton, Clarke*, Corry*,
Cuddy, Doris*, Elattar*, Kerr*, McNamee, Milne*, Monteith*,
Quinn*, Wilson

**Officers in
Attendance**

Mr McCreesh, Chief Executive
Ms Campbell, Strategic Director of Environment
Mr Browne, Head of Tourism
Mr Gordon, Assistant Director of Health, Leisure and Wellbeing
Mr Hill**, Head of Parks
Ms Linney**, Assistant Director of Development, Strategic
Community Development
Mr McCance, Head of Culture & Arts
Ms McKeown**, Assistant Director of Economic
Development, Tourism & Strategic Programmes
Mr Clarke**, Community Development Manager
Mr O'Hagan**, Head of ICT
Mrs Grogan, Democratic Services Officer

**Others in
Attendance**

Councillor Gildernew***
Councillor S McGuigan***

Deputation – South Tyrone Empowerment Project
Ms Bernadette McAliskey***

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

The Chair, Councillor Molloy welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Cllr Molloy in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

D171/21 Apologies

Councillor Hughes.

D172/21 Declarations of Interest

The Chair, Councillor Molloy reminded Members of their responsibility with regard to declaration of interest.

The Chair declared an interest in agenda item 9– Cycling Ireland Regional Cycle Hubs as he was a member.

Councillor Wilson declared an interest in agenda item 10 – Swim Ulster as he was involved in that.

D173/21 Chair's Business

The Chair advised that item 14 Community Development report would now be taken for Decision immediately after item 11 Cahore Playing Fields, Draperstown.

The Chair referred to letter received by members from an Event Promoter in relation to an event at the Hill of The O'Neill requesting that it be raised at tonight's meeting. He advised that the matter had now been raised and referred to the relevant Officers for consideration and take forward.

D174/21 Deputation – South Tyrone Empowerment Project

The Chair welcomed to the committee Ms Bernadette McAliskey from South Tyrone Empowerment Project and invited her to make her presentation.

Ms McAliskey thanked the committee for giving her the opportunity to present to the meeting tonight. She provided an overview of the service provision provided by STEP – MIDUS (Mid Ulster Advice Services from 1 April 2019 to 30 September 2021 (appendix).

She advised that MIDUS undertook to provide across all 5 levels of advice provision: Basic access to information; Interpretation of information; Assistance to act on information; Advocacy and representation and Challenging Policy. She said that the total number of unique individuals over the period from 1 April to 30 September 2021 ranged to 7,000 plus. The welfare topic/issue ranged from: Welfare benefits, debt management plans, housing, immigration, legal rights, family issues, employment rights, education advice, health and mental health, tax and consumer rights. Client feedback resulted in 96% satisfaction with support received and 87% satisfaction with outcome.

She advised that STEP also provided: Internal referral to and from MIDAS to: Welfare Reform and Debt Advice; Homeless Support; Family Support; Access to Crisis Hardship/Prevention of Destitution Funds; Immigrant and Migrant Work Integration Support.

The Chair thanked Ms McAliskey for her presentation and said that it was good to hear some of the feedback and as elected representatives, there was nothing in the report which was a surprise when dealing with people in need on a daily basis. He stated that the last 18 months had been extremely trying for society in general and where possible to lend a hand or give advice really helped people.

Ms McAliskey thanked members for giving her the opportunity to make her presentation tonight and said that if any Councillor needed to contact the organisation with any kind of query that she and her staff would always be happy to help out in any way that could.

Councillor Black entered the meeting at 7.30 pm.

The Chair thanked Ms McAliskey for attending tonight and she withdrew from the meeting at 7.31 pm.

Matters for Decision

D175/21 Economic Development OBFD

The Assistant Director of Economic Development, Tourism & Strategic Programmes presented previously circulated report to provide members with an update on key activities and sought approval for the following:

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved: That it be recommended to Council:

(i) Social Enterprise NI: Council Membership 2021/22

Resolved To approve that Mid Ulster District Council subscribe to become a member of Social Enterprise NI at a cost of £800.

(ii) Christmas Off Street Car Parking Charges Dungannon & Magherafelt

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved To approve the temporary reduced tariff for the first 3 hours of 10 pence in all Off Street Pay & Display Car Parks in Dungannon and Magherafelt from Saturday 20 November 2021 to Saturday 1 January 2022 (6-week period) at a cost of £23,400.

D176/21 Update on Department for Communities Access and Inclusion Programme 2021/22

The Head of Culture & Arts presented previously circulated report and sought approval for the following:

- (i) Provide members with an update on the 2021/22 Department for Communities Access and Inclusion Funding Programme
- (ii) Provide members with the list of projects approved for funding by Department for Communities
- (iii) Seek approval to set up specific finance codes to incur expenditure for each project where required

- (iv) Seek approval to utilise the approved Council framework Contractors where required
- (v) Seek approval to initiate a tender process to appoint a suitably qualified Contractor to install automated doors at the five locations as identified within section 3 of this report

Councillor Doris said that she was happy to propose the recommendations and commended the great work which has been carried out, but was also aware of still more work to be done. She also wished to commend Department for Communities and Sinn Féin Minister, Deirdre Hargey for the huge investment in helping to progress this.

She referred to the report being raised later in the meeting in on what she had asked for back in July in relation to leisure services and stated that there has been great work being done even more than she was aware of. She said that it would be important for the Communications team to highlight this all over social media and any other avenues in making it known of what facilities which will be there and were there for people with additional needs.

Councillor Kerr stated that he would be happy to second the recommendations and also agreed that there was great feedback being received on the report. He said that there was a great need for facilities for disabled and autistic children throughout the Council facilities. He referred to 3.11 of the report in relation to the purchase of accessible picnic tables and enquired if these would be wheelchair friendly.

The Head of Culture & Arts clarified that the picnic tables would be wheelchair accessible to allow families to sit together around the table.

Proposed by Councillor Doris
Seconded by Councillor Kerr and

Resolved That it be recommended to Council:

- (i) **Provide members with an update on the 2021/22 Department for Communities Access and Inclusion Funding Programme**

Noted.

- (ii) **Provide members with the list of projects approved for funding by Department for Communities**

Noted.

- (iii) **Seek approval to set up specific finance codes to incur expenditure for each project where required**

Resolved That approval be given to setting up specific finance codes to incur expenditure for each project where required.

- (iv) **Seek approval to utilise the approved Council framework Contractors where required**

Resolved That approval be granted to utilise the approved Council framework Contractors, where required to deliver the projects identified.

- (v) **Seek approval to initiate a tender process to appoint a suitably qualified Contractor to install automated doors at the five locations as identified within section 3 of this report**

Resolved To initiate a tender process to appoint a suitably qualified Contractor for the installation of automated door at the five locations identified (Mid Ulster Sports Area, Maghera Leisure Centre, Cookstown Leisure Centre, Greenvale Leisure Centre and Tobermore Golf Centre.

D177/21 Lough Neagh Partnership Core Funding 2021/22

The Head of Tourism presented previously circulated report to approve annual contribution for year 2021/22 towards the core running costs associated with Lough Neagh Partnership (LNP) in the delivery of marketing tourism, recreational, environmental and heritage activities on Lough Neagh (LN) and the shoreline on behalf of Mid Ulster District Council.

Proposed by Councillor McNamee
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to approve that:

- (i) Mid Ulster District Council fund Lough Neagh Partnership £22,000 as requested subject to funding being secured from all five Councils on the shores of Lough Neagh.
- (ii) Lough Neagh Partnership submit a quarterly update to MUDC.

Councillor Kerr said that he was glad to see reference being made to Coalisland Great Places Project as a great deal of work has been done in the area including its industrial heritage.

He referred to section 6 of the report – NIEA Shoreline Plan and enquired if there were any more specific details regarding the project or would this be brought to a future meeting. He said that a lot of Lough Neagh falls within his own DEA and would be very interested in seeing what projects were coming forward for proposal.

The Head of Tourism anticipated that a report would be bought to committee before Christmas on Lough Neagh.

D178/21 Sports Representative Grants

The Assistant Director of Health, Leisure and Wellbeing presented previously circulated report to present to members the proposed community grant allocations for the range of Sports Representative Grants – Team and Individuals (September 2021).

The Chair wished to pass on his congratulations to one of the recipients Darren Rafferty who recently became Irish Junior Champion for time-trial and road racing.

Councillor Ashton said that she would be happy to propose the adoption but sought clarification on the grant aid programme and whether it was anticipated to be spent within this financial year or was there going to be any underspend.

The Assistant Director of Health, Leisure and Wellbeing advised that currently there was a balance of £4,725 and had seen an increase in the amount of submissions this last few months as we arise out of the Covid restrictions. At this moment in time it was anticipated that funding would most likely be spent by the year end.

Councillor Ashton advised as it was coming near the time for looking and reviewing budgets and although she took into consideration the amounts which were being awarded to the recipients which go out and represent this area, but felt it may be worthwhile looking at a grants reallocation review if there was an overspend within other sports areas.

The Assistant Director of Health, Leisure and Wellbeing said that he would investigate the matter.

Proposed by Councillor Ashton
Seconded by Councillor McNamee and

Resolved That it be recommended to approve the Sports Grant Allocations to the value of £1,650.00 as recommended within the report.

D179/21 Cycling Ireland Regional Cycle Hubs

The Assistant Director of Health, Leisure and Wellbeing presented previously circulated report advising that the Membership Development Officer for the Ulster Branch of Cycling Ireland has contacted Mid Ulster District Council with a proposal to establish a Regional Cycling Hub in the District

Proposed by Councillor Cuddy
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to note the contents of the report and to approve the signing of a Memorandum of Understanding that will seek to establish a Cycling Ireland Hub at a suitable location within the Dungannon area and for Council to meet the costs of the initial enabling works and ongoing annual cost of electricity supply.

D180/21 Swim Ulster

The Assistant Director of Health, Leisure and Wellbeing presented previously circulated report to advise that the Operations Manager at Swim Ireland had contacted Mid Ulster District Council with concerns over current pricing mechanisms for bookings across the Districts three swimming pools. The purpose of this report is to outline the current pricing costs for swimming club/organisation bookings across all Mid Ulster District Council Leisure sites and give consideration to an amended rate.

He outlined 3 options for consideration:

- (a) Do Nothing** – this option would maintain the status quo in line with the pricing rates as previously approved in February 2021. Swim Ulster have advised they would find it difficult to maintain current operations within the district if they were to pay these rates therefore potential loss of income and/or reduction in coaching hours/pool bookings based on Swim Ulster's available budget. Potential impact to the 3 x Mid Ulster District based swim clubs and clubs within neighbouring Councils.
- (b) To offer Swim Ulster the same price that local clubs avail off** - instead of working towards the approved pricing of £25.00 per lane (25m) and £40.00 per lane (50m) then adopt the local club rate of £7.90 per lane price. Whilst this would be acceptable to Swim Ulster, it may bring pressure from other club groups including those that reside outside the District who appear content with the rates. Potential loss of up to £4.3k - £4.9k per annum in income based on current Swim Ulster rates. Concerns that this loss in income may not be able to be realised elsewhere during this period of recovery from the Covid pandemic.
- (c) Hybrid approach to Swim Ulster Pricing** – 18 out of the 48 weekly spaces for specialised Swim Ulster coaching is currently apportioned to the 3 x Mid Ulster District based swim clubs therefore a direct benefit of Governing Body support to residents in our District. This equates to 37.5% of total spaces.

Officers have pressed Swim Ulster to make available more coaching spaces for Mid Ulster District residents therefore Swim Ulster have committed to working towards making available 24 out of the 48 weekly spaces (50%) available to the 3 x Mid Ulster District based swim clubs over the next 12 months and putting support in place with the 3 x clubs to help them achieve this.

Additionally Swim Ulster would seek to hold at least two skills camps in the Mid Ulster area per year. (Holiday time).

Therefore propose to offer the same percentage discount to Swim Ulster charges to recognise the benefit of this coaching provision for local swimmers within the Mid Ulster District area, i.e. £12.50 (25m) and £20 (50m).

This would be more in line with what other Council's charge. Whilst there would be a decrease in income, approx. £2.7k-£3k per annum, it would not be as severe as option B and the non-monetary benefit is increased provision for Mid Ulster District residents.

Councillor McNamee enquired how much it would cost to use Greenvale Leisure Centre.

The Assistant Director of Health, Leisure and Wellbeing advised that this would work out at roughly £12.50 a lane/per hour for 25m and £20 a lane/per hour for 50m.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to progress with Option C as detailed within Section 3.10 of this report.

D181/21 Cahore Playing Fields, Draperstown

The Assistant Director of Health, Leisure and Wellbeing presented previously circulated report to provide an update to Members on a leasing proposal for Cahore Playing Fields, Draperstown and seek approval to proceed following an expression of interest process.

Councillor Elattar said that she would like to propose to accept the recommendation as it seemed to be the sensible approach as money needed to be spent to bring pitches up to standard, with the leasing arrangement allowing the cost to be recouped in a relatively short period by Council. This also allowed local clubs to take over the responsibility of the pitches which would benefit the local community as a lot of important work was carried out by these clubs in all areas of community of life.

Councillor Cuddy said that it seemed a very complicated process and couldn't understand why the Council just did not step out and let the two clubs talk to the landowner directly and progress on that way. He said that it was suggested that it would take £55k to upgrade the pitches before it was passed over which seemed very complicated. He was aware of Dungannon United Youth and Dungannon Thomas Clarkes having their own issues going through and felt that any public organisation needed to have policies in place in the event of the wheels starting to come off and felt that Council were stepping outside policies which may become very difficult and unhelpful for the clubs. He said that he appreciated that the two clubs were providing fantastic services to the area but felt there was a need to keep this as tidy as possible. He enquired if there was a possibility of Council signing this over to the Clubs without the expense so they could actually draw down funding themselves as a clear and transparent way forward should be shown to any club to help them as much as possible. He stated although there was no capital building project, £55k was still going to be spent and felt that the Property team would have been involved in this as they had a lot of experience on projects delivering onsite work, being able to follow it though and knowing how things would play out in the future. In his opinion there was a certain amount of risk involved and although he would like to see this progress, it was vital that it went through the proper channels and policies of this organisation otherwise it was going to end in tears.

The Assistant Director of Health, Leisure and Wellbeing advised that there was an arrangement with the landlord until 2043 which was an obligation and a responsibility for the Council while in that lease. He said that whilst £55k would be referred to the Policy & Resources Committee, it would be an initial spend of £33.5k for one pitch. He said that the purpose of this lease would help enable and build capacity within the local community to prove tenure and a pitch that would allow them to bid them into future grant programmes which could potentially bring a floodlit 3G to the local area for use of local clubs. He stated that with or without the lease and having gone through the Pitches Strategy at the minute and working away through that, the Council has an obligation to that community facility in terms of upgrade and whether a lease progressed or not it was highly likely the Council would have to spend money for improvement works for the two pitches in any case.

The Strategic Director of Environment referred to comment regarding Council stepping outside policy and advised that Officers were working within the remit of Council policy. She advised that the pitches at the aforementioned location was substandard particularly the soccer pitch and Gaelic pitch with work done previously by legacy Magherafelt Council on one but the other two pitches were very waterlogged and needed work to be carried out on them. She concurred with the Assistant Director of Health, Leisure and Wellbeing comment regarding work needing completed whether the lease goes ahead or not as there was an obligation to carry out this work over the next number of years. She also agreed with the Assistant Director in regards to his comment regarding one of the football clubs having an opportunity to apply for funding and if they were successful then the Council wouldn't undertake to carry out the work on that pitch as it would be done as part of their application which would give them an opportunity to invest and grow the club in that particular area. She stated that there was a lot of requests coming in from football clubs as some of the pitches were substandard and there was an onus on Council to make them fit for purpose before signing them over to anyone else and significant investment made. She said that the club were currently applying for funding and needed proof of tenure and this was why it was effectively being brought forward. In the event of them not having a pitch tenure, they would not be able to apply for funding which would potentially be available to them.

Councillor McNamee seconded the proposal and agreed with the previous Officers as the Council would be leasing this pitch for a good few years to come and money needed to be spent on upgrades to provide pitches for the people of the area which we were providing for at the minute. He said that it would be unwise to do what Councillor Cuddy was suggesting to pull the rug from under the clubs and allow them to negotiate which was unfair as there had been a similar situation in Cookstown where the Beechway facility was offered to Cookstown Youth with pitches being maintained every year and feels that this issue should be similar.

Councillor Wilson referred to Councillor McNamee's remark and advised that the Council owned a piece of ground at Beechway and even though it was a housing executive owned, the Council had a very long lease which was slightly different in what was being dealt with here. He stated if the pitches had to be brought up to speed, his concern would be that this was brought before committee in February and a report in front of members tonight to go ahead with this, but he had raised an issue about another sporting facility and it has never reached this table which made him wonder and said that he would leave it at that.

Councillor Cuddy advised that although the report was brought in February, the deputation was in last month. He said that it would be great to see it being delivered and was not against the project and important that facilities were there throughout the district and remarked about a comment being made about the club wishing to submit an application for funding for a 3G pitch and enquired why £55k was going to be spent on a pitch when it was anticipated to turn it into a 3G pitch in the not too distant future. He said that it was great to see funding being allocated to soccer, Gaelic and rugby pitches etc. but was more concerned about what happens down the line and sitting here in a year's time or less where the same club will be coming forward again seeking the Council's Technical team to deliver on a significant project. He stated that he wasn't against the proposal but felt that there was an onus on Council to be cautious due to what could happen in the future for example a mistake being made resulting in a lot of expense for Council. He said that the

Council's Capital team were stretched at the moment and going down this path was a possible serious issue for the Council in the future. He concluded by saying that he wouldn't be voting against the two clubs getting what they required, but his issue would be the process and wished to see an even approach for everyone.

The Chair advised that he was sure the Officers had taken consideration of Councillor Cuddy's remarks.

The Assistant Director of Health, Leisure and Wellbeing referred to process and mechanism and advised members that there was a workshop coming up in a few weeks' time regards the Pitch Strategy which was all building towards an investment plan with members approval hopefully which would set out a process for the next number of years for all pitches across the district – football, Gaelic, rugby, hockey and bowling. In relation to process and mechanism it has been understood from the formation of Mid Ulster District Council that all of the pitches over all the different sporting codes with little or no investment from year to year, outside of routine maintenance or additional monies or funding being leveraged in would be investigated. He said that hopefully over the coming months there would be an opportunity to nail down that mechanism and process that would hopefully see it prioritise an investment plan over the next number of years.

Councillor Elattar stated that the Officers had outlined very clearly why there was a need to go forward with this now and appreciated what Councillor Cuddy had said about not voting against it as these pitches in Cahore were not fit for purpose. She advised that people could be knee deep in water with the soccer teams having to travel sometimes to Dungiven to be able to play matches and further afield as they cannot access the pitches which were meant to be used. She agreed money needed to be spent on these pitches whether or not the lease goes ahead but this lease would allow for the clubs to apply for outside funding which would be able to add to what these pitches offer and would be a good thing for Council and the local community as a whole.

Councillor McNamee advised that the landlord was open to extending the lease.

Proposed by Councillor Elattar
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve that Officers:

- 1) Proceed to progress to the next stage by drafting, agreeing and executing terms with the successful submissions in line with LPS valuations for pitch 1, 2 and 3 for a period of 25 years with option to extend
- 2) Proceed to engage with the landlord and extend the term where relevant to ensure agreements are co-terminus
- 3) Assign a rental value of £1,000 per annum to the pavilion for a separate keyholding agreement – subject to annual review and monitoring
- 4) Refer upgrade costs to the Policy and Resources Committee for a budget allocation of £55,000.

Councillor Burton enquired if there had been any contact with Caledon Football Club and asked if the committee would agree to issue a letter to them. She said that this was a similar situation as there was a blockage in a pipe which was waterlogging their pitch also

which resulted in it being awkward for the youth wing to play as there was a need to support them.

Councillor Burton advised that she would send on the relevant details to the Assistant Director of Health, Leisure and Wellbeing to investigate a possible way forward.

D182/21 Community Development

The Assistant Director presented previously circulated report to provide an update on key activities and sought approval for the following:

- Community Grants - to agree the rolling grant awards - Local Community Festivals, Good Relations and Decade of Anniversaries
- Capital Discretionary Grants – to approve the capital discretionary grant
- Emergency Support funding – to approve the venue/facility funding support
- Community Development - to update on Community Development

(i) Community Grants - Local Community Festivals, Good Relations and Decade of Anniversaries

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve grant award recommendations outlined in Appendix 1.

(ii) Capital Discretionary Grants

Councillor Cuddy enquired about the process for the discretionary grant and enquired does a recipient receive £50k or nothing.

The Assistant Director of Development, Strategic Community Development advised that the award was for £50k to a group with a project at a minimum value of £300,000 and this allowed the group to proceed. She noted this was the only group who applied to the grant that was in a position and ready to proceed with their project. The officers continue to work with the other projects and the grant will open again next year, pending members approval re the budget. She said that only one group was at a state of readiness with a minimum of £300k project which allowed them to receive a £50k contribution from Council to help them achieve their project.

Councillor Cuddy said that this was a quick turnaround after the group providing their presentation to committee last month and having it delivered this month.

The Assistant Director of Development, Strategic Community Development advised that one of the conditions was that the group applying for funding had to provide a presentation to committee and this was arranged last month. Officers have been working with the group since they submitted their application earlier in the year when the grants were opened. She stated that the ongoing process allowed for Officers checking the group's business plan, site visits, meeting re the project criteria, with the final part of the process being a presentation to committee due to the size of the investment by Council.

Proposed by Councillor McNamee
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to approve Capital Discretionary Grants award of £50,000 based on successful applications to the grant programme.

(iii) Emergency Support funding

Councillor Monteith referred to 3.3 and said that it was something that he would be happy to support and move forward with and enquired if this was open to any voluntary group or for any group which didn't receive any kind of support in the past.

The Assistant Director of Development, Strategic Community Development advised that it was open to any voluntary & community group which takes part in delivery of community development activity in the district and is based on being not for profit, community constitution and volunteering.

Councillor Monteith sought clarification on what the difference was on the facilities grant and the one we currently do.

The Assistant Director of Development, Strategic Community Development advised that the one which was given to venues was for overheads and contribution to maintenance, and this one allowed for wider spend on wider community facilities opening up. She said that the allocation from DFC was £134k and it was stipulated that this was for opening up for the community and not just reacting to community emergency issues. It was to take on board social distancing or the need for an extra toilet in a facility. She said although it was small amounts of money, it tied in with other similar funds at this time to allow groups to undertake this type of activity. She confirmed that this was for community development facilities only, and not just for the 44 venues that come forward under the venues grant.

Councillor Monteith said that he would be happy to propose and referred to the Community Development Programme and Anti-Poverty issues. He asked that the Assistant Director of Development, Strategic Community Development engage with some of the local schools on issues which they were facing in relation to Universal Credit – free school meals and funding. He said that funding depended on free school meals and pupils in the school, but with the £20 reduction it's omitting a lot of people out of Universal Credit and felt that this was going to cause havoc with a lot of the schools funding and a huge hole in schools budgets.

He proposed that the Assistant Director of Development, Strategic Community Development make contact with local schools and take forward with the Department for Education on issues relating to reduction of Universal Credit on funding for schools. Also the whole funding mechanism for funding for schools needs to be looked at as it was a complete farce for people living in poverty in order to provide an education for their children. The situation is the more children a school has in poverty, the better budget they get and surely this should not be the way to move forward in the future as there was an onus to keep people out of poverty, not to keep them in it to keep the schools open.

The Chair concurred with Councillor Monteith's comments and stated that the same sentiments had been raised with him also.

Councillor Kerr agreed with Councillor Monteith and stated that he had also been contacted by parents and teachers as the £20 was a major lifeline to some families and to see the Tory Government withdraw it was quite ironic when there was a Tory MP complaining about seeking a pay-rise when he was earning in excess of £80k. He felt that these types of people were disillusioned and not au fait with hardship and dealing with low and economical issues.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to Council:

- (i) To approve to approve the venue/facility funding support.
- (ii) That the Assistant Director of Development, Strategic Community Development make contact with local schools and take forward with the Department for Education on issues relating to reduction of Universal Credit having on funding for schools.

(iv) Community Development

Noted.

Matters for Information

D183/21 Special Development Committee Minutes of Meeting held on 2 September 2021

Members noted Special Development Committee Minutes of Meeting held on 2 September 2021.

D184/21 Minutes of Development Committee held on 16 September 2021

Members noted Minutes of Development Committee held on 16 September 2021.

Councillor McNamee enquired about the current status of the 5 Year Play Park Strategy and the roll out of Year 1.

The Head of Parks advised that all proposals had been submitted in relation to the 5 Year Play Park Strategy. He advised that Procurement department had received a number of interested companies through the framework with regard to Expressions of Interest and were now in the process of uploading our tender specification onto the framework with regard to the actual process of preparing the submissions from the companies. He confirmed that things had progressed with the initial stages of the 5 Year Strategy.

Councillor Kerr referred to D163/21 – Washingbay Walkway and advised that he still hadn't received an update. He said that he raised this issue at last month's Development Committee meeting and also at full Council and was extremely disappointed.

He also referred to D160/21 – Economic Development report and alluded to comments made by Councillor Monteith and the Chair regarding the shortage of haulage drivers which was affecting Ireland. He asked if it would be possible to liaise with local secondary schools, colleges and representatives from local haulage industries to see what the Council could do as a local authority to try and entice young people, people on low income or unemployed to become HGV drivers to try and take a new approach on the issue as there was huge shortcomings of recruitment into the industry.

He felt that due to a huge shortage of HGV drivers regionally, the Council should be exploring heavily subsidised lessons and testing for young people and unemployed as every other trade had funded courses, so why not haulage as it was an expensive endeavour beyond many.

Councillor Monteith referred to item D158/21 in relation to Christmas Events and ongoing issues in Dungannon.

He said that every single day there seemed to be a new company opening up roads, blockages and temporary traffic lights and said that Dungannon is a complete and utter mess currently with traffic works on almost every main road in around the town, housing estates/developments. He stated that people were bemused with the digging up of footpaths and was aware of one footpath being dug up every week for four weeks by four different organisations which was scandalous. He said that Council were trying to encourage traders and run events which looked like a ring of steel trying to get into the town in relation to temporary traffic lights and road works which was farcical.

Proposed by Councillor Monteith

That a Dungannon DEA meeting be held with the upmost urgency with Road Officials and with whatever companies that's responsible for road works. Officers to investigate concerns beforehand rather than waiting for full Council endorsement.

He said that our Economic Development team and Councillors needed to see Road Service and Utility Companies responsible around the table as no-one can give him a straight answer on why this was happening right now, week on week leaving housing estates and footpaths in a complete mess, with construction debris being left lying around the streets and was sure that other members maybe also getting complaints.

He felt that this issue needed to be taken very seriously otherwise there was going to be a very disappointing Christmas for the traders of Dungannon as people will not make their way into town whilst they have to face this onslaught on a daily basis at the minute.

The Chair, Councillor Molloy seconded Councillor Monteith's proposal.

He said that it was ridiculous to see the destruction caused by these road works on people's daily lives, being hemmed in, not getting in or out and no disabled access along footpaths and agreed that this was an upmost urgency.

Resolved That it be recommended to Council that a Dungannon DEA meeting be held with the upmost urgency with Road Officials and Utility Companies which were responsible for road works. Officers to investigate concerns beforehand rather than waiting for full Council endorsement.

Councillor Wilson advised that this same issue was also raised at the Environment meeting on Tuesday night past by Councillor Cuthbertson where it was agreed that this be the same process. He said that he also had received complaints regarding this and that a road in Cookstown had also been closed for a fourth time which was outrageous. Last Monday Cookstown DEA held a meeting with Gas to the West contractors regarding the road closure to make their feelings known although he would be unsure whether Councillors concerns were listened to or not. He stated that the contractors had alluded to a huge push being put on as there was a moratorium by the end of November as they could not continue on with works after this date and agreed with previous proposal to get them in front of us.

Councillor Cuddy said that he agreed with the sentiments of the previous speakers.

He advised that Councillor Wilson referred last month to SGN who were targeting Cookstown and Dungannon areas and mostly businesses foremost. He said that quite a few residents had applied online within different areas but very few people seem to be able to get connected to the gas and felt that this was the first organisation who came and started to dig up the roads and footpaths several years ago. He said that last month it was suggested that the Council organise a meeting or source information to see how many residents actually connected up as traders and people who utilise the town could understand it better if they could see a dividend at the end, but said that he wasn't confident of the numbers connected up to the gas network in Dungannon. He said that utility companies were not digging up the streets and footpaths for nothing and would eventually be of benefit in the long term, but such a pity that so much was happening at once. He advised that the utility companies usually fix up the roads and footpaths reasonably well afterwards but more of a concern was the dirt and debris which was left behind and likened to walking through a mucky field. He referred to new road from Killyman Road to Moy Park which was resurfaced less than a year ago after gas pipes installed into houses and although the road surface seems good, residents were being constantly tortured with the noise of empty heavy Lorries going past due to the uneven surface of the road. He agreed that there was a lot of work to be done regarding this issue and agreed with previous speakers that this needed addressed as it was a huge issue for the Council to deal with as soon as possible.

Councillor Burton agreed with Councillor Wilson about the concern being raised at Environment Committee and whilst travelling home on Tuesday night after the meeting and although being aware of signs at the traffic lights in Dungannon, felt it was like a minefield. She said that local people were probably aware of the situation of the traffic lights but for people from outside the area this could be very confusing and very poor on behalf of these utility companies to continue to carry on the work.

She referred to comments made by Councillor Kerr in relation to the lorry drivers and going forward how the Council could assist them and felt that another matter which should be investigated was the regulations around CPC training and the astronomical cost and

how often it has to be renewed, every few years which adds extra financial burden and very off putting for people. She said that it was tough enough to keep a vehicle on the road with raising costs of fuel and maintenance and criteria around the working hours drivers were allowed to drive and asked if this could also be considered.

Councillor Ashton also followed up on comments made by Councillor Kerr in relation to the shortage of HGV drivers. She said that it was quite apparent around Dungannon area the shortage of employees across industry and felt that it may be worthwhile investigating the wider piece through Economic Development on how to support employers on how to attract people especially now that the furlough scheme has ended. She said that some companies had tried to open up again but hadn't the workforce and felt in the short term this may help some of these industries which were struggling at the minute.

The Chair agreed that it would be worthwhile having engagement to see what assistance could be provided to help these industries.

Councillor Monteith referred to D159/21 in relation to Department for Health Consultation on the Integrated Care System and enquired if there was an update. He also referred to meeting with GP providers as there was another 3 to 4 weeks of frustration and distress from local residents unable to access GP services either through normal working hours or Out of Hours with the service continually being based in Craigavon which was unacceptable. He referred to the recent news about funding being made available in for people in London and listening to them saying that it was the right for a patient to have a face to face appointment with their GP if they so wish, but this was most certainly not the case in this area and presumably in other areas as well. He was keen to see if there was any update on the two meetings as he was receiving phone calls each day, but was concerned about a phone call from a distressed family on Tuesday which were told that a relative of theirs had to go to hospital immediately, ambulance sent for the patient at 12.30 pm and at 9 pm that night their relative was still waiting in the ambulance outside Craigavon Hospital with a row of ambulances all waiting and people wonder why there were no ambulances available. He said that our Health Service was a mess, it was creaking and collapsing around us and the solution seems to be that the Southern Trust keeps sucking all the services into Craigavon and Daisy Hill and let the rest of the areas wither on the vine.

The Chair advised that he had contacted the Trust regarding the Out of Hours services at South Tyrone Hospital this week which was referred back that no decision had been made. He was advised that the Chair of the Council had written to the Trust asking the same question and was told that he should refer back the answer the Chair was going to receive. He said that was as good as it got and no further forward unfortunately.

The Assistant Director of Development, Strategic Community Development advised that was the response in relation to Southern Trust but stated that Officers would continue to follow this up. In regard to the two meetings, there hasn't been any dates finalised but this would be followed up and would stress the urgency of these.

Councillor Monteith advised that the Northern Trust and Southern Trust normally meet members before Christmas and suggested that rather than received their nice, glossy report which tries to portray how wonderful a job they are doing and felt if they were to

come this time, then an agreed Agenda should be agreed to carry out a proper discussion rather than members sitting listening to a PR exercise.

Proposed by Councillor Monteith

That it be recommended to Council that an agreed Agenda be drawn up between the Trust and Council on important issues members wished to be discussed relating to what people were dealing with on the ground.

Councillor Doris agreed with Councillor Monteith's comments and said that an agreed Agenda would be much more time efficient for everyone involved. She said members were due to meet the Northern Trust next Tuesday 19 October.

Councillor Kerr said that he would be happy to second Councillor Monteith's proposal and agreed with what he had said about the Trust coming to Council trying to make out they were doing a world-class job and all Councillors were aware on a daily basis that this was far from the truth. He stated that people needed to have access to healthcare as a lot of people were veering towards private clinics which was an absolute farce as it was our human right to have entitlement to healthcare. He said that everyone had conversations with family and friends around long term health problem or injuries and most likely have no other option but to go privately which was also an added financial burden.

Seconded by Councillor Kerr

Resolved That it be recommended to Council that an agreed Agenda be drawn up between the Trust and Council on important issues members wished to be discussed relating to what people were dealing with on the ground.

Councillor Elattar said that she could understand the problems people had experienced attending the Northern Trust and Southern Trust as she had personally experienced it herself over the last few weeks, but felt that the ultimate responsibility lay with the Minister for Health and felt that this was who the Council should really be targeting. She said that the Trusts were doing their best to work underneath the guidelines of the Department for Health and the finance they receive and felt if this issue was to be addressed properly, then the Council should be talking to the Department for Health and not the Trusts.

Proposed by Councillor Elattar

To make contact with the Minister for Health to address the important issues which needed addressing.

Seconded by Councillor Molloy

Resolved That it be recommended to Council to also make contact with the Minister for Health to try and address the issue of healthcare concerns.

Councillor Burton referred to D151/21 Chair's Business and enquired if there was any update or response on the issue she had raised regarding the pregnant mothers and birthing pools at Craigavon Area Hospital.

The Strategic Director of Environment advised that she would investigate the matter and provide a response to Councillor Burton.

The Chief Executive referred to the two health issues which were raised by members and advised that Officers would investigate to see where they currently were and any correspondence received would be shared with members. In relation to GP meeting, he advised that he had two dates in his diary which was being worked upon but just waiting on confirmation. He said that he would endeavor to firm up the days this week and share any progress with members.

Councillor Kerr sought an update regarding Washingbay Walkway fencing.

The Head of Parks said that he was aware that Councillor Kerr was seeking further information regarding this and said that Officers were working the best they could in relation to getting this resolved and were sourcing the funding for that. He said that he hoped to provide a complete report but reassured the member that this was progressing on the basis that additional funding was sourced to pay for the works 100% and hoped that these works could be extended to the existing contractual arrangements onsite. He said at the moment it was looking positive the works could be conducted over the next number of weeks at no additional cost to the Council.

D185/21 Economic Development OBFi

Members noted update on key activities as detailed below:

- Coalisland Great Places Project
- Mid Ulster Enterprise Week 2021
- DfC Revitalisation Scheme 2021/2022 – Coalisland Town Centre

The Assistant Director of Economic Development, Tourism & Strategic Programmes referred to the shortage of skilled staff in many local businesses raised by members earlier in this meeting and at the previous committee meeting. She advised that the Consultant appointed by Council to develop Mid Ulster's new Labour Market Partnership (LMP) Action Plan had been made aware of these issues and would ensure these were considered in the new Plan. She stated that Mid Ulster's first meeting of the LMP was due to be convened in October 2021 and invitations would be issued shortly. She added that there is still a few political parties who have yet to nominate their representatives to the Mid Ulster LMP and once this happens, the first meeting will be convened. The issues relating to the shortage of HGV drivers, and staff shortages in the manufacturing, engineering, agri-food sectors, etc. would all be taken on board and discussed at the LMP meeting.

D186/21 Leisure Disability Provision

Members noted update which outlined the current provision in leisure centres for those with additional needs (minute reference: C154/21).

D187/21 Master Plan/Business Case - Maghera Walkways

Members noted update on the appointment of Outdoor Recreation Northern Ireland (ORNI) to develop a Master Plan/Business Case for the potential development of lands between Mullagh Road/Tobermore Road as an outdoor recreational green space for the Maghera area.

Councillor Black said that it was good to see this project moving forward and a real opportunity to provide some quality open space to the residents of Maghera and the surrounding areas and was looking forward to seeing the concepts coming forward in due course.

Live broadcast ended at 8.35 pm

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Burton and

Resolved In accordance with Section 42, Part 1 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 D188/21 to D189/21.

Matters for Decision

D188/21 Davagh Forest Mountain Bike Trails – TRPSI Application

Matters for Information

D189/21 Confidential Minutes of Development Committee held on 16 September 2021

D190/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.45 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening please raise your hand in the normal way and keep raised until advised to lower it
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda.



MIDAS Mid Ulster Advice Services

Overview of service provision
from
01 April 2019-30 Sept. 2021

What did we say we would do?

We undertook to provide across all 5 levels of advice provision:

1. Basic access to information
2. Interpretation of information
3. Assistance to act on information
4. Advocacy and representation
5. Challenging policy

How much did we do?

- + **Total Number of Unique Individuals over the period: 7,000 +**
- Average enquiry per individual client over per year: 09
- Average contact with each client per enquiry =1.43
- Average no. of contacts per unique client = 11.5

April 2020- April 2021 snapshot

Welfare Topic / Issue	Numbers
Welfare Benefits – all types	23321
Debt including DROs, Debt Management Plans, IVAs	265
Housing	2846
Immigration	1061
Legal rights	173
Family issues	645
Employment rights	5891
Education advice	363
Health and mental health	489
Tax	162
Consumer	359

How well did we do it

Complaints:

- + Year 1: – 4
- + Year 2: - 2
- + Year 3 - 1.
- + Client feedback:
- + 96% satisfaction with support received.
- + 87% satisfaction with outcome

Staff Support and Training

Happy workers are productive workers

All staff are:

provided with regular supervision & 1-1 Support

Regular updates and training on changes in policy & legislation

Access to health and mental health support

Individual work station and Advice Pro licence

Challenges Areas for Improvement

Challenges:

Cookstown & Magherafelt Office

Electoral area targets

Impact of Pandemic

Solutions & improvements

Relocation & Upgrade

Research on underlying reasons
and adaptations to these – review

Reviewed; adapted remote and
blended service ; reviewed holistic
STEP provision to best need holistic
need

Covid Impact on clients and Service.

Covid did not create inequality but it deepened and widened it

Increase in

- + Poverty
- + Financial crisis and hardship
- + Emotional Stress and Mental Health concerns
- + Also increase in
- + Community Support and Shared Work

Added value to MIDAS

STEP also provides:

- Internal referral to and from MIDAS to:
- Welfare Reform and Debt Advice;
- Homelessness support
- Family Support
- Access to crisis hardship/ prevention of destitution funds
- Immigrant and | Migrant Worker Integration Support

Thank You

Questions?

Report on	Conferences, Seminars & Training
Date of Meeting	28 October 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Eileen Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2021-22 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	<p>Approval for Consideration of Attendance by Elected Members</p> <p>There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix A to this report is sought.</p>
3.2	<p>Officer Approvals</p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. There is none for approval this month.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Costs to be set against Members 2021/22 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member</p>

	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix A Members Conferences, Seminars & Training

Appendix A

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Northern Ireland Economic Growth & Development Conference Details: https://www.built-environment-networking.com/event/northern-ireland-economic-growth-conference/	Monday 15 th November 2021 9.30 to 2.30pm	On Line	£80	
Belfast International Homecoming - The Green Edition Details: Belfast Homecoming – Business & Investment Conference	4 November 2021 8am – 2.30pm	Hybrid format at Titanic Belfast	Virtual £50 + VAT In person £80 + VAT Banquet £150+ vat	
NILGA Regional Programme	Various please refer below	Hybrid as per schedule	No Fee	

15
NOV
2021

Northern Ireland Economic Growth and Development Conference

Monday, 15th November 2021 0930hrs – 1430hrs



Across Northern Ireland there will be a staggering £5bn worth of regeneration projects coming online before 2030 and the Northern Ireland Economic Growth and Development conference is the best place to hear from local authorities, developers and investors who are bringing forward major schemes across the country.

House building is at its highest rate in years and the thirst for mixed use space in city centres spanning from Belfast to Londonderry is growing at pace. Recently over £1bn has been pledged for road development and Northern Irish counties are set to benefit from hundreds of millions of pounds from the UK Community Renewal Fund. The event will cover all of the aforementioned while also highlighting scope for supply chain involvement with the opportunity to directly engage with the masterminds behind the plans.

Topics to be discussed:

- NIHE's new £455m maintenance contract
- 185-acre Titanic Quarter Masterplan
- £30 million Hamilton Dock Hotel
- £2.7m Waterloo Street Apartment Complex
- £60m Smithfield Yard regeneration
- 332-home Castlereagh Development
- Multi-million pound Ards and North Down investment
- Housing Executive's £7bn investment into assets
- £30 million Olympic House Project
- £7.4m New Ardilea Street Development
- 30,000 sq ft '35DP' development
- £100m King's Hall Health and Wellbeing Park
- 507-home Lisburn Development
- £25m Newry City Regeneration Programme

BELFAST INTERNATIONAL HOMECOMING THE GREEN EDITION 2021

Belfast International Homecoming will take place during COP26 and takes as its sole theme the climate emergency and the need for a transition to a green economy and society. It will be a hybrid event.

#GREENBELFAST

We will bring our global diaspora 'home' to Belfast (physically and virtually) to talk about how the organisations and institutions they represent are reducing their carbon emissions and making the journey towards net zero in a way which is just and inclusive. Our guests will hear from the business champions who are creating green-collar jobs while reducing reliance on fossil fuels whether through splitting water to create hydrogen fuel, rolling out solar and wind energy solutions, retrofitting homes at scale, or manufacturing hydrogen-fuelled buses or electric ships.

The Belfast International Homecoming will conclude with a gala event and presentation of Belfast Ambassador Medals to a new crop of champions for Belfast from around the world.

Conference Details

November 4th ☀️ Titanic Belfast
8am-2:30pm

Ambassadors' Banquet

November 4th 🌿 The Great Hall, City Hall, Belfast 🌿 6pm-10pm
Guest Speaker: Pekka Timonen, Mayor of Lahti, Finland:
European Green Capital 2021
Dress Code: Lounge Suit/Cocktail Dress



For more information and to book contact Connla McCann:
c.mccann@aisling-events.com T: 028 90 611916

Attendees must be fully vaccinated to attend all Homecoming events. Proof of vaccination will be requested upon entry.

Ticket Prices

Conference Pass (includes a copy of the 'The Trillion Dollar Shift' by Marga Hoek):	£80 + VAT
Banquet Ticket:	£150 + VAT
Conference & Banquet Ticket:	£200 + VAT
Virtual Tickets:	£50+ VAT

NILGA Regional Programme

September 2021- April 2022

Date	Time	Event	Venue	Approach	Facilitation
30th September 2021	10.30 — 1pm	Data and Evidence	Online	Workshop	NISRA, NI Local Government and Ulster University
26th October 2021	10.30 — 1pm	Civil Contingencies / Emergency Planning	Craigavon Civic Centre	Compliance	Local Government Resilience
9th December 2021	2 — 5.30pm	Climate Change Carbon Literacy	TBC	Workshop	Climate NI
13th December 2021	2 — 5.30pm	Climate Change Carbon Literacy	TBC	Workshop	Climate NI
13th January 2022	6 — 8pm	Lobbying Skills for Councillors	Ranfurly House, Dungannon	Masterclass	Chris Brown Communications
10th February 2022	6 — 8.30pm	Local Government Finance for Councillors	TBC	Masterclass	Local Government and CIPFA
24th February 2022	6 — 8pm	Code of Conduct	Online	Compliance	LG Commissioner for Standards
10th March 2022	6 — 8pm	Mental Health and Wellbeing for Councillors	TBC	Workshop	Multi-facilitation Team of MH&W Specialists
31st March 2022	6 — 8.30pm	Diversity and Inclusion Engaging Communities	TBC	Workshop	Multi –facilitation Team of D&I Specialists
7th April 2022	2 — 5pm	Scrutiny and Challenge	Antrim Civic Centre	Masterclass	APSE
22nd April 2022	2 — 5pm	Shared Leadership and Co-production	TBC	Workshop	Governance International

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 28 October 2021
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's current <i>Civic Honour and Receptions Policy</i> .				
1.2	In the context of the Coronavirus outbreak in March 2020, the Council has been transacting essential business only from this period. Reports on civic recognition have not been considered over this period however given the relaxing of certain restrictions by the NI Executive it is hoped to reconvene civic recognition receptions where it is possible to do so in line with current guidance.				
2.0	Background				
2.1	All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.				
2.2	<u>Recognition</u> <ul style="list-style-type: none">Civic Honour: recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr></table>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition
Have won first place at a competition in their relevant field at the highest level of competition					
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition					
Representing their country at International, European, All-Ireland or National level at the highest level					
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition					

2.3	<div>Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition</div> <p><u>Processing the Request</u></p> <ul style="list-style-type: none"> Reviewed against the policy/criteria Reviewed to identify if recognition provided for similar achievement within 3 years prior to this Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception Requests not meeting criteria will be recommended to receive letter from Council Chair <p>Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.</p>
3.0	Main Report
3.1	Implementation of the policy allows the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members. Recognition requests received from Members have been categorised, details of which are set out within appendix A to this report.
3.2	In April 2020 it was resolved that due to COVID a letter together with an award would be posted to Civic Reception and Civic Honour recipients. Due to lifting of restrictions around COVID it is the intention going forward to cease this process and resume hosting receptions where current guidance permits.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Members give consideration to approving civic recognition requests as presented and be dealt with as appropriate.
6.0	Documents Attached & References
	Appendix A: Civic Recognitions Recommended for Approval

Appendix A: October 2021 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

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

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
St Patrick's Catholic Church The Loup (Committee)	Chapel Restoration Project won a UK Property Award Winner 2021-2022	Cllr McFlynn Cllr Kearney	• Outstanding Achievement	For: N/A Date: N/A
Paul Hughes	Cage Warriors interim featherweight world champion	Cllr S McPeake	• Won first place at a competition	For:
Darren Rafferty	Irish National Champion (Junior U19) Road Race Irish Junior Champion Junior U19) Time Trial	Cllr Molloy	• Won First place at a competition at the highest level at a Northern Ireland or Provincial level	Irish National cyclo-cross Championship Gold Medalist and Irish National Under 14 boys cyclo-cross Date: 2017
Lavey Parish Church Committee	Restoration Accolade CEF Construction Excellence Awards 2021	Cllr S McPeake	• Outstanding Achievement	For: N/A Date: N/A
Under 14 Derry Camogie Team	Ulster Championship	Cllr McFlynn Cllr Kearney	• Won First place at a competition at the highest level at a Northern Ireland or Provincial level	For: N/A Date: N/A

Donaghmore Horticultural Society	Ulster in Bloom Translink Competition	Cllr Kerr Cllr Doris	<ul style="list-style-type: none"> Won first place at a competition at the highest level at a Northern Ireland or Provincial level 	Received Civic Award in 2017 for coming 2 nd place Ulster in Bloom Received letter in 2018 for coming first in Ulster in Bloom Received letter in 2019 for 1 st place Village Category Ulster in Bloom
Cameron Dawson	2021 British Junior Supersport Champion Crowned champion at Brands Hatch.	Cllr Cuthbertson	<ul style="list-style-type: none"> Won first place at a competition 	For: N/A Date: N/A
Isaac Ward	82kg Novice Ulster Boxing Champion	Cllr Kerr	<ul style="list-style-type: none"> Won first place at a competition at the highest level at a Northern Ireland or Provincial level 	For: N/A Date: N/A

Other: Letter from Council Chair

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

Proposed Recipient	Achievement	Submitted by

Moy Tír na nÓg GFC	Tyrone Under 17 Football Grade 3 Championship and League winners 2021	Councillor Monteith
Derrylaughlin Senior Camogie Team	Winners of the Patrine Robinson Cup Intermediate Championship	Cllr Kerr
Moortown Senior Ladies	Winner of Junior Championship	Cllr Kerr
Brocagh Senior Camogie	Winners of the Junior Championship Siobhan 'Tipp' O'Neill Memorial Cup	Cllr Kerr
Donaghmore Under 19s	County Tyrone League and Championship	Cllr Kerr
Stewartstown Community Group	Ulster in Bloom 2 nd place in Large Village Category Translink Competition	Cllr Doris
Ardboe Ladies Minors	Grade 2 League Final Winners	Cllr Kerr

Report on	Correspondence to Council – October 2021
Date of Meeting	Thurs 28 th October 2021
Reporting Officer	P Moffett, Assistant Director
Contact Officer	E Forde, Members Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Minister of Finance</p> <p>The Council Chairperson has received correspondence from the Minister of Finance in response to the Council's request for a meeting to discuss rate setting and ongoing legal proceedings. A date for the meeting will be confirmed in the near future. Refer to Appendix A</p>
3.2	<p>Correspondence from Fermanagh & Omagh District Council</p> <p>The Chief Executive has received correspondence from Fermanagh & Omagh DC on motion carried by that authority on 'Syringes for Cuba Campaign/End the Blockade'. Refer to Appendix B.</p>
3.3.	<p>Correspondence from Member of Public</p> <p>The Council has received correspondence from a member of the public circulated to all Councils on a letter placed in the regional media on marking those lost due to COVID-19 in Northern Ireland. Refer to appendix C.</p>
3.4	<p>Correspondence from Department for Infrastructure</p> <p>The Council Chairperson has received correspondence from the Private Secretary of DfI in response to the Council's request for an update in relation to resurfacing contracts across Mid Ulster. Refer to Appendix D</p>
3.5	Correspondence from Public Health Agency

	The Council Chairperson has received correspondence from the Public Health Agency in response to Council's enquiry regarding School Contract Tracing. Refer to Appendix E
3.6	Correspondence from Minister for Health
	The Council has received notification from the Minister for Health regarding the publication of its consultation analysis report following the formal 10 week public consultation undertaken on the introduction of Soft Opt-Out Organ Donation. The report will be published on the Department of Health's website on 17 September 2021. A copy can be forwarded upon request from Democratic Services. Refer to Appendix F
3.7	Correspondence from Home Office: Department for Levelling Up, Housing and Communities
	The Chief Executive has received notification from the Home Office: Department for Levelling Up, Housing and Communities in relation to the Afghanistan Resettlement Programme – New DLUHC Regional Engagement Team which outlines how set out how the cross-Government teams will work to support the hugely important and valued local work to resettle Afghan families across the UK. Northern Ireland is referenced in the letter Refer to Appendix G
3.8	Correspondence from Chief Executive Southern Trust
	The Council Chairperson has received correspondence from the Public Health Agency in response to Councils enquiry regarding the return of GP Out of Hours Service in Dungannon. Refer to Appendix H
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Minister for Finance, NI Executive Appendix B: Chief Executive, Fermanagh & Omagh District Council Appendix C: Member of Public

	Appendix D: Department for Infrastructure, NI Executive
	Appendix E: Public Health Agency
	Appendix F: Minister for Health, NI Executive
	Appendix G: Home Office: Department for Levelling Up, Housing and Communities
	Appendix H: Southern Health & Social Services Trust

From the Minister of Finance

Councillor Paul McLean
Mid Ulster District Council

Private Office
2nd Floor
Clare House
303 Airport Road West
BELFAST
BT3 9ED
Tel: 028 9081 6216
Email: private.office@finance-ni.gov.uk

Your reference: C174/21
Our reference: INV-0354-2021

Date: 8th October 2021

WITHOUT PREJUDICE

Dear Councillor McLean,

**REQUEST TO MEET TO DISCUSS THE MATTER OF RATE SETTING AND
ONGOING LEGAL PROCEEDINGS**

Thank you for your letter of 30 September 2021 about arranging a meeting to discuss the matter of rate setting and the ongoing legal proceedings currently in place.

I feel that such a meeting would be welcome, and would be happy to meet with you to discuss this matter. I am advised that such a discussion will need to take place on a Without Prejudice basis due to the ongoing litigation in this area.

My Private Office will be in touch to arrange a suitable date and time, and to seek a meeting agenda, which will be required prior to any meeting arrangements being finalised.

Yours sincerely



**CONOR MURPHY MLA
MINISTER OF FINANCE**

Your Ref:

Our Ref:

Date: 20 September 2021

Email: Democratic.services@fermanaghomagh.com



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

Alison McCullagh
Chief Executive

To: All Council Chief Executives on the island of Ireland

Dear Chief Executive,

Re: Motion – Syringes for Cuba Campaign/End the Blockade

At the Council meeting held on 7 September 2021, the following Motion was approved by the majority of votes cast: -

That this council states its' continued opposition to the illegal and inhumane blockade of Cuba by the USA. Notes that, prior to the pandemic, this blockade has prevented essential supplies such as fuel entering the country which has far-reaching consequences. Further notes, with increased concern, the impact that this blockade is having during the Covid-19 pandemic whereby essential medical supplies, needed to save lives, are being restricted;

That this council sends its' solidarity to all those in our district who have loved ones in the country. Further, that this council sends our solidarity to Cuba through the Cuban Ambassador to Ireland, Hugo Ramos, and that we invite the Ambassador to meet with our council to express this directly and hear about how this blockade is affecting citizens in our district; That this council notes, despite the pressures caused by the imposition of unjust sanctions, the positive role that Cuba has played in providing practical solidarity and support to so many countries in the global struggle against Covid-19;

That this council praises the efforts of the Cuban Solidarity Forum Ireland, supports their 'Syringes for Cuba' campaign, and highlights this campaign to the people of our district using any means available to us. Further, that this council invites representatives from the Cuban Solidarity Forum Ireland to meet with council to update us on the campaign and ongoing situation;

That this council writes to both Health Ministers on the island to request that they explore ways in which assistance could be provided to assist in medical supply provision to Cuba. Further, that this council requests that,

✉ info@fermanaghomagh.com



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

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

Tel. 0300 303 1777
TextPh. 028 8225 6216
www.fermanaghomagh.com

on behalf of the people of our district, both Health Ministers advocate for the inclusion of any successful medications and treatments, including those developed in Cuba, in the fight against Covid-19;

That this council notes the most recent vote on 23rd June 2021 by the UN General Assembly, and every vote since 1992, to demand the end of the US blockade by the international community;

That this council, on behalf of those in our district with loved ones in Cuba as well as everyone in our district who would benefit from Cuban Covid-19 medications, calls on the US government, via the US Ambassador to Ireland, to bring this blockade to an end, particularly due to the devastating effect it is having during the Covid-19 pandemic;

Finally, that this motion is circulated to all councils on the island of Ireland and that they are requested to adopt a similar position.

As outlined in the Motion, the Council requests that your Council adopts a similar position with regard to the Syringes for Cuba Campaign/End the Blockade.

The Council will also be making representations to the other relevant stakeholders as mentioned above in the Motion.

The Council looks forward to receiving your response in due course.

Yours sincerely



Alison McCullagh
Chief Executive

RECEIVED
30 SEP 2021
CHIEF EXECUTIVE

Charlie McConaghy
65 Main Street
Portrush
Co. Antrim
BT56 8BN
02870823265

Mid Ulster District Council
Dungannon
Dungannon Office
Circular Road
Dungannon
BT71 6DT

Dear Council members,

'Proposed Arboretum'

I will be posting a copy of the attached in the Belfast Telegraph, Newsletter and Irish News this coming week.

Good manners require me to inform you of its content.

'In Northern Ireland we have lost over 2500 people to Covid 19.

Is now the time to plan an Arboretum? Using native trees as a lasting memorial to honour and reflect on the lives of our dearly departed victims of Covid 19.

Should we now press our local Councils to set out a formal Arboretum of reflection, with a tree for each victim of Covid 19?

If you are interested, I would like to hear from you. My gmail is: charliemcconaghy1@gmail.com

Kind regards,

Charlie McConaghy

Charlie McConaghy TUE 28 SEPT. 21



**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Councillor Paul McLean

Eileen.Forde@midulstercouncil.org

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0105
Email: Private.office@infrastructure-ni.gov.uk

Your reference:
Our reference: CORR-1656-2021
12th October 2021

Dear Cllr McLean

RESURFACING

Thank you for your letter dated 30 September, to Minister Mallon, seeking an update on the award of contracts to undertake asphalt resurfacing in the Mid Ulster District Council area.

DfI officials are progressing the procurement of 3 open tender asphalt resurfacing contracts in the Mid Ulster area to a total value of approximately £4m. It is anticipated that the contract to resurface a large section of the A29 Cookstown to Moneymore dual carriageway and the East Circular road in Cookstown will be awarded in October. Two further contracts to resurface a large section of A6 Glenshane Road and sections of the A5 and B34 near Ballygawley will be tendered and awarded early in the new year.

The documents for the tendering of new measured term asphalt resurfacing contracts are under development and it is anticipated that contracts for the Magherafelt and Dungannon areas of MUDC will go to tender in October 2021 and be awarded in January 2022. The Cookstown area contract is scheduled to go to tender on December 2021 and to be awarded in April 2022.

The Road Recovery Fund resurfacing work is also well underway and the contractor is working their way through this large programme. The value of work to be delivered this year under the Recovery Fund in Mid Ulster is approximately £2.6m and this work will be ongoing until the end of March 2022.

I trust you find the above information helpful and that it provides reassurance that the Department remains committed to delivering much needed investment on the roads infrastructure in your area.

KATHRYN MCFERRAN
Private Secretary to the Minister



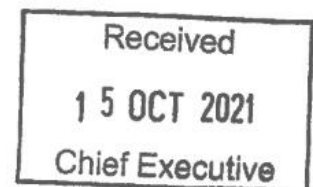
Councillor Paul McLean
Chair
Mid Ulster District Council
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Office of the Chief Executive
Public Health Agency
4th Floor South
12-22 Linenhall Street
BELFAST
BT2 8BS

Tel: 028 95363406
Website: www.publichealth.hscni.net

11 October 2021

Your Ref: C176/21



Dear Councillor McLean

Thank you for your letter of 30 September.

The policy in respect of school-aged contacts of confirmed cases of Covid-19 is set by the relevant Departments and approved where necessary by the Executive. You will be aware of the joint statement issued by the Ministers of Health and Education on 9 September which set out the rationale for the recent changes (<https://www.health-ni.gov.uk/sites/default/files/publications/health/doh-joint-memo-from-DE-and%20DoH-%20Ministers.pdf>).

The Public Health Agency (PHA) has always been responsible for the contact tracing of school aged children. Until the recent change, this was supported by schools identifying the in-class contacts and issuing letters to these children via the established system for parent communications. The PHA worked with the school staff in risk assessing each situation to identify contacts and the Contact Tracing Service was responsible for identifying contacts outside of the school setting. School staff played an important role but the process itself was much more complex and involved than this.

As the definition of a school-aged close contact has now changed and children are not deemed automatically to be close contacts by virtue of sharing a classroom, the number of in-school contacts has reduced considerably. It is not clear therefore what additional administrative burden has been placed on staff due to this change.

Support for schools is available via a dedicated Education Authority (EA) helpline and there is a process in place whereby EA staff can escalate situations to the PHA for further consideration and advice as required. Additionally, our public health specialists monitor the epidemiology of the disease within schools and will actively contact principals to discuss issues as we identify them.

There are specific arrangements for special schools and pre-school education settings in acknowledgement of the particular issues at play in these establishments.

The PHA has worked closely with the Departments of Health and Education as well as the Education Authority in engaging with the education sector – including trade unions – and I am confident that our approach is the most effective way to manage cases in the school-aged population.

We are of course keeping a close eye on progress and as a learning organisation will not hesitate to implement change when there is evidence to show that it is required.

I trust this is helpful and I am grateful for the Council's interest in the matter. If you have further questions or comments on contact tracing, the Deputy Director (Jennifer.lamont2@hscni.net) of the service will be happy to discuss.

Yours sincerely



Aidan Dawson
Chief Executive

cc Dr Elizabeth Mitchell, Director of Contact Tracing

FROM THE MINISTER OF HEALTH



To: Key Stakeholders

Castle Buildings
Stormont Estate
BELFAST, BT4 3SQ
Tel: 028 9052 2556
Email: private.office@health-ni.gov.uk

Your Ref:

Our Ref: SUB-0978-2021

Date: 17 September 2021

Dear Colleagues

ORGAN DONATION BILL: INTRODUCTION OF SOFT OPT-OUT ORGAN DONATION – CONSULTATION ANALYSIS REPORT

I am writing to advise you that my Department will be publishing its consultation analysis report following the formal 10 week public consultation undertaken on the introduction of Soft Opt-Out Organ Donation. The report will be published on the Department of Health's website on 17 September 2021.

In advance of this, I enclose a copy of the consultation analysis report and my Departments response within the report.

The vast majority of respondents expressed broad support for the introduction of a statutory opt-out system for organ donation in Northern Ireland. No issues were raised which will cause me to deviate from the policy intention as outlined in the public consultation. I am also delighted to confirm that the draft Organ and Tissue Donation (Deemed Consent) Bill was introduced in the Assembly on 5 July 2021.

I look forward to engaging with you going forward and I hope that you find this letter helpful.

Yours sincerely



Robin Swann MLA
Minister of Health



Home Office



Department for Levelling Up,
Housing & Communities

Emma Haddad

Director General, Asylum
and Protection

Home Office

1st Floor, Peel Building
2 Marsham Street
London SW1P 4DF

Catherine Frances

Director General,
Local Government, Strategy
and Analysis

**Department for Levelling Up,
Housing and Communities**

4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

20 October 2021

Dear Local Authority Chief Executive,

Afghanistan Resettlement Programme – New DLUHC Regional Engagement Team

We would like to set out how the cross-Government teams will work to support the hugely important and valued local work to resettle Afghan families across the UK.

Councils are playing a vital role in pledging offers of accommodation and the provision of wraparound services to enable individuals to integrate quickly within our society and begin to flourish and lead fulfilling lives. We would like to thank all councils for their continued efforts, and we are very grateful for the ever-growing number of pledges of accommodation and generous offers of support. As of 18 October, councils have offered 925 properties to support the resettlement and relocation of Afghan citizens and their families.

We continue to work collaboratively across national and local government, and with partners including the voluntary and community sector, to support individuals who have recently arrived from Afghanistan. The collective aim is to make sure they are supported out of bridging accommodation and welcomed into our communities as quickly as possible.

We recognise the challenging nature of this ask and know this is in the context of the ongoing response to the pandemic and associated workforce strains, and in addition to the significant efforts to accommodate individuals as part of the wider asylum dispersal.

We also appreciate there is still a lot of detail to work through in relation to Afghan resettlement and we are continuing to work at pace across Government to:

- Finalise and issue funding instructions for the Afghan Relocations and Assistance Policy (ARAP) and Afghan Citizens' Resettlement Scheme (ACRS)
- Clarify outstanding policy questions, including in relation to British Nationals; and

- Revise and circulate updated FAQs.

As you will know, the Home Office already works closely with councils through the Strategic Migration Partnerships (SMPs) to secure offers of support including properties and carry out the operational role of matching families to accommodation. We are now augmenting the existing system and the joint SMP and Home Office engagement structures because of the unprecedented nature of the challenge given the size of the population to resettle.

DLUHC has created a new team of regional leads to further support the Home Office's longstanding operational engagement through SMPs. The team will work closely with councils in each of the regions and the three Devolved Administrations to better understand the intrinsic problems of pledging accommodation and act as a conduit to escalate issues cross-government, helping to remove barriers and support councils in making further offers of support. In addition to unlocking pledges of accommodation, the team is designed to have strategic conversations with councils about the wider asylum and resettlement pressures, for example, around integration, community tensions, accommodation issues and wraparound services.

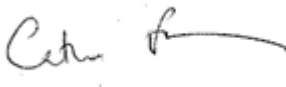
Our intention is to establish an iterative conversation with councils over the coming months to improve policy decisions that impact on the work you are doing. The team will work in a complementary role alongside colleagues in the Home Office and SMPs and jointly report into Minister Atkins as the Minister responsible for overseeing ARAP and ACRS. A list of the Home Office leads and DLUHC single points of contact for each SMP region is at Annex A.

To promote effective working with councils, we have been able to address some key gaps already, for example, the production of Frequently Asked Questions and webinars. Over the coming weeks, the regional engagement leads from DLUHC will contact councils to identify how best to offer further support. We hope that, through this collaborative work, we can create the infrastructure that will enable councils to support more Afghan families to be suitably accommodated and integrated within your communities.

We look forward to working with you.

Yours sincerely,

Catherine Frances
Director General Local Government, Strategy and Analysis
Department for Levelling Up, Housing and Communities



Emma Haddad
Director General Asylum and Protection
Home Office



Annex A – List of Home Office and DLUHC contacts

DLUHC Afghan Local Engagement Team - Regional/ Country leads		
Region/ Country	Lead	Email
East Midlands	Adam Rolewicz	Adam.Rolewicz@communities.gov.uk
East of England	Jayne Kelly	jayne.kelly@communities.gov.uk
London	Jill Augustin	Jill.Augustin@communities.gov.uk
North East	Mick Goodwin	michael.goodwin@communities.gov.uk
North West	Soraya Sanatian	Soraya.Sanatian@communities.gov.uk
South East	Adedayo Akinfolajimi	Adedayo.Akinfolajimi@communities.gov.uk
South West	Melissa Cock	Melissa.Cock@communities.gov.uk
West Midlands	Shaun Delaney	Shaun.Delaney@communities.gov.uk
Yorkshire and Humber	Mick Goodwin	michael.goodwin@communities.gov.uk
Northern Ireland	Daniel Steel	daniel.steel@communities.gov.uk
Wales	Davina Manu	davina.manu@communities.gov.uk
Scotland	Rosie Critchlow	rosie.critchlow@communities.gov.uk
Team leader	Laura Clark	Laura.Clark@communities.gov.uk
Home Office Afghan Local Engagement Team - Regional/ Country leads		
Region/ Country	Lead	Email
East Midlands, North East, Y&H	Nichola Henwood	Nichola.henwood@homeoffice.gov.uk
East of England, West Midlands, Wales	Annette Evans	Annette.evans4@homeoffice.gov.uk
London, North West, Scotland	Jack Evans	Jack.evans11@homeoffice.gov.uk
South East, South West, Northern Ireland	Adam Bell	Adam.Bell@homeoffice.gov.uk
Team leader	Mandy Bailey Melanie Johnson	Mandy.bailey@homeoffice.gov.uk Melanie.johnson@homeoffice.gov.uk

From: [Wright, Elaine](#)
To: [Eileen Forde](#)
Subject: Correspondence from Mid Ulster Council
Date: 15 October 2021 14:08:56
Attachments: [image001.png](#)
[C176.21 SHSCT Shane Devlin CEO re GP Out of Hour Services.pdf](#)

Dear Cllr McLean

Thank you for your letter of September 30th, ref: C176/21.

The Urgent Care Out of Hours Service is a telephone-based service, offering advice and treatment to everyone living in the Southern Health and Social Care Trust area with urgent medical symptoms that cannot wait until their own GP reopens.

With increasing demand right across health and social care and particularly unscheduled care services, the Urgent Care Out of Hours Service has been experiencing significant pressures.

At the beginning of August, due to difficulties of staffing rotas, we consolidated services at our Daisy Hill and Craigavon Area bases, temporarily closing the Armagh, South Tyrone and Kilkeel centres.

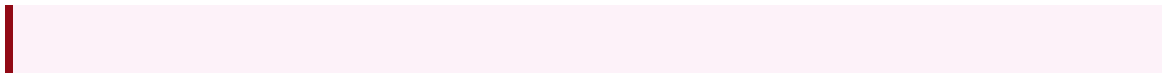
These arrangements will remain in place throughout October while the review of Urgent Care Out of Hours Service is ongoing.

As a telephone-based service, this temporary change should only affect the minority of patients who need to attend for a base appointment. Patients should always call first to access our team of GPs, Pharmacists and Nurses. Most people will

receive telephone advice and a small number may require a home visit.

Kind regards, Shane

Shane Devlin
Chief Executive



Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	Thursday 28 th October 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

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

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Consultation on proposed amendments to the Safeguarding Board for Northern Ireland (Membership, Procedures, Functions and Committee) Regulations (NI) 2012 (the Regulations)	<p>Department is proposing to amend 2012 Regulations in relation to the following:</p> <ul style="list-style-type: none"> • Quoracy in SBNI meetings and proceedings; • Criteria for, and learning from, Case Management Reviews; • Staffing and corporate hosting; • Local council membership of SBNI. 	11 Nov 2021	
	Link to Consultation	https://consultations.nidirect.gov.uk/doh-social-services-policy-group/proposed-sbni-regulations-amendments/		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	Yes		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for the Economy	Mineral Prospecting Licence Applications and MPLA1/19 MPLA2/19	The Department has received applications from Dalradian Gold Limited for Mineral Prospecting Licences under Section 11 of the above Act. The applications include lands situated in counties Tyrone and Londonderry	5 December 2021	
	Link to Consultation	https://www.economy-ni.gov.uk/consultations/mineral-prospecting-licence-applications-mpla119-and-mpla219		

	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Instructus Skills	Review of Cleaning and Support Services National Occupational Standards	Instructus Skills have been contracted to review and update the Business Enterprise National Occupational Standards (NOS) suite. This consultation relates to new drafts of individual standards with Overview, Performance Criteria and Knowledge and Understanding.	To be Confirmed	
	Link to Consultation	https://survey.zohopublic.com/zs/t8B3Ba		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		To be confirmed	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Communities	Intermediate Rent Development of Policy and Model	This is a public consultation about plans to introduce new Intermediate Rent housing policy and model into the housing market in NI.	14 Jan 2022	
	Link to Consultation	https://www.communities-ni.gov.uk/consultations		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Agriculture, Environment & Rural Affairs	Consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers	This consultation relates to the reduction of single-use plastic beverage cups and food containers.	17 Dec 2021	

		Online consultation sessions TBH on 14 and 24 November.		
	Link to Consultation	https://consultations.nidirect.gov.uk/daera/linea-ni-consultation-on-single-use-plastics-bever/		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Boundary Commission for NI (<i>Parliamentary Boundaries</i>)	Parliamentary Boundaries: 2023 Review	This consultation is on published initial proposals for Parliamentary Constituency boundaries as part of the 2023 Review.	15 Dec 2021	
	Link to Consultation	https://www.boundarycommission.org.uk/2023-review-parliamentary-constituencies		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			