



26 September 2019

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon at Mid Ulster District Council, Council Offices, Circular Road, DUNGANNON, BT71 6DT on Thursday, 26 September 2019 at 19:00 to transact the business noted below.

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation - Northern Ireland Housing Executive

Matters for Decision

- | | |
|---|-----------|
| 5. Council minutes of meeting held on 25 July 2019 | 59 - 84 |
| 6. Planning Committee minutes of meeting held on 6 August 2019 | 85 - 100 |
| 7. Planning Committee minutes of meeting held on 3 September 2019 | 101 - 126 |
| 8. Policy and Resources Committee minutes of meeting held on 5 September 2019 | 127 - 134 |
| 9. Environment Committee minutes of meeting held on 10 September 2019 | 135 - 148 |
| 10. Development Committee minutes of meeting held on 12 September 2019 | 149 - 168 |
| 11. Conferences, Seminars & Training | 169 - 180 |
| 12. Requests for Civic Recognition | 181 - 188 |
| 13. Consultation from Department for Communities consultation on 'Definition of Affordable Housing' | 189 - 200 |
| 14. Amendment to Part 2 of the Council's Constitution – Responsibility for Functions | 201 - 204 |

Matters for Information

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Notice of Motions

- 18 Councillor Mallaghan to move:
This council acknowledges the dormant account fund released by Permanent Secretary for Finance Sue Gray. This council is disappointed that they have not been consulted on the setting up of a key stakeholder group moreover that local government is not included in that group.
Local government have an excellent track record on identifying need, experience in working with the community and credibility in getting money spent on time and in budget.
Cllr Mallaghan to move that this council writes to the permanent secretary requesting that local government has a role to play in this process rather than be a consultee when proposals have already been put in place.
- 19 Councillor McGinley to move:

This council recognises the north of Ireland has the highest rate of suicide anywhere in these islands. In the 17 years between 2000 and 2017 4,476 deaths were registered as suicide.

In the last half of that timeline it is 300 per year and not falling.

This council welcomes the departments publication of Protect Life 2 Suicide.

That this council sets up a meeting with the Department of Health and our partners in the community and voluntary sector to explore how we can work together to achieve the targets set out by the Chief Medical Officer Michael McBride.

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

20. Council Confidential minutes of meeting held on 25 July 2019

21. Planning Committee confidential committee minutes of meeting held on 6 August 2019
22. Planning Committee confidential committee minutes of meeting held on 3 September 2019
23. Policy and Resources Committee confidential minutes of meeting held on 5 September 2019
24. Audit Committee confidential minutes of meeting held on 9 September 2019
25. Environment Committee confidential minutes of meeting held on 10 September 2019
26. Development Committee confidential minutes of meeting held on 12 September 2019
27. Approval of Annual Financial Statements
28. Document for Sealing: Consortium Agreement for the Full Fibre NI (FF) Project
29. Document for Sealing: Deed of Grant of Easement with Mr Desmond Ryan, in relation to foul sewer infrastructure adjacent to Council owned lands situated at Ballyronan Marina, Shore Road, Ballyronan
30. Document for Sealing: Article 161 Adoption Agreement with Mr Desmond Ryan and NI Water in relation to foul sewer infrastructure adjacent to Council owned lands situated at Ballyronan Marina, Shore Road, Ballyronan
31. Document for Sealing: Application of Seal to Agreement regarding Lands at Ann Street, Dungannon

Matters for Information

Mid Ulster

Housing Investment Plan
2019-2023



Our Vision: Everyone is able to live in an affordable and decent home, appropriate to their needs, in a safe and attractive place

3
We have overarching strategic themes, each with its own purpose statement.



PEOPLE

To provide housing solutions, services and support to the people of Northern Ireland.

PROPERTY

To ensure everyone has access to a quality home which is safe, affordable, warm and appropriate to their needs.

PLACES

To work with others to develop, maintain and sustain attractive, connected, healthy and economically active places.

4
We have high level outcomes:

1. Helping people find housing support and solutions;
2. Delivering better homes;
3. Fostering vibrant sustainable communities; and
4. Delivering quality public services.

1
We have set of values:

Making a difference;
Fairness;
Passion;
Expertise

Housing
Executive

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This document is available in alternative formats. Contact:

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Foreword

Welcome to our second Housing Investment Plan, which sets out our local plans for the next four years. Following feedback from our customers, we hope this report is reader friendly and information is easy to find.

We continue to meet our statutory duties and to provide our housing services across Northern Ireland. We face many challenges in the current financial climate and we continue to do our best to deliver our services across the board.

Four high level outcomes related to housing and associated services have shaped our plans:

1. Helping people find housing support and solutions;
2. Delivering better homes;
3. Fostering vibrant sustainable communities; and
4. Delivering quality public services.

Our Housing Investment Plan reports on our progress over the past twelve months and presents our programmes for the coming year. We have aligned our outcomes to those of the Community Plans and continue to engage with Community Planning Partners to deliver housing services locally.

In order to better meet the needs of our tenants and other customers we have developed a Customer Excellence Strategy 2017-20; this aims to deliver continuing improvement for all our customers. We are also improving our Housing Options service to help people find support and solutions to suit their housing needs and, more importantly, to prevent homelessness. We support our tenants to help them remain in their homes, including provision of financial inclusion information as necessary. We will encourage more tenants to get involved in our Social Enterprise Strategy, and we will pilot a digital inclusion project to assist in accessing services and applying for Universal Credit online. In addition, we will continue our work with the much valued Housing Community Network to future proof our services.



Professor Peter Roberts
Chair

Introduction

Our Housing Investment Plan (HIP) 2015-19 was developed to be the ‘comprehensive conversation piece’ for the housing element of community planning, involving consultation from a range of stakeholders in the sector. It was intended that the HIP would initiate further discussion amongst partners to shape the future of housing in councils throughout Northern Ireland. Four years later, each council has published their Community Plan which identifies long term priorities for improving the social, economic and environmental wellbeing of their citizens.

We believe that our HIP successfully contributed to the formation of the Community Plans. We have aligned our HIP outcomes to each Community Plan to show how our work supports the work of the council and we look forward to continuing to provide our contribution to shaping the future of housing in each council with our Community Planning partners.

We will renew the HIP every four years and in the intervening years, will publish an annual update and performance report.

When writing our HIP we have taken account of the draft Programme for Government, NI Housing Strategy, Regional Development Strategy, Sustainable Development Strategy for Northern Ireland, Planning Reform, Reform of Local Government, and the Social Housing Reform Programme.

Strategic Context

The Housing Executive developed the Housing Investment Plan 2019-23 within the context of the Northern Ireland policy framework.

Welfare Reform

Welfare Reform has meant significant changes to the benefit system for people of working age in Northern Ireland. Whilst all of the changes have had some effect on the Housing Executive, those which have had most impact are Social Sector Size Criteria (Bedroom Tax), Universal Credit and Benefit Cap.

In March 2019 Social Sector Size Criteria, for example, was directly impacting on 24,587 Housing Executive tenants; meanwhile 230 were affected by Benefit Cap.



However, there are measures in place for people in Northern Ireland to reduce the impact of many of the welfare changes, including Social Sector Size Criteria and Benefit Cap. These Welfare Supplementary Payments (mitigation) are available until March 2020 and are administered by the Department for Communities (DfC).

Universal Credit, which is being implemented by DfC, replaces a number of working age benefits, including Housing Benefit. It was introduced in Northern Ireland on a geographical basis between September 2017 and December 2018 for new working age claimants of those benefits being replaced. Roll-out has also meant that existing working age claimants of these benefits, who have a significant change in their circumstances, naturally migrate to Universal Credit. By March 2019, the Housing Executive had 5,944 tenants claiming Universal Credit. Natural migration to Universal Credit continues and will do so until Universal Credit is fully implemented through 'managed migration' where working-age customers on the relevant benefits will be moved to Universal Credit. This is due to start January 2020 and finish by December 2023 and it is anticipated that some 45,000 Housing Executive working age tenants will be affected by Universal Credit when roll-out is complete.

Housing Benefit's caseload is gradually decreasing and this reduction is likely to continue as Universal Credit's managed migration phase takes effect. However, Housing Benefit will still have a significant number of customers, approximately 44,000, of State Pension Credit age as well as customers living in supported accommodation or who are placed in temporary accommodation.

The Housing Executive will continue to administer Housing Benefit for DfC along with Discretionary Housing Payments for both Housing Benefit and Universal Credit claimants. These payments are designed to help those who get Housing Benefit or Universal Credit but still experience difficulties meeting their housing costs. In addition, the Housing Executive will continue to administer and manage the recovery of Housing Benefit overpayments including from those claimants with Housing Benefit overpayments who move onto Universal Credit. On behalf of the Department of Finance, Housing Benefit will continue to manage the Low Income Rates Relief for non-working age tenants and Lone Pensioner Allowance schemes.

Homeless Strategy

The first Annual Report on the Housing Executive's Homelessness Strategy 2017/22 – Ending Homelessness Together was published in October 2018. You can view the report [here](#). The second annual progress report will be published in September 2019.

The report demonstrates the multi-agency approach adopted by the Strategy to both prevent homelessness and to ensure that all clients are provided with the right support to sustain a long term tenancy when one becomes available.

This multi-agency approach is further demonstrated via the established Homelessness Local Area Groups. They bring together a range of agencies from the Statutory, Voluntary and Community Sectors to deliver Action Plans linked to the Strategy to deliver better solutions on the ground for homeless clients.



Homeless Communication Action Plan

The Housing Executive is working on the implementation of a Communication Action Plan to ensure households approaching crisis can access the right support quickly. A Homelessness Awareness E Learning Package has been developed and delivered to all Housing Executive staff. The next stage will be to roll out the package across Statutory, Voluntary and Community Sectors. Relevant information will be provided at key locations e.g. doctor's surgeries, churches etc. Homelessness Local Area Groups will continue to work to raise awareness of homelessness by arranging information events across NI.

Delivery Strategy and Action Plan

The Housing Executive manages the Social Housing Development Programme (SHDP) on behalf of DfC. The SHDP is managed on a three-year rolling basis and the current programme period is 2019/20 – 2021/22. All new social housing provided through the SHDP is delivered by housing associations. The Housing Executive works closely with housing associations to ensure delivery of DfC's annual targets for new social housing starts and completions. The Housing Executive manages the annual SHDP budget and this investment (in the form of Housing Association Grant) is supported by private finance levered in by housing associations.

New social homes delivered through the SHDP are designed to meet a range of applicants' needs for social housing, including those with general housing requirements, Wheelchair Standard Housing, housing for active older people and housing for applicants with Complex Needs. The Housing Executive is working with

housing associations to increase the provision of new build Wheelchair Standard homes in line with ambitious delivery targets agreed with DfC. A proportion of the SHDP budget is also set aside to fund adaptations to existing housing association properties for people with disabilities. The Housing Executive also monitors the delivery of new social homes in rural areas and engages with housing associations and rural communities to support the sustainability of rural settlements.

Each year, delivery of the SHDP is supported by the transfer of land in Housing Executive ownership to housing associations to facilitate new developments. The Housing Executive also works closely with Land & Property Services to bring forward other public sector property for social housing development through the 'disposal of surplus public sector property' process.

The Housing Executive continues to support the Northern Ireland Executive's Together Building a United Community (TBUC) Programme through the facilitation of new build Shared Housing schemes. Having initially supported the delivery of 10 Shared Housing schemes under the TBUC programme, the Housing Executive is now working with DfC to bring forward up to 200 new Shared Housing units annually through the SHDP under the 'Housing for All' programme.

Asset Management Strategy

The Housing Executive continues to implement the revised strategic investment strategy for its stock that was approved by DfC in October 2017. As such, our investment programme is focused on compliance and Health & Safety activities, adaptations, External Cyclical Maintenance and a programme of major component upgrading (e.g. bathrooms, kitchens, wiring, doors, windows, heating etc.) in order to address both our maintenance backlogs and tenant priorities; delivery of much of this investment continues to be dependent on successful procurements. Given our continued projected long term shortfall in funding, the main imperative remains the development of a sustainable funding solution to meet our future stock investment needs. The three year period for our revised approach agreed by the Department ends in 2020 and, therefore, in the coming year we will be developing a range of strategic options for consideration in the event that our future funding position is not improved.

Tower Blocks

A draft Action Plan for our Tower Blocks was approved by the NIHE Board in May 2018 as the basis for consultation with stakeholders on our proposals. A consultation exercise was undertaken between June and December 2018, and the findings of this exercise informed the preparation of the final Action Plan which was presented to, and approved by, the Board in March 2019. The Action Plan has now been submitted to DfC for its consideration.

Cavity Wall Insulation

In August 2017, the Housing Executive commissioned a research report on cavity wall insulation in both its own stock and private sector housing. The research was undertaken by the British Board of Agrément (BBA) using their Consultancy Investigation and Training (CIT) subsidiary body. Its report was published in May 2019 and indicated a significant issue with cavity wall installations that are not compliant with current standards. The report's findings are currently being considered by the Housing Executive with the intention of bringing forward an action plan in autumn 2019.

Research Programme

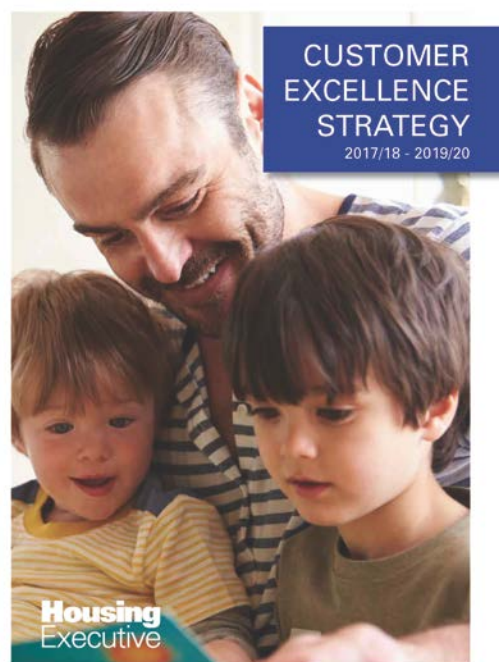
As the strategic housing authority in Northern Ireland, the Housing Executive has a statutory responsibility to regularly examine housing conditions and need, and may also conduct or promote research into any matter relating to any of its functions. Some of the key projects provide data on an ongoing or regular basis including: the Northern Ireland House Condition Survey; Continuous Tenant Omnibus Survey; and a number of strands of research on house prices, rents and affordability, which is carried out in partnership with Ulster University and propertynews.com. During the past year, reports have also been published on: the cost of poor housing in Northern Ireland; the cost to bring dwellings in the region to an agreed level of energy efficiency; the views of residents living in homes constructed by housing associations as part of the Social Housing Development Programme during the financial year 2015/16; and the Broad Rental Market Areas and Local Housing Allowance (LHA) rates used to calculate private sector Housing Benefit.

Work currently under way or due to commence soon includes: research to help inform the Homelessness Strategy; a Traveller Housing Needs Assessment; a survey to provide an overview of the longer term outcomes of the House Sales Scheme; research to gather the views of private rented sector landlords on a range of issues; and further projects to help the Housing Executive assess and plan for the impacts of welfare reform.

Customer Excellence Strategy

A Customer Excellence Strategy 2017 – 2020 was approved by the Housing Executive Board in November 2017. The strategy aims to: provide choices for how customers will interact or do business with us; to increase their control over their experience with us; to improve our digital services; and, outline a clear direction for how we will improve the way we deliver services to our customers. The strategy recognises that customers are interacting with us in different ways and their expectations of us to respond and address their needs have changed in recent years.

To accompany the strategy there are annual action plans for each year covered by the strategy. These yearly action plans detail activities to be completed within year, under five key themes. The first annual update was published on our website in December 2018 and can be accessed here at the following link [Customer Excellence Strategy](#).



Community Involvement Strategy

In 2018, the Housing Executive published the [Community Involvement Strategy 2018-23](#). The previous strategy was directed towards tenants; however, the new strategy takes into account the change in population in Northern Ireland and in our communities. It is aimed at working with tenants, residents and leaseholders to ensure everyone's voice is heard. The new strategy provides flexibility to work with the community in a way that suits them and reflects our commitment to work with others to get the best outcomes for local communities.

Supporting People Strategy and Action Plan

The Housing Executive acts as the administering authority for the Supporting People (SP) Programme in Northern Ireland. This role includes the payment of SP Grant to approximately 90 providers of housing support services, which deliver assistance with housing related tasks to more than 19,000 vulnerable people in order to help them develop or maintain the skills necessary to live as independently as possible in their own home. In 2019/20, the budget is £72.8m. The Housing Executive has ongoing plans to monitor and review SP services through the contract management framework, and take actions to remodel/realign services as needed. For further information on the SP programme see the strategy at [Supporting People Strategy](#).

Rural Strategy & Action Plan

The Housing Executive has long recognised that in rural areas, housing needs can be hidden or dispersed and that a different approach is often required to ensure that we deliver our statutory housing functions in both urban and rural areas. The introduction of the Rural Needs Act (NI) 2016, has presented an opportunity for us to reaffirm our commitment to rural communities by ensuring that we pay due regard to their needs through the delivery of a fair and equitable housing service which takes account of local issues and circumstances.

For many rural households, housing choices can be more limited due to unsuitable stock, unaffordable prices and a lack of rental accommodation. Our [Rural Strategy and Action Plan 2016-20](#) identifies in particular, the need to increase the provision of affordable housing in rural areas in order to help protect and sustain rural communities. Through the Housing Executive's annual programme of rural housing need tests, we engage with communities who wish to examine the need for new housing in their area and with housing associations to encourage the delivery of new rural housing where it is required.

The Housing Executive's contribution to rural regeneration extends beyond the provision and maintenance of housing to the capital funding invested for the development and improvement of local community facilities and services. In 2019/20, the Housing Executive will also continue to celebrate the invaluable contribution of the rural community groups through the annual Rural Community Awards competition.



Irish Travellers

The Housing Executive commissioned and published Comprehensive Traveller Accommodation Needs Assessments in 2002, 2008 and 2015 to establish the accommodation needs (for social housing, Traveller specific Group Housing, serviced sites and transit sites) of the Irish Traveller Community across Northern

Ireland. In 2019, new research will be undertaken to provide the necessary information to enable a new Irish traveller Strategy and Needs Assessment to be developed for the period 2020-2025.

Sustainable Communities

Handiheat is a €2m energy efficiency project, led by the Housing Executive, launched October 2018. In October 2018, the Northern Periphery & Arctic Programme, supported by European Regional Development Funding, awarded a project to a Northern European energy partnership. This three year project will be led by Housing Executive and researched in partnership with energy teams from Northern Ireland, Ireland, Scotland, Finland and Iceland.

The project's goal is to establish how domestic heating solutions can utilise energy efficiency and renewable energy for rural communities across the project area. With continued high levels of oil dependency and the strategic context of the Clean Growth Strategy, there is an imperative to find alternatives to this fossil fuel.

Aligned with this project, the Housing Executive will lead on a second demonstration pilot, observing energy use in a small number of our Fermanagh homes. This model will evaluate a combination of hybrid and low carbon heating solutions, with value for money energy efficiency measures. A hybrid boiler, heat pumps, solar photovoltaic (PV) and energy storage systems, with value for money insulation measures, will be installed to each of the chosen properties.

Accessible Housing Register (AHR)

The Housing Executive is working with Northern Ireland Federation of Housing Associations (NIFHA) to identify social housing properties that are accessible to those with mobility issues. When this work is complete, the Housing Executive will have an Accessible Housing Register for social housing. The Housing Executive intends to develop a system to identify private rented accessible properties on the new NIHE website.

Fundamental Review of the Private Rented Sector (PRS)

DfC undertook a fundamental review of the PRS in 2016. Following a public consultation in 2017, 52 responses were received. DfC has prepared a government response for Ministerial approval. When a Minister is appointed, the Department will publish details on the way forward.

Fundamental Review of Social Housing Allocations

DfC are finalising a report on the consultation exercise, which was carried out at the end of 2017, on proposals for changes to social housing allocations in Northern Ireland. The Housing Executive will continue to contribute to the Fundamental Review of Social Housing Allocations and is working closely with DfC on the proposals for change to determine next steps.

Affordable Housing

Affordable housing is funded through interest-free loans from government. [Co-ownership](#), which provides the majority of shared ownership homes in Northern Ireland, receives government support through Financial Transactions Capital (FTC) with £100m secured until 2020.

The Affordable Homes Loan Fund has piloted FairShare, which has been set up by Apex, Clanmil and Choice as a new shared ownership scheme enabling homebuyers who cannot afford to purchase a property outright, to buy a share of a property directly from a housing association and pay rent on the rest. Co-Ownership continues to operate the Rent to Own initiative with the £12.5m FTC funding received. To date 33 properties have been funded across NI.

DfC have published the '[Definition of Affordable Housing](#)' Consultation Paper with consultation ending on 13 September 2019. The overall aim of this work is to agree a clear definition of affordable housing that can be applied consistently in legislation, policy, local plans and in practice.

Community Asset Transfer

The Housing Executive will transfer land/property under the Community Asset Transfer framework to deliver community regeneration. Policy is currently being developed by DfC to implement this framework.

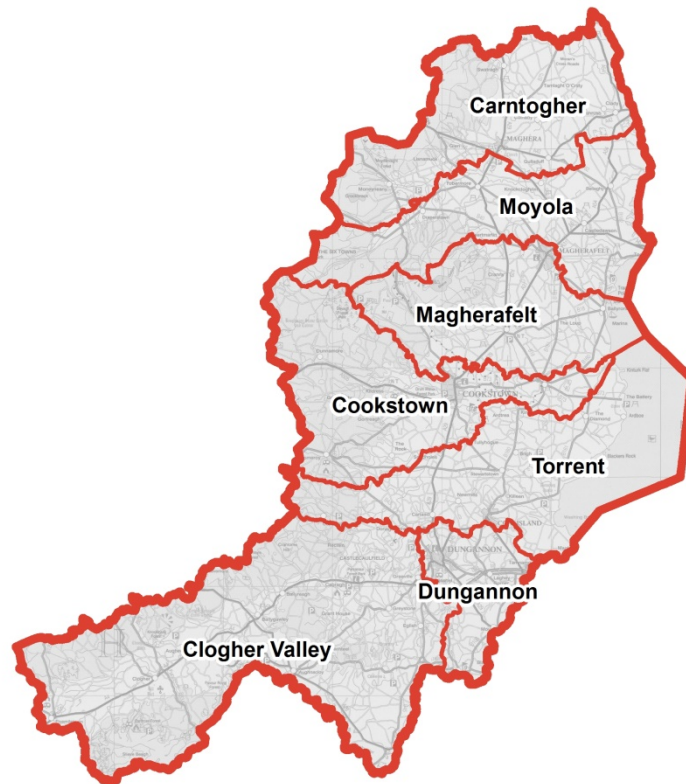
Local Context

The Mid Ulster District Council area covers an area extending to 1,714 Km² extending from Swatragh and Bellaghy in the north to Fivemiletown, Aughnacloy and Moy in the South. The population of the District is estimated to be 146,427 (7.8% of the Northern Ireland population) living within 50,583 households. One third of the population lives in urban areas while two thirds inhabit rural areas. The principal towns within the district are Cookstown, Coalisland, Dungannon, Magherafelt and Maghera.



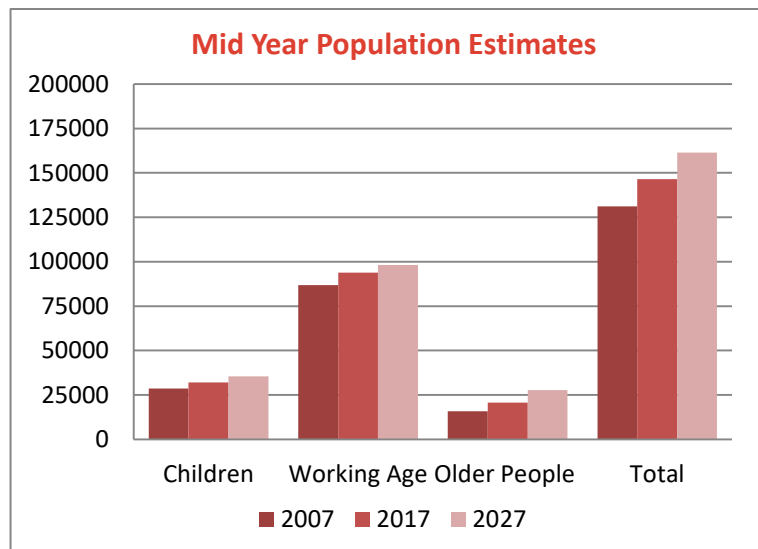
Mid Ulster District Council area was established on 1st April 2015, bringing together three former Councils including Cookstown District Council, Dungannon and South Tyrone Borough Council and Magherafelt District Council. The District is represented by 40 Councillors elected in the seven District Electoral Areas (DEAs) of:

- Carntogher
- Moyola
- Magherafelt
- Cookstown
- Torrent
- Dungannon
- Clogher Valley



Demographics

The population of Mid Ulster District Council area is projected to grow by 10.2% from 2017 to 2027. This growth will be concentrated mainly in the 65 plus age group which will grow by 34.9%. By comparison, the population of children is projected to grow by 10.5% and the working age population is projected to increase by 4.7%. The household size is projected to reduce slightly from 2.88 to 2.84 while the number of households is projected to increase by 5,049 from 50,583 to 55,632 over the 10 years to 2027. While the need for small family accommodation remains strong, there will be a requirement to design and construct suitable accommodation for older persons.



Economic Context

Local economic performance and peoples' economic circumstances affect demand for housing and individual housing choices. Mid Ulster has been recognised as an entrepreneurial district with a strong private sector. Within the district, there are 52,372 jobs, 7% of all jobs across Northern Ireland. The labour market structure shows 76% of the working age population are economically active, compared to 74%

across Northern Ireland. In 2018, the annual full-time median wage for residents in the area was £437.40, an increase of £14.20 on the previous year, £423.20 per week. This compares to the overall Northern Ireland annual full-time median wage of £480.10, an increase of £16.60 on the previous year, £463.50 per week.

There are 8,505 registered businesses in the district, 12% of all businesses in Northern Ireland. Approximately nine out of every ten businesses are micro businesses, employing nine or less employees. There are higher percentages of agricultural (37%), construction (17%) and production, including manufacturing (9%) businesses compared to the Northern Ireland averages of 25%, 14% and 7% respectively. The services sector (37%) is significantly under represented when compared to the Northern Ireland percentage of 55%.

Housing Market Context

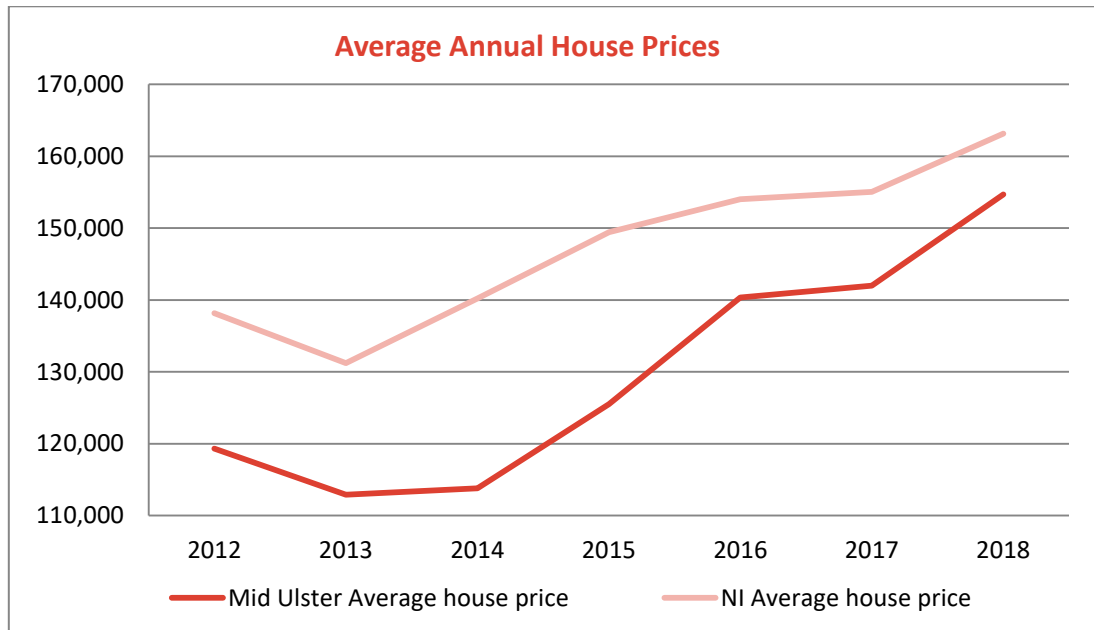
While the housing market has improved over the past number of years, structural issues remain that could adversely affect the economy and household finances in the near future. High levels of negative equity remain an issue. While rising house prices mean more homeowners are coming out of negative equity, higher levels of inflation and a rise in interest rates could lead to higher housing costs. In addition, commentators have forecast a slowdown in house price growth or stagnation within the Northern Ireland housing market over the next two years. Longer term forecasts for the UK housing market have also been cautious due to economic uncertainty since the EU referendum. It will be important to monitor trends and developments across the housing sector in the next few years.

The district has a HGI projected new dwelling requirement of 9,500 for 2012/25. This data will inform the Council's LDP on the need for additional development land. The following sections will discuss owner occupied, private rented and social rented sectors in more detail.

Owner Occupied Sector

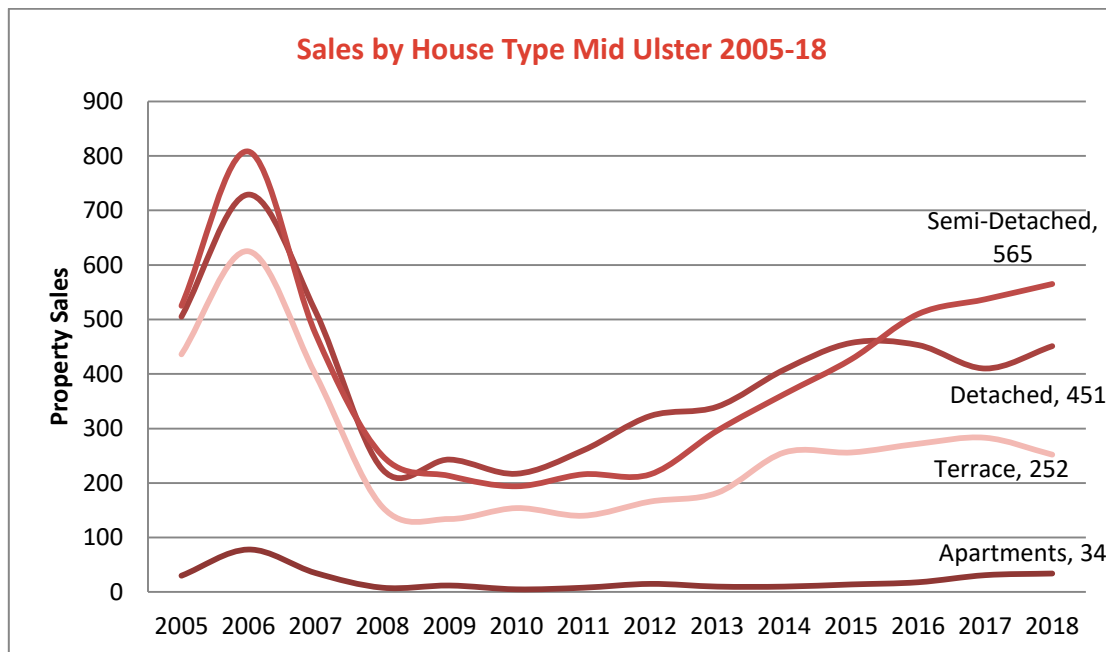
Land and Property Services (LPS) state that the average house price in Mid Ulster, at Q4 2018 (Sept – Dec) was £134,895, and ranked sixth out of the 11 Northern Ireland Council areas. It represents an increase of 2.4% over the previous quarter, 4.2% over the year.

The Ulster University house price index shows that the average house price in Mid Ulster in 2018 was £154,706. This is a 9% increase on the 2017 figure of 141,988. This suggests that the supply of properties coming onto the market is not keeping up with demand. In Mid Ulster house prices are £8,422 lower than the Northern Ireland figure of £163,128. From the Average Annual House Price chart it is clear that house prices in Mid Ulster have been consistently below the Northern Ireland average although the gap has been narrowing since 2014.



Source: Ulster University

Houses sales across all tenures in Mid Ulster have increased from 1,496 in 2005 to a peak of 2,240 in 2006 before a significant fall during the recession to just 570 in 2010. The number of sales increased in each year from 2010 to 2018 when the total was 1,302. The following chart shows house sales by house type across the district with semi-detached properties comprising the highest number of sales at 43%.

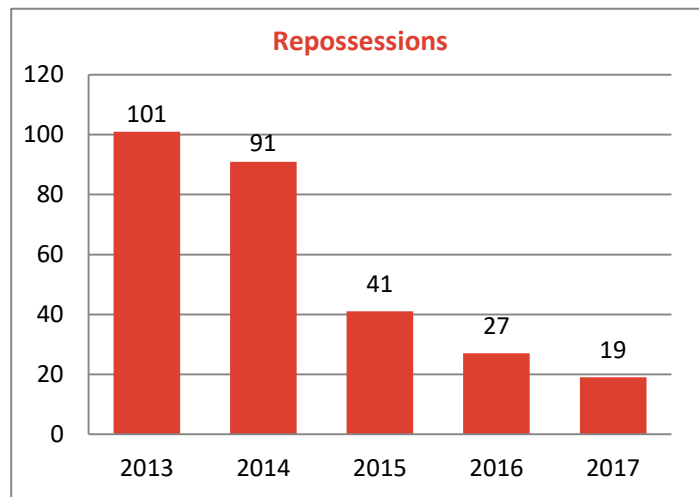


Source: Land and Property Services

Despite lower house prices and low interest rates, negative equity and rigorous bank lending practices have constrained the housing market. This means that residents within the district, where house prices increased by 9% over the year to Q4 2018, may find it difficult to get on to the property ladder.

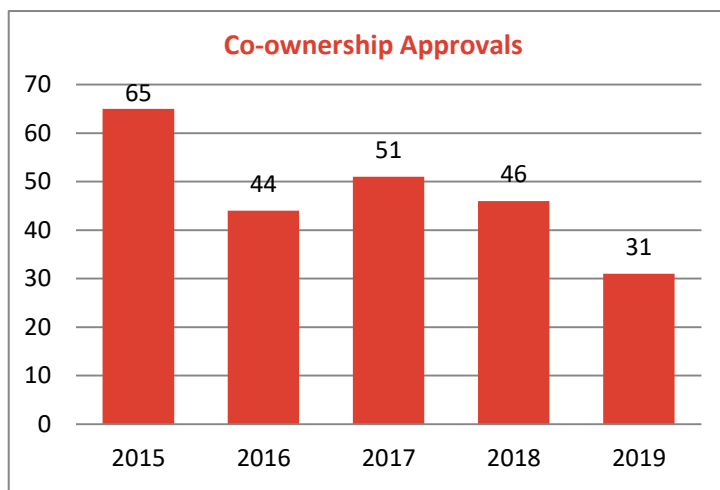
During 2017, there were 19 repossessions within Mid Ulster a decrease of 30% from the previous year.

Market opinion is generally positive and reports an under-supply as the market continues to recover from the bottom of the property cycle. Local estate agents have reported that the local housing market is slowly improving. Buy to let investors, existing home owners and first time buyers are all performing strongly and the demand for private rental properties remains high. The number of enquiries and sales continue to increase.



Source: DfC

Impending interest rate rises are currently not impacting the market as they are expected to be slow and gradual; however, for existing mortgages any rise in interest rates would place individuals and families under additional financial pressure.



Source: Co-ownership Housing Association

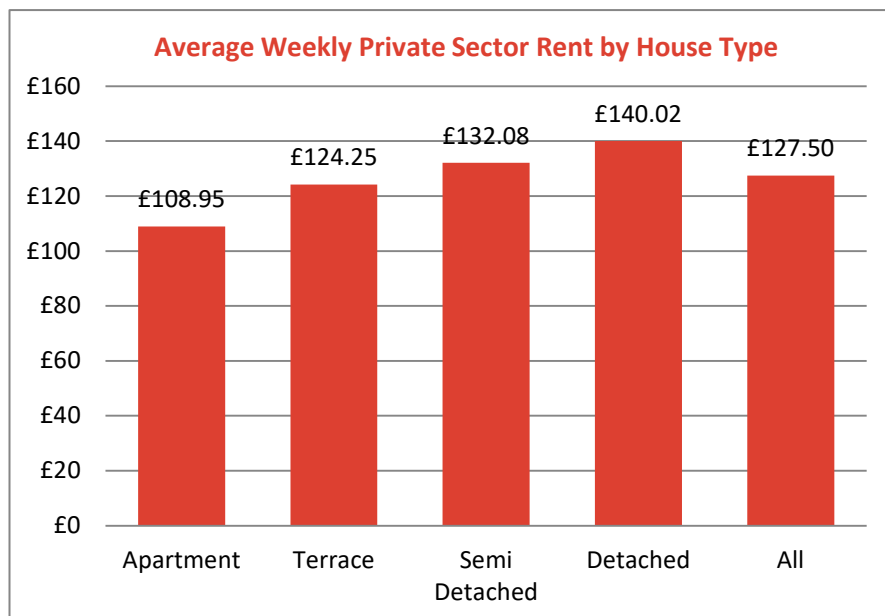
Low income households can find difficulty accessing the owner occupied market creating demand for intermediate housing. The Housing Executive estimates intermediate housing demand for the district at approximately 126 units per annum for the 2018 to 2028 period. Co-ownership had an active stock of 457 dwellings at March 2019, 31 of which were purchased during 2018/19. This reflects the opportunities this scheme provides in the current housing market environment.

Private Rented Sector (PRS)

The private rented sector across the district has seen an unprecedented increase in its tenure share between 2001 and 2019. The PRS continues to play a critical role in the local housing market and provides much needed accommodation for all household types.

During the first half of 2018 there were 6,134 lettings in LGDs outside of Belfast, 6.1% (374) of those were within Mid Ulster. (Performance of the Private Rental Market in Northern Ireland H1 2018 Ulster University).

This is consistent with the finding that more rural areas throughout Northern Ireland experience a lower volume of rental transactions. The overall average rent in the district was £552.50 per month, an increase of 6.5% over the year but well below the Northern Ireland average of £616 per month. This is consistent however with rural council areas, notably in the north and west of Northern Ireland. Semi-detached properties showed the highest rental price increase of all property types in the district at 8.8%.

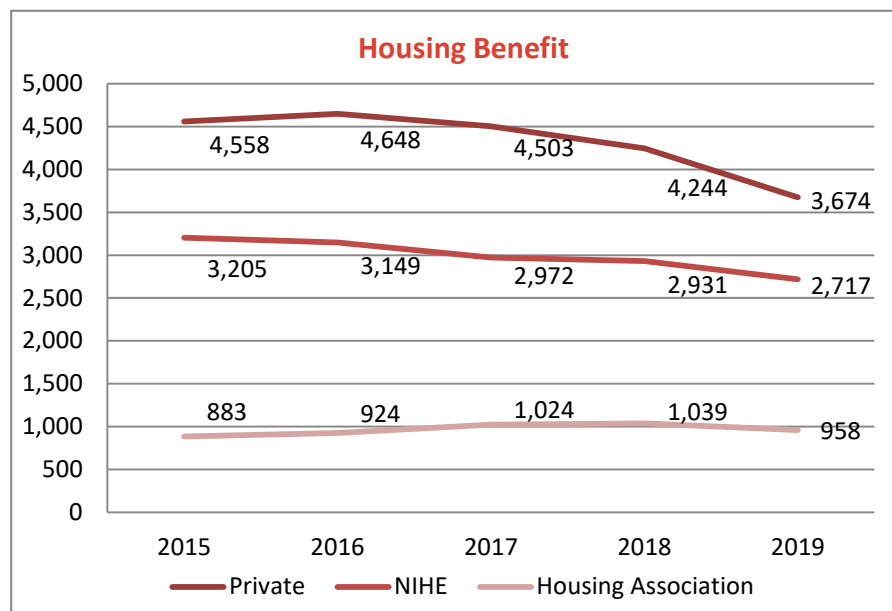


Source: Ulster University

The average weekly figures are shown in the chart above. Local estate agents however report a high demand for rental accommodation in the main towns and villages of the district, chiefly from those within the 25-34 age grouping. Semi-detached followed by detached houses comprise the majority of property rented.

Housing Benefit continues to play a vital role in supporting the private rented sector. At March 2019, there were 3,674 private tenants in receipt of Housing Benefit in the district, a 13.4% decrease on the 2018 figure.

Rising levels of temporary employment, growing social housing waiting lists, lending restrictions and high levels of negative equity will ensure that the private rented sector continues to play an important role in the district.



Source: NIHE

Within Mid Ulster, 4,454 private rented properties were registered by 3,296 landlords under the DfC's Landlord Registration scheme at March 2019. The registration scheme will provide evidence to assist monitoring and regulation of the sector.

Mid Ulster District falls within four broad rental market areas (BRMA) including Lough Neagh Upper, Lough Neagh Lower, South and South West. The Local Housing Allowance for 2 bed dwellings range from £78.35 in the South West to £88.28 in Lough Neagh Upper, with Lough Neagh Lower at £80.26 and South at £82.84, slightly above the South West figure. The Local Housing Allowance for 3 bed dwellings range from £89.71 in the South West to £96.07 in Lough Neagh Upper, with Lough Neagh Lower at £92.11 and South at £91.09, slightly above the South West figure. Despite the availability of discretionary housing payments, some tenants are now struggling to make up the difference between Housing Benefit allowance and rental charge.

Local estate agents have indicated that key drivers of the sector include:

- high demand for private rental in Dungannon, Coalisland and Magherafelt in particular;
- difficulty in saving for a deposit to buy a home;
- job and income uncertainty;
- availability of Private Housing Benefit;
- higher demand and lower turnover in the social housing sector; and
- negative equity forcing some owners to let rather than sell.

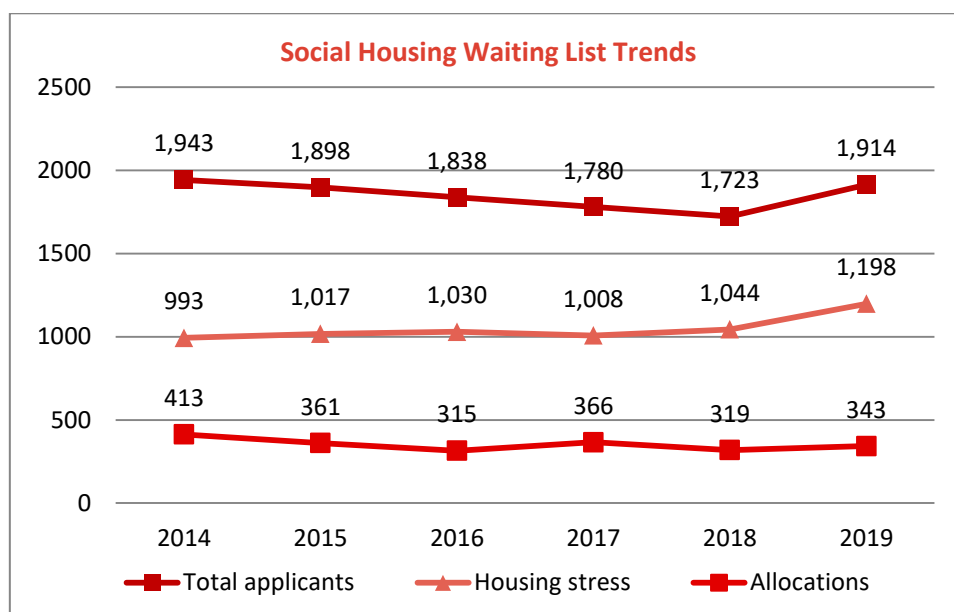
Rented accommodation is now the accommodation of choice for many households, and especially younger households on lower incomes who in previous decades would have become first time buyers. Much of the housing available for rent has traditionally been three bedroom stock, which can be a mismatch for the many single households and couples in need of housing, and also for larger families who require four bedroom accommodation but in a more affordable format such as semi-detached.

Tax changes and regulatory requirements have increased the obligations of private landlords, which have discouraged some small-scale investors. However, there is also scope, as reported by some estate agents, for any additional landlord costs to be offset by rising rents. These impacts continue to be monitored.

As household groups continue to reduce in size, Houses in Multiple Occupation (HMO) will continue to play a greater role in the housing market, particularly for single households aged under 35. There are currently 6,638 HMOs in Northern Ireland of which 97 are in Mid Ulster District.

Social Housing Sector

Housing need for the district remained at a consistently high level between 2014 and 2019. At March 2019 there were 1,914 applicants on the waiting list for Mid Ulster with 1,198 in housing stress. There were 343 allocations over the year. The number of households on the waiting list in housing stress has increased since 2014.



Source: NIHE

The five-year assessment for 2018-23 shows a need for 700 units in the district. Need is greatest in Dungannon, Coalisland and Magherafelt.

Single, older persons and small family households comprise 81% of the housing stress waiting list in the council area. Future housing mix in new social housing will need to cater for these household groups. In recent years social housing need has been delivered locally by housing associations on Housing Executive land. Increasingly, areas of housing need are emerging in locations where the Housing Executive does not own land.

Homelessness

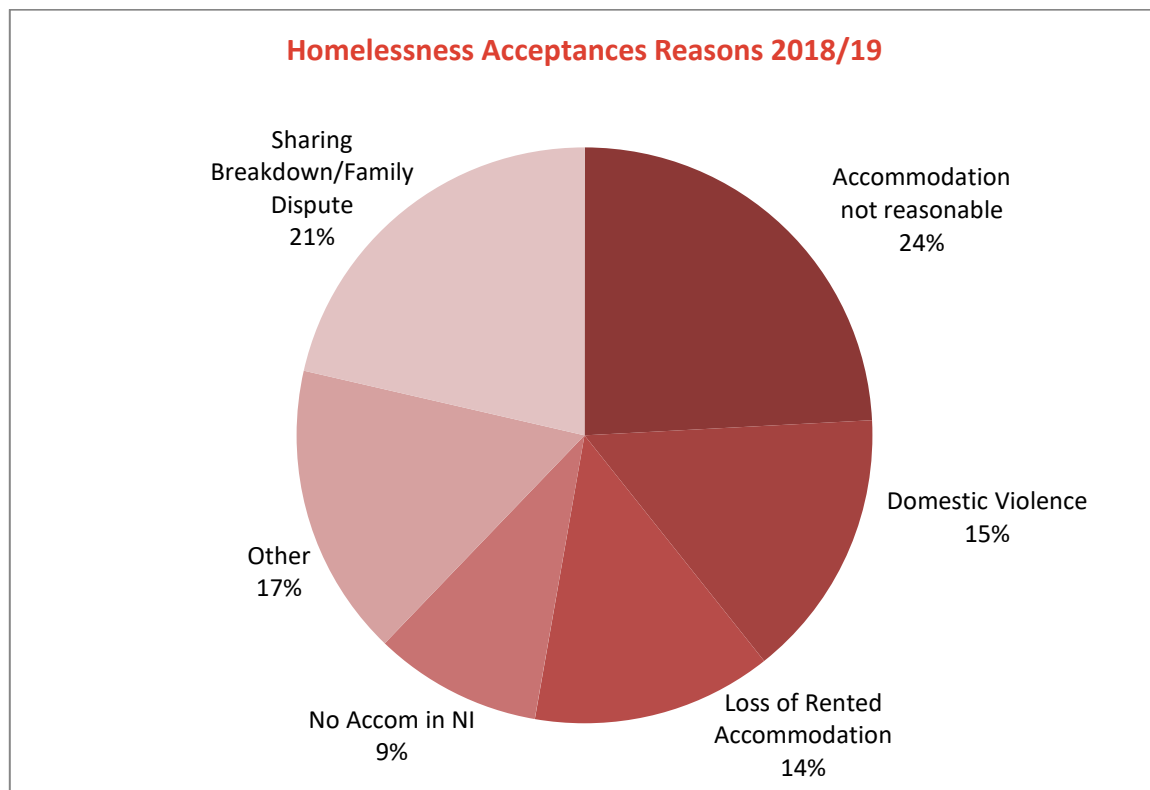
The number of households presenting as homeless has increased from 770 at March 2018 to 843 at March 2019. There has also been an increase by 16% in applicants being awarded 'Full Duty Applicant' status (statutorily homeless) over the same period.

Year	No. of homeless presenters	No. of homeless acceptances	Households placed in temporary accommodation
2014/15	876	515	63
2015/16	817	480	60
2016/17	829	466	88
2017/18	770	468	103
2018/19	843	542	107

Source: NIHE

The following chart shows the causal factors for applicants accepted as homeless in Mid Ulster during 2018/19. Almost half, 45%, of homelessness acceptances were due to accommodation not being

reasonable or sharing breakdown/family dispute. Other significant reasons include domestic violence and loss of rental accommodation.



Source: NIHE

There is a range of temporary accommodation available in Mid Ulster including 18 privately owned single lets and 4 hostel placements.

Supporting People

£3.47m was spent delivering the Supporting People Programme for 2018/19 with £3.44m approved for 2019/20. Appendix 5 details Supporting People financial information for the district.

The local office works closely with the Belfast Community Mission (BCM) supported housing project in Dungannon and Magherafelt which opened during 2018/19. The project aims to support vulnerable young people aged 16-21 to develop the skills to live independently in the community. This new scheme now allows a gradual transition from residential to independent living within the district.

BCM and the Housing Executive work together to help the service user:-

- Increase motivation and ability to accept responsibility.
- Improve self-care and independent living skills.
- Improve money management skills and more effective personal administrative skills.
- Increase awareness of the impact of drugs, alcohol and solvent misuse, enabling informed decision making.
- Increase awareness of their physical health and the ability to avoid serious harm.

- Enhance understanding of their emotional and mental health needs and develop appropriate coping mechanisms.
- Spend more time engaged in meaningful activities.
- Acquire appropriate accommodation and the skills necessary to maintain their tenancy.
- Identify factors contributing to their offending behaviour and make appropriate changes.

The project has proved very successful, with other BCM supported houses located in Belfast and Bangor.

Social Housing Development Programme

Housing associations compete on the open market against the private sector and this can make it difficult



Earls Court, Carland Road, Dungannon (Radius HA)

to obtain sites in areas of housing need throughout the district. This is more acute in Dungannon, Magherafelt and Coalisland where sites are difficult to obtain. To address social need, the Housing Executive's three year Social Housing Development Programme (SHDP) has 137 housing units planned (See Appendix 3).

During 2018/19, 82 units were completed across Mid Ulster, including developments at Carland Road, Dungannon, the former PSNI site in Coalisland and Killymeal Road in Dungannon. At March 2019, there were 102 units on-site including schemes at Killymeal

Rd, Dungannon, Barrack Street, Coalisland and Ballygawley Road, Dungannon. We seek to provide social housing on land owned by the Housing Executive. Where such land is not available, housing associations and developers may refer to the Housing Executive's [Commissioning Prospectus](#) to identify locations where new social housing is required.

Work is continuing on the development of an Accessible Housing Register (AHR). This will allow social landlords to make more effective use of their existing adapted stock. Within Mid Ulster District Council area there is a projected social housing need over the period 2018/23 for 27 wheelchair units. There are currently 28 applicants on the waiting list at March 2019 requiring wheelchair accommodation, a decrease of one over the past year, with 26 of these applicants in housing stress and <10 allocations.

During 2018/19 the Housing Executive spent £0.81m on 315 adaptations to their properties. 88 Disabled Facilities Grants were approved and 93 completed, spending £882k.

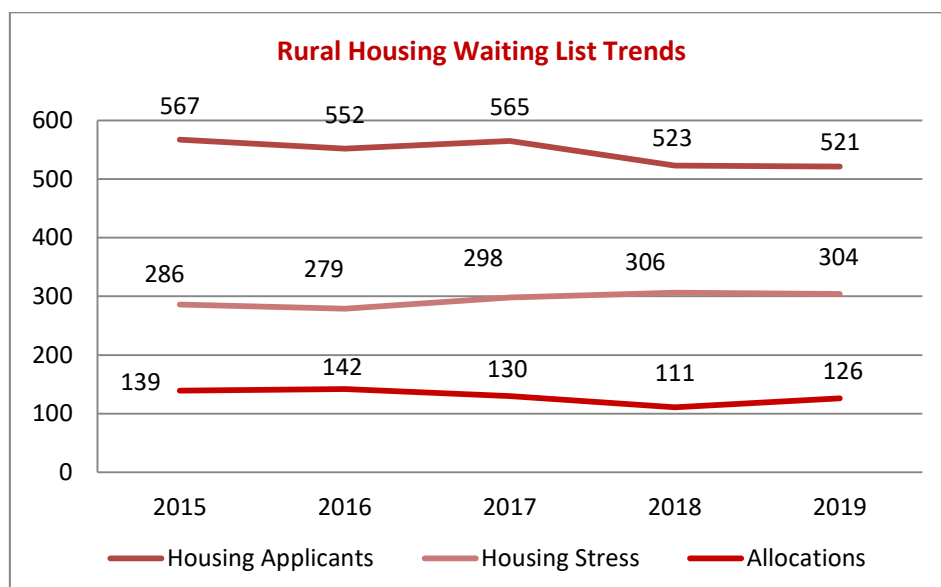
Disabled Facilities Grants (DFG's)

Year	2014/15	2015/16	2016/17	2017/18	2018/19
Approved	140	111	130	130	88
Funding (£k)	1,108	769	1,060	1,157	882

Source: NIHE

Rural Areas

Outside urban settlements, the Mid Ulster District Council area encompasses a significant rural landscape. Renowned for its scenic beauty, the district takes on the entire western shore of Lough Neagh and borders six of the other 10 LGD's in Northern Ireland and County Monaghan in the Republic Of Ireland to the South. The rural settlements within the District are seen as desirable places to live and for this reason demand for rural housing generally exceeds supply.



Source: NIHE

For many young rural households within Mid Ulster District, house and land prices, land availability and low rates of development will rule out owner occupation in the short to medium term. The propensity for owner occupation in rural areas will also result in limited opportunity for the private rented sector to offer affordable accommodation. During 2019/20, tests are currently programmed to take place in Tobermore, Upperlands, Knockloughrim and Clonoe.

Community Planning

Mid Ulster Council formed in April 2015 incorporating the former Magherafelt, Cookstown and Dungannon Councils has responsibility for Community Planning and we will continue to contribute to the Community Plan during 2019/20 financial year as thematic groups continue to focus on specific issues. The Plan was officially launched in April 2017 and thematic groups were set up to develop it and put specific actions against lead partners. The Housing Executive has been represented on the Infrastructure, Health and Wellbeing and Safe and Vibrant Communities groups as well as a Housing Subcommittee. The Housing Executive continues to assist with reimagining projects throughout Mid Ulster as well as contributing to the Agewell Project. Agewell is a partnership covering the Mid Ulster Area working together to improve services for vulnerable older people in our community. A range of free services are provided including good morning telephone calls, home maintenance work, community engagement, advice on fuel poverty and social events.

Local Development Plan

The Mid Ulster Local Development Plan (LDP) will replace the corresponding part of the three existing area plans including the Cookstown Area Plan 2010, Dungannon and South Tyrone Area Plan 2010 and Magherafelt Area Plan 2015.

As the statutory development plan, the LDP will be the main policy vehicle to influence housing in the district for 15 years. It is therefore appropriate that the Community Plan and HIP are considered in the preparation of the LDP.

The LDP will address the amount of land needed for housing across the district, in addition to setting out housing policy and objectives. When ratified, the LDP will be the statutory document for assessing future planning applications for housing.

The amount of land needed for new housing will be determined by:

- Housing Growth Indicators (HGIs);
- Allowance of existing commitments;
- Urban capacity studies;
- Housing Needs Assessment;
- Allowance for windfall housing sites; and
- Residual housing need.

The Council's timetable has been agreed and published. The Council's Preferred Options Paper (POP) was published in November 2016 and was followed by the Local Development Plan - Draft Plan Strategy 2030 which was consulted on for an 8-week period from 22nd February 2019 to 19th April 2019.

Housing Executive Spend

In the absence of the Northern Ireland Executive, Budget Allocations to Northern Ireland Departments for 2019/20 were provided by the Secretary of State for Northern Ireland. DfC has provided Housing Executive allocations for 2019/20. These allocations have been incorporated in the Board approved budget for 2019/20. The Housing Executive, along with other public bodies, will continue to adapt with new, more effective ways of delivering high quality services for citizens in Northern Ireland.

Projected spend for Mid Ulster during 2019/20 is £11.76m with planned and response maintenance work accounting for £3.13m and £1.96m respectively. The importance of continuing to provide and fund housing related support services to help people live independently within the community sees £3.44m approved to deliver the Supporting People Programme during 2019/20. £0.72m has also been approved to help fund adaptations for those with a disability.

Locally, we will continue to work alongside our Community Plan partners to direct limited public sector resources more efficiently. The past year has delivered significant housing investment, for a wide range of services, and the 2018/19 public sector housing investment totalled £21.83m for Mid Ulster District Council area. Housing expenditure and projected housing investment is set out in the following finance table.

Mid Ulster actual/projected public sector housing spend

Activity areas	Actual spend £m 2018/19	Projected spend £m 2019/20
Stock Improvements	0.09	0.70
Adaptations for Persons with a Disability (APD's)	0.81	0.72
Planned Maintenance Work (planned, cyclical and MS running costs)	2.92	3.13
Grounds Maintenance	0.50	0.44
Response Maintenance	1.79	1.96
Private Sector Grants	1.47	1.37
Supporting People	3.47	3.44
Community Development	0.08	*
Investment in New Build**	10.64	***
Boiler Replacement Scheme	0.06	****
Total	21.83	11.76

Source: NIHE

* Community Development projected spend is not available.

** Investment in new build is the total cost of schemes starting in the programme year but which may be spent over more than one year. The amount includes Housing Association Grant (HAG) and housing association private borrowing.

*** The total cost of units in the gross Social Housing Development Programme (SHDP) for 2018/19 has not been finalised.

**** Schemes are demand led, therefore budget cannot be allocated.

It should be noted that the 2019/20 Stock Improvement and Planned Maintenance budgets are dependent upon in-year procurement exercises which will result in a significant proportion of the 2019/20 expenditure being back-loaded. The risk of legal challenge to the ongoing procurement exercises and regrettably the potential for resultant delays should be recognised by readers of this report.

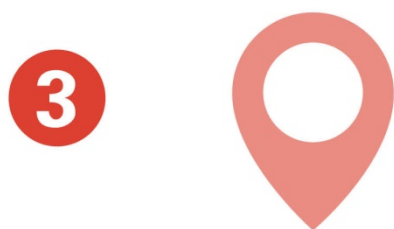
HOUSING PLANS & SERVICES - OUTCOMES



**Helping people find
housing support and solutions**



Delivering better homes



**Fostering vibrant sustainable
communities**



Delivering quality public services

Outcome 1 – Help people find housing support and solutions

Plans 2018/19	Progress	Plans 2019/23	CP Ref
NIHE will work with organisations to deliver homeless services, in line with Homelessness Strategy 2017-22.	843 homeless presenters and 542 homeless acceptances. 16 clients were sustained in tenancies and homelessness was prevented.	Development and publication of the Chronic Homelessness Action Plan. Implementation of year one actions in Chronic Homelessness Action Plan.	2C 4C 5C
Roll in of the Housing Solutions and Support Approach will continue across NI.	This approach is used for all customers who contact the NIHE with a housing issue. Staff explore a range of suitable housing and support options with customers and provide them with information to allow them to make informed decisions about their housing options. The approach has been developed to focus on tenancy sustainment and homeless prevention. Housing Solutions and Support teams now operate across all Housing Executive local Offices. The Customer Management System (CMS) is now being used by all Housing Solutions staff and Patch Managers in order to allow better case management of customer's housing journeys.	Ensure the new approach continues to be effectively embedded across the organisation. Conduct peer reviews to benchmark the NIHE Housing Solutions service and identify good practice and areas for improvement. Further develop the Housing Solutions and Support approach. Including through accreditation of staff. Ensure information is readily available across all tenures to meet the needs of a housing options service. Deliver an adequate supply of permanent accommodation to prevent homelessness and repeat homelessness.	2C
NIHE has made £390k available to fund Smartmove private rented access scheme across NI for 2018/19.	The contract with Smartmove for the provision of a Private Rented Sector Access Scheme (PRSAS) ended on 30th September 2018. All referrals made prior to that date, which resulted in a tenancy being created continued to receive the 6 month tenancy management service as per the agreed contract. This resulted in a total spend of £360k for 2018/19.	Work has been ongoing to investigate and develop a replacement PRSAS. A number of consultation events have taken place and a specification has been produced. A business case is ongoing with the aim of having a new PRSAS procured and in place by September 2019.	2C 4C 5C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
£3.78m has been approved to deliver the Supporting People Programme for 2018/19.	£3.47m was spent delivering the Supporting People Programme for 2018/19. 36 accommodation based services for 532 service users. Five floating support schemes for 224 service users.	£3.44m has been approved to deliver the Supporting People Programme for 2019/20.	2C 3B 4C 5A
The gross, three-year (2018/21) SHDP contains no supported housing schemes.	During 2018/19, South Ulster HA's developed a unit at Ronan Court, Magherafelt for a household with mental health difficulties.	The gross, three-year (2019/22) SHDP contains no supported housing schemes for the Council area. This will be kept under annual review.	2C 3B 4C 5A
Where possible, we will incorporate wheelchair units within the 2018/19 SHDP. The Wheelchair Standard Accommodation target for general needs new build for 2018/19 is 7%.	Seven wheelchair units were on-site at March 2019. There are six wheelchair units included in the 2019/22 SHDP.	The Wheelchair Standard Accommodation target for general needs new build for 2019/20 is 8.5%.	2C 3B 4C 5A
NIHE has funding of approximately £9.5m for Disabled Facilities Grants (DFG) for the private sector in 2018/19 across NI.	NIHE approved 88 DFGs with actual expenditure of £882K during 2018/19. 93 DFGs completed during the year.	NIHE has funding of approximately £10m for DFGs for the private sector in 2019/20 across NI, £789k in Mid Ulster.	2C 3B 4C 5A
NIHE will provide adaptations to their properties as required.	NIHE spent £0.81m on adaptations in 2018/19.	During 2019/20 NIHE will spend £0.72m on adaptations to their properties.	2C 3B 4C 5A



Homeless Awareness Week Event at The Junction

Outcome 2 – Deliver better homes

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Identifying housing needs, increasing supply of affordable renting and assisting home ownership			
NIHE will carry out an annual five year projected social housing need assessment for Mid Ulster.	Achieved. The five year social housing need for the Council is 700 units.	NIHE will carry out an annual five-year projected social housing need assessment for Mid Ulster.	2C
NIHE will annually assess demand for intermediate housing for the Council.	Achieved. The ten year intermediate housing need is 1,260.	NIHE will annually assess demand for intermediate housing for the Council.	
Following completion of agreed new HMA boundaries, NIHE plans to commission further research to undertake a factual analysis of housing systems within at least one of the new housing market areas, with a view to extending this further to all new housing market areas. This analysis will also include an element of scenario planning.	New HMA boundaries have been agreed and NIHE plans to commission further research to undertake a factual analysis of housing systems within two of the new housing market areas with a view to extending this further to all new housing market areas.	The Housing Executive has now appointed a research contractor to undertake Phase 2 of this research, to conduct a Strategic Housing Market Analysis for the Belfast Metropolitan and Derry and Strabane Housing Markets Areas. Both Housing Market Area reports are due for completion in March 2020.	2C
DfC will approve a gross, three-year 2019/22 SHDP.	There are 102 units on-site, of which, 79 units started in 2018/19. There were 82 units completed during 2018/19.	DfC will approve a gross, three-year 2020/23 SHDP.	2C
NIHE will carry out site identification studies to examine sites for social housing as necessary.	Site identification studies have been completed for Swatragh and Benburb.	No further site identification studies have been scheduled at this time.	2C
NIHE will identify and meet Traveller accommodation needs within communities	We have completed our review of potential sites for serviced accommodation put forward by Mid Ulster District Council and also sites in wider public sector ownership. No suitable sites have been identified.	We will now move to identify potential privately owned sites by carrying out a Site identification study.	2C 4C
DfC has committed funding of £100m to Co-Ownership for four years, which along with £65m of private finance will allow for the provision of 2,800 new homes in NI.	In 2018/19, there were 31 properties purchased through Co-Ownership in Mid Ulster.	DfC has committed funding of £100m to Co-Ownership for four years, which along with £65m of private finance will allow for the provision of 2,800 new homes in NI.	2C
NIHE and housing associations will implement the House Sales and Equity Sharing Scheme.	25 NIHE properties were sold to tenants under the House Sales Scheme during 2018/19.	NIHE and housing associations will implement the House Sales and Equity Sharing Scheme.	2C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Improving People's Homes – NIHE Stock			
Funding for NIHE planned maintenance schemes in 2018/19 is estimated at £3.47m for 16 schemes.	In 2018/19, NIHE spent £2.92m on 14 planned maintenance schemes in the Council area. NIHE completed planned maintenance works to 984 properties: 498 properties received ECM works; 219 Double Glazing; 167 Revenue Replacement Kitchens; 26 received bathrooms; 64 Heating and 10 properties received capital scheme work.	Funding for NIHE planned maintenance schemes in 2019/20 is estimated at £3.13m for 18 schemes. NIHE will complete works to 1,560 properties: 717 properties will receive ECM works; 168 Double Glazing; 117 Revenue Replacement Kitchens, 161 Revenue Replacement Bathrooms; 162 Revenue Replacement Kitchen/Bathroom and 235 Heating Installations.	2C
Funding for NIHE capital improvement schemes in 2018/19 is £0.81m.	In 2018/19, NIHE spent £0.09m on stock improvement work.	Funding for NIHE stock improvement work in 2019/20 is £0.70m.	2C
NIHE will complete response maintenance repairs within the required target time.	93.7% of NIHE response maintenance repairs in NI were completed within the required target time.	NIHE will complete response maintenance repairs within the required target time.	
NIHE will carry out response maintenance repairs to customers' satisfaction.	In the district, 99.54% of NIHE response maintenance repairs were carried out to the customers' satisfaction.	NIHE will carry out response maintenance repairs to customers' satisfaction.	
Improving People's Homes – Private Stock			
NIHE will implement the Affordable Warmth Scheme. Funding of £16m is available for 2018/19 across NI.	In the district, 636 measures were carried out to 360 private properties under the Affordable Warmth Scheme in 2018/19.	NIHE will implement the Affordable Warmth Scheme with available funding of £12m for 2019/20 across NI, subject to change following current monitoring round outcome.	2C 4C 5C
NIHE will continue to administer the Boiler Replacement Scheme on behalf of DfC for the period 2016-19 with a budget of £3m for 2017/18 across NI.	In Mid Ulster, 95 properties had boilers replaced at cost of £57k.	NIHE will implement the Boiler Replacement Scheme 2016-19, with anticipated funding of £1m for 2019/20 across NI, subject to change following current monitoring round outcome.	2C 4C 5C
Funding of discretionary grants will continue in 2018/19.	Discretionary grant approval in 2017/18 was £573k.	Funding of discretionary grants will continue in 2019/20.	2B 2C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Improving People's Homes – Private Stock			
NIHE will issue mandatory repair grants as required.	There were 25 mandatory repair grants approved in 2018/19, with an approval value of £64k.	NIHE will issue mandatory repair grants as required.	2B 2C
NIHE will continue to fund Home Repair Assistance grants.	Home Repair Assistance grants to the value of approximately £56k were approved during 2018/19.	NIHE will continue to fund discretionary Home Repair Assistance grants.	
NIHE will register and inspect Houses in Multiple Occupation (HMOs) for building and management standards.	At March 2019, there were 97 properties registered as HMOs in the Council area. In the past year, a small number of Article 80 Notices (fit for number of occupants) and Article 79 Notices (Management Regulations) were served.	Administration of HMOs has now passed to Councils and is no longer a Housing Executive function.	2C 5A
NIHE's 2018/21 Energy Efficiency Programme includes 12 schemes at a cost of £7m.	In 2018/19, the Energy Efficiency Programme included 64 installations at a cost of £350k.	NIHE's 2019/22 Energy Efficiency Programme includes 1,660 schemes at a cost of £5.8m.	2C 4C 5C
Bryson Energy has been awarded a further two year contract to maintain the Oil Buying Clubs Scheme, and transition the handover of this service to local community groups over the next two years.	4,900 households have become members of the 27 oil buying clubs established in NI. Within the council area there are clubs in Dungannon, Cookstown, Maghera and Magherafelt.	Bryson Energy will continue to maintain the Oil Buying Clubs Scheme until the service transitions to local community groups.	4C 5C



Torrent Valley, Barrack Street, Coalisland (Radius HA)

Outcome 3 – Fostering vibrant sustainable communities

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Community Planning			
Promote housing led regeneration through master planning proposals in urban and village centres.	NIHE will continue to work with the Council through the Community Planning process.	Promote housing led regeneration through master planning proposals in urban and village centres.	1A, 1C, 2A, 2C, 4C, 5C
DfC will continue to fund Areas at Risk, Small Pockets Of Deprivation (SPOD), and Neighbourhood Renewal programmes for 2018/19.	DfC continued to provide funding for Areas at Risk, SPOD and Neighbourhood Renewal programmes across Northern Ireland.	DfC hopes to continue to fund the Areas at Risk, SPOD and Neighbourhood Renewal programmes for 2019/20.	1C 2C 4C 5C
NIHE will work with rural communities to identify hidden or 'latent' housing need. These rural locations will be determined following the annual review of the Housing Need Assessment and will take account of any requests from community representatives.	During 2018/19, requests were received to carry out Rural tests for housing need in Tobermore, Upperlands, Knockloughrim and Clonoe.	During 2019/20, tests are currently programmed to take place in Tobermore, Upperlands, Knockloughrim and Clonoe.	2C
NIHE will implement the Heritage in Housing scheme throughout NI to bring empty town centre properties back into use, addressing blight and providing accommodation for affordable rent. NIHE will review the potential to extend the scheme in 2018/19 subject to funding.	An additional year of the scheme will operate in 2019/20.	The NI target for the 2019/20 scheme is to fund a minimum of three projects across the Townscape Heritage Initiative areas.	1C 2C 5C
NIHE hopes to continue to match fund the Rural Development Programme in 2018/19.	In 2018/19, eight projects were funded in rural areas with a total spend of £133,000. Two projects were funded in the district including £20k to Pomeroy Community Hub and £20k to the Ballinderry Community Hub.	The target for the 2019/20 programme is to fund a minimum of seven projects across NI.	1C, 2A, 2B, 2C, 4C, 5C
NIHE will implement and promote the annual 'Rural Community Awards' competition.	The 2018/19 Rural Community Awards were presented to the winning community groups in October 2018.	NIHE hopes to offer the Rural Community Awards on an annual basis.	1C 5C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Building Successful Communities			
DfC will continue to invest in social enterprise growth to increase sustainability in the broad community sector.	DfC is supporting Social Economy Enterprise growth in NI through Community Asset Transfer (CAT), Pilot Social Economy Projects, Social Enterprise Hubs and Social Innovation.	DfC will continue to invest in social enterprise growth to increase sustainability in the broad community sector.	1A, 1B, 1C, 3A, 3C, 4C, 5C
NIHE's SHE Strategy will continue to invest in local communities to support social housing enterprise developments.	There were two awards made totalling £2k for Social Housing Enterprise, during 2018/19.	NIHE's SHE Strategy will continue to invest in local communities to support social housing enterprise developments.	1A, 1B, 1C, 3A, 3C, 4C, 5C
Complete new Community Safety Strategy 2019-23.	Work is nearing completion on the new Community Safety Strategy.	Consult on the new Community Safety Strategy, launch and implement.	5A 5B 5C
NIHE will work to prevent hate harassment.	A hate harassment tool kit was launched in 2016. The Hate Incident Practical Action (HIPA) scheme continues to be available to address damage to properties. During 2018/19, one HIPA incident was actioned in the Council area.	Continue to work to prevent hate harassment.	5A 5B 5C
NIHE will continue to be a designated agency in the PCSPs.	NIHE Area Managers continue to attend their respective PCSP meetings.	NIHE will continue to be a designated agency in the PCSPs.	5A 5B 5C
NIHE will continue to assess funding applications and fund appropriate initiatives that address community safety issues in NIHE estates where money is available.	During 2018/19, £30k was awarded in the Council area for various projects and 15 groups throughout Mid Ulster were able to benefit from this as well as the Agewell Project.	NIHE will assess funding applications from Community Groups, PCSPs and Councils for a range of community safety initiatives.	5A 5B 5C
NIHE will continue to partner at Anti-Social Behaviour Forum.	Local office staff continue to work with statutory partners in addressing ASB issues and attend the Anti-Social Behaviour Forum with PSNI and Council to discuss cases of common concern.	NIHE will continue to partner on ASB Forum.	5A 5B 5C
NIHE will deal with reported cases of ASB in its estates.	During 2018/19, NIHE dealt with 145 cases of ASB within the Council area.	NIHE will deal with reported cases of ASB in its estates.	5A 5B 5C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
Building Successful Communities			
NIHE will implement bespoke training in good relations for staff and community groups.	<p>NIHE has provided Hate Crime training to staff across the organisation.</p> <p>Annually we hold a Mid Ulster Networking Event which brings community groups from all parts of Mid Ulster to meet and share best practice.</p>	NIHE will implement bespoke training in good relations for staff and community groups.	5A 5B 5C
NIHE will continue to fund Supporting Communities NI (SCNI) in their work with communities.	SCNI continues to support community groups. There is a dedicated Supporting Communities worker for the local office which allows NIHE to encourage new groups to form.		5A 5B 5C
NIHE will launch the Community Involvement Strategy and update for 2018/23.	The Community Involvement Strategy was launched in December 2018.	The Community Involvement Strategy includes a one year action plan which will be monitored.	5A 5B 5C
Funding of £20k for 2018/19 for Community Grants and HCN will be made available by NIHE.	£19,250 has been spent to date in 2018/19 on Community Grants in the district.	Funding of £20k for 2019/20 for Community Grants and £4,307 per area HCN will be made available by NIHE.	5A 5B 5C



Environmental Scheme at Gregg Gardens, Bellaghy



Castle Grove, Castlecaulfield (Choice HA)



*Sycamore Drive, Killymeal Road, Dungannon
(Apex HA)*

Outcome 4 – Deliver quality public services

Plans 2018/19	Progress	Plans 2019/23	CP Ref
<p>Increase rent collection to reinvest to improve services.</p> <p>Reduce arrears to maximise income.</p> <p>Continue to report Tenancy Fraud statistic to DfC.</p>	<p>NIHE collected 98.43% of rent during 2018/19.</p> <p>At the end of March 2019, arrears were £456k.</p> <p>Action Plan in place & statistics reported quarterly to DfC.</p>	<p>Increase rent collection to reinvest to improve services.</p> <p>Minimise arrears to maximise income.</p> <p>Continue to report Tenancy Fraud statistics to DfC. Monitor and reduce tenancy fraud.</p>	2C
<p>NIHE will:</p> <ul style="list-style-type: none"> • continue to implement welfare reform to the business; • communicate with tenants and applicants for housing to provide advice and assistance on the impacts of welfare reform; and, • assist DfC deliver the processes necessary to implement reform and associated mitigations. 	<p>NIHE has:</p> <ul style="list-style-type: none"> • established a Welfare Reform Project Team; • developed a project plan to manage the introduction of welfare reform; • identified the impact of the changes on our customers and on the business; • developed appropriate processes to implement changes; • instigated measures to lessen the impacts; and, • worked closely with DfC on the implementation of welfare reform and the mitigation processes. 	<p>NIHE will:</p> <ul style="list-style-type: none"> • continue to implement the welfare reform project plan as required; • develop an Income Collection project plan to deal with the impacts of welfare reform • carry out research to help the business plan how to deal with the impacts of welfare reform • communicate with staff, tenants and applicants for housing to provide advice and assistance on the impacts of welfare reform; and, • assist DfC deliver the processes necessary to implement reform and associated mitigations. 	2C
<p>NIHE plan to process new public/private HB claims within the 22 day target and HB claim amendment within seven days.</p>	<p>In 2018/19, new claims were processed in an average of 14.3 days. Claim amendments were processed in an average of 3.9 days.</p>	<p>NIHE plan to process new public/private HB claims within the 22-day target and HB claim amendment within seven days.</p>	2C 5C
<p>Maintain voids below 1% of total stock to make best use of housing stock and increase revenue from rents.</p>	<p>NIHE voids at April 2019 were 0.56% of total stock.</p>	<p>Develop and implement a new Voids Action Plan 2019-2022 in order to maintain voids below 1% of total stock to make best use of housing stock and increase revenue from rents.</p>	1C 2C

Plans 2018/19	Progress	Plans 2019/23	CP Ref
2016/19 Sustaining Tenancy Strategy fully implemented with new ways of working (Build Yes) fully mainstreamed.	The approach outlined in the strategy is now fully operational throughout Housing Executive. A review of the Strategy is complete and findings will be incorporated into the new Strategy.	Develop and Implement a new Customer Support & Tenancy Sustainment Strategy 2019-22 which builds upon the success of the previous strategy. Reduce tenancy failure through increasing support for our customers and tenants to solve their housing problems and help them to stay in their own home.	2C
Continue to monitor tenants' satisfaction through the Continuous Tenant Omnibus Survey (CTOS).	The 2018 survey found that 86% of tenants were satisfied with the overall service provided by the Housing Executive. Work on the 2019 survey is under way.	Continue to monitor tenants' satisfaction through the Continuous Tenant Omnibus Survey (CTOS).	2C



NI Amenity Awards – Milltown Best Kept Medium Housing Area 2018

APPENDICES

Appendix 1 Community Plan themes and outcomes

Theme	Outcome	Reference
Theme 1 – Economic Growth	We prosper in a stronger and more competitive economy.	1A
	We have more people working in a diverse economy.	1B
	Our towns and villages are vibrant and competitive.	1C
Theme 2 – Infrastructure	We are better connected through appropriate infrastructure.	2A
	We will increasingly value our environment and enhance it for our children.	2B
	We will enjoy increased access to affordable quality housing.	2C
Theme 3 – Education and Skills	Our people are better qualified and more skilled.	3A
	We give our children and young people the best chance in life.	3B
	We are more entrepreneurial, innovative and creative.	3C
Theme 4 – Health and Wellbeing	We are better enabled to live longer healthier and more active lives.	4A
	We have better availability to the right health service, in the right place at the right time.	4B
	We care more for those most vulnerable and in need.	4C
Theme 5 – Vibrant and Safe Communities	We are a safer community.	5A
	We have a greater value and respect for diversity.	5B
	We have fewer people living in poverty and fewer areas of disadvantage.	5C

Appendix 2 Social Housing Need by Settlement 2018-2023

Settlement	Social Housing Need 2018-23
Cookstown North	8
Cookstown South	32
Dungannon 1	316
Dungannon 2	27
Magherafelt	81
Moygashel	5
Coalisland	114
Maghera	10
Ardboe/Moortown/Ballinderry	11
Bellaghy	4
Benburb	3
Castlecaulfield	1
Castledawson	8
Donaghmore	19
Draperstown	15
Granville/Brantry	2
Moy	31
Swatragh	7
Stewartstown	3
Tullyhogue	3
Total	700

Housing need has currently been met in Ackinduff/Sheer's Place, Augher, Aughnacloy, Ballygawley, Ballymaguigan, Ballyronan, Bush, Caledon, Cappagh, Clogher, Coagh/Lisnahull, Cookstown Rural Cottages, Fivemiletown, Gulladuff, Innisrush, Knockloughrim, Lissan/Dunamore, Loup, Magherafelt Rural, Moneymore, Mountjoy, Newmills, Pomeroy, Sandholes, The Rock, Tobermore and Upperlands. These areas will be kept under annual review.

New Intermediate Housing Demand for Mid Ulster 2018/28

Council	Intermediate Housing Demand 2018/28
Mid Ulster	1,260

Appendix 3 Social Housing Development Programme

Schemes completed April 2018 – March 2019

Scheme	No of units	Client Group	Housing Association	Policy Theme
3-8 & 15-20 Killymeal Road, Dungannon	12	General Needs	Apex	Urban
Carland Road, Dungannon	38	General Needs	Radius	Urban
The Orchard, Dungannon ESP*	1	General Needs	Rural	Urban
14-20 Sycamore Drive, Dungannon	4	General Needs	Apex	Urban
PSNI Site, Barrack Street, Coalisland	18	General Needs	Habinteg	Urban
Salters Meadow, Magherafelt	1	General Needs	Apex	Urban
Castle Grove / Place, Castlecaulfield (T)	5	General Needs	Choice	Rural
Mullaghtinney Park, Clogher	1	General Needs	Choice	Rural
Ardean Manor, Moy ESP*	1	General Needs	Rural	Rural
Ronan Court, Magherafelt	1	Mental Health	South Ulster	Supported
Total	82			

* ESP - Existing Satisfactory Purchase (T) Transfer Scheme built on NIHE land

Schemes on-site at March 2019

Scheme	No of units	Client Group	Housing Association	Policy Theme
Sycamore Drive, Killymeal Road, Dungannon	42	General Needs	Apex	Urban
64-66 Ballygawley Road, Dungannon	12	General Needs	Radius	Urban
Ashdene, Dungannon ESP*	1	General Needs	Apex	Urban
Barrack Street, Coalisland	28	General Needs	Radius	Urban
Millview Meadows, Coalisland	9	General Needs	NB	Urban
Coney Park, Coalisland ESP*	1	General Needs	Apex	Urban
Shanoch Close, Coalisland ESP*	1	General Needs	Apex	Urban
Roskeen Road, Moygashel (T)	8	General Needs	Apex	Urban
Total	102			

* ESP - Existing Satisfactory Purchase (T) Transfer Scheme built on NIHE land

Schemes programmed 2019/22

Scheme	No of units	Client Group	Year	Housing association	Policy theme
34-38 The Square, Dungannon Road, Coalisland	10	General Needs	2019/20	Habinteg	Urban
Annagher Road, Coalisland	8	General Needs	2019/20	NB	Urban
Washingbay Road, Coalisland	12	General Needs	2019/20	NB	Urban
Moyola Avenue, Castledawson ESP*	2	General Needs	2019/20	Rural	Urban
Killowen Drive, Magherafelt (T)	16	General Needs	2019/20	Choice	Urban
Leckagh Cottages, Magherafelt (T)	9	General Needs	2019/20	Choice	Urban
Station Road, Magherafelt	30	General Needs	2020/21	Apex	Urban
Land at Dungannon Phase 2, Killymeal Road, Dungannon	50	General Needs	2021/22	Apex	Urban
Total	137				

* ESP - Existing Satisfactory Purchase (T) Transfer Scheme built on NIHE land

Appendix 4 Maintenance Programme, Grants and Adaptations information

Schemes completed April 2018 – March 2019

Work Category	Scheme	Units
External Cyclical Maintenance	Alexander Park/ Beatrice Villas	36
	Glenelly Villas/ Bradley Park, Magherafelt	27
	Moneymore/ Ardboe	172
	Moy/ Ballygawley/ Caledon	263
Double Glazing	Magherafelt	104
	Coalisland/ Moygashel/ Mountjoy	115
Revenue Replacement Kitchen	Magherafelt Phase 1	37
	Coalisland	63
	Innishmore/Menagh/ Dunavon, Dungannon	67
Revenue Replacement Bathroom	Moygashel	20
	Aghinduff	6
Heating Installation	Stewartstown/ Tullyhogue/ Pomeroy	39
	Ardboe/ Ballyronan/ Moneymore	25
Capital Scheme	Ackinduff/ Drumreagh/ Ivybank	10
Total		984

Note: Some schemes may start and complete in year.

Scheme activity and expected completions up to 31 March 2020

Work Category	Scheme	Units
External Cyclical Maintenance	Alexander Park/ Beatrice Villas	147
	Moneymore/ Ardboe	19
	Moy/ Ballygawley/ Caledon	31
	King William III/ Tamney	180
	Coalisland/ Gortgonis	152
	Stewartstown/ Pomeroy	188
Double Glazing	South Region Mop Up	168
Revenue Replacement Kitchen	Magherafelt	117
Revenue Replacement Bathroom	Aghinduff	48
	Maghera/ Bellaghy	67
	Donaghmore Road/ Fivemiletown/ Moy	46
Revenue Replacement Kitchens/Bathrooms	Cookstown/ Pomeroy/ Stewartstown	97
	Ballygawley/ Fivemiletown	55
	Coalisland/ Cappagh/ Donaghmore	10
Heating Installation	Stewartstown/ Tullyhogue/ Pomeroy	18
	Ardboe/ Ballyronan/ Moneymore	18
	Magherafelt (No Gas)	132
	Aughnacloy/ Benburb/ Caledon	67
Total		1,560

Note: Some schemes may start and complete in year.

Definition of Work Categories	
External Cyclical Maintenance	Work to the external fabric of a dwelling and its immediate surrounding area.
Double Glazing	Replacement of single glazed with double glazed units
Heating Installation	Replacement of solid fuel or electric heating.
Revenue Repair/Replacement	Repair or replacement of obsolete internal elements, e.g. sanitary ware and kitchen units.
Capital Scheme	Improvement works.

Grants Performance 2018/19

Grant Type	Approved	Approval Value £k	Completed
Mandatory Grants			
Disabled Facilities Grant	88	795	93
Repairs Grant	25	64	39
Discretionary Grants			
Renovation Grant	36	485	34
Replacement Grant	<10	32	0
Home Repair Assistance Grant	13	56	13
Total		1,432	

Adaptations to Housing Executive stock in 2018/19

Type of Adaptation	Adaptations 2018/19	Actual spend 2018/19 £m	Projected Spend 2019/20 £m
Adaptations for Persons with a Disability (APD's) Starts*	11	0.46	0.40
Adaptations for Persons with a Disability (APD's) Completions*	<10		
Lifts**	16	0.05	0.07
Showers**	64	0.17	0.12
Minor APD repairs***	217	0.13	0.13
Total	315	0.81	0.72

*Some Adaptations for Persons with a Disability (APD's) may start and complete in year

**Lifts & showers are also included in Planned Maintenance in Finance Table in Local Context

***Minor ADP repairs are also included in Response Maintenance in Finance Table in Local Context

There may be a discrepancy in calculation due to rounding.

Appendix 5 Supporting People Information

Type of Service	Client Group	No. of schemes	No. of providers	Actual payments 2018-19 (£k)	Budget 2019-20 (£k)	Max. no of services users
Accommodation Based Services	Older People	18	4	141	145	314
	Homelessness	4	4	780	785	56
	Disability	11	7	1,689	1,646	130
	Young People	3	2	296	298	32
	Sub Total*	36	17	2,907	2,874	532
Floating Support Services	Older People	1	1	54	54	25
	Homelessness	3	3	285	287	132
	Young People	1	1	221	222	67
	Sub Total*	5	5	560	563	224
Grand Total*		41	**	3,467	3,438	756

* There may be a discrepancy in calculation due to rounding.

** Some providers supply both accommodation based and floating support services.

Appendix 6 NIHE Stock at March 2019

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Dungannon 1	87	99	329	0	0	515	2
	49	26	685	0	0	760	
Dungannon 2	37	15	91	0	0	143	1
	10	3	278	0	0	291	
Moygashel	10	10	45	0	6	71	0
	13	0	247	0	17	277	
Coalisland	47	17	230	0	1	295	6
	16	1	336	0	10	363	
Ackinduff / Sheer's Place	8	0	23	0	0	31	0
	32	0	23	0	4	59	
Augher	8	4	22	0	0	34	0
	2	0	43	0	0	45	
Aughnacloy	19	0	29	0	0	48	0
	3	0	85	0	0	88	
Ballygawley	22	8	21	0	2	53	2
	19	0	55	0	1	75	
Benburb	2	0	3	0	0	5	0
	24	0	28	0	4	56	
Bush	9	0	16	0	0	25	0
	18	0	71	0	0	89	
Caledon	27	1	32	0	5	65	1
	36	1	37	0	39	113	
Cappagh	6	0	3	0	0	9	0
	18	0	19	0	0	37	
Castlecaulfield	7	2	5	0	4	18	0
	16	2	68	0	29	115	
Clogher	15	11	34	0	1	61	0
	7	3	44	0	4	58	
Donaghmore	22	0	22	0	1	45	0
	15	1	128	0	15	159	
Fivemiletown	60	8	44	0	0	112	1
	25	0	131	0	0	156	
Granville / Brantry	21	0	6	0	0	27	0
	54	0	64	0	2	120	
Mountjoy	13	0	19	0	0	32	0
	55	0	46	0	4	105	
Moy	24	3	34	0	0	61	0
	12	1	142	0	3	158	
Newmills	8	0	7	0	0	15	0
	7	0	58	0	0	65	
Dungannon District Total	452	178	1,015	0	20	1,665	13
	431	38	2,588	0	132	3,189	
Cookstown North	51	63	167	11	0	292	2
	23	17	380	9	0	429	

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Cookstown South	52	57	220	0	0	329	1
	47	7	543	0	2	599	
Ardboe/Moortown/ Ballinderry	14	0	37	0	0	51	0
	12	0	93	0	0	105	
Ballyronan	4	0	4	0	0	8	0
	13	0	38	0	0	51	
Drumullan	2	0	6	0	0	8	0
	6	0	10	0	0	16	
Dunamore/Orritor	0	0	4	0	0	4	0
	9	0	33	0	0	42	
Finnobar / Coagh / Lisnahull	16	0	26	0	0	42	1
	2	0	54	0	0	56	
Loup	4	0	6	0	0	10	0
	1	0	10	0	0	11	
Moneymore	21	3	40	0	0	64	1
	35	1	120	0	0	156	
Pomeroy	27	0	26	0	0	53	0
	22	0	45	0	0	67	
Rock	6	0	4	0	0	10	0
	7	0	16	0	0	23	
Sandholes	1	0	8	0	0	9	0
	1	0	17	0	4	22	
Stewartstown	10	6	56	0	0	72	0
	3	2	93	0	0	98	
Tullyhogue	8	0	25	0	0	33	0
	6	0	49	0	0	55	
Tynure / Lissan / Dunman	0	0	0	0	0	0	0
	0	0	25	0	0	25	
Rural Cottages	0	0	0	0	10	10	0
	8	0	4	0	140	152	
Cookstown District Total	216	129	629	11	10	995	5
	195	27	1,530	9	146	1,907	
Magherafelt	150	61	233	5	0	449	3
	84	17	688	5	0	794	
Maghera	125	21	97	0	0	243	3
	97	11	362	0	0	470	
Bellaghy	24	2	24	0	0	50	0
	15	0	122	0	0	137	
Castledawson	53	5	50	0	0	108	2
	49	1	133	0	0	183	
Draperstown	29	9	33	0	0	71	0
	40	5	134	0	0	179	
Tobermore	19	0	28	0	0	47	0
	14	0	69	0	0	83	
Ballymaguigan	2	0	3	0	0	5	0
	18	0	9	0	0	27	0

Sold Stock in bold

Common Landlord Area	Bung (i)	Flat	House	Mais (ii)	Cottage	Total	Void *
Carmean	4	0	0	0	0	4	0
	6	0	0	0	0	6	
Clady	19	0	11	0	0	30	1
	7	0	65	0	0	72	
Creagh	0	0	0	0	0	0	0
	8	0	19	0	0	27	
Culnady	4	0	11	0	0	15	0
	0	0	17	0	0	17	
Curran	1	0	4	0	0	5	0
	1	0	8	0	0	9	
Desertmartin	5	4	15	0	0	24	0
	9	0	28	0	0	37	
Fallahogey	1	0	5	0	0	6	0
	8	0	5	0	0	13	
Gulladuff	9	0	15	0	0	24	0
	3	0	30	0	0	33	
Innistrush	2	2	6	0	0	10	0
	0	0	17	0	0	17	
Kilross	7	0	0	0	0	7	0
	11	0	0	0	0	11	
Knockloughrim	6	0	3	0	0	9	0
	22	0	18	0	0	40	
Lisnamuck	3	0	0	0	0	3	0
	1	0	10	0	0	11	
Longfield	0	0	1	0	0	1	0
	0	0	24	0	0	24	
Moneyneaney	8	0	4	0	0	12	0
	8	0	22	0	0	30	
Portglenone	2	0	5	0	0	7	0
	8	0	21	0	0	29	
Rural Cottages	0	0	0	0	26	26	0
	2	0	2	0	126	130	
Swatragh	7	0	16	0	0	23	0
	8	0	50	0	0	58	
Tamlaght	10	0	2	0	0	12	0
	12	0	5	0	0	17	
Tullyherron	6	0	4	0	0	10	0
	0	0	0	0	0	0	
Upperlands	11	2	31	0	0	44	1
	3	0	56	0	0	59	
Magherafelt District Total	507	106	601	5	26	1,245	10
	434	34	1,914	5	126	2,513	
Mid Ulster Total	1,175	413	2,245	16	56	3,905	28
	1,060	99	6,032	14	404	7,609	

*Of the total stock these properties are void and do not include properties for sale or demolition

(i) Bungalow (ii) Maisonette

Appendix 7 Applicants and Allocations at March 2019

	Applicants (Total)	Applicants (HS)	Allocations
Dungannon 1	589	381	61
Dungannon 2	56	41	14
Moygashel	27	18	<10
Coalisland	188	139	52
Ackinduff / Sheer's Place	<10	<10	<10
Augher	<10	<10	<10
Aughnacloy	17	12	<10
Ballygawley	18	10	<10
Benburb	<10	<10	0
Bush	<10	<10	0
Caledon	<10	<10	<10
Cappagh	<10	<10	0
Castlecaulfield	10	<10	<10
Clogher	11	<10	11
Donaghmore	31	23	<10
Fivemiletown	22	14	17
Granville / Brantry	<10	<10	<10
Mountjoy	<10	<10	<10
Moy	41	31	<10
Newmills	<10	<10	<10
Dungannon District Total	1,048	710	196
Cookstown North	125	78	26
Cookstown South	176	109	16
Ardboe / Moortown / Ballinderry	19	11	<10
Ballyronan	<10	<10	<10
Drumullan	0	0	0
Dunamore / Orritor	<10	<10	<10
Finnobar / Coagh / Lisnahull	<10	<10	<10
Loup	0	0	0
Moneymore	19	<10	<10
Pomeroy	19	<10	<10
Rock	0	0	0
Sandholes	<10	0	0
Stewartstown	18	<10	<10
Tullyhogue	11	<10	<10
Tynure / Lissan / Dunman	0	0	0
Cookstown Cottages	<10	0	0
Cookstown Total	407	240	58
Magherafelt	243	134	41
Maghera	72	38	20
Bellaghy	15	<10	<10
Castledawson	47	29	<10
Draperstown	33	16	10
Tobermore	10	<10	<10

	Applicants (Total)	Applicants (HS)	Allocations
Ballymaguigan	<10	0	0
Carmean	0	0	0
Clady	<10	<10	<10
Creagh	0	0	0
Culnady	0	0	<10
Curran	0	0	0
Desertmartin	<10	0	<10
Fallahogey	0	0	0
Gulladuff	<10	<10	<10
Innistrush	0	0	0
Kilross	0	0	0
Knockloughrim	0	0	0
Lisnamuck	0	0	0
Longfield	0	0	0
Moneyneaney	<10	<10	0
Portglenone	0	0	0
Magherafelt Rural Cottages	<10	<10	0
Swatragh	21	<10	<10
Tamlaght	0	0	<10
Tullyherron	0	0	0
Upperlands	<10	0	<10
Magherafelt District Total	459	248	89
Mid Ulster Total	1,914	1,198	343

Appendix 8 Management Team contact details

Landlord Services		
All enquiries 03448 920 900		
Office	Contact	Contact Information
Dungannon Office 6 Ballygawley Road Dungannon BT70 1EL		dungannon@nihe.gov.uk 03448 920 900
Cookstown Office 15 Morgan's Hill Road Cookstown BT80 8HA		cookstown@nihe.gov.uk 03448 920 900
Magherafelt Office 3 Ballyronan Road Magherafelt BT45 6BP		magherafelt@nihe.gov.uk 03448 920 900
South Regional Manager	Comghal McQuillan	comghal.mcquillan@nihe.gov.uk
Area Manager	Michael Dallat	michael.dallat@nihe.gov.uk
Assistant Area Manager	Margaret Bradley	margaret.bradley@nihe.gov.uk
Team Leader Housing Solutions Dungannon, Cookstown and Magherafelt	Siobhan McSwiggan	siobhan.mcswiggan@nihe.gov.uk
Team Leader Patch Management Dungannon, Cookstown and Magherafelt	Katrina Farley	katrina.farley@nihe.gov.uk
Maintenance Manager Dungannon, Cookstown and Magherafelt	John McArthur	john.mcarthur@nihe.gov.uk

Regional Services		
All enquiries 03448 920 900		
Office	Contact	Contact Information
Land and Regeneration Services 2 Adelaide Street Belfast, BT2 8PB	Elma Newberry Assistant Director	elma.newberry@nihe.gov.uk
Central Grants 2 Adelaide Street Belfast, BT2 8PB	Danny O'Reilly Senior Principal Officer	daniel.o'reilly@nihe.gov.uk
Place Shaping South Marlborough House Central Way Craigavon BT64 1AJ	Ailbhe Hickey Head of Place Shaping	ailbhe.hickey@nihe.gov.uk
Development Programme Group 2 Adelaide Street Belfast, BT2 8PB	Roy Baillie Head of Development Programme Group	roy.baillie@nihe.gov.uk
Strategic Partnerships 2 Adelaide Street, Belfast BT2 8PB	Anne Sweeney Assistant Director	anne.sweeney@nihe.gov.uk

Appendix 9 Glossary

Affordable Housing	Affordable housing is defined as social rented housing and intermediate housing for eligible households.
Affordable Housing Fund	Administered by DfC, this finances an interest-free loan to housing associations, to fund the provision of new affordable homes and the refurbishment of empty homes.
Areas at Risk	This programme aims to intervene in areas at risk of slipping into social or environmental decline by working with residents.
Building Relations in Communities (BRIC)	Provides training on good relations and funding for good relations plans.
Building Successful Communities (BSC)	Carried out in six pilot areas; this uses housing intervention to regenerate areas and reverse community decline.
Community Asset Transfer (CAT)	CAT provides for a change in management and/or ownership of land or buildings, from public bodies to communities.
Community Cohesion	Cohesive communities are communities where there is a sense of belonging, and there are positive relationships within the community; regardless of background.
Continuous Tenant Omnibus Survey (CTOS)	CTOS is an assessment of the attitudes of Housing Executive tenants.
Department for Communities (DfC)	A government department in Northern Ireland, which came into effect in May 2016 and replaced the Department for Social Development (DSD).
Disabled Facilities Grant (DFG)	A grant to help improve the home of a person with a disability who lives in the private sector to enable them to continue to live in their own home.
Discretionary Grants	Renovation, Replacement and Home Repair Assistance grants are grants where the Housing Executive may approve applications for assistance.
Equity Sharing	Equity sharing allows social housing tenants to buy part of their dwelling (starting at 25%). The remaining portion is rented from the Housing Executive or a registered housing association.
Floating Support	This support enables users to maintain or regain independence in their own homes. Floating support is not tied to the accommodation but is delivered to the individual users.
Fuel Poverty	A household is in fuel poverty if, in order to maintain an acceptable temperature throughout the home, they would have to spend more than 10% of their income on all household fuel.
Full Duty Applicant (FDA)	A Full Duty Applicant is a person to whom the Housing Executive owes a duty under Article 10 (2) of the Housing (NI) Order, 1988, to 'ensure that accommodation becomes available for his/her occupation'.
Home Energy Conservation Authority (HECA)	The Housing Executive is the HECA for Northern Ireland.
House in Multiple Occupation (HMO)	A HMO is a house occupied by more than two qualifying persons, being persons who are not members of the same family.

House Sales Scheme	The House Sales Scheme gives eligible tenants of the Housing Executive, or registered housing associations, the right to buy their property from their landlord, at a discount.
Housing for All	Having met the Together Building a United Community (TBUC) commitment of delivering 10 shared schemes, commitment will be continued through the Programme for Government to support the delivery of 200 units annually, through the Shared New Build Programme, re-branded as 'Housing for All'.
Housing Growth Indicators (HGI)	Figures contained in the Regional Development Strategy, to estimate the new dwelling requirement for council areas and the Belfast Metropolitan Urban Area for 2012-25.
Housing Market Area	A housing market area is the geographic area within which the majority of households move, work and live.
Housing Market Assessment (HMA)	This is an evidence base for housing and planning policies, which examines the operation of housing market areas, including the characteristics of the housing market, how key factors work together and the potential housing need and demand on a cross tenure basis.
Housing Needs Assessment (HNA)	This is an assessment of local housing needs, primarily in relation to general needs social housing, supported housing, Travellers and affordable housing.
Housing Stress	Applicants, on the waiting list, who have 30 points or above are considered to be in housing stress, or housing need.
Intermediate Housing	Intermediate Housing, consists of shared ownership housing provided through a registered housing association (e.g. Co-Ownership Housing Association) and helps eligible households who can afford a small mortgage, but cannot afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the registered housing association.
Latent Demand Test (LDT)	LDT is a housing needs survey carried out in a rural area to assess any potential hidden need.
Mandatory Grants	Disabled Facilities Grants and Repair Grants are Grants where the Housing Executive shall approve applications for assistance.
Neighbourhood Renewal	Government departments and agencies working in partnership to tackle disadvantage and deprivation.
NIFHA	Northern Ireland Federation of Housing Associations.
NISRA	Northern Ireland Statistics and Research Agency.
Oil Buying Clubs Scheme	Oil Buying Clubs are designed to help consumers reduce their costs by purchasing oil orders in bulk, as part of a group.
PCSPs	Policing and Community Safety Partnerships.
PPS	Planning Policy Statement.
Supporting Communities Northern Ireland (SCNI)	Supporting Communities Northern Ireland provides training and funding for community groups.
Shared Housing	These are communities where people choose to live with others, regardless of their religion or race, in a neighbourhood that is safe and welcoming to all.
Social Housing	The SHDP provides grant funding to housing associations to build

Development Programme (SHDP)	social housing. The programme is managed by the Housing Executive on a three-year rolling programme.
Social Enterprise	Social enterprises are businesses with primarily social objectives whose profits are reinvested to achieve these objectives in a community.
Social Rented Housing	Social Rented Housing is housing provided at an affordable rent by the Housing Executive and registered housing associations; that is, housing associations, which are registered and regulated by the Department for Communities (DfC) as a social housing provider. Social rented accommodation is offered in accordance with the Common Selection Scheme, administered by the Housing Executive, prioritising households who are living in insecure or unsuitable accommodation.
Small Pockets of Deprivation (SPOD)	SPOD is a delivery vehicle for neighbourhood renewal.
Supported Housing	A term used to describe a range of both long and short-term accommodation provided for people who need an additional level of housing related support, to help them lead an independent life.
Supporting People Programme	The Supporting People Programme is designed to provide housing related support, to prevent difficulties that can typically lead to hospitalisation, homelessness or institutional care, and can aid a smooth transition to independent living, for those leaving an institutionalised environment.
Universal Credit	Universal Credit is a new payment being introduced in Northern Ireland, for people of working age (over 18 and under qualifying age for State Pension Credit). It includes support for the cost of housing (rent), children and childcare, as well as support for disabled people, carers and people who are too ill to work.

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 July 2019 in the Council Offices, Circular Road, Dungannon

Chair Councillor Kearney

Members Present Councillors Ashton, Bell, Black, Brown, Buchanan, Burton, Clarke, Colvin, Corry, Cuddy, Cuthbertson, Elattar, Forde, Gildernew, Glasgow, Graham, Hughes, Kerr, Mallaghan, McAleer, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, D McPeake, S McPeake, Milne, Molloy, Monteith, Mullen, O'Neill, Quinn, Totten and Wilson

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

The meeting commenced at 7 pm

C134/19 Apologies

Councillors Doris and Robinson

C135/19 Declarations of Interest

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

Councillor Mallaghan declared an interest in Agenda item 27 Development of Ann Street – Agreement re Shared Access

C136/19 Chair's Business

Councillor Kearney advised that Council had received a Blue Flag award for Ballyronan, Green Flag award awards at Dungannon Park, Maghera Walled Garden and the Hill of The O'Neill. He further advised that the Ranfurly House Arts & Visitors Centre Heritage project had attained the Sandford Award for Heritage and commended all staff involved.

Councillor McPeake stated that although the subject would be raised later in the meeting he wished to draw attention to the fact that a bilingual sign which had been stolen from the Hillhead Road within the district in March had appeared on a bonfire in Rathcoole on the 11 July 2019. He advised that the Director of Public Health and

Infrastructure had contacted the PSNI and made them aware of the signs whereabouts but it had not been removed. He also highlighted that theft of bilingual signs from the Mid Ulster district had also been reported to the PSNI in March of this year. Councillor McPeake proposed that

- Council contact the PSNI and ask how, even though it had been reported, that the sign was permitted to be burned on the bonfire; and
- That Council write to Mid and East Antrim District Council and express concern as it was his understanding that the Bonfire was one named within their 'Bonfire Management Scheme'.

In response the Chair, Councillor Kearney advised that at the Environment Committee it had been agreed to seek a meeting with the PSNI to discuss the issue and asked if this would be acceptable as an initial outcome to the request

Councillor McPeake reiterated that the incident should be condemned and the fact the bonfire was one within another Councils bonfire management scheme and a neighbouring Councils property was burned on it was disgraceful.

Councillor McNamee emphasised that he had requested a meeting twice and that it needed to happen as soon as possible.

Councillor Cuthbertson stated that everyone would be aware of the disgraceful behaviour, described by the police as a 'hate incident' by Tyrone GAA at the start of July in Aughnacloy. He stated that whilst the PSNI had described the events as a 'hate incident' no hate crime was committed on board the Tyrone GAA bus but that the video stands as a record of what occurred. He further highlighted that an individual on the bus had received a fixed penalty notice for remarks made to a female police officer.

Councillor Cuthbertson made reference to the sectarian language used which would not be accepted in any other sports team particularly such a high profile team as Tyrone GAA. Councillor Cuthbertson requested that Council write to the Tyrone GAA County Board and outline Council's disappointment at the attitudes displayed and request clarity about the action taken to discipline those involved to ensure there is no repeat of such intolerance and sectarianism towards the Protestant community.

In response the Chair, Councillor Kearney stated that it had been a sorry incident but an apology had been extended, the matter had been dealt with by the Tyrone County Board and he felt that the matter was closed. A number of Members concurred.

Councillor McLean stated that Council must be mindful as it would appear two different opinions in relation to the incidents was being expressed.

The Chair, Councillor Kearney stated he was a member of a GAA club of which he was secretary that such incidents should not happen and stated that two wrongs don't make a right.

The Chair, Councillor Kearney stated that Council move on with the business.

Councillor Wilson drew attention to recent press releases regarding Project Stratum and stated whilst he welcomed the roll out of rural broadband he would wish to seek assurances that the two worst affected areas for rural broadband Mid Ulster and Fermanagh & Omagh would be prioritised. Councillor Wilson asked that Council invite representatives from the Department for Enterprise to the September meeting of the Development Committee or alternatively an all-party meeting.

Councillor Burton advised that NILGA was lobbying strongly regarding the issue and had made a robust representation on the 'derth of broadband' which was impacting people in rural businesses. Councillor Burton advised that staff were working at 3am in the morning in an effort to process payments via broadband. She also highlighted the scenario of students unable to get home works completed due to lack of broadband at home and poor transport systems which didn't allow them to travel to libraries.

The Chair, Councillor Kearney congratulated Councillor Burton on her recent appointment as President of NILGA for the incoming year.

The Chair, Councillor Kearney spoke of a letter issued by NILGA which stressed that the derth of broadband must be addressed, he also advised that a weakness in the procurement process at had been highlighted and at subsequent meetings it had been stressed that the work be rolled out by addressing worst affected areas. He also advised that concern had been expressed regarding the use of the term 'technology neutral' within the procurement process as areas wanted fibre optic broadband.

Councillor Clarke advised that prior to the period of 'purdah' a deputation from the joint Broadband Working Group had met with them and made a case on the issues being highlighted.

Councillor Wilson proposed that Council should invite the Department for the Economy to make a presentation.

The Chair, Councillor Kearney suggested that perhaps both Councils on the Broadband working group should have representation at the requested presentation.

Councillor McPeake stated that Council was replicating the work of the joint Broadband working group as the group, MLAs and the Department had met a number of times and that perhaps a meeting of the Broadband Working Group would be a better way forward.

Councillor Wilson agreed to the aforementioned approach.

Proposed by councillor McPeake
Seconded by Councillor Wilson and

Resolved That an urgent meeting of the Broadband Working Group be called to discuss the roll out of Project Stratum in order to seek assurances from the Department for Enterprise regarding the provision of broadband throughout Mid Ulster and Fermanagh & Omagh District Council areas.

Matters for Decision

C137/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on Thursday 27 June 2019

Councillor McNamee requested an amendment to minute at C103/19: page 3 paragraph 4 to read *next 12 months and also that a meeting be progressed with Cookstown DEA Councillors and DfI Roads to discuss timeline in*

Resolved That Council request a meeting with Cookstown DEA Councillors and DfI Roads to discuss timeline in relation to the proposed Cookstown Bypass.

Councillor McGinley referred to *C113/19 Consultations notified to Mid Ulster Council* and requested an update in relation to the responses with regard to Petroleum licensing. He stated if the response had not been submitted he would propose a workshop be held to prepare the responses.

The Chief Executive stated that the matter had been considered by the Planning Committee, a response had been approved and submitted.

In response to Councillor Cuddy’s question the Head of Democratic Services advised that the terms of reference were being developed, nominations to the working group would be sought and a report brought to a future Policy & Resources meeting.

In response to Councillor McGinley’s query the Chief Executive advised that the Planning Committee had recommended the response to Council at its June meeting and that officers present at the Council meeting had been unaware that the matter had been dealt with.

Councillor McGinley stated it had been an oversight by him also.

Councillor Monteith stated he raised the issue repeatedly that all departments should be represented at Council meetings.

Proposed by Councillor S McGuigan
Seconded by Councillor McAleer and

Resolved That the Minutes of the Council of the Council held on Thursday 27 June 2019 (C100/19 – C118/19 and C133/19) transacted in Open Business having been printed and circulated, were considered and adopted.

C138/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee meeting held on Monday 1 July 2019

Councillor Wilson drew attention to *E161/19 Dog Fouling and Litter* and sought clarity as to whether Council had the power to stop people with dogs and ask if they had

bags with them to clean up if their dog had fouled. In response the Director of Public Health and Infrastructure advised that a report would be presented to the September Committee.

Councillor Burton advised that at a recent meeting an officer had stated that most people do bring appropriate bags with them.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved That the Minutes of the Environment Committee held on Monday 1 July 2019 (E145/19 – E165/19 and E176/19) transacted in Open Business having been printed and circulated, were considered and adopted.

C139/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee meeting held on Tuesday 2 July 2019

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That the Minutes of the Planning Committee held on Tuesday 2 July 2019 (P071/19 – P075/19 and P082/19) transacted in Open Business having been printed and circulated, were considered and adopted.

C140/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee meeting held on Wednesday 3 July 2019

Proposed by Councillor Mallaghan
Seconded by Councillor Monteith and

Councillor Mallaghan reflected on the success of the ‘Irish Open’ golf tournament its economic benefits and the euphoria it brought, he then reflected on tourism staff promoting the Mid Ulster district at various tourism exhibitions for example Balmoral Show and stated that branding on clothes/uniforms should be reviewed through to attain ultimate promotion.

Councillor Monteith drew attention to *D118/19 Economic Development Report – Review of Northern Ireland Non –Domestic Rating System* and suggested that since there was additional time to prepare a response local businesses be invited to provide information for the response. He emphasised that local business people were struggling and Council should combine their concerns into a robust response.

Resolved That due to the extension to the closing date for the Consultation regarding NI non Domestic Rating System the business community be invited to workshop to collate information for Councils response.

Declaration of Interest: Councillor Glasgow declared an interest in D117/19 Community Development Report Rolling Grants Award.

Proposed by Councillor Monteith
Seconded by Councillor McNamee and

Resolved That the Minutes of the Development Committee held on Wednesday 3 July 2019 (D114/19 – 130/19 and D135/19) transacted in Open Business having been printed and circulated, were considered and adopted.

Councillor Mallaghan left the meeting at 7.30pm

C141/19 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee meeting held on Thursday 4 July 2019

Proposed by Councillor Elattar
Seconded by Councillor Molloy and

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 4 July 2019 (PR116/19 – P128/19 and PR140/19) transacted in Open Business having been printed and circulated, were considered and adopted.

C142/19 Conferences, Seminars & Training Report

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

(i) Member Approvals

- **NILGA – Changing Places: Planning, Place-shaping and Place-making in Northern Ireland**

Killyhevlin Hotel, Enniskillen – Tuesday 8 October 2019 – 9.30 am – 4.00 pm
Travel and subsistence

- **Agenda NI Social Media Belfast**

Titanic, Belfast – Thursday 5 September 2019 – 8.30 am – 3.30 pm
Cost – Fee: £230 + vat, travel and subsistence

- **Agenda NI – NI Procurement Conference**

La Mon, Belfast – Wednesday 11 September 2019 – 8.30 am – 3.15 pm
Cost – Fee: £210 + vat, travel and subsistence

(ii) Officer Approvals

Conference & Seminar	Date	No. of Attendees	Location	Attendance
Independent Examination of Local Development Plan	25/06/19	1	Merthyr Tydril Wales	No
NI Planning Conference- Delivering Quality Affordable Housing	26/06/19	4	Lisburn	Yes
Conveyancing Conference	14/10/19	1	Templepatrick	Yes

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

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

C143/19 Civic Recognition Requests

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, as detailed within the report.

Councillor Black drew attention to the recommendation to grant an award to Tyrone Under 20s and stated he was not suggesting that the team should not be recognised but thought perhaps Council should be cautious given that there may be a criminal charge following recent media reports when members of the team had jumped on a car.

The Chair, Councillor Kearney stated he was unaware of the incident.

Councillor Kerr stated as the Councillor who nominated the team for recognition he would like the request to move on and stressed 'innocent until proven guilty'.

The Chair, Councillor Kearney stated that the recognition events would not be hosted until the autumn but Council would be mindful.

Proposed by Councillor Gildernew
Seconded by Councillor Kerr and

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

**C144/19 Chair of Mid Ulster Policing and Community Safety Partnership
2019-20**

The Head of Democratic Services presented previously circulated report and sought approval to confirm the Chair for Mid Ulster Policing and Community Safety Partnership (PCSP) to hold the position until Council's AGM in 2020.

Councillor McLean stated that it was his understanding a Party had been nominated to take year one.

Councillor Cuthbertson stated he had attended a number of PCSP meetings since the election at which Sinn Féin had chaired the meetings but no specific Councillor had been nominated. In applying the d'Hondt calculation and order following the May 2019 election a nomination was sought.

Councillor McGinley stated that Sinn Féin would not be nominating at this stage.

Councillor McLean stated that the DUP were not nominating in year one.

Councillor Quinn stated that the SDLP were not nominating in year one.

Councillor Wilson stated that the UUP would nominate Councillor McKinney.

Proposed by Councillor Wilson
Seconded by Councillor Cuddy and

Resolved That approval be given to appoint Councillor McKinney be appointed as Chair of PCSP for the incoming year.

Councillor Ashton stated it would be prudent to bring a paper to Council to sort out the remainder of the Council term.

**C145/19 Delegated Authority to Chief Executive on Matters – Period of
Recess (August 2019)**

The Chief Executive drew attention to the previously circulated report regarding delegated authority to the Chief Executive on matters during the Period of Summer Recess in August 2019.

Members considered matters as detailed within the report entitled "Issues requiring Delegated Authority" on decisions required during the period 26 July to 25 September 2019.

Proposed by Councillor Colvin
Seconded by Councillor Brown and

Resolved That approval be granted to delegate authority to the Chief Executive on Matters – Period of Summer Recess in August 2019 (26 July to 25 September 2019) as listed within the report entitled "Issues requiring Delegated Authority".

C146/19 Response to NILGOSC Consultation – Circular 05/2019 – Funding Strategy Statement

The Director of Finance presented previously circulated report to provide Members with a draft response to NILGOSC's consultation exercise in relation to its Funding Strategy Statement, which was notified to Council at its June 2019 meeting.

Proposed by Councillor McGinley
Seconded by Councillor McLean and

Resolved That approval be given to the recommendation to:

- (i) Accept the Officers' proposed answers to the specific questions posed by NILGOSC in Annex 1 to Circular 05/2019; and
- (ii) Authorise the Chief Executive to submit the answers to NILGOSC in the prescribed format under cover of an appropriately worded covering letter by the closing date of 31st July 2019.

C147/19 Response to Housing Executive Chronic Homelessness Action Plan

The Director of Business & Communities presented previously circulated report to advise that on the 27th February 2019, the Northern Ireland Housing Executive commenced its consultation on the 'Chronic Homelessness Action Plan'. The consultation will run until the 2nd August 2019. The Director of Business and Communities drew attention to the proposed draft Response to the Action Plan and sought approval.

The Chair, Councillor Kearney commended the report.

Councillor Monteith also commended the staff who were clearly on top of their brief. Councillor Monteith stated that the issue of homelessness would be raised at *item 16 of the agenda Consultations notified to Mid Ulster*. Councillor Monteith stated he would propose the response.

Councillor Kerr seconded the response.

Councillor Elattar stated that she had attended the workshop and on reflection would like another few points added. Councillor Elattar suggested she email them to Members.

The Director of Business and Communities sought direction.

Councillor McKinney stated that the Council should take time to consider the points and emphasised that although there was strong evidence of the problem in Dungannon homelessness was also a problem throughout the district highlighting that there were no facilities in Magherafelt.

Councillor Colvin concurred with Councillor McKinney and stated that the meeting should take time to consider the points.

Councillor Mullen left the meeting at 7.51 pm

Councillor Elattar read the undernoted points:

- The Housing Executive have not used this opportunity to separate the various types of homelessness as well as they could have. For example people living housing stress for long periods of time, particularly in areas of highest demand, have not been reflected fully in the consultation document.
- Is the threshold set too high? The consultation proposes, that to achieve the classification threshold of chronic homelessness, requires meeting 3 of 7 stated criteria. If the threshold is set too high, failure to identify individuals within the client group becomes more likely. There is no attempt to provide a rationale for this.
- The document mentions the impact of chronic homelessness on an individual or household. Focus however, without explanation, is the development of criteria to define an individual. As a consequence, it is hard to judge how resources cited within the document are allocated between different categories experiencing chronic homelessness.
- The document says that the Housing Executive Equality Unit has reviewed and confirmed that the Equality Screening template developed for the Homeless Strategy is applicable to the Chronic Homelessness Action Plan. The Equality Commissions audit of inequalities identified unequal access to social housing affecting Catholics, a section 75 group. It is difficult to see how a policy that diverts funding and resources away from the wider category of those in urgent need of social housing towards a subset of that category, described as in chronic need, can be automatically regarded as having no equality implications. Has the Housing Executive considered the impact of this further categorisation on unequal access to social housing affecting Catholics?

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That approval be granted to the submission of the Consultation Response which should also include points raised at meeting as aforementioned

Matters for Information

C148/19 Correspondence to Council – July 2019

Members noted previously circulated report providing correspondence received for the attention of Council as outlined:

- Correspondence from Office of the Taoiseach, Irish Government – Support for family of Aidan McAnespie
- Correspondence from the Northern Ireland Human Rights Commission (NIHRC) – Engagement with Community & Voluntary Groups

- Correspondence from the Department of Justice - Domestic Abuse Bill
- Correspondence from the Department of Communities – Code of Conduct
- Correspondence from Derry City & Strabane District Council – Climate Change

Councillor McFlynn drew attention to the letter received from the Department of Justice and emphasised that it was an important piece of legislation which should be welcomed.

Councillor McGinley sought clarity as to whether correspondence had been received from Derry & Strabane Council regarding mineral prospecting and if it had not been received if it could be forwarded to Members on arrival.

The Chief Executive confirmed that no correspondence had been received but he was aware an officer had been contacted to share information and that there was a meeting on 9 August in Derry & Strabane.

C149/19 Consultations Notified to Mid Ulster District Council

Members noted the previously circulated report.

Councillor Monteith drew attention to the consultation by Department for Communities entitled Definition of Affordable Housing which is scheduled to close on 13 September. He requested a similar approach to that of the Consultation regarding Chronic Homelessness.

Resolved All Member workshop to be organised to prepare a response to the Department for Communities Consultation “Definition of Affordable Housing.”

Councillor McFlynn left the meeting at 7.59 pm

Councillor McGinley requested that although not included in the report Council prepare a response on the Scoping a new forestry plan for forests and woodlands in East Fermanagh/East Tyrone.

Resolved That Council prepare a response on DAERA: Scoping a new forestry plan for forests and woodlands in East Fermanagh/East Tyrone consultation.

Councillor McFlynn returned to the meeting at 8.00pm

C150/19 Notice of Motion

Councillor Wilson advised Councillor Cuddy would move the Motion.

Councillor Cuddy referred to the resolution passed last month and advised that Members had not been aware of all the information. He stated that the community group wished to use the telephone kiosk to house a defibrillator and thus now the purpose was known Councillor Cuddy proposed the motion as undernoted:

“That this Council rescind the decision taken at the Council meeting on the 27 June 2019 regarding the telephone on the Dergenagh Road, Dungannon. Item 13 on the Agenda 3.5 Correspondence from BT.

Following representations from the Simpson Grant Association, local residents and other groups in the Dergenagh area, we request that the Council withdraws the previous objection to the adoption of a telephone kiosk by the above group and support their proposal to restore it as a community asset with a defibrillator and community information point.”

Councillor Graham seconded the proposal stating that the telephone within the kiosk had not been used in over a year and thus a defibrillator would serve a better purpose.

Councillor Cuthbertson expressed his disappointment that the motion was brought before the meeting following last month's decision which in his opinion was the right one. He stated that the best way forward is to keep the kiosk including the phone and said he found it strange that no other Councillor put forward a view on the matter at the June meeting. Councillor Cuthbertson stated that the proposal being put to BT was to adopt the kiosk and then remove it from its current location, the location of approximately 50 years. Speaking on the matter of locating a defibrillator in the kiosk he said this would not be possible as an electrical connection is needed and that the place for a defibrillator was a couple hundred yards down the road at the Council's President Grants facility, a facility which he believed should have a defibrillator and he would be requesting this from Council.

Councillor D McPeake left the meeting at 8.02 pm

He further stated that he had been in contact with three of the closest houses to the kiosk, who are very much in support of retaining the phone in the kiosk and are very angry at the proposal being brought to Council without any local consultation. He asked if the Councillor who brought the motion had consulted with the community or was he solely reliant on the information from one person seeking to remove the historic landmark. Councillor Cuthbertson requested that rural proofing be applied.

Councillor Gildernew stated he would be in agreement with the community group's proposal for a defibrillator and that electric to the site would be a minor issue.

Councillor Mallon entered the meeting at 8.03 pm

Councillor Burton stated that a number of residents had contacted her and were also of the opinion that there was poor consultation on the matter. She advised it was a card operated kiosk with 999 emergency facility and that locals would prefer it retained as it was also a landmark and the closest resident would like it retained. Councillor Burton stated that the whole matter had got off to a poor start and maybe if there had been better communication and discussion people would not have been rubbed up the wrong way. She stated that Council should support retention of the telephone kiosks and referred to one in the Dyan also. Councillor Burton stated that as it was hoped to upgrade President Grants and whilst she would not be opposed to an information stand she was of the opinion that US Grants was a better site for the defibrillator and that the telephone kiosk should be refurbished.

Councillor McAleer stated she was unsure as to whether the group proposed to move the kiosk but posed the question could both a telephone and a defibrillator be in the box? With regard to electric, she stated there was a light so surely there was wiring for electricity.

Councillor Cuddy confirmed that there was no electricity in the kiosk and stated that the community group making the request represent the area and it was a shame the Chamber could not view the tree growing out of the kiosk and the ivy around it. He stated it had not been used for at least one year, was in very poor condition but this was an opportunity being proposed by the community.

Councillor Cuthbertson reiterated that he would like rural proofing to be applied and highlighted the Bush Road kiosk which was now repaired and maintained by BT.

Councillor Graham asked if anyone ever used the kiosk in at Bush Road.

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

For	28
Against	8

The Chair, Councillor Kearney declared the motion carried.

Councillor Cuthbertson asked what the legal advice would be on rural proofing and was this going against policy.

Councillor McKinney suggested the tree growing out of the kiosk was perhaps the rural proofing.

The Chief Executive advised he required permission to speak to the Council at this time. (standing order 19.14)

Permission was granted and the Chief Executive said Rural Proofing was a matter for BT to carry out.

C151/19 Notice of Motion

Councillor Cuthbertson in moving the motion read the undernoted:

“In Great Britain last year over 205,000 babies were aborted, the highest number ever recorded. For every four babies born, one was aborted. 98% of abortions in GB are carried out under loosely defined mental health grounds, in reality the vast majority of abortions are for socio-economic reasons. Women are being failed, because abortion has become the expected or assumed solution to pregnancy crisis. I reiterate 1 baby every 3 minutes is killed, 20 every hour, 600 every day which equates to 9million babies since the introduction of the 1967 Act.

Prenatal disability discrimination is common, with abortion permitted up to birth for babies diagnosed in the womb with a disability and 15,000 babies have

been aborted beyond 20 weeks in the past five years. The law in NI protects women from cultural pressure to have an abortion and we are proud to say that Northern Ireland is the safest place for babies in the UK.

Many people here think very differently about abortion, compared to those who live in the rest of the UK, because for over fifty years Northern Ireland has taken a different path. We chose not to introduce the 1967 Abortion Act here. In fact our abortion law has the most up to date democratic mandate of any part of this United Kingdom. The people of Great Britain have never been asked in those fifty years how they feel about their own law, in contrast an overwhelming majority of our elected representatives at Stormont rejected a change to our law in 2016. The support for the protection of all human life crosses every community divide

Over 100,000 people are alive today in Northern Ireland because our law recognises and protects every woman and every unborn child in pregnancy. Until 21 October 2019 the law in Northern Ireland will continue to say that both lives matter. Unless Stormont returns and intervenes on 22 October 2019 every legal protection will be removed from every unborn baby below 28 weeks.

Pro-abortion activists at Westminster have taken advantage of the current political instability both here and at Westminster, to lobby for a radical change to the law here, without any judicial or legislative requirement to do so. This was never just about Northern Ireland, and the rare and tragic cases of fatal foetal abnormality have been used like a 'trojan' horse, in an attempt to achieve their ultimate aim of unlimited abortion, in England and Wales.

All of this was done at Westminster "in our name", and "on our behalf", by political representatives with no mandate from Northern Ireland.

Abortion law is an issue devolved to the people of Northern Ireland. They, we, deserved to be consulted and we have been denied that democratic right. Over 19,000 people in 72 hours (this is the equivalent of 500,000 across the UK and was achieved over the July holiday when many people were away on holiday) signed their names to Baroness O'Loan and Lord Eames amendment. However, their entreaty that the NI Bill be amended to require consultation on any new legislation, with the people who live and work here, was rejected.

Not only are 100,000 people alive here today, but abortion rates are approximately six times less than in GB. This is directly because of our law. Laws matter because lives matter, and laws protect life.

On the same day, the Government passed another law - the "Wild Animals in Circuses Act" - which bans the use of wild animals in travelling circuses. The Government rightly should protect wild animals, but the passing of these two laws on the same day, exposes the hypocrisy of the Westminster Government who strengthen protection for wild animals, but then remove all protection for human babies in the womb. Abortion - the deliberate killing of unborn babies - has no place in modern society.

I want to signal my deep concern for what has happened at Westminster and that is why I am introducing this motion;”

“That MUDC regrets the decision of government to enforce abortion legislation without prior consultation with the elected Members of the Northern Ireland Assembly and the electorate of NI”

Councillor McLean supported the motion.

Councillor McAleer stated that firstly if there was a functioning Assembly Council would not be debating this. She stated that the SDLP were pro-life and women in crisis pregnancies should be assured they would have their whole support. Councillor McAleer stated that the SDLP would support the motion.

Councillor Colvin stated that the UUP would see two matters within the motion firstly the issue of abortion itself and secondly the mechanism of how the law is being brought about.

Speaking on the matter of abortion he stated it was a matter of conscious but emphasised that he personally was strongly against it.

Regarding the mechanism of how the law was being introduced he stated that the Northern Ireland Assembly was not functioning thus it was hard to consult. He asked if the DUP supported the local referendum and voiced it was somewhat strange that the DUP should bring the motion when their party was keeping the conservatives in power and they should have used that position to block this at Westminster.

Councillor Colvin stated that the UUP would support the motion.

Councillor McGinley said that it was a sensitive issue and that there was a need for reform as the legislation was incompatible and that Sinn Féin believed the matter should be dealt with by the Northern Ireland Assembly. He spoke of some factors to be considered in abortion such as mental health, rape and sexual abuse cases in which such instances it should be available. He referred to the absence of the political institutions and said that Sinn Féin had told the British Government that there should be equal rights.

Councillor McGinley proposed the undernoted amendment which was circulated to Members.

“That Council regrets that the Assembly is not in place to provide modern health care for women, including terminations where a woman’s life, health or mental health is at risk and in cases of fatal foetal abnormality and sexual crime.”

The Chair, Councillor Kearney asked if this was a new motion as it was a direct negative of the motion and thus invalid. The Chair did not accept the amendment.

Councillor Monteith referring to abortion stated it was an emotive issue and that he had been asked the question of his opinion many times of abortion in extreme circumstances. He stated he would not support the law in Britain nor the law in the 26 counties. He said to him the way the motion read that it called on the British Government to change their minds and stated that the DUP group in Westminster could have pulled the Conservative Government down on this, he stated there was political point scoring and nobody in the room would have any say on the matter.

Councillor McKinney referred to the amendment “regret of loss of life” and stated it was killing an unborn child. He referred to recent Human Rights presentation and stated that human rights aim to protect the minority and that he was emphatic that the unborn child had rights. He stated he supported the motion and that there were many praying for it to be carried.

Councillor Cuthbertson expressed his disappointment in Councillor Colvin in turning the matter into a political issue to point score. He also reminded Councillor McGinley that whilst they may be campaigning for women’s rights the unborn child had rights also and those promoting abortion should hang their heads in shame.

Councillor McFlynn requested a recorded vote on the motion.

FOR *Councillors Ashton, Black, Brown, Buchanan, Burton, Cuddy, Colvin, Cuthbertson, Forde, Glasgow, Graham, Hughes, Kearney, McAleer, McFlynn, McKinney, McLean, Mullen, M Quinn, Wilson (20)*

AGAINST *Councillors Bell, Clarke, Elattar, Gildernew, Corry, Mallaghan, McGinley, B McGuigan, S McGuigan McNamee, D McPeake S McPeake, Milne, Molloy, O'Neill, and Totten (16)*

ABSTAINED *Councillors Kerr, Monteith (2)*

The Chair, Councillor Kearney declared the motion carried.

Councillor Monteith stated that both Councillor Kerr and he would abstain on the basis that Westminster had no right to make laws in the North.

Councillor Cuthbertson asked that Council write to Westminster to advise of the outcome.

Councillor Mallaghan stated on a point of order this request had not been in the motion.

C152/19 Notice of Motion

Councillor McGinley expressed his disappointment at the events over recent weeks which had seen breaches in legislation with regarding to the environment and hate crime. He stated that a number of bonfire sites across Mid Ulster had contained toxic waste such as tyres which is totally unacceptable together with the burning of flags

and election posters. He stated that the PSNI and emergency services had commented on the 'quiet' night but in some places emergency services were put on alert. Councillor McGinley stated that some may accuse him of being antagonistic which was simply not true as he believed that all should be able to celebrate their culture within a safe, legal and respectful manner but highlighted that burning the flag of his country, his election poster together with election posters of his colleagues was not acceptable.

Councillor McGinley moved the Motion as undernoted:

"This Council condemns the recent sectarian displays at many local bonfires, and calls on the PSNI to fully investigate all theft, criminal damage and hate crimes which took place. Encourages all those involved in this illegal behaviour to desist, and begin to engage with the positive community engagement set out in Mid Ulster's recently adopted Policy 'Community Events on Council Land'.

Councillor B McGuigan seconded the motion

Councillor B McGuigan stated that over the past three years he had been involved in drawing up a policy to deal with bonfires the second part of which was an action plan to safeguard Council dealing with the issues going forward.

Councillor Cuthbertson said that the motion was being tabled simply to try and stoke up tensions as Sinn Féin could not accept that the cultural celebrations on the 11th July had passed off successfully. He stated that Sinn Féin continually complain about bonfires and allege all sorts of offences yet remain silent on the outrageous incidents around the GAA of late. He spoke of incidents such as sectarian intolerance through singing and chanting towards women and children at a band parade, offensive language towards a female police officer, criminal damage when due to dancing on top of cars and sporting competitions glorifying IRA terrorism. Councillor Cuthbertson also spoke of terrorist figures being used on club badges stating that whether it is a recent act of terrorism or one from a 100 years ago it was unacceptable to glorify terrorism.

Councillor Cuthbertson stated the DUP would not support the motion.

Councillor McFlynn stated that the motion was about hate crime and should people wish to have a bonfire or a band parade that was fine but the burning of flags, election posters of people who worked hard for the district was not. She also spoke of environmental laws being breached and highlighted that the SDLP had lodged a complaint with the PSNI to have these crimes investigated.

Councillor McFlynn asked that Council bring forward a report regarding complaints about bonfires on Council land or other lands and also on the funding granted from Council to highlight which bonfires received funding.

Councillor Wilson stated that the PUL (Protestant, Unionist, Loyalist) community feel their culture is under threat in Mid Ulster. He said as a party they had warned that the approach was wrong and stated that Sinn Féin were in no position to lecture.

Councillor Wilson said that whilst the UUP object to such displays as burning of posters that they would not support the motion as it seeks out the unionist community. He highlighted recent events involving the GAA and the fact that flags had been stolen which would no doubt appear on bonfires in August.

Councillor Wilson stated the UUP would not support the motion.

Councillor Kerr stated he believed the motion had merit as the burning of any poster should be condemned as it displayed a culture of sectarianism and fascism which you would not see anywhere else in Western Europe. Councillor Kerr stated he would have no faith in the PSNI.

Councillor Mullen stated much had been said about the Tyrone team yet no comment had been made when Northern Ireland supporters had chanted anti catholic songs earlier in the year.

Councillor McLean stated that the motion drew the Council into a lower level of tribal politics with 'tit for tat' accusations. He stated his party had not been represented on the bonfire working group as it discriminated against the PUL community which felt under threat in Mid Ulster. Councillor McLean spoke of Councillor Totten playing his Irish Republican music on facebook but it had to be tolerated and said, "sweep your own doorstep before you sweep anyone else's."

Councillor Quinn concurred with Councillor McLean that Members were stooping low with 'tit for tat' accusations. He referred to the Tyrone GAA incident and the apology issued by Mickey Harte and stated that full condemnation was needed for burning of election posters emphasising that not one unionist politician had condemned the actions.

Councillor Monteith referred to Councillors apologising for the burning of a Polish flag yet it appeared to be fine to burn a Tyrone flag. He stated he had no difficulty if people wished to celebrate their culture but that it was not ok to burn emblems of national identity, items of significance in the Catholic Faith such as the Sacred Heart, Virgin Mary and the outrageous act of an effigy of a Catholic priest when a local priest had taken his life. Councillor Monteith said it appeared to be a competition how much offence could be portrayed and it simply was not acceptable. He said if it was the other way round, although there are only a few Nationalist bonfires, he would endeavour to influence people not to behave in a way which would offend others.

Councillor Monteith stated he would abstain on the motion due to its reference to the PSNI as they stood watching the items burning and took no action thus a letter would not make a difference. He urged that anyone celebrating their culture should do so in such a way as not to offend others.

Councillor Cuthbertson in response to comments of Councillor Mullen stated that her references to sporting teams were not of those based in Mid Ulster. He also stated that he did not see any religious statues burnt in Mid Ulster.

Councillor Mallaghan called a point of order as Members should only be permitted to speak once.

Councillor Cuddy stated he had come onto Council to find solutions to issues but it appeared people were very far apart. He stated that his party had sat on the working group as they had hoped it would find solutions. He spoke of the legacy Council when parties had worked together. Referring to the road sign on top of a bonfire he said if Council made a bad decision it came back on it. He stated in the legacy Council parties had discussed the issue of signage and there was large English, medium Irish and small Ulster Scots and there was no difficulty with theft. He said the Unionist Community pay rates like everyone else. Councillor Cuddy stated that the UUP had worked for a period of time on the bonfire working group but had now ceased as Sinn Féin and the SDLP would not look at practical solutions that would work for everyone.

Councillor Black left the meeting at 8.52pm

Councillor Cuddy stated that Council needed to work with all stakeholders, provide sufficient funding to accommodate events and support activities to move forward. He said that come mid-August his posters may be burned and whilst it was not nice bonfire builders were a small part of any community and Council would get nowhere with the current approach.

Councillor Molloy stated his election posters had been burned on several bonfires and expressed his disappointment. He referred to the condemnation of the burning of the Polish flag and stated that this condemnation should extend to any flag. He spoke of how he had to explain to his nine year old child why anyone would want to burn his picture.

Councillor McAleer left the meeting at 8.57 pm

Councillor Black returned to the meeting at 8.57pm

Councillor Milne asked if the unionist parties condoned the burning of images of the Pope, election posters and tyres.

Councillor Elattar stated that like other Members she had nothing against people celebrating culture but she could not understand how hate crime, burning of tyres, fire brigades engaged in hosing down houses was culture. She stated a lot of people living in the areas don't want these actions either and asked if anyone could explain it to her stating that she would be willing to speak with the Orange Order to have it explained. She further highlighted that the burning of tyres was seriously damaging to health. Councillor Elattar asked if she said it was her culture, would she be permitted to put a bonfire in the council car park and not be stopped.

Councillor McKinney stated that the Kilcronaghan bonfire had tyres which had come out of Draperstown.

Councillor Elattar stated that she would condemn the burning of tyres.

Councillor McKinney suggested that Councillor Elattar speak to the constituents of Draperstown and ask them not to dump tyres and stated that the Orange Order had nothing to do with bonfires.

Councillor McGinley stated it was to be expected how the debate would go and that the bonfire policy which was adopted by Council offered solutions which some had made reference to. He highlighted that the adopted policy permitted all to celebrate their culture in a legal, safe respectful manner.

Councillor McAleer returned to the meeting at 9pm

Councillor McGinley emphasised that not one unionist politician had condemned the actions and stated this was not PUL culture and suggested some Members “catch themselves on”.

The Chair, Councillor Kearney called for a vote

FOR 22
AGAINST 13

Abstained 2

The Chair, Councillor Kearney declared the motion carried.

C153/19 Notice of Motion

Councillor McLean moved the Motion as undernoted:

“That Mid Ulster District Council is strongly opposed to the recent decision by Westminster to enforce same sex marriage legislation in Northern Ireland come October and therefore calls upon this Council to write to the Prime Minister urging an immediate withdrawal of this current decision.”

Councillor McLean stated that it was a matter of great concern to him the fact that the Northern Ireland Assembly had voted on the matter five times since 2012 and that it had been vetoed by a partition of concern by the DUP. He stated that the British Government in the absence of the Assembly was planning to introduce the law in Northern Ireland in January 2020. He stated that this would happen if the Assembly is not reinstated by 21 October 2019 and whilst the law might suit some it was not what the people in Northern Ireland had voted for. He stated that the legislation is first and foremost unscriptural and goes against God’s will for marriage and mankind. He stated whilst he would be accused of many things people who hold God’s laws are hurt that such legislation is being considered. He was emphatic that he would not be disrespectful to anyone but would strongly hold the Biblical stance on marriage.

Councillor Brown seconded the motion

Councillor Mallaghan stated that he was aware the law was passed and had received royal assent. He asked about the validity of the motion given the fact that it was law, that the Prime Minister could do nothing about it and sought the Chief Executive’s opinion.

The Chair, Councillor Kearney stated that he heard what was said but he accepted the motion and it should stand.

Councillor Quinn stated that in November 2015 the SDLP had proposed an equal marriage bill which was passed by the vast majority at the NI Assembly but had been blocked by a petition of concern. He further stated if the assembly was up and running the discussion would not be taking place in the Council Chamber. Councillor Quinn stated that whilst he was sympathetic to religious beliefs there are other unbiblical things such as divorce which was now acceptable. He stated that at the Assembly there had been abuse of the petition of concern and advised that the SDLP would oppose the motion.

Councillor Kerr stated that he would abstain as an Irish Republican but that he agreed with same sex marriage as people in love should be together and that Wolfe Tone had spoken on equality.

Councillor McGinley stated not for the first time Councillor McLean had spoken against the LGBT community and mentioned a motion taken in 2015. He stated Councillor McLean was entitled to practise his faith but highlighted the problems encountered by many of the LGBT community and stated that the Assembly should be in place.

Councillor McGinley proposed the undernoted amendment which was circulated to Members:

“This Council regrets that the Assembly is not in place to legislate for Marriage Equality, a right which is available everywhere else on these islands.”

The Chair, Councillor Kearney stated that the amendment was invalid

Councillor McGinley stated just like the motion itself.

Councillor Glasgow stated that the fact is the Assembly is not in place and thus decisions are being made by people not elected to represent the people of Northern Ireland. He stated the matter was one of conscience and his own personal opinion would be that he would support the motion.

Councillor Monteith stated that he would reject the right of Westminster to rule on the island of Ireland. He stated he would speak in favour of same sex marriages and civil partnerships if marriage is how people choose to live their lives. He stated he wished it put on record that if the DUP had been serious about the matter they would have withdrawn their support in Westminster, stating of how they regularly pontificated about their influence. Councillor Monteith stated no one in the Chamber had a meaningful vote on the matter and advised he would abstain.

Councillor Cuthbertson stated he would fully support the motion and whilst the last speaker had spoken on ‘no meaningful vote’ it was because the Member of Parliament for the area did not attend Westminster to represent the people. He stated that the health service is under strain, that marriage is a biblical term and that civil partnerships were already in place. He referred to references of the lack of an

Assembly but the real reason it wasn't up and running was because Sinn Féin did not wish to dirty their hands in dealing with Brexit.

Councillor Colvin stated that Churches should not have to do what is against their principles and he would ask that parties reflect on that matter to ensure churches are not asked to do what is against their DNA.

Councillor Burton stated she would support the motion as a Bible believing Christian and said it is a sad day that a lot of people don't read the Bible and act as they wish. She said when she looked back over her own life and saw how society has moved away from church, be it protestant or catholic, she found it incredibly sad. Councillor Burton stated that she had no doubt that it would not be long before evangelical Bible believing churches were put in this scenario of same sex marriage when they clearly believed that it is wrong for two men or two women to be together.

Councillor McGinley stated that the LGBT movement was about people who are entitled to their rights.

Councillor McLean thanked people for their views and said he had been given a bad time by the LGBT movement but he did not wish to see them hurt or to self-harm emphasising that he opposed the practices not the people as the actions were unbiblical and as such he could not accept it.

The Chair, Councillor Kearney called for a vote

<i>For</i>	<i>12</i>
<i>Against</i>	<i>18</i>

The Chair, Councillor Kearney declared the motion carried.

Councillor McGinley asked for clarity of abstentions.

Councillor McKinney left the meeting at 9.24pm

C154/19 Notion of Motion

Councillor Quinn spoke of people not entitled to vote for the President of Ireland and particularly highlighted the election when Mary McAleese ran for president and her friends and neighbours could not lend their support.

Councillor Quinn moved the Motion as undernoted:

"This Council:

- Recognises the unique ability of people living in Northern Ireland to hold citizenship of Britain, Ireland or both, as a result of the Good Friday Agreement;*
- Welcomes the announcement from An Taoiseach, Leo Varadkar TD and the Irish Government to their intent to hold a Referendum on the*

- right of all Irish Citizens to take part in the election of Uachtarán na hÉireann, the President of Ireland; and*

 - Believes that this is an important opportunity to expand the democratic participation of people across Northern Ireland in the election of the Irish Head of State.”*

He concluded stating that this is not a threat to any community and should be viewed as an opportunity.

Councillor Hughes seconded the motion.

Councillor Elattar stated that Sinn Féin would support the motion as this had campaigned for this and had run a motion in 2015 and 2016.

Councillor Elattar proposed the undernoted amendment which was circulated.

“And calls on the British government, as co-guarantor of the Good Friday Agreement, an internationally recognised agreement, to codify these rights in law, as the Irish government did a long time ago’

Councillor Burton left the meeting at 9.26 pm

Councillor Elattar stated that the British are endangering the Good Friday Agreement.

Councillor McKinney returned to the meeting at 9.28 pm

Councillor Corry seconded the amendment.

Councillor Corry spoke of the work Martina Anderson MEP and other MPs who have been lobbying on citizenship as well as the tangible effects Brexit will have on rights. She spoke of how she first became involved in the work of Irish Citizenship through Sinn Féin youth highlighting in particular if candidates from the North run for Irish Presidency the people of the North could not vote. In conclusion Councillor Corry stated that draft legislation to facilitate a referendum was being worked on and she would look forward to an inclusive campaign for all.

Councillor Wilson stated this was the third motion before Council on the subject and stated that who the Republic of Ireland chose to promote is a matter for them. He also posed the question as to whether the 40 million passport holders who never set foot in Ireland would vote also. He stated that this would hold no appeal for Unionists.

Councillor Black stated that under the Belfast Agreement people can identify as British/Irish or both. He stated that the DUP would not support the motion as Northern Ireland is part of Britain.

Councillor Monteith stated he would support the motion highlighting the first bullet point talks about the unique ability to hold British or Irish citizenship but stated if you move here for example from Portugal you can't hold an Irish passport thus there was

an issue regarding rights. He highlighted that French people living in other countries can vote in the French presidential elections. He stated that he would support the motion and the amendment.

Councillor Kerr stated he would support the motion and that it was his belief that the citizens in the North should be allowed to vote for the Irish President.

The Chair, Councillor Kearney called for a vote on the amendment

For	24
Against	13

The Chair, Councillor Kearney voted on the substantive motion as undernoted:

“This Council:

- Recognises the unique ability of people living in Northern Ireland to hold citizenship of Britain, Ireland or both, as a result of the Good Friday Agreement;*
- Welcomes the announcement from An Taoiseach, Leo Varadkar TD and the Irish Government to their intent to hold a Referendum on the right of all Irish Citizens to take part in the election of Uachtarán na hÉireann, the President of Ireland; and*
- Believes that this is an important opportunity to expand the democratic participation of people across Northern Ireland in the election of the Irish Head of State.*
- And calls on the British government, as co-guarantor of the Good Friday Agreement, an internationally recognised agreement, to codify these rights in law, as the Irish government did a long time ago’*

For	24
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Against	13
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The Chair, Councillor Kearney declared the motion carried.

The press and public left the meeting at 9.30 pm

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

Proposed by Councillor Mallaghan
Seconded by Councillor Molloy and

Resolved That items C155/19 – C161/19 be taken as confidential business.

Matters for Decision

- (i) Council Meeting of Confidential Minutes of Meeting held on 27 June 2019
- (ii) Environment Committee Confidential Minutes of Meeting held on 1 July 2019
- (iii) Planning Committee Confidential Minutes of Meeting held on 2 July 2019
- (iv) Development Committee Confidential Minutes of Meeting held on 3 July 2019
- (v) Policy & Resources Committee Confidential Minutes of Meeting held on 4 July 2019
- (vi) Development of Ann Street – Agreement re Shared Access

Matters for Information

- (i) Update on Matters Delegated to Chief Executive – Period of 2019 Local Election

C162/19 Duration of Meeting

The meeting was called for 7 pm and ended at 9.57 pm

Chair _____

Date _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 6 August 2019 in Council Offices, Ballyronan Road, Magherafelt

Members Present	Councillor Mallaghan, Chair Councillors Bell, Black, Brown, Clarke (7.04 pm), Colvin, Cuthbertson, Gildernew, Glasgow (7.02 pm) Kearney, McKinney, D McPeake, S McPeake, Quinn, Robinson
Officers in Attendance	Dr Boomer, Planning Manager Ms Kearney, Senior Planning Officer Ms McCullagh, Senior Planning Officer Ms McEvoy, Head of Development Plan & Enforcement Mr Marrion, Senior Planning Officer Ms McNally, Council Solicitor Mrs Grogan, Democratic Services Officer
Others in Attendance	Applicant Speakers LA09/2018/1623/F Mr Declan Owens LA09/2016/0110/O Paul Clarke

The meeting commenced at 7 pm.

P083/19 Apologies

None.

P084/19 Declarations of Interest

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

Councillor McPeake declared an interest in Agenda Item 5.1 - LA09/2016/0110/O.

P085/19 Chair's Business

The Planning Manager advised that correspondence circulated tonight re Additional Item 14 would be raised in confidential business.

Matters for Decision

The Planning Manager referred to the below applications which were on the Agenda for determination. The Chair sought approval to have the following applications deferred/withdrawn from tonight's meeting schedule for an office meeting –

Councillor Kearney referred to planning application LA09/2019/0385/O which was on the agenda tonight for refusal and advised that he had been contacted by the Johnson family asking that this application be deferred for one month as they were currently on holiday and weren't aware that it was on the schedule tonight's meeting.

Proposed by Councillor Kearney
Seconded by Councillor McKinney and

Resolved That planning application LA09/0385/O be deferred for one month.

Agenda Item 4.2 – LA09/2018/0806/F – Shed (as approved under I/2014/0259/F) at site 160m S of 3 Rogully Road, Loup, accessing directly onto Ruskey Road (previously approved at 50m NW of 4 Rogully Road) (Deferred)

Agenda Item 4.3 – LA09/2018/1153/F – General purpose farm/storage shed and animal welfare unit associated with an existing establishing Farm business at 55m North East of No. 3 Killycolpy Road, Carnan, Stewartstown (Deferred)

Agenda Item 4.8 – LA09/2019/0321/F – Distribution office and associated yard (farm diversification project) at 175m SE of 66A Kilnacart Road, Dungannon (Withdrawn).

Agenda Item 4.11 – LA09/2019/0449/O – Infill site for dwelling and garage (Site B) between 36 & 38 Killygullib Road, Kilrea (Deferred)

Agenda Item 4.12 – LA09/2019/0451/O – Infill site for dwelling and garage (Site A) between 36 & 38 Killygullib Road, Kilrea (Deferred)

Agenda Item 4.13 – LA09/2019/0470/O – Proposed site for dwelling and garage based on Policy CTY8 (gap site) and Policy 2a new dwelling in existing clusters at 25m South East of 27a Garrison Road, Toberhead, Knockcloghrim (Deferred)

Agenda Item 4.14 – LA09/2019/0471/O – Proposed dwelling and domestic garage/store based on Policy CTY10 dwelling on a farm at approx 177m SE of 93A Ballynagarve Road, Magherafelt

Agenda Item 4.15 – LA09/2019/0483/O – Infill dwelling and garage at approx. 51m South West of 12 Fallylea Road, Maghera

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved That the planning applications listed above be deferred/withdrawn from tonight's meeting.

Planning Applications for Determination

LA09/2018/0290/F Retention of agricultural livestock building, 190m NW of 66 Aghnagar Road, Dungannon for Mr Cathal Nugent

Members considered previously circulated report on planning application LA09/2018/0290/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Bell and

Resolved That planning application LA09/2018/0290/F be approved subject to conditions as per the officer's report.

Councillor Clarke entered the meeting at 7.04 pm.

LA09/2018/0806/F Shed (as approved under I/2014/0259/F) at site 160m S of 3 Rogully Road, Loup, accessing directly onto Ruskey Road (previously approved at 50m NW of 4 Rogully Road) for Pat McVey

Application deferred earlier in the meeting for an office meeting.

LA09/2018/1153/F General purpose farm/storage shed and animal welfare unit 55m NE of No. 3 Killycolpy Road, Carnan, Stewartstown for Mr Francis Gallagher

Application deferred earlier in the meeting for an office meeting.

LA09/2018/1623/F Retention of new access and associated turning bay at lands at 200m W of 66A Kilnacart Road, Dungannon for Mr Niall McCann

Mr Marrion (SPO) presented a report on planning application LA09/2018/1623/F 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 Owens to address the committee.

Mr Owens advised that the proposed application was for the retention of a new access laneway and associated turning bay at existing commercial yard. He said that it relates to PPS21 and complies with PPS4 as this was for an access point and not for the yard area. He stated that as planning permission was granted for 2 dwellings, there was still the need for the access point and that the applicant was willing to accept the conditions laid out for landscaping purposes.

He further stated that the Environmental Health Department had no objections to the proposals and advised that this company employs 45 people and if this application

was refused it could result in the loss of employment in the area and prove detrimental.

The Planning Manager said that a few applications had been brought to this committee previously and that an enforcement notice had to be served regarding the overflow of lorries in another yard and enquired why this application was made.

Mr Owens said that the application was for an access point and that was the only increase in the site area. He referred to the dwelling and stated that it was previously approved through a third party, but that understanding was no longer in place resulting in no access to the yard.

The Planning Manager enquired if Mr Owens would be happy with the opportunity to revised plans showing only the access and additional information to the committee before a final decision can be made.

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved That planning application LA09/2018/1623/F be deferred for an office meeting for the submission of additional information.

LA09/2018/1632/F Roadside car park to facilitate access to Long Point walk (Heaney Trail); new gates, fencing and permeable surface to car park, signage and associated site works at lands approximately 29m SE of the junction of Ballydermot and Drumanee Roads, Bellaghy for Mid Ulster Council

All members declared an interest in application LA09/2018/1632/F.

Members considered previously circulated report on planning application LA09/2018/1632/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Kearney and

Resolved That planning application LA09/2018/1632/F be approved subject to conditions as per the officer's report.

LA09/2019/0253/O Site for a dwelling and domestic garage at 30m SW of 8 Drummullan Road, Moneymore for Gerry Mallon

Members considered previously circulated report on planning application LA09/2019/0253/O which had a recommendation for approval.

Proposed by Councillor Bell
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0253/O be approved subject to conditions as per the officer's report.

LA09/2019/0289/F Change of use from part of ground floor bookmakers and lower ground floor stores to 4 apartments at 11 The Diamond, Pomeroy for Patrick Keogh

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2019/0289/F which had a recommendation for approval.

Councillor Quinn enquired if there would be adequate parking facilities for the residents of the 4 apartments.

The Chair agreed with Councillor Quinn's sentiments and said that in his opinion there could be at least 5 to 6 parking spaces required for the apartments and that this has seemed to be overruled by the DFI Roads who have no concerns. He said that the criteria for the Parking Standards Guidance sets out 2 objectives; that the area must be well served by public transport and an adequate carparking facility. He said that members were all too aware of the lack of public transport facilities in rural areas and no provision of public carparks in Pomeroy village. He referred to the report where it indicated that the Case Officer had no difficulty finding carparking spaces, he found this hard to believe as this site was adjacent to the Credit Union and the Chemist who were both extremely busy and no adequate parking facilities to the rear of the property. He said that although there was a great need for one bed apartments due to the appeal for benefits etc there was a need for a balance.

Councillor Clarke agreed with previous comments raised and said that Pomeroy was a village which was nearly always constantly jammed and very little manoeuvring room around the Diamond and driving up on footpaths, but also agreed that there was a need for this type of accommodation.

Councillor Glasgow also agreed with members comments and stated that when an HGV lorry proceeds down the main street this causes chaos as there is nowhere to go and felt that this needs to be carefully considered moving forward as this could cause consequences down the line.

Councillor Bell suggested that it may be prudent to look at parking provision.

The Chair advised that there was no opportunity for adequate carparking.

Councillor Gildernew felt that a site meeting may be beneficial.

The Planning Manager said that he had identified that the lower ground floor had only 2 windows for each living room and that all other rooms had no light shafts. He said that his concern would be to ensure that there was an adequate residential environment. He referred to DfI Roads agreement that there was adequate parking for at least 10 vehicles at the Bookmakers and felt that this was unreasonable and suggested that he would prefer to defer the application for an office meeting to give officers a chance to see what was going on.

Proposed by Councillor Clarke
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0289/F be deferred for an office meeting.

LA09/2019/0321/F Distribution office and associated yard (farm diversification project) at 175m SE of 66A Kilnacart Road, Dungannon for Mr Niall McCann and Mr Joe Hughes

Application withdrawn earlier in the meeting.

LA09/2019/0349/F Retention of caravan to provide single storey ancillary accommodation to existing dwelling at lands to rear of 19 Bridge Street, Castledawson for George and Anne Evans

Members considered previously circulated report on planning application LA09/2019/0349/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0349/F be approved subject to conditions as per the officer's report.

LA09/2019/0385/O Dwelling and garage 20m N of 34 Waterfoot Road, Ballymaguigan, Magherafelt for Paul Johnson

Application deferred for one month earlier in the meeting, to be brought back to the next committee meeting for decision.

LA09/2019/0449/O Infill site for dwelling and garage (Site B) between 36 & 38 Killygullib Road, Kilrea for Gordon Gibson

Application deferred earlier in the meeting for an office meeting.

LA09/2019/0451/O Infill site for dwelling and garage (Site A) between 36 & 38 Killygullib Road, Kilrea for Gordon Gibson

Application deferred earlier in the meeting for an office meeting.

LA09/2019/0470/O Site for dwelling and garage 25m SE of 27a Garrison Road, Toberhead, Knockloughrim for Mr Liam O'Kane

Application deferred earlier in the meeting for an office meeting.

LA09/2019/0471/O Dwelling and domestic garage/store at approx 177m SE of 93A Ballynagarve Road, Magherafelt for Mr Lewis Doyle

Application deferred earlier in the meeting for an office meeting.

LA09/2019/0483/O Infill dwelling and garage approx 51m SW of 12 Fallylea Road, Maghera for Mr Fergal Rafferty

Application deferred earlier in the meeting for an office meeting.

LA09/2019/0634/F Rear and side extension to dwelling incorporating existing garage to form Grandparent annex. at 3 Landgarve Manor, Clady, Portglenone for Jean Connolly

Members considered previously circulated report on planning application LA09/2019/0634/F which had a recommendation for approval.

Proposed by Councillor Kearney
Seconded by Councillor McPeake and

Resolved That planning application LA09/2019/0634/F be approved subject to conditions as per the officer's report.

LA09/2019/0842/F Two storey extension at 31 Newmills Road, Stughan, Dungannon for Mr Philip Cummings

Members considered previously circulated report on planning application LA09/2019/0824/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2019/0842/F be approved subject to conditions as per the officer's report.

LA09/2016/0110/O Infill dwelling and garage, 30m NW of 125 Gulladuff Road, Bellaghy) Odhran O'Neill

Members considered previously circulated report on planning application LA09/2016/0110/O which had a recommendation for approval.

Councillor S McPeake withdrew to the public gallery.

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

Mr Clarke said that he was concerned to see that the Planning Department had reversed its previous decision for refusal on the basis that his shed had now become authorised and accepting a lesser visibility splay to one side of the proposed new access.

He said that this was concerning for a number of reasons as listed below:

1. In his letter dated 19 March 2019, part of the land related to this proposed new development's access, is owned by him and not the applicant. He aimed to clarify this on a number of occasions and stated that this would not be provided nor will the cutting of any vegetation or trees. How the visibility splay on his side was reduced from the original requirement of 120m to 90m was beyond him, on a road where the actual speeds are excessive and way beyond the speed limit. He said that he would invite anyone to contradict this, and to survey the actual speeds and volume. He said that to note the Roads Service decision and information based on estimated averages, was completely outdated. To reduce the visibility splay on one side with reference only to a general generic road provision and through the direction of the applicant's agent was questionable. Across the road access to a single dwelling required a visibility splay of 120m both sides. That was over 10 years ago, before the current increase in road use and speeds. He said that he continues to be very concerned about the implications of this decision in reducing a visibility splay by 30m on one side on such a road.
2. In referencing his shed within the report to now justify the 'infill condition' and in stating that there was 'a suitability small gap within a substantially and continuous built up frontage' this defies any perception of the actual condition. He said that he would invite the Planning Committee to view this for themselves. The shed was not visible from the road and has always been about integration in the landscape at a suitable scale and with suitable materials, and in a non-suburban way, which the case officer recognised in the planning decision. It should also be noted that the planning approval for the shed required that 'the existing vegetation along the site boundaries shall be retained. No trees or vegetation shall be lopped, topped or removed without prior consent in writing to the Council' This includes the road edge which completely screens the 'shed' and in no way within his professional judgement could be interpreted as 'a substantially and continuous built up frontage'
3. In now permitting the 'infill' and overturning the previous decision for refusal there was a destruction of the rural character of this historical placement of dwellings. Numbers 121, 123 and 125 Gulladuff Road were all historical dwellings that have a considerable historical legacy in their placement as such, through modernised over the years. In permitting this infill, it opens the way to ribbon development and suburbanisation.
4. He said that in his opinion which was more concerning was the reversal or removal of the first reason for refusal in the previous report. 'The proposal is contrary to 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.

In concluding Mr Clarke asked the committee to defer the application to allow these important matters to be evidenced and discussed, as it relates to matters of road safety, sustainability and the suburbanisation of the countryside.

The Planning Manager advised that when the shed was built, part of the application was to extend the curtilage and asked Mr Clarke if this was built purposely for a Studio.

Mr Clarke advised that the shed was built for a playroom for his children only and not for a Studio and advised that it met all aspects of planning with a long established dwelling and curtilage.

In response to a query from the Planning Manager, Ms McCullagh (SPO) advised that a Roads Engineer from DfI Roads carried out a site visit and provided the relevant information.

Councillor Cuthbertson said that he was struggling to see where the road frontage was as it was set back from the road and at an angle.

The Planning Manager said that members should look at what the definition of a building was and asked them to consider the rural character in relation to the policy which indicates that the key tests relate to a substantial built up along the road frontage.

He referred to the size at the front of the site which goes right to the back and felt it was only the frontage of the site that could be considered under the policy and if approved a curtilage and siting conditions would be needed.

The Planning Manager referred to policy on Substantial Build Up Frontage and read out the relevant parts of the policy to update members on the criteria, but he did say that he did have some sympathy for the Objector but it was difficult to see how this could go any other way but approval.

Councillor Colvin said that in his opinion the map had insufficient detail to clarify the visibility splay and road safety issues and enquired if we could do something if visibility splays do not exist.

The Planning Manager said that something could be done as visibility splays had to be provided before the dwelling was built through pre-commencement condition, if ignored the development would be unlawful. It was a matter for the applicant to get agreement from the Landowner.

Councillor Bell said that by looking at the drawing where the shed was situated in the narrow gap, it looks like there would be ample room for 2 houses anyway and would be happy to propose the Officer recommendation.

Councillor Gildernew stated that he listened to the debate and the explanation of the Planning Manager and Roads Service and would be happy to second the proposal.

The Planning Manager said there was merit in what Councillor Bell had indicated.

The Solicitor referred to the report at 5.1 and advised members that although this was an update, the contents of the previous report for refusal was included. She

said that the aerial photography that the Planning Manager referred to was on page 157 in tonight's papers.

Proposed by Councillor Bell
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2016/0110/O be approved subject to conditions as per the officer's report.

**LA09/2017/1244/O Site for dwelling and domestic garage 90m W of 16
Derrynoid Lane, Draperstown for Brendan McCullagh**

Members considered previously circulated report on planning application LA09/2017/1244/O which had a recommendation for refusal.

Proposed by Councillor Gildernew
Seconded by Councillor Clarke and

Resolved That planning application LA09/2017/1244/O be refused subject to conditions as per the officer's report.

Councillor S McPeake returned to the meeting at 7.50 pm.

**LA09/2018/0423/O Site for 2 infill dwellings adjacent to 30a Forgetown Road,
Maghera for Mr Andrew McCory**

Ms McCullagh (SPO) presented a report on planning application LA09/2018/0423/O advising that it was recommended for refused.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved That planning application LA09/2018/0423/O be refused subject to conditions as per the officer's report.

**LA09/2018/1093/F Dwelling and domestic garage/store approx 70m ESE of 7
Gortinure Road, Tamnymullan, Maghera for Mr Michael
McEldowney**

Members considered previously circulated report on planning application LA09/2018/1093/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2018/1093/F be approved subject to conditions as per the officer's report.

**LA09/2018/1209/F Extension to existing business at 23 Ballymacombs Road,
Portglenone for Kinderkraft**

Members considered previously circulated report on planning application LA09/2018/1209/F which had a recommendation for approval.

Proposed by Councillor Kearney
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2018/1209/F be approved subject to conditions as per the officer's report.

LA09/2018/1375/F Retention of inert material deposited on agricultural land for improved drainage at approx 120m W of 23 Ballymacombs Road, Portglenone for Mr Peter Donnelly

Members considered previously circulated report on planning application LA09/2018/1375/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Kearney and

Resolved That planning application LA09/2018/1375/F be approved subject to conditions as per the officer's report.

LA09/2018/1584/O Site for dwelling and domestic garage/store at 55m W of 68 Moneyhaw Road, Drumullan, Moneymore for Mr Conor McCloy

Ms McCullagh (SPO) presented a report on planning application LA09/2018/1584/O advising that it was previously recommended for refusal but as DEARA had been re-consulted. The information shows herd no. and farm activity since 1998, proving the farm has been established for at least 6 years. Therefore Council would change their opinion to approval on this basis with relevant conditions.

Proposed by Councillor Bell
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2018/1584/O be approved subject to conditions as per the officer's report.

P086/19 Receive report on Telephone Box at Bovean Cottages

The Head of Development Plan & Enforcement drew attention to the previously circulated report and advised that the purpose of this report was to provide members with details of a request for the temporary listing (Building Preservation Notice – BPN) of a BT Telephone Box at Bovean Cottages, Bovean Road, Dungannon, and consideration of that request.

Proposed by Councillor Gildernew
Seconded by Councillor Colvin and

Resolved To note the contents of the report and to approve that a BPN is served on the Telephone Box at Bovean Cottages, Bovean Road, Dungannon and to formally write to DfC HED to notify them of the date of service of the BPN and ask that they consider formal listing of the Phone Box.

P087/19 Receive Report on Telephone Box at Dergenagh Road, Dungannon

The Head of Development Plan & Enforcement drew attention to the previously circulated report to provide members with details of a request received by the Planning Department for the temporary listing (Building Preservation Notice – BPN) of a BT Telephone Box at 67 Dergenagh Road, Dungannon and consideration of that request.

Proposed by Councillor Brown
Seconded by Councillor Cuthbertson

To proceed with the Officer recommendation to serve a temporary listing on telephone box at Dergenagh Road, Dungannon.

Proposed by Councillor McKinney
Seconded by Councillor Gildernew

To oppose the Officer recommendation to serve temporary listing on telephone box at Dergenagh Road, Dungannon.

Councillor Cuthbertson said that the mood of this meeting has been that the Council should give permission to BT to remove the phone. He said that he lives on the Dergenagh Road, Dungannon and no-one in the community wishes to have it removed. He advised that there has been no consultation with residents of Dergenagh Road and he believed that the only reason why some Councillors here wants it removed and not listed was because they were told to do so by the Chairman of the UUP and felt that these Councillors shouldn't be involved as they weren't from the area. He stated that it would be more beneficial to consider the best potential site for the defibrillator to try and save lives, but this could prove potentially bad if BT decide to remove the box.

The Planning Manager referred to the 3 Unionist Members and asked if they were happy to be representing the Planning Committee and asked if there was a conflict of interest in the matter.

Councillor McKinney stated that there was no conflict of interest.

The Planning Manager advised that the Head of Development Plan & Enforcement had given her honest opinion and stated that Mid Ulster were the only Council listing telephone boxes in the Countryside, but people could take a different view. He said that in Malta a large amount of British telephone boxes were preserved as part of their colonial heritage and also in the South of Ireland they were painted green and part of their heritage.

He said that when something is listed, there was a need to get consent to alter or move the telephone box. He felt that if the community group was going to look after it the Committee may decide this was sufficient protection and listing was not needed.

Councillor Robinson said that he didn't know what to say only that phone boxes were very important and that there was one beside his home which seems to vanish and no-one knew anything about it. He felt that when something has been placed in an area for years and close to a house, the people do not want it removed and others do. If people are happy and the phone still is operational although there seemed to be ivy growing in it, it would be his opinion to leave it where it is and not worth while moving it a few yards up the road.

Councillor Gildernew said that he listened to the debate and that there were 2 views on the matter; and felt that if someone wanted to use the box for a site for the defibrillator, what did it matter where it was located as long as there was an item of equipment in the box to save lives.

The Council Solicitor said that the remit of this Committee was to consider planning matters and whether to exercise its power on temporary listings. She referred to the wording from the Motion to revoke the decision.

The Head of Development Plan & Enforcement read out Motion as follows:

"That this Council rescind the decision taken at the Council meeting on the 27 June 2019 regarding the telephone on the Dergenagh Road, Dungannon. Item 13 on the Agenda 3.5 Correspondence from BT.

Following representations from the Simpson Grant Association, local residents and other groups in the Dergenagh area, we request that the Council withdraws the previous objection to the adoption of a telephone kiosk by the above group and support their proposal to restore it as a community asset with a defibrillator and community information point."

The Council Solicitor enquired whether this was different to a temporary listing or not and said that at the last meeting it was decided that this committee do not take a decision on temporary listing and in terms of the possible use for future endeavours. She said if it was proposed to install a defibrillator, that this would be a separate matter as this was really for planning issues and only deciding if this met the test regarding the defibrillator.

Councillor Gildernew referred to the letter from BT advising of their desire to remove the kiosk and said he rested his case on the matter.

Councillor Black enquired if the telephone box was classed as a temporary listing where would it sit with BT for repairs.

The Planning Manager said that it would sit with BT and the issue of repair notices. He stated that the Council have a lot of listed buildings in Mid Ulster which no-one wants to take responsibility for maintaining them resulting in a potential case for

potential bills to be paid and this could be a difficult one as the department has sidestepped.

Councillor Black said that he was sure that BT would be quite happy to let the community group take responsibility and let it remain where it sits.

The Planning Manager advised that when there was a temporary listing the final decision on permanent listing rests with DfC.

Councillor Colvin said once the telephone box was handed over we lose control and not going to serve the community very well, but if it is moved up closer then this would be more beneficial.

The Chair put Councillor Cuthbertson's proposal to the vote:

For:	4
Against:	11

The Chair put Councillor McKinney's proposal was put to the vote:

For	11
Against	4

The Chair declared Councillor McKinney's proposal carried.

Resolved That a Building Preservation Notice (BPN) not to be served on the telephone box at Dergenagh Road, Dungannon.

Matters for Information

P090/19 Minutes of Planning Committee held on 4 July 2019

Members noted Minutes of Planning Committee held on 4 July 2019.

P091/19 Receive Report on Consultation Response to Fermanagh and Omagh Council on LA10/2019/0767/F

Members noted report on Consultation Response to Fermanagh and Omagh Council on LA10/2019/0767/F.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Clarke
Seconded by Councillor Robinson 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 P092/19 to P096/19.

Matters for Decision

P092/19 Receive Enforcement Report

Matters for Information

P093/19 Confidential Minutes of Planning Committee held on 2 July 2019

P094/19 Enforcement Cases Opened

P095/19 Enforcement Cases Closed

P097/19 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9 pm.

Chair _____

Date _____

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 September 2019 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Mallaghan, Chair

Councillors Bell, Black, Brown, Clarke, Colvin, Cuthbertson, Gildernew, Glasgow, Kearney, McKinney, D McPeake, S McPeake, Quinn, Robinson

Officers in Attendance

Mr Tohill, Chief Executive
Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Ms McEvoy, Head of Development Plan and Enforcement
Mr Marrion, Senior Planning Officer
Ms McNally, Council Solicitor
Miss Thompson, Democratic Services Officer

Others in Attendance

Councillor McFlynn

Applicant Speakers

LA09/2018/1249/F	Mr Loughran Mr Quinn
LA09/20190573/F	Councillor McGinley
LA09/2019/0721/O	Mr Cassidy
LA09/2019/0837/O	Mr Cassidy
LA09/2019/0846/O	Mr Finlay
LA09/2019/0849/O	Mr Finlay
LA09/2018/1569/F	Mr Hughes Mr McPeake
LA09/2019/0931/F	Councillor B McGuigan

The meeting commenced at 7.03 pm

P098/19 Apologies

None.

P099/19 Declarations of Interest

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

Councillor S McPeake declared an interest in agenda item 4.22 - planning application LA09/2019/0765/O.

P100/19 Chair's Business

The Chair, Councillor Mallaghan advised of a change to the order of the agenda and that agenda item 13 – Receive Notification of Drilling from Shackleton Resources would be heard first in Open Business.

P101/19 Receive Notification of Drilling from Shackleton Resources

The Planning Manager presented previously circulated report which outlined notification from Shackleton Resources Ltd of its intention to use its permitted development rights under licence KOZ1/16 to drill up to 12 boreholes on lands between Orritor and Churchtown to the North West of Cookstown.

The Planning Manager stated that the Committee were not being asked their opinion on whether drilling was right or not but rather whether there was a good reason why permitted development rights should be removed. The Planning Manager advised that the Planning Committee cannot defer this item to Council as a decision is required by 10 September 2019. Members were advised that they can either decide to do nothing or remove permitted development rights and that if the Committee decide that permitted development rights should be removed this will then be sent to the Department for their consideration. The Planning Manager advised that in the short time between receiving the notification and tonight's meeting, officers had consulted with Environmental Health and Shared Environment and asked the Head of Development Management to provide update. The Planning Manager advised that correspondence had also been received by Friends of the Earth which had been circulated to Members.

The Head of Development Management advised that Environmental Health had been asked to determine the potential impact of the drilling and had stated that they had no objection subject to prior notice of any drilling being given to neighbouring residents, the contact details of a Shackleton representative being given to neighbouring residents, noise assessments being taken and additional mitigation measures being taken where possible. It was further advised that if any lighting rigs are required that suitable receptors should be put in place.

The Head of Development Management stated that Shared Environment had responded that they felt that temporary nature of the drilling would not have any significant impact.

Councillor Clarke stated that the proposal did give cause for concern, the Councillor referred to previous permission given for surveying to be done and that over the last weekend both a helicopter and two aeroplanes appeared to be surveying in the area. Councillor Clarke stated he realised this may have had nothing to do with the permission for surveying but if it was it had taken place without the prior notification of residents which was supposed to be the case. The Councillor stated that this did not give residents any confidence going forward. Councillor Clarke stated that given the concerns over the proposal he would propose that the Committee object to the permitted development rights to drill up to 12 boreholes.

The Planning Manager stated that the Committee have to decide whether the proposal would fall under any of the grounds within Article 7(2) of the Order if they want to remove permitted development rights. The Planning Manager stated it was reasonable to say

that the Committee was concerned over the proposal and the fear it creates in the community, he further advised that if the Committee decide to remove permitted development rights this decision is then put to the Department who can take their own decision on it.

The Council Solicitor stated that the Committee can make a direction if it feels expedient to do so but that it should set out its reasons and which of the ground(s) in Article 7(2) were relevant.

The Chair, Councillor Mallaghan stated that the Committee wanted to remove permitted development rights because the drilling could have serious impacts on residential amenity and only by removing permitted development rights could proper scrutiny be given.

The Planning Manager advised that if the Department supports the decision to remove permitted development rights then the applicant can still submit a planning application, the Planning Manager stated that one benefit of a planning application being submitted was that full consideration could be given as to whether considerable harm will be caused by the drilling.

Councillor Colvin stated he had received a phonecall from a person who lives on neighbouring land to where drilling is proposed and who only found out about the proposals today through a Facebook post. The Councillor stated that this was not a good impression of how things may progress in the future and that the neighbour was very concerned.

Councillor Brown questioned what an acceptable distance is between a dwelling and a drilling site as there appeared to be three or four dwellings within 80m of the proposed site. Councillor Brown stated that it would ultimately be the people living in the neighbouring community who would be left to live with the consequences of a decision. Councillor Brown seconded Councillor Clarke's proposal.

Councillor Kearney stated he agreed with the comments made.

The Council Solicitor clarified that it was the opinion of the Committee to remove the Permitted Development Rights of Shackleton Resources Ltd to drill up to 12 boreholes from 2 locations within the licence KOZ1/16 as it did not agree with the consultation response from Environmental Health and that any drilling would have a detrimental effect on the neighbouring community.

The Planning Manager stated it was important to stay within criteria of the legislation and based on what was before the Committee tonight, that it appeared that the proposed development would cause a serious nuisance to those living in nearby residential building(s).

Resolved That the Council is satisfied that it is expedient that a direction is made under Article 7 that the development, notified to it by Shackleton Resources Ltd to drill up to 12 boreholes from 2 locations within the licence KOZ1/16, should not be carried out unless permission for it is granted on an application.

Matters for Decision

P102/19 Planning Applications for Determination

The Chair, Councillor Mallaghan 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 4.3 – LA09/2018/0765/O – Dwelling and garage to the rear of 13 Fairhill Road, Cookstown for Mr Paul Quinn.

Agenda Item 4.8 – LA09/2019/0174/F – Dwelling and garage at approx. 40m NNE of 49 Gortahurk Road, Desertmartin for Mr Mark Madden.

Agenda Item 4.10 – LA09/2019/0357/F – Retention of container at 42 Main Road, Moygashel, Dungannon for Mr Bryan Turkington.

Agenda Item 4.11 – LA09/2019/0385/O – Dwelling and garage 20m N of 34 Waterfoot Road, Ballymaguigan for Paul Johnson.

Agenda Item 4.14 – LA09/2019/0423/F – Retention of single storey domestic garage and storage building, including an increase in the curtilage of the site at 63a Ballymacombs Road, Bellaghy for Donal O'Cearnaigh.

The Chair also advised that Agenda Item 4.1 – LA09/2017/1027/F – Demolition of existing porch area, relocation of existing smoking area at 86 Chapel Street, Cookstown for Kilmegan Ltd had been withdrawn.

Proposed by Councillor Robinson
Seconded by Councillor S McPeake and

Resolved That the planning applications listed above be withdrawn/deferred for an office meeting.

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

LA09/2017/1027/F Demolition of existing porch area, relocation of existing smoking area at 86 Chapel Street, Cookstown for Kilmegan Ltd

Application withdrawn.

LA09/2018/0248/F Extension to an existing workshop; roof infill to existing yard; additional ventilation stacks and associated equipment at 116 Deerpark Road, Toomebridge for SDC Trailers Ltd

Members considered previously circulated report on planning application LA09/2018/0248/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney and

Resolved That planning application LA09/2018/0248/F be approved subject to conditions as per the officer's report.

LA09/2018/0765/O Dwelling and garage to the rear of 13 Fairhill Road, Cookstown for Mr Paul Quinn

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

LA09/2018/1249/F Extension to garage to include office, storage and WC including extension to curtilage at 23 Dunamore Road, Cookstown for Mr Michael Quinn

Ms McCullagh (SPO) presented a report on planning application LA09/2018/1249/F advising that it was recommended for approval.

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

Mr Loughran questioned why the applicant could not site his proposal to the west of 23 Dunamore Road. Mr Loughran stated that the applicant was an architect and that the original application had been for an office and gym but that the gym element of the proposal had now been removed, Mr Loughran also questioned how this had come about as he stated an unauthorised gym continued to operate from this address and this could be confirmed through Facebook posts. Mr Loughran further stated that residents have observed increased activity in the area (traffic, noise) from people coming to use the gym as recently as yesterday. Mr Loughran stated he was aware of the live enforcement case relating to the gym and he wanted to see this pursued, Mr Loughran also asked if any enforcement action had been taken on noise pollution coming from the gym. Mr Loughran referred to consultation with DfI and that they have no concerns regarding road safety or traffic flow and felt that DfI had not considered the extra traffic caused by the gym.

Mr Quinn stated that the application is for an extension to a domestic garage and does not allow for commercial activities, it was advised that the extension is to provide space for an office for his architectural business which he is currently operating from a spare bedroom in his house. Mr Quinn stated that his proposal will not impact on amenity and that an objection relating to obstruction of view is immaterial as no one has a legal entitlement to a view, as stated in the officers report. Mr Quinn stated that a decision on the gym should have no bearing on this application and that endeavours were being made to relocate the gym to a more appropriate area.

The Planning Manager stated that there were clear allegations that a gym was still being operated from the garage and asked Mr Quinn if this was the case.

Mr Quinn confirmed that the garage was still being used as a gym.

The Planning Manager questioned why the Committee should trust Mr Quinn as he has stated an unauthorised gym is being used at the address.

Mr Quinn stated that he was waiting on enforcement notice to be served in relation to the gym and that there was an application lodged to relocate the gym.

The Planning Manager stated that the applicant was an architect who was aware that a gym was unauthorised and questioned whether it was appropriate or good practice to come before Members and state that a business was continuing because an enforcement notice had not been served.

Mr Quinn stated that the gym was 4x5m in size and could only accommodate a maximum of four people at a time.

In response to question from the Planning Manager, Mr Quinn stated that there would be no people coming and going from the architectural office.

The Planning Manager stated that it is the comings and goings from people and traffic that causes a nuisance and that whilst there is clearly an unauthorised gym, this is immaterial to the decision before the Committee now.

The Chair, Councillor Mallaghan asked if it would be reasonable to attach a noise condition if the Committee was minded to approve the application.

The Planning Manager stated that it would not be normal to attach a noise condition to a domestic garage and that the application should be taken at face value.

The Council Solicitor referred to informative attached to approval in that the permission does not allow for the use of a commercial gym or any other commercial purpose and whether this informative should be changed to a condition.

The Planning Manager felt that it was best to leave as an informative.

Councillor Bell asked if a report had been submitted on vehicular movements.

The Planning Manager stated that the application had been assessed as a domestic garage, as applied for, and not as a gym, therefore a report was not needed.

Councillor Glasgow proposed the approval of the application and commented that Council has a strong enforcement team who will look at the enforcement case.

In response to Councillor Brown, Ms McCullagh stated that an enforcement case had been opened on the matter and that investigations were ongoing.

The Planning Manager stated that any enforcement action will be dealt with separately.

Councillor McKinney seconded Councillor Glasgow's proposal but felt that the matter would come before the Committee again in the future.

Resolved That planning application LA09/2018/1249/F be approved subject to conditions as per the officer's report.

LA09/2018/1435/F 2 farm sheds 55m WSW of 55 Springhill Road, Ballindrum, Moneymore for Mr Kevin Moran

Members considered previously circulated report on planning application LA09/2018/1435/F which had a recommendation for approval.

Councillor Clarke proposed the approval of the application.

Councillor McKinney seconded Councillor Clarke's proposal.

Councillor Colvin stated he lived at 54 Springhill Road and that whilst he did not have a difficulty with the application he advised he did not receive any neighbour notification. The Councillor felt that there was something seriously wrong with the neighbour notification process in that someone could live adjacent to a proposed development and not receive notification.

The Planning Manager asked officers to check neighbour notification for this application as the application could not legally go ahead if there were people who should have been notified and were not.

The Chair, Councillor Mallaghan stated that the Committee would return to this application when officers had checked information on file.

LA09/2018/1481/F Car parking facilities and designated pedestrian crossing at approx. 25m NE of 2 Lisnamuck Road, Tobermore for Tobermore Concrete Ltd

Members considered previously circulated report on planning application LA09/2018/1481/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved That planning application LA09/2018/1481/F be approved subject to conditions as per the officer's report.

LA09/2019/0018/O Dwelling and garage approx. 18m W of 66 Killycanavan Road, Dungannon for Patsy Ryan

Members considered previously circulated report on planning application LA09/2019/0018/O which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2019/0018/O be approved subject to conditions as per the officer's report.

LA09/2019/0174/F Dwelling and garage at approx. 40m NNE of 49 Gortahurk Road, Desertmartin for Mr Mark Madden

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

LA09/2019/0338/F Retrospective domestic garage (substitution previously approved LA09/2015/0985/F) and extension to existing residential curtilage at lands to the rear of 7 Ballyheifer Road, Magherafelt for Mr Nicky Brown

Members considered previously circulated report on planning application LA09/2019/0338/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0338/F be approved subject to conditions as per the officer's report.

LA09/2019/0357/F Retention of container at 42 Main Road, Moygashel, Dungannon for Mr Bryan Turkington

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

LA09/2019/0385/O Dwelling and garage 20m N of 34 Waterfoot Road, Ballymaguigan for Paul Johnson

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

LA09/2019/0399/F Extension to existing lorry repair garage at 67 Eskragh Road, Dungannon for Gary Montgomery

Members considered previously circulated report on planning application LA09/2019/0399/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2019/0399/F be approved subject to conditions as per the officer's report.

LA09/2019/0419/O Dwelling on a farm 125m E of 76 Rhone Road, Drummond for Emmett Kelly

Members considered previously circulated report on planning application LA09/2019/0419/O which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Quinn and

Resolved That planning application LA09/2019/0419/0 be approved subject to conditions as per the officer's report.

LA09/2019/0423/F Retention of single storey domestic garage and storage building, including an increase in the curtilage of the site at 63a Ballymacombs Road, Bellaghy for Donal O'Cearnaigh

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

LA09/2019/0426/F Retention of access, (approved under M/2014/0447/F), as a permanent agricultural access at 37 Killymeal Road, Dungannon for St Patrick's Academy

Members considered previously circulated report on planning application LA09/2019/0426/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved That planning application LA09/2019/0426/F be approved subject to conditions as per the officer's report.

LA09/2019/0438/F 2 storey accommodation block to provide 6 no. 2 bed apartments at 80A Fairhill Road, Cookstown for Care Facilities Ltd

Members considered previously circulated report on planning application LA09/2019/0438/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/0438/F be approved subject to conditions as per the officer's report.

LA09/2019/0482/F Retention of cattle house; new agricultural feed storage shed at 9 Crubinagh Road, Dungannon for Mr Adrian Daly

Members considered previously circulated report on planning application LA09/2019/0482/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0482/F be approved subject to conditions as per the officer's report.

Councillor Glasgow left the meeting

LA09/2019/0573/F 2 lodges for short term accommodation adjacent to Lough Shore Nature Area, 210m SW of 35 Brookend Road, Ardboe for Mr Donal Coney

Mr Marrion (SPO) presented a report on planning application LA09/2019/0573/F advising that it was recommended for refusal.

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

Councillor McGinley stated that the applicant realises that there are gaps in the information he submitted and asked that the application be deferred to allow the applicant to put forward the additional information.

The Planning Manager stated that, as it stands, an argument would need to be made to keep the application to 2 units as the policy is quite odd in that consideration can be given to 3 units but not 2.

Councillor McGinley stated that it was his understanding that the applicant had looked at a precedent in Pomeroy and that there were things the applicant was willing to give further consideration to.

Proposed by Councillor Quinn
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2019/0573/F be deferred to allow for additional information to be submitted.

LA09/2019/0609/O Dwelling and domestic garage at lands between 9a and 11a Loughans Road, Aughnacloy for Brendan Treanor

Members considered previously circulated report on planning application LA09/2019/0609/O which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/0609/O be approved subject to conditions as per the officer's report.

LA09/2019/0673/F Temporary storage facility at 48 Coalisland Road, Dungannon for Maximus Crushing and Screening

Members considered previously circulated report on planning application LA09/2019/0673/F which had a recommendation for approval.

Proposed by Councillor Quinn
Seconded by Councillor Bell and

Resolved That planning application LA09/2019/0673/F be approved subject to conditions as per the officer's report.

LA09/2019/0721/O Dwelling and garage 25m NE of 162 Ballynease Road, Portglenone for Mr Adrian McErlean

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0721/O advising that it was recommended for refusal.

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

Mr Cassidy stated that the site is 250m from the main road, up a private lane and hidden from view in a cluster of 6 buildings and that all buildings either front or edge the laneway. Mr Cassidy referred to photograph and that the dwelling outlined in red adjacent to the site was the family home who were supportive of the application. Mr Cassidy stated that the dwelling outlined in blue on the other side of the site had submitted an objection on the basis of amenity and ground issues, which Mr Cassidy felt was immaterial, it was advised that it is proposed to retain existing vegetation. Mr Cassidy stated that as the application met with policy he would request that it be approved.

The Planning Manager stated that when a deferral is requested and a policy reason is given then it will usually be granted. In this case, there has been a previous application which has been refused, the Planning Manager stated that the proposal will alter the amenity of the area and urged caution to Members as an objection had been received. The Planning Manager stated that if the application should be approved then recourse for the objector is Judicial Review, if the application is refused then the applicant can go to planning appeal.

The Council Solicitor asked for clarification on the reasons for refusal.

The Planning Manager felt the reasons for refusal were that the application was contrary to Policy CTY1 – no reasonable need for development, Policy CTY2a – the development is not considered to be within a cluster, Policy CTY8 – the development does not represent a gap/infill site. The Planning Manager stated that the fundamental issue relating to this application was neighbouring amenity owing to the objection received.

In response to question from Councillor S McPeake, Ms McCullagh advised that there was a post and wire fence setting out the boundary of the second field.

Councillor S McPeake stated he felt that the proposal did appear to represent an infill opportunity and if the dwelling was sited further back in the field then amenity impact may be lessened.

The Planning Manager stated that if the Committee decide to approve this application in light of the previous refusal then the reasons need to be set out. The Planning Manager stated that if the dwelling is sited in the middle of the field then it will obviously effect neighbouring amenity and morning light at certain times of the year. If moved to the back

of the field then the effect on amenity would be lessened but the application would then fail to meet infill.

Councillor Gildernew stated he agreed with Councillor S McPeake and that the site was ideal only for the objector.

Councillor Bell asked if the house to the southwest of the objector was a new property and does it not also impact on amenity.

The Planning Manager stated that the property probably was newer and did not feel it was impacting on amenity, furthermore, this was not the decision before Members tonight. The Planning Manager stated it was a simple decision and that if minded to approve the application then it needed to be conditioned.

Councillor McKinney stated that very often developments within towns do not have the same level of amenity. Councillor McKinney proposed that the application be approved.

Councillor Gildernew seconded Councillor McKinney's proposal.

Members discussed conditions to be attached to the approval.

The Council Solicitor asked for clarification on the reasons for objection and whether it was broad or specific to the current proposed site.

Ms McCullagh read the letter of objection and the Planning Manager stated that the objection was based on neighbouring amenity in the broadest terms.

The Planning Manager referred to advice from DfI in that, if the Committee are minded to approve the application that the laneway needs to be brought up to an adoptable standard as there are over 5 dwellings sited on the lane. The Planning Manager advised that it was normal practice to require laneways in urban situations to be brought up to adoptable standards, however in rural situations such as this it is often not achievable to meet these standards, in recognition of this DfI have advised that conditions may be applied and this in within the officer report.

Resolved That planning application LA09/2019/0721/O be approved subject to standard conditions and a dwelling ridge height of 5.5m.

Councillor S McPeake withdrew from the meeting

**LA09/2019/0765/O Dwelling and garage 50m NE of 28 Broagh Road,
Knockloughrim for Sean McPeake**

Members considered previously circulated report on planning application LA09/2019/0765/O which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Gildernew and

Resolved That planning application LA09/2019/0765/O be approved subject to conditions as per the officer's report.

Councillor S McPeake rejoined the meeting

LA09/2019/0794/RM Dwelling and domestic garage at lands between 103 Killymeal Road and 7 Edendork Road, Dungannon for Moreno Landi

Members considered previously circulated report on planning application LA09/2019/0794/RM which had a recommendation for approval.

Proposed by Councillor Bell
Seconded by Councillor Colvin and

Resolved That planning application LA09/2019/0794/RM be approved subject to conditions as per the officer's report.

LA09/2019/0818/RM Replacement dwelling at 160m SE of 35 Mullybrannon Road, Dungannon for Syerla Enterprises Ltd

Members considered previously circulated report on planning application LA09/2019/0818/RM which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Colvin and

Resolved That planning application LA09/2019/0818/RM be approved subject to conditions as per the officer's report.

LA09/2019/0837/O Site for a dwelling and garage 40m NW of 13 Brookemount Road, Cookstown for Mr Terry Devlin

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0837/O advising that it was recommended for refusal.

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

Mr Cassidy stated that in relation to this application there are five dwellings which can all be seen together as an entity. Mr Cassidy advised that the site was bounded on two sides and that vegetation on all boundaries will be retained. In relation to focal point, Mr Cassidy stated that policy does not define what a focal point is and that he would contest that there are two focal points in the vicinity (I) A listed monument located opposite the site which attracts visitors all year round (II) The Church of Ireland Manse located 20m away and visible from the development site. Mr Cassidy did not feel that the development would have any adverse impact and asked that the application either be deferred for an office meeting or approved.

Councillor S McPeake asked if the boundary constitutes proper separation.

The Planning Manager stated that a site should provide a suitable degree of enclosure and be bounded on two sides. In this instance the Planning Manager stated that there were good boundary hedges and that there is a dwelling to one side of the site and one opposite. The Planning Manager stated there was a Manse located nearby, the question was whether this is a focal point. The Planning Manager stated that the Committee had to operate under policy and that in some circumstances discretion can be given but this needs to be worked through.

Councillor Brown stated he had checked Google maps and that the focal points being used were not viewable from the development site, furthermore, there appeared to be a septic tank and telegraph pole in the middle of the site.

The Planning Manager stated that Councillor Brown's comments were in line with what was in the officers report.

The Council Solicitor stated that whether or not there is a septic tank/telegraph pole on the site was not a material consideration. The Council Solicitor directed Members to the policy requirements and to consider whether the application site is within a cluster which is associated with a focal point.

Councillor Bell stated he knew the area and felt the application would fit in and not make any difference.

Councillor Clarke also felt the development would make no difference to the area and would round off existing development.

The Planning Manager stated it was reasonable to see the proposal as being an ending point to development.

Councillor Clarke proposed that the application be approved.

Councillor Bell seconded Councillor Clarke's proposal.

The Council Solicitor asked for the reasons to approve the application.

The Planning Manager stated that there was a cluster of 4 or more buildings of which 3 are dwellings, whether there is a focal point is a matter of judgement but the development is not a significant distance from the Church of Ireland Manse. The Planning Manager stated that the site is not bounded on both sides but is bounded on one side with another dwelling on the opposite side of the road and that the development can be absorbed by rounding off. The Planning Manager stated that a single storey condition should be attached (ridge height of 5.5m).

Resolved That planning application LA09/2019/0837/O be approved subject to single storey ridge height of 5.5m and hedgerows being retained.

**LA09/2019/0846/O Dwelling and garage 30m E of 32a Mulnavoo Road,
Draperstown for N Bradley Esq.**

**LA09/2019/0849/O Dwelling and garage 55m E of 32a Mulnavoo Road,
Draperstown for N Bradley Esq.**

Ms McCullagh (SPO) presented a report on planning applications LA09/2019/0846/O and LA09/2019/0849/O advising they were recommended for refusal.

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

Mr Finlay stated that policy CTY1 allows a gap site within a built up frontage, policy CTY8 allows up to 2 units and policy CTY14 relates to prominence in rural character. Mr Finlay stated that as these were infill sites there was no need to justify need however the 2 dwellings were for 2 sons who work in the family business. Mr Finlay stated that the dwellings would not be prominent and that the applicant owns the site and the lane. Mr Finlay stated that the gap site can be seen along a continuous building line and that the applications meet policy under PPS21 and should be granted

The Planning Manager stated that the definition of built up frontage refers to three or more dwellings without development to the rear with road frontage. The Planning Manager highlighted that none of the dwellings front onto a road and therefore the applications do not meet policy and asked if there was any reason why an exception should be given.

Mr Finlay advised that an alternative plan was submitted however this was not accepted.

The Planning Manager stated that whilst it was good to tease everything out, it remained that none of the dwellings had road frontage.

Councillor McKinney stated that those living in the area did not have large lawns/gardens because as much land as possible is utilised for grazing.

The Planning Manager stated that whilst Members may disagree with policy, the guidance is clear and in this instance there is no gap to be infilled.

Councillor Gildernew stated that if the applications were approved the Committee would be setting a precedent as there was no road frontage. Councillor Gildernew proposed the refusal of the applications.

Councillor Mallaghan seconded Councillor Gildernew's proposal.

Members voted on Councillor Gildernew's proposal –

For – 6

Against - 5

Resolved That planning applications LA09/2019/0846/O and LA09/2019/0849/O be refused on grounds stated in the officer's reports.

LA09/2019/0853/F Dwelling and domestic garage (Change of house type from M/2008/0793/RM) at 100m E of 10 Glendavagh Road, Aughnacloy for Robert Bell

Members considered previously circulated report on planning application LA09/2019/0853/F which had a recommendation for approval.

Proposed by Councillor Gildernew
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/0853/F be approved subject to conditions as per the officer's report.

LA09/2019/0931/F Retention of dwelling, garage, garden room, gym, retaining walls, hard landscaping and site curtilage at 10B Fallylea Road, Maghera for James Hughes

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0931/F advising that it was recommended for refusal.

Councillor Quinn asked if the gym was relocated if it would make a difference.

Councillor D McPeake left the meeting at 9.06 pm.

The Planning Manager stated that he thought it was unneighbourly of the applicant to locate the gym/garden room where it is, that it would make a difference if it was relocated and that planning could offer advice on this.

Councillor B McGuigan stated that he had been contacted by the objector and had been on site to see the impact the building has on the objector's home. Councillor B McGuigan stated that the impact is clear to see and that the objector's kitchen looks straight onto the gym/garden room. Councillor B McGuigan stated that the applicant has plenty of other lands and it was madness to continue to build without planning permission.

Councillor D McPeake returned to the meeting at 9.08 pm.

The Planning Manager stated it was easy to see the impact of the building when it had been built, that the applicant had chosen not to go through the planning process and that if the Committee were minded to refuse the application then the applicant can go to planning appeal.

Councillor Brown stated that if the Committee were to refuse the application what would they actually be refusing.

The Chair, Councillor Mallaghan stated it would be the gym/garden room that would be refused.

The Planning Manager stated that the application would be refused on the grounds of the gym and that it was detrimental to neighbouring amenity.

Proposed by Councillor Brown
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2019/0931/F be refused on grounds stated in the officer's report.

Continuation of
LA09/2018/1435/F 2 farm sheds 55m WSW of 55 Springhill Road, Ballindrum, Moneymore for Mr Kevin Moran

The Chair, Councillor Mallaghan asked Councillor Colvin if he was content with the neighbour notification process for this application.

Councillor Colvin stated that he had now viewed maps and was content with the reasoning for the neighbour notification process for this application.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved That planning application LA09/2018/1435/F be approved subject to conditions as per the officer's report.

LA09/2017/1004/O Replacement dwelling and domestic garage at land approx. 320m NW of 180 Caledon Road, Aughnacloy for Mr Adrian Robinson

Mr Marrion (SPO) presented a report on planning application LA09/2017/1004/O advising that it was recommended for refusal. Members were also directed to addendum in which there was a request for deferral and further information submitted which included maps and ledger from Public Records Office which advises that a Mr Henry Hagan paid a rent paid for a house, office and lands within the fields that are the subject of the application.

The Chair, Councillor Mallaghan stated that whilst this was the third time this application had been brought before Committee it may be better to defer the application for a month to consider the additional information submitted.

The Planning Manager stated that the application seeks access onto a protected route and that if the Committee permits things that do not meet policy onto protected routes it would be difficult to lobby DfI Roads in relation to provision of roads in the future.

Councillor Clarke stated that there was evidence to show a rent had been paid on a farm and dwelling and that looking at the census from the time may also be helpful.

Councillor Gildernew stated that whilst he had issue with access onto a protected route he had no concern that the building in question was at one time a dwelling.

The Planning Manager suggested that a site meeting be organised in relation to the application.

Councillor Colvin stated there needed to be some connection between the application and what was being presented tonight. Councillor Colvin proposed that a site meeting be held.

Councillor Robinson seconded Colvin's proposal.

Resolved That planning application LA09/2017/1004/O be deferred for a site meeting.

LA09/2017/1384/O Dwelling on a farm at land approximately 110m E of 208 Carnteel Road, Lisgallon, Dungannon for Augustine McMullan

The Chair, Councillor Mallaghan referred to addendum in which there had been a late request for deferral due to personal circumstances. The Chair stated that the applicant's intentions should be taken at face value and suggested that the application be deferred for one month.

Proposed by Councillor Gildernew
Seconded by Councillor Robinson and

Resolved That planning application LA09/2017/1384/O be deferred for one month.

LA09/2018/0522/O Dwelling and garage approx. 40m NE of 18 Mulnavoo Road, Derrynoyd, Draperstown for Teresa Bradley

Members considered previously circulated report on planning application LA09/2018/0522/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Robinson and

Resolved That planning application LA09/2018/0522/O be approved subject to conditions as per the officer's report.

LA09/2018/1569/F 40 houses (6 detached and 34 semi-detached) landscaping and associated site works (Amendment to that approved under H/2006/0494/F and H/2013/0066/F) at lands to the SW of 12, 14, 15, 16 and 18 Woodland Grove, Derrynoyd Road, Draperstown for Augusta Homes Ltd

Ms McCullagh (SPO) presented a report on planning application LA09/2018/1569/F advising that it was recommended for approval.

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

Mr Hughes stated that the application will have an impact on local character and amenity in that the proposed increase in traffic would be of detriment to current users. Mr Hughes highlighted that residents were not objecting to the new development as such but the access to it through an existing development which they felt was inappropriate and that the Creating Places document supported their objection. Mr Hughes stated that a 9m

sight line is not achievable as the road was not built for the increased volume in traffic and asked for an office meeting to further discuss the potential adverse effect on citizens of the existing development.

Mr McPeake stated this was a revised application from 54 dwellings down to 40, he advised that all consultees had returned positively and, in particular, DfI Roads had no concerns on the application. Mr McPeake highlighted that the road design was suitable for up to 200 houses and that lands were currently zoned for housing and asked the Committee to approve the application as per officer recommendation.

Councillor McKinney stated that the road through the existing development was not big and he did not believe it could handle the increased traffic volume.

Mr McPeake stated that this application and previous applications always intended to go through the Woodlands development.

Councillor McKinney stated that if it was the intention to approve the application that it should be conditioned that the access road from Sixtowns Road is constructed.

Councillor Black stated he agreed with Councillor McKinney in that the development should be supported by suitable access and roads construction.

The Planning Manager stated that the scheme under consideration now was reduced from what had been previously approved which would be the fallback position.

The Council Solicitor referred to the concerns relating to increased traffic circulation in the existing development and the access on to the main road and asked what exactly the fallback position is in this regard. The Council Solicitor also queried when the extant permission had been approved and if relevant, whether that permission had commenced or been implemented.

Ms McCullagh advised that the previous approval had been kept alive with the erection of two dwellings on the Sixtowns Road.

Councillor Gildernew left the meeting at 9.39 pm.

The Planning Manager stated he was unclear on the fallback position and what could be built anyway and suggested that the application be deferred to allow for further consideration in this regard. In doing so, the Planning Manager stated he did not want to give Woodlands residents undue hope as it still may be feasible to conclude that what is being applied for is a quality development.

Councillor McKinney proposed that the application be deferred for further clarification of the fallback position. Councillor McKinney also requested further information in relation to ownership and access off the Sixtowns Road.

Councillor Brown seconded Councillor McKinney's proposal.

Resolved That planning application LA09/2018/1569/F be deferred for further clarification of fallback position. Further information in relation to ownership and access off the Sixtowns Road to also be provided.

LA09/2018/1609/F Farm building, 100m NW of 44 Cullenramer Road, Dungannon for Mr Barry Small

Members considered previously circulated report on planning application LA09/2018/1609/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Colvin and

Resolved That planning application LA09/2018/1609/F be approved subject to conditions as per the officer's report.

LA09/2019/0300/O Site for dwelling and garage between 34 and 36 Coagh Road, Cookstown for William and Heather Hutchinson

Members considered previously circulated report on planning application LA09/2019/0300/O which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/0300/O be approved subject to conditions as per the officer's report.

P103/19 Receive report on Department for Infrastructure's decision to issue 3 Notice of Opinions to approve development at the former Clark's Linen Mill, Upperlands

The Planning Manager presented previously circulated report which provided decision from the Department for Infrastructure to issue Notices of Opinion to approve development of the former Clark's Linen Mill in Upperlands. The Planning Manager stated that an opportunity now exists for the Council to make representations to the Planning Appeals Commission who will shortly facilitate a hearing relating to the proposals.

Councillor S McPeake stated that whilst there was a need for housing and he would like to see as much development as possible he would be against this proposal as he felt the housing spread needed to be more equal and not up to 200 houses in a small area. Councillor S McPeake proposed the way forward as set out in the report.

Councillor Kearney seconded Councillor S McPeake's proposal.

Resolved That it be recommended to welcome the Notices of Opinion but that Council demands an examination unless the Department for Infrastructure can give reassurance that the number of homes approved will not affect our HGI or designations adversely in relation to other settlements.

Meeting adjourned at 9.48 pm and recommenced at 10.13 pm.

P104/19 Guidance for the assessment of ammonia emitting projects

The Head of Development Management referred to information tabled in relation to assessment of ammonia levels and advised that there appeared to be some difference of opinion between Shared Environment Service and NIEA on the matter and that new guidance would be brought forward in due course. The Head of Development Management advised that staff would be attending a training course the next day which offered a way forward and some hope of solution for the approx. dozen cases waiting on assessment.

P105/19 Receive response to consultation from Department for Communities on the 'Definition of Affordable Housing'

The Head of Development Plan and Enforcement presented previously circulated report which provided details of a consultation from the Department for Communities in relation to the 'Definition of Affordable Housing' and Council response to the consultation.

Councillor Black returned to the meeting at 10.17 pm and Councillor Colvin returned to the meeting at 10.19 pm during the above presentation.

Councillor McPeake stated he was happy to propose the response set out, that there had been good discussion at the meeting held regarding affordable housing and that opinions raised at that meeting were catered for within the response.

Councillor Brown seconded Councillor S McPeake's proposal.

Resolved That it be recommended to agree the response to the consultation on the definition of affordable housing as set out at appendix 1 to report, subject to agreement by full Council.

Matters for Information

P106/19 Minutes of Planning Committee held on 6 August 2019

Members noted minutes of Planning Committee held on 6 August 2019.

Councillor Cuthbertson referred to discussion at August meeting in relation to telephone box at Dergenagh Road. The Councillor stated that since that meeting a petition had been submitted asking Council to serve a Building Preservation Notice (BPN) on the telephone box at Dergenagh Road and asked when the matter could be revisited by the Planning Committee.

The Planning Manager stated that the Committee can revisit the matter when it chooses, that the matter has previously been discussed at Committee and Council and it was decided not to proceed with serving the BPN however if views had changed then it is up to the Members.

The Chair, Councillor Mallaghan queried whether this was the rescinding of a decision.

The Council Solicitor stated that a decision had been taken by the Committee and that unless there were compelling reasons or changes since the decision was taken, that the matter could not be revisited.

Councillor Cuthbertson stated that the decision taken at the August Planning Committee had not yet been ratified by Council. In relation to the Council motion, this was to remove the telephone from the telephone box which was a slightly different matter.

The Council Solicitor stated that the Committee made a decision on the matter and that the Planning Committee is quasi judicial. If the matter was to come back for further consideration it needs to be for a significant and compelling planning reasons or changes. The Council Solicitor stated that to bring the matter back to rescind a decision of this Committee would be to usurp the decision making power of the Committee and that Judicial Review would be the means to challenge a decision of a quasi judicial body. The Council Solicitor also referred back to the previous planning meeting where she pointed out that there were a number of decisions being discussed and that the Planning Committee's remit was specific to planning considerations.

The Planning Manager stated that Members received a report which recommended that a BPN be served and Members did not agree with this. The Planning Manager stated that petitions were an indicator of public opinion but not the sole reason for making decisions. The Committee had decided against a BPN because it meant any change to the phone box such as removing the phone and placing in a defibrillator would require a listed building consent which may or may not be forthcoming and was a level of control unnecessary for the preservation of the telephone box.

Councillor Cuthbertson stated that the Committee and Council were led to believe that the community wanted the phone box relocated to a nearby Orange Hall however residents have said they were not consulted on this and a subsequent petition has now been submitted. Councillor Cuthbertson stated that the phone box is at immediate risk as BT have walked away from it and it is in community ownership meaning it could be moved at any time.

The Council Solicitor stated that the only way to test the previous decision was by legal challenge and that as she was Council Solicitor, it would not be appropriate for her to discuss potential grounds or the merits of any such challenge.

The Planning Manager stated that the community could go directly to the Department to seek a Building Preservation Notice for the phone box.

P107/19 Receive report on consultation from NI Water on Draft Water Resource and Supply Resilience Plan

Members noted previously circulated report which provided detail of a consultation from NI Water on a Draft Water Resource and Supply Resilience Plan. Members were advised that whilst it is important to be aware of the proposals, findings and recommendations of the draft plan, it does not raise issues that require a specific response on behalf of Council.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Robinson
Seconded by Councillor Brown 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 P108/19 to P114/19.

Matters for Decision

- P108/19 Receive response to consultation from Antrim and Newtownabbey Council on their Local Development Plan 2030 – Draft Plan Strategy
- P109/19 Receive response to Department for Infrastructure on Draft Development Plan Practice Note 10
- P110/19 Receive tender evaluation for Retail and Leisure Study

Matters for Information

- P111/19 Confidential Minutes of Planning Committee held on 6 August 2019
- P112/19 Enforcement Report and Live Case List
- P113/19 Enforcement Cases Opened
- P114/19 Enforcement Cases Closed

Return to item

P103/19 Receive report on Department for Infrastructure's decision to issue 3 Notice of Opinions to approve development at the former Clark's Linen Mill, Upperlands

Councillor Brown stated that he had checked the description of the proposal which included 18 apartments and 2 houses, not 200 houses as had been discussed earlier in the meeting. Councillor Brown stated he felt the need for assessment by the Department arose out of the Art Deco character of some of the buildings within the mill complex.

Councillor S McPeake stated he thought there was a bigger masterplan for the site which included a lot more housing.

The Planning Manager stated he was unsure why there would be issue with 18 apartments and 2 dwellings and asked Members to leave the matter with him and if the proposal was not significant then there was no need for Council to respond.

The Chair, Councillor Mallaghan asked that Members be informed on whether Council would be responding to the Notice of Opinion.

P115/19 Duration of Meeting

The meeting was called for 7 pm and concluded at 10.50 pm.

Chair _____

Date _____



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 3rd September 2019

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.1	Application has been withdrawn.	Members to note.
4.10	Late Objection received, uploaded to the planning portal	Members to note, no new issues raised.
5.1	Cllr Burton has requested deferral as unable to attend the meeting tonight. Agent has requested Committee Members are made aware of information from Public Records Office.	Members to note, attached consideration of the information.
5.2	Late request for deferral due to personal circumstances	Members to note and decide if application should be deferred to allow further information to be submitted.
5.4	Late Objection received, uploaded to the planning portal	Members to note. DFI Roads re-consulted and have no objection.
13	Letter from Friends of the Earth	Members to Note

Item 5.1 - LA09/2017/1004/O

Members are advised that an extract from a ledger from the Public Records Office and maps were received at the office meeting with the Planning Manager in March 2019. This advises that a Mr Henry Hagan paid rent for a house, office and lands within the fields that are the subject of the application. The Planning Committee Report for the meeting in March 2019 clearly set out there may have been a dwelling on this site at one time, however the photographs of the building that remains on the site did not provide any features that prove it was a dwelling. The information from PRONI is not helpful to establish that the building that is to be replaced was a dwelling.

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 September 2019 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor Molloy, Chair

Councillors Ashton, Buchanan, Colvin, Doris, Elattar Forde, Gildernew, Hughes, McFlynn, S McGuigan, McKinney, McLean (7.06 pm), S McPeake, Quinn, Totten

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Ms Mezza, Head of Marketing & Communications
Mr O'Hagan, Head of IT
Mr Scullion, Head of Property Services
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

The meeting commenced at 7 pm.

PR141/19 Apologies

None.

PR142/19 Declaration of Interest

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

PR143/19 Chair's Business

None.

Matters for Decision

PR144/19 Upgrade of Current Lighting at Magherafelt Depot and Adjacent Carpark

The Head of Property Services drew attention to the previously circulated report which sought approval to upgrade and fund the replacement of existing exterior lighting at Magherafelt Council Depot and Council Offices Car Park to energy efficient LED lighting.

It was noted that the investment was anticipated to secure an annual electricity saving in the region of £7,000 per annum.

Councillor Quinn declared an interest in the above item for future reference as he is employed for an Electrical company which specialises in lighting.

He agreed that there were fantastic savings to be made installing LED lighting but felt that the payback on this project be even better than projected as the report suggested a payback period of longer than he would have expected. He suggested that in future, the Council investigate proposals from a few companies to get best value.

Proposed by Councillor S McPeake

Seconded by Councillor Forde and

Resolved That it be recommended to the Council to approve the release for reserves of £27,000 plus 10% contingency totalling £29,700 to undertake the LED lighting upgrade as outlined at Magherafelt Council Depot and adjacent Carpark using an approved Council procurement framework Contractor.

PR145/19 Council Estate Capital Refurbishment Funding

The Head of Property Services drew attention to the previously circulated report which sought approval for Capital Funded Refurbishment Work of Council assets across the Council Estate.

Councillor McLean entered the meeting at 7.06 pm

Councillor Forde enquired about Tobermore Football Pitch and asked if there was any provision made in relation to flooding.

The Head of Property Services advised that a survey had been carried out and investigations were ongoing.

Councillor Gildernew said that once again he was dismayed to see only £2,250 being awarded to the Clogher Valley area and felt that this was an ongoing issue from the legacy Dungannon Council days. He felt that there were numerous projects within the Clogher Valley area which could have availed of the funding.

In response to Councillor Ashton's query, the Head of Property Services advised that the funding required would be for additional monies coming from the Council reserves.

Councillor Ashton said there was an onus on the Officers to investigate the extent of the financial requirement and felt that Health & Safety issues associated with Council properties in particular needed to be addressed. In doing so, the Head of Property Services would not have to keep coming back to Committee seeking additional funding.

Councillor S McGuigan raised concern about the extra funding required on top of the £250k approved in April and also enquired why the estimated cost of the roof at Cookstown Council Offices had increased £18,600 from £45,000 to £63,600

The Head of Property Services advised that when the budget was approved in April 2019 the financial requirement had been based on the best estimates at the time, but additional information had come to Officers' attention since then which were not anticipated initially. In referring to the roof at Cookstown Council Offices, he advised

that wood-wool-slab repairs previously thought to have been capable of progression in a certain way was now known to be impracticable. The Officers' now know that the works have to be carried out in sections to accommodate staff as relocation or removal wasn't feasible. This was the reason why the estimated cost had increased.

Councillor Molloy said that some of the works carried out seemed like routine maintenance.

Councillor McKinney said that this needed addressing.

Councillor Ashton said that she appreciated what the Chief Executive was saying but that this type of funding request had been referred to Committee twice this year already and this should be an opportunity to look at this to see what can be achieved to make it work more effectively and suggested that in future, Council should seek to ensure that the financial budget made adequate provision to address maintenance work and, in particular, Health & Safety related expenditure.

The Chief Executive advised that to increasing the Property Services budget to cover routine and other significant maintenance requirements would mean a significant increase in the district rate.

The Chief Executive advised that Officers were working to ensure effective budgeting for maintenance works as the Council wanted to maintain an affordable District Rate. However, he stated that Officers would continue to investigate options in an effort to control maintenance costs while maintaining safe properties.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council to approve the release from reserves of up to £220,350 (excluding VAT) for Refurbishment Works outlined for Priority 1 and 2 Works and to note the contents of the report.

PR146/19 Beechland Park, Clady – Proposed Transfer to Northern Ireland Housing Executive of Lands for Community Development Scheme

The Chief Executive drew attention to the previously circulated report to update Members in relation to the transfer of lands situated at Beechland Park, Clady to Northern Ireland Housing Executive ("NIHE") in order to progress the proposed Community Development Scheme at Beechland Park, Clady; and to seek Members approval in relation to options regarding the transfer of these lands.

The Chief Executive advised that the District Valuer had assessed the valuation for disposal to be £3,500 but the NIHE were unwilling to pay this. He further advised that the NIHE proposal was to use the lands in a community project.

Referring to the valuation of £3,500 the Chief Executive further advised that Council's annual costs of maintaining the lands had been estimated to be in the region of £3,000. Disposal at nil cost would therefore contribute to an annual saving in the amount of approximately £3,000.

Councillor S McPeake said that he was aware of the lands being referred to and advised that they were very wet and that most summers the grass cannot be cut due to lying water. He said that over the years unofficial carparking by the residents of Beechland Park had taken place with some cars getting bogged down in the grounds. He advised that residents had been lobbying the Housing Executive for some time to pursue the project. He suggested writing to the Department to seek a dispensation requirement to obtain best price and if this was not forthcoming then seek a long-term lease with NIHE for a nominal fee (peppercorn rent) to ensure that the NIHE progressed the community scheme. However, he further recommended that Council, ensure that the lease stipulated that in the future the lands should not be used for development of other uses such as housing schemes and only used for recreational uses like walkways, parklands etc.

Councillor S McGuigan suggested having a joint initiative with NIHE to deliver the community project.

The Chief Executive acknowledged that this might be a possibility.

Councillor McKinney said that if there was a lease drawn up, the Council would always be the titleholders.

Councillor McFlynn said that in the past the Council seemed to have some difficulties with NIHE but it was agreed by her party to support the resolution tonight as this matter needed resolved.

Proposed by Councillor McPeake
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council to:

- 1) Write to the Department seeking approval to dispose of the lands to NIHE for a price less than the amount identified by the district valuer;
- 2) If DfC approval is not forthcoming then seek to lease the property back to the NIHE via a long-term lease for a nominal fee so as to enable the community scheme to progress;
- 3) If Option 2 is not feasible, the Council is to consider making a financial contribution to the community project in an amount that would enable the NIHE to pay the district valuer's valuation of the property with the project continuing to be delivered by NIHE; and
- 4) In any disposal, that there is a restriction on user for recreational uses only and prohibition for any other purpose such as housing schemes or other such development

PR147/19 Request to Illuminate Council Property – September 2019

The Chief Executive presented previously circulated report which considered requests to light up/illuminate Council's designed properties.

Proposed by Councillor McFlynn
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council to approve the requests to:

- (i) Illuminate/light up the Hill of The O'Neill & Ranfurly Houses Arts and Visitor Centre on Tuesday 15th October in support of Baby Loss Awareness Week.
- (ii) Illuminate/light up all designated properties on the 6th October in support of Motor Neurone Disease (MND) to mark 40 years since the Association was established.

PR148/19 NILGOSC Consultation on Proposed Amendment to Local Government Pension Scheme for Northern Ireland (LGPS NI)

The Director of Finance drew attention to the previously circulated report to provide Members with an update in relation to NILGOSC Circular 06/2019 issued on 19 July 2019 and to recommend a response to the NILGOSC consultation in relation to proposed amendments to the Local Government Pension Scheme Northern Ireland LGSP (NI), which was requested in Circular 06/2019.

Councillor Ashton asked if Members would have a conflict of interest in this issue.

The Director of Finance said that, in his opinion, there should be no conflict as he didn't think that Council's contribution to the consultation would result in any benefit being directed to elected Members or employees who were members of the Scheme, and in any event the response would be a corporate response by Council.

The Chief Executive agreed and said that Members, acting as Council, would derive no financial benefit in the same way that senior Officers would not when responding in that capacity.

The Chair noted that a lot of the proposed amendments were being driven by legal changes and that it appeared that the proposed amendments were just bringing things up to date.

Councillor S McPeake enquired if the National Association of Councillors could do a paper to help members understand the Scheme's investment policy.

The Director of Finance said that the Council would be responding by way of a consultation response but if Members wished he could go back and liaise with them to see if such a suggestion could be progressed.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

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

- (i) Members considering the two matters on which their opinion is sought at paragraphs 3.2.2.2.2 and 3.2.2.2.5 above, together with the proposed draft response to the consultation (previously attached).
- (ii) Subject to the amendment, if necessary, of the draft letter to reflect comments requested at (i) above, Council to adopt the proposed draft response to the consultation and authorise the officers to submit it to the DfC by the stated deadline of 30 September
- (iii) Human Resources Department to be alert to the potential future need to amend the Council's Policy discretions in relation to early termination of employment, etc.

Matters for Information

PR149/19 Minutes of Policy and Resources Committee held on Thursday 4 July 2019

Members noted Minutes of Policy and Resources Committee held on Thursday 4 July 2019.

PR150/19 Marketing & Communications Update

Members noted previously circulated report which provided an update on key areas of recent marketing and communications activity.

PR151/19 Annual Report, Self-Assessment and Benchmarking on the Performance Improvement Plan 2018/19

Members noted previously circulated report which provided an update on progress made towards the delivery of the 2018/19 (Year Two) Performance Improvement Plan (2017/18 and 2018/19) by way of a self-assessment report.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Forde
Seconded by Councillor Doris 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 PR152/19 to PR164/19.

Matters for Decision

PR152/19 Land Acquisitions and Disposals
PR153/19 Staffing Matters for Decision
PR154/19 Reservoirs Safety Management

- PR155/19 Transfer of Council Owned Lands Situated at Railway Park, Ballysaggart
- PR156/19 Agreements Required for the Purposes of Sewer Adoption for Mr Desmond Ryan in relation to Council owned Lands situated at Shore Road, Ballyronan
- PR157/19 Review of Financial Statements 2018-19

Matters for Information

- PR158/19 Confidential Minutes of Policy & Resources Committee held on Thursday 4 July 2019
- PR159/19 Staffing Matters for Information
- PR160/19 Managing Attendance
- PR161/19 Appointment of Political Members to PCSPs
- PR162/19 Financial Report for 3 months ended 30 June 2019
- PR163/19 Contracts and DAC
- PR164/19 Planning System Replacement Update

PR165/19 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.07 pm.

Chair _____

Date _____

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 September 2019 in Council Offices, Burn Road,
Cookstown**

Members Present

Councillor Buchanan, Chair

Councillors Brown, Burton, Cuthbertson, Glasgow,
Graham, McAleer, McFlynn, McGinley, B McGuigan,
S McGuigan, McNamee, Milne, Totten, Wilson

**Officers in
Attendance**

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr McNeill, Technical Services Manager
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Miss Thompson, Democratic Services Officer

**Others in
Attendance**

**Agenda Item 4 – Royal College of Occupational
Therapists**

Ms Lesslar, Northern Ireland Policy Officer, Royal College
of Occupational Therapists
Ms O’Loan, Royal College of Occupational Therapists
Board: Northern Ireland Chair
Ms Sharkey, Secretary to Northern Ireland Policy Officer
and Board

The meeting commenced at 7.00 pm

E177/19 Apologies

Councillor O’Neill.

E178/19 Declarations of Interest

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

Councillor S McGuigan declared an interest in agenda item 19 – Entertainment Licensing Applications – Killeeshil Community Centre.

E179/19 Chair’s Business

Councillor Cuthbertson referred to request he made in June for a paper to come to Committee in relation to training more officers who can issue fines for dog fouling. The Councillor stated that he realised there was a paper tonight which was for information but that he had requested in June that a paper be brought for decision.

The Director of Public Health and Infrastructure stated that the Committee can go through the paper brought tonight in greater detail later in the meeting.

Councillor Cuthbertson stated that it was his belief that all buildings should have a defibrillator and requested that the President Grant Homestead at Dergenagh should have a defibrillator sited on the outside wall of the building.

The Director of Public Health and Infrastructure stated that the request could be noted and considered.

The Head of Environmental Health stated that the NI Ambulance Service mapped where defibrillators are sited and that they would assess the area for need upon receiving a request.

Councillor Graham stated that a defibrillator is to be sited in a phone box on Dergenagh Road, which is close to the President Grant Homestead, and there would be no need for two defibrillators in such close proximity.

Councillor Cuthbertson again stated it was his belief that all buildings should have a defibrillator and that Council should be taking a lead.

Councillor McGinley stated he was unclear in the request being made in that Councillor Cuthbertson was stating that all buildings should have a defibrillator and then he seemed to be picking one location.

The Director of Public Health and Infrastructure stated that there was a working group in relation to defibrillators and it may be useful for a paper to come back to Committee advising where defibrillators are located in the District.

Councillor Cuthbertson stated he was happy to change his proposal to state that all Council facilities should have a defibrillator and that this should be Council policy.

The Director of Public Health and Infrastructure stated Councillor Cuthbertson's proposal may require a Council Motion.

Councillor Cuthbertson stated he was happy to bring a Council Motion however at the Council meeting it would likely be said that the matter should be referred to the Environment Committee.

Councillor McGinley asked if a report could be brought back to the Committee which explored the potential of siting a defibrillator at all Council facilities.

Councillor Cuthbertson stated that if there was agreement that the matter could proceed without the need for a Council Motion then he would propose that a report be brought back to Committee in relation to siting a defibrillator at all Council facilities. The Councillor requested that the report coming back to Committee should be for decision.

Councillor McGinley seconded Councillor Cuthbertson's proposal.

Resolved That it be recommended to Council that a report be brought back to Committee which explored the potential of siting a defibrillator at all Council facilities. This report should be for decision.

Councillor Burton referred to the work of the Cormac McAnallen Trust which offer free defibrillators and training and that it was an option for Council to investigate.

Councillor McAleer stated that a lot of community groups already have defibrillators and there was a need to check for duplication. Councillor McAleer stated she sat on the COSTA board which meets at the President Grant Homestead and she would raise the matter of siting a defibrillator at the Homestead at the next COSTA meeting.

Councillor McGinley referred to the Fire College at Desertcreat which had opened today and asked if Council had been represented at the opening and if so, who went. The Councillor expressed disappointment that a number of key people had not received an invitation to the event.

Councillor Wilson stated he became aware of the opening of the Fire College last week and had contacted Council officers in relation to same. Councillor Wilson stated that the Chair may have received an invite but that there was nothing further down the line. Councillor Wilson referred to previous meeting with the Fire Service in relation to the College in which the Fire Service spoke of working in partnership with Council but had then gone ahead with their event today and ignored Council.

The Director of Public Health and Infrastructure stated that officers were not aware of the event and had not been invited but would look into the concerns raised by Members.

Councillor McGinley requested that if it is found that invites to the event were limited that a letter be sent to the Fire Service expressing Council's disappointment.

Councillor Wilson stated that he intended to raise the matter again on Thursday at the Development Committee and would ask at that meeting that a letter be sent from Council.

Councillor McGinley stated he would withdraw his request as long as a letter was sent from Council to the Fire Service.

E180/19 Deputation – Royal College of Occupational Therapists

The Chair, Councillor Buchanan advised that the representatives from Royal College of Occupational Therapists had not yet arrived and that the Committee should proceed through the order of agenda and return to this item later.

Matters for Decision

E181/19 Proposed No Waiting at Any Time at Greenvale Park, Magherafelt

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting at Any Time at Greenvale Park, Magherafelt.

Proposed by Councillor Cuthbertson
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 at Greenvale Park, Magherafelt.

E182/19 Proposed No Waiting at Any Time – Moy Road, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed No Waiting at Any Time at Moy Road, Dungannon.

Proposed by Councillor Cuthbertson
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 at Moy Road, Dungannon.

E183/19 Proposed Removal of a Double Set of Speed Cushions, Killyman Road, Dungannon

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed removal of a double set of speed cushions, Killyman Road, Dungannon.

Proposed by Councillor Cuthbertson
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 removal of a double set of speed cushions at Killyman Road, Dungannon.

E184/19 NI Water Refillution Campaign

The Director of Environment and Property presented previously circulated report which sought approval for Council to participate in the NI Water Refillution campaign.

Councillor McGinley proposed the recommendation as per the officer report and stated that Council should be getting behind this type of campaign. Councillor McGinley asked if there had ever been a similar type of campaign undertaken with Council staff to encourage them to switch to reusable plastic bottles.

The Director of Environment and Property stated that reusable bottles have been issued through the Schools Programme however he took on board the Member's comments in relation to Council staff.

Councillor McGinley further proposed that an in house campaign in relation to promoting reusable bottles be undertaken for Council staff.

Councillor McAleer seconded Councillor McGinley's proposal.

Resolved That it be recommended to Council to support NI Water's Refillution campaign as outlined in report and that a similar campaign be carried out in house for Council staff.

Return to item

E180/19 Deputation – Royal College of Occupational Therapists

The Chair welcomed representatives from the Royal College of Occupational Therapists to the meeting and invited them to make their presentation.

Ms Lesslar outlined what Occupational Therapy was and that the Royal College of Occupational Therapists is the professional body for Occupational Therapy and represents over 33,000 Occupational Therapists across the UK. Ms Lesslar outlined how Occupational Therapy can assist with the delivery of Council's Community Plan and also how Council can support Occupational Therapy.

Councillor McAleer stated that Occupational Therapy can play a big part and that their input from the beginning can make a difference. The Councillor stated that Occupational Therapists based at GP surgeries would be good and referred to the current small number of carers who are not trained in the use of a hoist and therefore it cannot be used. Councillor McAleer felt that Council are forward thinking and referred to the recent changing places scheme at Knockmany. Councillor McAleer also referred to the high suicide rate in the Mid Ulster area and that Occupational Therapy have a role in helping to reduce this number.

Ms Lesslar stated that there are Occupational Therapists within schools and that they are becoming more aware of the issues. Ms Lesslar stated that Occupational Therapy has a role in work frailty and that more support could be given in the home. Ms Lesslar also referred to Bilbao, Spain which is a good example of how accessibility can be improved in towns and cities.

Councillor Cuthbertson asked what the timeframe is for referral to Occupational Therapy.

Ms O'Loan stated that the timeframe depends on the Trust and the service required but that it can be up to 18 months.

Ms Lesslar stated that the new Councils are now established and Community Plans are in place and there was now an opportunity to look at how Councils and Occupational Therapy can work together.

The Chair, Councillor Buchanan asked where training is given for Occupational Therapy.

Ms Lesslar advised that Ulster University is the only place in Northern Ireland where training is provided, that there were other providers in the Republic of Ireland and across the UK.

Ms O'Loan stated the majority of those trained in Northern Ireland will stay in Northern Ireland once qualified.

The Chair thanked the representatives from the Royal College of Occupational Therapists for their presentation.

Ms O'Loan thanked the Committee for the opportunity to present to them and stated that this was the first Council who had accepted their request to make a presentation. The representatives then withdrew from the meeting.

Councillor Burton stated that the former Council used to have a scheme in which someone who, for example, had had a stroke or heart attack for can get access to council facilities such as the gym or swimming pool. The Councillor asked if this scheme was still in place.

The Director of Public Health and Infrastructure advised that the GP referral scheme was still in operation.

Councillor Cuthbertson referred to the forthcoming meeting between Council and medical services and that tonight's discussion could be shared in that forum.

E185/19 The Roads Miscellaneous Provisions Act (NI) 2010

The Head of Environmental Health presented previously circulated report which sought determination on two road closure applications in connection with special events that are being held in September and October 2019.

Councillor McNamee referred to workshop held in relation to this legislation and comment from PSNI at that meeting in which they stated they would take organisers to court if an event was held without a road closure order being in place.

The Head of Environmental Health stated that if an event is being held that requires a road closure then the event organiser needs to apply for a road closure order. The officer stated that Council only has an admin function in relation to this legislation and that the Police are the enforcement body.

The Director of Public Health and Infrastructure advised that a paper would be brought to Committee in the near future outlining proposals for a possible revision and streamlining of the application process.

Councillor S McGuigan stated he still had concerns on the process and that PSNI are giving conflicting views as he was aware they had informed an event organiser to go ahead without making an application for a road closure and that they would not take any action. Councillor S McGuigan stated there was no clarity on whether an application was needed.

The Head of Environmental Health stated that there is a standard approach to applications from all 11 Councils, the only difference being how long it takes to be processed as some have delegated powers to issue the road closure order without the need for it to be brought to Committee.

Councillor S McGuigan stated his issue was not related to how long the process takes but if it needed to be gone through at all.

The Head of Environmental Health stated again that Council's role is administrative and if an application is submitted then it will be processed. If an event is held on a road without the necessary application being made then it is up to the Police to enforce.

The Director of Public Health and Infrastructure advised that it is ultimately a matter for the event organiser to satisfy themselves and their insurers as to whether they need to make an application for their event.

Councillor McFlynn stated that whilst there were grey areas she agreed that it was up to event organisers to ensure that an application is made if required.

Councillor McAleer asked how those who are organising event would be aware of what is required.

The Director of Public Health and Infrastructure advised that information and guidance is available and that the Police had indicated they would be willing to come to a meeting to provide advice on the legislation and when an application needed to be made for an event.

Councillors McNamee and S McGuigan stated there was still uncertainty amongst event organisers and that the wording of guidance was unclear.

The Head of Environmental Health stated it was up to event organisers to submit an application if it is felt required.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

- Resolved** That it be recommended to Council to agree to the issue of a Road Closure Order as specified under the Roads Miscellaneous Provisions Act (NI) 2010 for –
- (I) 'The School Run 19' on Saturday 28 September 2019 – The Order is to temporarily restrict all vehicular traffic using the following roads on Saturday 28 September 2019 between the hours of 10.15 and 13.00:
- Mountjoy Road, Brocagh from St Brigid's Primary School to its junction with Ballygittle Road
 - Ballygittle Road, Brocagh from its junction with Mountjoy Road to its junction with Lisclare Road
 - Lisclare Road, Brocagh from its junction with Ballygittle Road to its junction with Mountjoy Road
 - Coole Road, Brocagh, Coalisland

- Washingbay Road, Brocagh, from its junction with Coole Road to its junction with Doon Avenue
 - Doon Avenue, Brocagh from its junction with Washingbay Road to its junction with Ballybeg Road
 - Ballybeg Road, Brocagh from its junction with Doon Avenue to its junction with Mountjoy Road
- (II) 'The Fergal 10 Miler' on Saturday 19 October 2019 – The Order is to temporarily prohibit or restrict all vehicular traffic using the following roads on Saturday 19 October 2019 between the hours of 12.00 and 14.30:
- Broughderg Road from its junction with Keerin Road to its junction with Blackrock Road and Sixtowns Road.
 - Blackrock Road from its junction with Broughderg Road to its junction with Davagh Road.
 - Davagh Road from its junction with the Davagh Forest to its junction with the Broughderg Road

E186/19 Consultation Paper – Draft NI Animal Health and Welfare Strategic Framework

The Head of Environmental Health presented previously circulated report which sought views on the NI Animal Health and Welfare Strategic Framework. The report also contained proposed Council response to the consultation.

Councillor Glasgow stated he welcomed the consultation and the response outlined in report but would have some additional comments –

- To welcome that current standards should not be increased.
- That gaps in policy should be identified (use of previously discussed example in relation to goats).
- To welcome that the consultation has looked at the reliance of the livestock industry in Northern Ireland.
- To welcome investigations into the source of bovine TB.

The Head of Environmental Health stated she would incorporate the Councillor's comments into the response and recirculate to Members.

Proposed by Councillor Brown
Seconded by Councillor McAleer and

Resolved That it be recommended to Council to respond to the consultation on Draft NI Animal Health and Welfare Strategic Framework as set out at appendix 2 of report with additional commentary to be included in relation to identifying gaps in policies, looking at the source of bovine TB, the reliance of the livestock industry in Northern Ireland and that current standards should not be increased. Revised response to consultation to be forwarded to Members.

E187/19 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report regarding the naming of new residential housing developments within Mid Ulster.

Site off Gallion Heights, Moneymore

Proposed by Councillor Wilson
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Gallion Heights, Moneymore as Gallion Close.

Site off Coleraine Road, Maghera

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

Resolved That it be recommended to Council to name development off Coleraine Road, Maghera as Blackberry Hill.

Site off Castledawson Road, Magherafelt

Proposed by Councillor Totten
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to name development off Castledawson Road, Magherafelt as Ardpatrik Business Park.

E188/19 Entertainment Licensing – DfC Correspondence

The Head of Building Control presented previously circulated report which set out correspondence received from Department for Communities regarding issues relating to Entertainment Licensing.

Proposed by Councillor Wilson
Seconded by Councillor Brown and

Resolved That it be recommended to Council that the current arrangements are suitable and to approve the response as detailed at appendix 2 of report.

Matters for Information

E189/19 Minutes of Environment Committee held on 1 July 2019

Members noted minutes of Environment Committee held on 1 July 2019.

Councillor McNamee referred to meeting which was to be organised with PSNI in relation to damage to dual language signage and asked if there was a date arranged for this meeting.

The Director of Environment and Property advised that there had been difficulty in securing a date for this meeting but that he would follow up on the matter.

Councillor McNamee stated that the PSNI needed to be made aware of ongoing incidents.

The Director of Environment and Property that incidents have been reported to the Police and areas are being monitored.

E190/19 Environmental Health Department Food Service Plan for 2019/20

Members noted previously circulated report which set out the Environmental Health Food Service Plan for 2019/20.

The Director of Public Health and Infrastructure advised of correspondence from Food Standards Agency in relation to funding to Councils for EU Exit preparations. The Director advised that the Food Standards Agency have offered £97,460 for this financial year (2019/20) and that this funding is to be ring fenced for food safety delivery functions. The Director advised that this was a good news story and that officers will confirm they wish to draw down this funding.

Councillor Buchanan asked if extra staff would be required for preparations of UK leaving the EU.

The Director of Public Health and Infrastructure advised that officers were looking at how to best manage resources and whether this would require staff to be moved or getting additional staff.

In response to Councillor S McGuigan the Director of Public Health and Infrastructure advised that if measures were brought in quickly and at short notice then there would be a significant impact on local businesses and whilst Council would fulfil its requirements there may be gaps.

In response to Councillor McGinley the Director of Public Health and Infrastructure advised that the information brought tonight in relation to funding would be fed into the Council's Brexit working group.

E191/19 Award Winning Tooth Whitening Awareness Project

Members noted previously circulated report which advised about a recent project undertaken by the Environmental Health Service at Mid Ulster District Council in collaboration with the other 10 District Councils, the Department for Economy, and the Trading Standards Service for Northern Ireland, supported by the General Dental Council. The project highlighted the dangers of illegal tooth whitening.

E192/19 Litter and Dog Fouling Update

Members noted previously circulated report which provided update on the steps taken to deal with dog fouling and litter issues across the District.

In respect of earlier discussion in relation to the number of staff authorised to issue fixed penalty notices, the Head of Environmental Health advised that Environmental Health staff are currently authorised whilst other officers, such as park wardens, can record and provide the information needed to these officers to enable a fixed penalty to be issued. The officer advised that officers who observe littering or a person

allowing a dog to foul will collate information in order to pass to DVLA with a view to getting details related to vehicle registrations, Members were advised that if there is any information missing then DVLA will not give out the information, additionally, there are only two people in DVLA allowed to release the information. The Head of Environmental Health referred to two recent successful prosecutions and that these were achieved through information provided by officers outside of Environmental Health.

The Director of Public Health and Infrastructure stated that there was stringent data protection measures in place in relation to the information provided by DVLA and that this is strictly audited.

Councillor Cuthbertson stated that at the June meeting he had requested that a report be brought back to Committee which explored the possibility of increasing the number of officers authorised to issue fixed penalty notices and that tonight's report did not address this. The Councillor stated that he felt the current system was not working and asked if it was possible to increase the number of officers who can authorise fixed penalty notices. Councillor Cuthbertson also asked how many fixed penalty notices had been issued since the inception of Mid Ulster District Council.

The Head of Environmental Health advised that park wardens have books for recording details of littering which can be brought to the attention of Environmental Health Officers to progress therefore the outcome is the same even though the park wardens are not authorised. The Head of Environmental Health also highlighted that Environmental Health officers cannot issue on the spot fines which is not necessarily a disadvantage as the relevant information can be obtained through car registrations.

Councillor Cuthbertson asked if it was the case that unless littering is thrown from a car or a dog is put into a car following a walk then the offenders details cannot be traced.

The Head of Environmental Health stated that the DVLA require an offence to be witnessed by an officer or through information supplied through a public witness statement and that there needed to be enough evidence to take a matter to Court if required.

Councillor Cuthbertson asked if Council staff were at liberty to watch an offender going into a house. The Councillor also asked if there was no possibility of increasing the number of authorised staff as he felt it would be a good news story.

The Head of Environmental Health advised that all Environmental Health staff were authorised and that recording of details was possible in parks therefore the outcome is the same whether officers are authorised or not. The officer advised that staff could watch an offender entering a house in order to gain evidence.

Councillor Glasgow stated that although it was a good sign that the monitoring trials did not catch any offenders although evidence of historical dog foul was found he did not agree with the times the monitoring was carried out. The Councillor stated that there is a dog fouling issue and suggested that another two areas be trialled for monitoring in April and that this would send a message to the public that Council is taking the matter seriously.

E193/19 Drinking Water Quality Report for Northern Ireland 2018 – Mid Ulster District Council

Members noted previously circulated report which set out the Drinking water Quality Report for Northern Ireland 2018 – Mid Ulster District Council.

E194/19 Building Control Workload

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

E195/19 Entertainment Licensing Applications

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

E196/19 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.

E197/19 Dual Language Signage Surveys

Members noted previously circulated report which advised on the results of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage nameplate requests. Where more than 51% of occupiers that respond indicate that they are in favour of the erection of Dual Language Signage, nameplates will be erected. Where less than 51% of occupiers that responded indicate that they were not in favour of the erection of a Dual Language street nameplate, then the Dual Language nameplate will not be approved or erected.

E198/19 Eco Speak Competition 2019

Members noted previously circulated report which provided update on the annual Eco Speak Competition for Mid Ulster Primary Schools.

E199/19 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for January to March 2019

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter four of 2019/20, January to March 2019.

E200/19 Maghera Walled Garden Green Flag Award 2019

Members noted previously circulated report which highlighted the recent success at the Green Flag Awards for Maghera Walled Garden.

Councillor B McGuigan commended staff on applying for and achieving the Green Flag Award for Maghera Walled Garden. The Councillor stated it was a great facility which is getting good feedback.

E201/19 Energy Management Update

Members noted previously circulated report which provided update on Energy Management Certification for eligible properties owned by Council.

E202/19 RHS Britain in Bloom Awards

Members noted previously circulated report which advised of the RHS Britain in Bloom Awards being held in London on 25 October 2019.

E203/19 Cemetery Memorial Safety Programme Update

Members noted previously circulated report which advised on Council's Memorial Safety programme in Council's Cemeteries.

Councillor McGinley referred to the Old Cross Graveyard at Ardboe and that there was growing concern in relation to the gates into this graveyard which are currently being tied together with rope and also a number of headstones which are resting against a boundary wall as they are unstable.

The Head of Property Services took on board the Councillors comments and stated that the concern in relation to the gates and headstones would be investigated and that, in relation to the headstones the typical approach is to dig the headstone into the ground or to lay it flat which then removes the stability issue.

Councillor Burton referred to grass cutting in graveyards and in particular at Carnteel, the Councillor stated she had been advised that there seemed to be a long period of time between grass cuttings at this graveyard. The Councillor also asked if contractors were supposed to lift the grass that is cut.

The Head of Property Services stated that contractors do not lift the grass cut in graveyards but that he would look at the concern raised in relation to cutting and frequency of cutting at Carnteel.

Councillor Burton stated that when the grass cutting was done in house it was of a better standard.

Councillor Glasgow stated that when the grass is left to grow it then takes longer for it to rot away if it is not collected.

Councillor B McGuigan stated he had also received complaints regarding grass cutting in graveyards in his area.

The Head of Property Services stated that the issues raised tonight would be investigated. The officer advised that a tender is currently being prepared for grass cutting for next year.

E204/19 Update Report on Monolingual Road Nameplates

Members noted previously circulated report which provided update on the condition status of monolingual road nameplates across the district and associated repair costs following the annual summer survey.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E205/19 to E215/19.

Matters for Decision

- E205/19 Entertainment Licensing – Tomney’s Bar
- E206/19 Application for the Variation of a Stationary Street Trading Licence
- E207/19 Tender for collection, processing and recycling of rubble/hardcore
- E208/19 Contracts for Garden Waste and Paints
- E209/19 Recycling Centres – Environmental Compliance
- E210/19 Update Report on Crematorium Project
- E211/19 Tender Report – Appointment of a Vehicle Supplier
- E212/19 Extension of Third Party Contractors

Matters for Information

- E213/19 Confidential Minutes of Environment Committee held on 1 July 2019
- E214/19 Capital Projects Update
- E215/19 Off Street Car Parking: Quarter 1 2018/2020

E216/19 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.48 pm.

CHAIR _____

DATE _____

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 12 September 2019 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor Wilson, Chair

Councillors Ashton, Black, Burton (7.20 pm), Clarke (7.10 pm), Corry, Cuddy, Doris, Elattar, Hughes, Kearney, Kerr, McNamee, Milne and Monteith

Officers in Attendance

Mrs Campbell, Director of Leisure and Outdoor Recreation
Mr McCreesh, Director of Business and Communities
Mr Brown, Head of Tourism
Mr Hill, Head of Parks
Mr McCance, Head of Culture and Arts
Ms McKeown, Head of Economic Development
Mr McShane, Acting Head of Leisure
Mrs Grogan, Democratic Services Officer

Others in Attendance

Deputation: Lissan House Trust
Sharon Loughrin (Chair Lissan House Trust)
Mark Conway (Lissan House Trust)
Ryan O'Neill (Treasurer Lissan House Trust)

The meeting commenced at 7.00 pm.

D136/19 Apologies

None.

D137/19 Declaration of Interests

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

Councillor McNamee declared an interest in Community Development Report – Decade of Anniversaries – Cookstown INF.

D138/19 Chair's Business

The Chair, Councillor Wilson raised concern regarding the official opening of the new Fire College at Desertcreat on Tuesday. He said that none of the elected representatives from Mid Ulster District Council including the Council Chair had received an invite which was an outright snub to this Council and especially when the Council had acquired the land for the Fire Service in the first instance and worked extremely hard to encourage neighbouring properties to agree to the proposal. He said that the issue was raised at the Environment Committee on Tuesday night where

it was suggested that the Council write to the Fire Service to raising concerns, but firstly bring to the attention of the Development committee for their final recommendation.

Councillor McNamee agreed with the Chair's sentiments and stated that no MLA's or MP's from the area were invited and was disappointed as the Deputy First Minister, Michelle O'Neill signed the project off.

Councillor Kearney said that he raised the issue with the Communications Department and agreed that it was an insult to Councillors and especially Cookstown DEA's and stated that he was invited to the official opening to part of the new A6 where he was regally treated.

The Chair proposed to write to the Fire Service expressing this Council's dissatisfaction at being snubbed and felt although they may come back to say it was an oversight on their part and issue an invite for a later date that this would be too little too late and a downright snub to Mid Ulster District Council.

Proposed by Councillor McNamee
Seconded by Councillor Milne and

Resolved That it be recommended to the Council to write to the Fire Service expressing the Council's dissatisfaction regarding no representation from the Council being invited to attend the official opening of the new Fire Training College.

D139/19 Deputation: Lissan House Trust

The Chair, welcomed representatives from Lissan House Trust and invited them to make their presentation to the committee.

Ms Loughrin thanked members for the opportunity and advised that Lissan House had an impressive 4 centuries behind it but wanted to update members on what lies ahead.

Mr Conway stated that the house dated back to 1610, which had a unique story and a continuity within Mid Ulster for over 400 years and was one of the most historically significant and stunning landed estates in Ireland. The lands boast a 300-acre site with 12,500 cars visiting pa and 4,000/6,000 people. Following extensive restoration Lissan House opened its doors in the Spring of 2012 to reveal original interiors which boasted one of Mid Ulster's premier tourist destinations.

Councillor Clarke entered the meeting at 7.10 pm.

He stated that to break even they would require £60,000-£70,000 per annum and that presently their only income was coming from conacre, admissions, tea-room and events. Totally dependent on a tired/worn out volunteer group and minimal support from beyond the Lissan House Trust and with further disappointment from the planned LHT/Private Partnership now not proceeding.

Mr Conway concluded by saying that Lissan House was a sustainable base for the project with a meaningful local and civic ownership commitment and asked that the Council support the venture in any way they could.

The Chair thanked the representatives for their presentation and asked for any comments.

Councillor Kearney thanked the representatives for their presentation and said that he had visited Lissan House a few times and was an eye-opener to see first hand the potential t and also the difficulties faced.

Councillor McNamee advised that he visited Lissan House as Chair of Cookstown Council and met Ms Hazel Dolling, the last member of the Staples. He said that she lived in one room upstairs and that the house was very badly dilapidated and that shortly after that the Minister for Agriculture and Rural Development at the time Michelle Gildernew provided funding to restore the House. He enquired about the outbuildings and what condition they were in.

Ms Loughrin stated that the outbuildings are in a dire state of repair but that the main priority at the moment was to concentrate on the main building.

Mr Conway advised that when the house was opened up to the public it was absolutely freezing and couldn't do anything in the winter resulting in the Lissan House Trust securing a loan of £40k for a heating system with a repayment plan. He said that it is a catch 22 situation because if the house isn't warm enough people will not come and generate income that is so badly needed and if the heating was used this was costing money but there was a need to have the footfall to pay back the loan.

Councillor Burton entered the meeting at 7.20 pm.

Mr Conway stated that the roof was in a dreadful state and when potential heritage funding was secured and ready to proceed to fix outbuildings it was withdrawn at the 11th hour which was very disappointing and a danger that the outbuildings would collapse.

Councillor Milne enquired whether the Trust would consider leasing out the buildings.

Mr Conway said that the buildings were fenced off due to health and safety concerns and would cost a fortune to get them in a reasonable state of repair.

Ms Loughrin said that the main house is now used for mostly photographic purposes.

Councillor Corry enquired what kind of funding commitment would be required if the venture was to proceed.

Ms Loughrin stated that the financial requirement would be roughly £70k per annum, as the insurance alone was £900 per month. She said that insurance was expensive, and a lot of the public do not realise this as locals use the estate greatly and they have to be reminded of the potential dangers.

Mr O'Neill said that there were huge overheads and not enough money being generated to keep the project afloat. He said that there was a lack of resources for marketing and depend greatly on social media as it was a free advertising tool and would plead with the Council to help in any way they possibly can.

Ms Loughrin advised that they were in a fortunate position until last year as they were lucky enough to employ a Manager but there was no funding in the budget to continue with the employment and this is having an impact as there is no-one to answer phones and take bookings etc.

Mr Conway stated that money had been borrowed and had to be paid back resulting in a piece of land being sold to overcome this, but this resulted in payment for con-acreage decreasing.

Councillor Ashton enquired what the Lissan House Trust were requesting from the Council, i.e. revenue and capital funding or were they looking the Council to step in and take over the running of the venue.

Ms Loughrin said that the Trust would be looking for both really and were here tonight seeking for mercy from the Council looking financial funding at the top end or any help with promotion and diverting of phones to Council switchboards to help with the running of activities at Lissan House.

Mr Conway said that he was aware that the Council had huge financial commitments and also knows if funding was issued to them that everybody else would be looking the same thing but said that Lissan House was a precious commodity and there was a dire need for volunteers and hard cash to keep it going.

Councillor Cuddy enquired if the group had approached the National Trust as they supported the Argory.

Mr O'Neill advised that the group had approached them, but they have so many commitments to other places like Springhill and other places in the north west that at the moment they can not commit to anything else but may be interested in the land.

The Chair enquired what would happen the House if this project folds and where would it go to.

Mr Conway said that in 2006, Hazel Dolling, the last of the Staples of Lissan, left the house and estate to the Lissan House Trust, an independent charity tasked with the restoration and preservation of the property and if it folded then the charity would take it back it into their remit again.

The Chair thanked the representatives from Lissan House Trust for their presentation and at which they left the meeting at 7.30 pm.

The Chair, stated that Hazel Dolling, was very passionate about Lissan House and lived upstairs in the property. He said that it was a brilliant venue and that the Trust had to be commended for their work and felt that if the Council support this venture,

this could open up fantastic opportunities and would suggest the Officers take this away and investigate options to see if anything can be done to support the project.

Matters for Decision

D140/19 Economic Development Report

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

- **Mid Ulster Social Enterprise Programme 2020-2022**

Proposed by Councillor Clarke
Seconded by Councillor Doris and

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

- (i) Budget up to £90,000 (including expenses and excluding Vat) to be granted from Council's Economic Development budget over a period of 3 years (2020-2022) to develop and deliver a new Mid Ulster Social Enterprise Programme; and
- (ii) Officers to proceed to procure a suitably qualified organisation(s) to deliver the Mid Ulster Social Enterprise Programme (2020-2022).

- **Christmas Off Street Car Parking Charges – Dungannon & Magherafelt**

Proposed by Councillor McNamee
Seconded by Councillor Kearney and

Resolved That it be recommended to the Council 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 23rd November 2019 to Saturday 4th January 2020 (6-week period) at a cost of £23,400.

Councillor Kerr referred to the provision of car parking in Donaghmore to ease congestion and asked if an update could be provided.

The Head of Economic Development said an update would be provided at a future meeting.

Councillor Monteith said that 12 to 18 months ago the issue of carparking charges in town centres was discussed and the negative impact that this was having on the retail sector with this only getting worse as time goes on. He said that when traders were asked after their business ceased trading why they thought the cause of this was, they said that footfall had decreased due to car parking charges and that customers were going to areas where there was free car parking facilities.

He said that this wasn't just relative to the Mid Ulster District area but right across the board and felt that this needed revisited again and proposed it be investigated by Officers.

Councillor Ashton said that when free carparking was trialled at Castlehill, Dungannon, traders were up in arms complaining that people abused the system by parking all day in the centre of the town.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to the Council that the issue of carparking charges in town centres be investigated by Officers.

- **Coalisland Christmas Lights Switch-On Event**

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to the Council to approve the request for financial support received from CRAIC Theatre Company in Coalisland to the value of £4,200 to deliver the Coalisland Christmas Lights Switch-On Event, subject to Officers being satisfied with the proposals submitted.

- **Business in the Community Proposal**

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to the Council to approve the funding proposal received from Business in the Community for 'Transformational Level Support' in relation to delivering a range of activities during the intense 6-month pilot period from October 2019 – March 2020, at a cost of £3,300 + Vat.

- **Town Centre Visitor Information Points**

Councillor Monteith advised that he had no difficulty with the concept, but that there was static information which was out of date at tourist information points and the town centre had not the footfall. He said that the Council had sold off some of the bus shelters and should consider the option of taking them back into its ownership again, adding the use of adshels would provide visual information where the public tend to congregate, and not solely in town centres.

Councillor Monteith requested the locations of the visitor information points be provided and agreed at the next meeting.

Proposed by Councillor Cuddy
Seconded by Councillor Kearney and

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

- (i) Budget of up to £29,000 (excluding Vat) is granted from the existing Economic Development and Tourism budgets during 2019/20 for the purchase of 3 number visitor information kiosks to be located in Dungannon, Cookstown and Magherafelt town centres, subject to the locations being agreed at the next Development Committee meeting.
- (ii) Officers proceed to procure a suitably qualified organisation(s) to provide the 3 number visitor information kiosks, once the locations are agreed at the next Development Committee Meeting.

- **Cookstown, Dungannon and Magherafelt Branded Jute Shopping Bags**

Councillor Burton raised the issue of providing branded jute bags to other towns and villages and advised that Fivemiletown Chamber of Commerce and Castlecaulfield Horticultural Society were also keen to avail of the bags and enquired if this could be accommodated.

The Head of Economic Development said that the jute bags were focused on the three main towns who had their own town brands. She added that Council couldn't select one or two villages at random and provide bags to them, as all the other villages would want to avail of them too and there was no funding in the budget to provide such. In response to Councillor Burton's query on whether Council could purchase bags on behalf of the groups in Fivemiletown and Castlecaulfield if the groups agreed to provide the budget themselves, the Head of Economic Development added that she would liaise with Council's procurement team on the matter and seek advice. The Director of Business and Communities added that the Council could not purchase the bags on behalf of third parties, we could provide the groups with the contact details of where the bags can be procured.

Councillor Burton suggested that going forward that this could be considered for next year and felt that every village should have opportunity to avail of this scheme and not just the three main towns.

Councillor Monteith referred to the Branded Jute Shopping bags and Branded Town Centre Merchandise and proposed that Dungannon funding element be put on hold until the proposal from Dungannon Regeneration Partnership was resolved.

The Director of Business and Communities advised members that there was a limited budget within economic development and the focus of the town centre funding was concentrated on the 'retail core' to help develop the a retail core to develop with three large towns which in turn supports hundreds of retail jobs in local businesses.

He said that there was only money in the budget for the 3 main towns, and if this scheme was opened up to other smaller towns and villages we wouldn't have the resources to do so. He stated that if members wished, Officers could look at their budget next year to see if resources were available but added this would mean reducing funding to other town centre projects where Council is not 'formally

contracted to deliver', or alternatively members would have to make provision for additional funds in next year's estimates.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to the Council to proceed with the purchase of Branded Jute Shopping bags for Cookstown and Magherafelt and put on hold the budget for Dungannon Branded Shopping Bags until the proposal from Dungannon Regeneration Partnership was resolved.

- **Branded Town Centre Merchandise**

Resolved That it be recommended to Council to proceed with the purchase of Branded Town Centre Merchandise for Cookstown and Magherafelt and put on hold the budget for the Dungannon Town Centre Merchandise until the proposal from Dungannon was resolved.

- **PLATO Mid Ulster Programme 2018/19**

Resolved That it be recommended to the Council to note the PLATO Final Report and to approve the release of the final payment of £2,500.

- **Town Centre Enhancement Works**

Councillor Kerr referred to other areas and felt that villages should also be included in the scheme and suggested that this be investigated.

Proposed by Councillor Kerr
Seconded by Councillor Monteith

Resolved That it be recommended to the Council that options be investigated to include villages in the scheme.

Councillor Monteith referred to Moy residents raising concerns about the larger towns availing of enhancement schemes and felt that equality wasn't being shown towards smaller villages. He said there was a need to look towards a funding initiative for smaller villages and settlements as there was more to this Council than the 5 main towns. He further requested that Members be provided with a list of proposed locations for enhancement works in each town.

Councillor Burton said that she was aware an earlier Village Spruce Up Scheme was oversubscribed but felt that it was important to keep all villages and premises looking decent to encourage people to shop local.

Councillor Ashton said that there was a need to see what was coming back from the Villages Schemes and work on that.

Councillor Clarke said that the Village Renewal Scheme generates more funding into villages than any other scheme within the North of Ireland.

The Chair advised that this can be looked at when the time comes to set the budget.

The Director of Business and Communities said that currently there is not sufficient funds to undertake the proposed Town Centre Enhancement Works across all towns and villages this year, but if it was the will of members to undertake a much larger district wide scheme next year, then they would have to consider making provision for such in next year's budget estimates.

Resolved That it be recommended to the Council to approve:

- (i) Budget for town centre enhancement works of up to £100,000 across the towns of Dungannon, Cookstown, Magherafelt, Maghera and Coalisland from the existing Economic Development budget, subject to Members being provided with the locations of the proposed works in each town at a future meeting.
- (ii) From within the budget of £100,000, to seek tenders for the production and erection of hoarding around unsightly derelict/gap sites and/or replace some existing hoarding which is now in a poor state of repair, subject to Members being provided with the locations of the proposed works in each town at a future meeting.

- **Management and Leadership Network Event**

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to the Council to approve that Management and Leadership Network's request for a contribution towards sponsorship costs (venue hire and catering) of their MLN Mid Ulster event on 24 September 2019 with costs up to £1,040 excluding Vat, subject to Council support being acknowledged in the event promotion and post event publicity, and there being no charge to local businesses to attend the event.

- **NI Chamber of Commerce Networking Event**

Resolved That it be recommended to the Council to approve the NI Chamber of Commerce's request for a contribution towards the costs (venue hire and catering) to their Mid Ulster Business Networking event on 9 October 2019 in the region of £850 (excluding vat), subject to Council support being acknowledged in the event promotion and post event publicity, and the business fee waived for Mid Ulster businesses.

- **Full Fibre Northern Ireland (FFNI) Launch Event**

The Head of Economic Development advised that the launch scheduled to take place on 20 September 2019 was now postponed until a later date.

Noted.

- **Mid Ulster Business Excellence Awards 2019**

Resolved That it be recommended to the Council to approve that the two complementary tickets be allocated to the Council Chair and one Officer to attend the Mid Ulster Business Excellence Awards 2019 to be held on Wednesday 20 November 2019 at 7pm in Corick House Hotel & Spa.

- **Women in Business Conference and Awards Request**

Councillor Doris stated that it would be useful for members to be kept up to date on events and asked for more events to be brought to the Mid Ulster area.

Resolved That it be recommended to the Council to approve the contribution of up to £375 towards the 'Best New Start Up Category' at the Women in Business Awards and allocation of Council's complementary ticket to the Council Chair or his nominated representative to attend the Awards Evening on Thursday 7 November 2019 at 7pm in the Crowne Plaza, Shaw's Bridge Belfast.

- **Social Enterprise NI Awards 2019 & Conference 2020 Request**

Resolved That it be recommended to the Council to approve a contribution of up to £280 towards the 'Social Enterprise NI Awards 2019 and Conference 2020' and the attendance of the Chair, if he or his nominated representative, wishes to attend the Awards (subject to the availability of tickets) on Friday 11 October 2019 at 7pm at the Crowne Plaza, Shaw's Bridge, Belfast.

- **Mid Ulster Entrepreneurship Week**

Members noted proposal to deliver a Programme of events to mark Mid Ulster Entrepreneurship Week taking place during 18-22 November 2019.

- **Coalisland Town Centre Forum**

Members noted Coalisland Town Centre Forum Minutes (5 June 2019).

- **Business Improvement District Feasibility Study**

Councillor Monteith raised concern about the study findings and said that this did not reflect the views of the Dungannon Traders or Regeneration Partnership and asked to hold off on making a decision on this until the Dungannon Regeneration Partnership proposal is resolved.

Proposed by Councillor Monteith

Seconded by Councillor McNamee and

Resolved That it be recommended to the Council to put this on hold until the Dungannon Regeneration Partnership proposal is resolved.

Councillor McNamee agreed there was no appetite for BIDS in Cookstown either.

- **Cookstown Continental Market Evaluation Report 2019**

Members noted Evaluation Report on Cookstown Continental Market 2019.

- **Mid Ulster Town & Village Business Spruce Up Scheme**

Members noted progress regarding Mid Ulster Town & Village Business Spruce Up Scheme.

Councillor Kerr said that he had been approached by Traders in Coalisland regarding some areas of the town being excluded from the scheme and requested that the boundaries be looked at again as some Traders were struggling and may have to make staff redundant before Christmas. He said that it was necessary to include all the other areas on a point of equality.

Councillor Ashton said that she would support Councillor Kerr's comments and that some Traders were in the same position outside Dungannon but added that it was unlikely the scheme boundaries could be changed at this stage.

The Head of Economic Development advised that the scheme is currently open to applications and that the boundaries cannot be moved at this stage.

The Chair advised that the deadline to apply to the scheme was next Wednesday and indicated if the scheme was delivered again in the future, boundaries could be reviewed then.

- **5G Rural Connected Communities Grant Competition**

The Director of Business & Communities advised that it would be beneficial for Mid Ulster District Council to work with colleagues from other Council areas as a collective for a strong voice across the region.

Councillor Ashton stated that she attended a very direct broadband meeting with the Department of the Economy last Monday night and said that it would be unwise to spend our resources before seeing where this goes and working as a collective for a better deal.

Proposed by Councillor Ashton

Seconded by Councillor Clarke and

Resolved That it be recommended to the Council to approve:

- (i) That Officers explore the possibility of submitting a bid to the 5G Rural Connected Communities grant completion through the Full Fibre NI Network.
- (ii) To procure any specialist technical expertise deemed necessary to assist with the bid preparation.

- **Invest NI – Flexible Workspace Loan Scheme**

Members noted update on Invest NI – Flexible Workspace Loan Scheme.

- **DAERA Rural Policy Framework Objectives and Interventions – MUDC Draft Recommendations**

Resolved That it be recommended to the Council to approve Mid Ulster District Council's draft recommendations to DAERA on their Rural Policy Framework Objectives and Interventions.

- **Mid South and West Region Growth Deal**

Councillor Monteith raised concern regarding no engagement with the wider bodies and for Councillors there has been no invitation to any update meetings for those members which are not on the Governance Working Group. He said as Independent Councillors, Councillor Kerr and himself were being excluded and would not be supporting any proposals being brought forward.

Councillor Kerr said that as Independent Councillors they have a mandate and this mandate was being excluded from this and would also not be supporting the project.

The Director of Business and Communities said that four elected members had been appointed to the Governance Working Growth Group and next week there was a meeting being held in Craigavon with information being fed back to members.

Councillor Monteith reiterated that Councillors were being excluded and were not being made aware of what rate-payers money was being spent on and would not be part of it.

Councillor Cuddy said that he depended on his Party Leader to keep them up date and that Members all agreed to this and although nothing was perfect, we wouldn't want to be missing out on this through squabbling as there was a need to move forward on this.

Councillor Monteith said that he wasn't arguing that the Committee couldn't work through this but felt that there should be regular work-shops organised to keep all members up to date.

Councillor Ashton agreed with Councillor Monteith and advised that she hadn't received any invitations either to any update meetings.

Councillor Kearney said that there was an excellent meeting held at the Hill of The O'Neill and would be looking forward to the one next week and stated that it would be important to let all members know what was happening and said that any updates would be reported back.

Councillor McNamee said that a meeting was held last year with Mr Philip Orr, who owns the Market Rights in Cookstown. He said that it would be beneficial to move this forward as Cookstown on a Saturday was like the Wild West with everyone parking everywhere. He asked if there was any update and if not could the Head of Development touch base with him to progress the matter.

The Head of Development said she would seek clarification from Mr Orr and provide an update at a future meeting.

Councillor Burton referred to Aughnacloy Market and said that it was dying on its feet and said that other Councils like Coleraine do fantastic work in working with Market Traders and felt that this should be the case for our Council also. She said that very little assistance was being provided by this Council to Aughnacloy and Dungannon Farmers Market and that 30 years ago Aughnacloy was thriving every second Wednesday with a fair day on one side and car-boot sale on the other side which encouraged people to recycle their items. She said that there was still lots of interest in this type of market trade. She stressed that Dungannon Farmers Market was struggling and felt that this Council should be looking at supporting small businesses to encourage new crafts, fresh food and produce.

The Chair said that Aughnacloy was a designated area and should be looked at.

D141/19 Community Development Report

The Director of Business and Communities presented previously circulated report and provided an update on the following:

Councillor Monteith said that it would be important to have a review on grants before they go through in January.

In response to Councillor Black's query regarding the budget and where things sat, the Director of Business and Communities advised that the Community Development budget was in the region of £1.6m and although an expenditure profile is determined, it never runs exactly how you profile as groups sometimes cannot deliver their project when they anticipate. He said that there were no concerns at the moment and that all funding is generally allocated to over the different grant funds with no shortage of uptake. He advised that Officers were doing their best to ensure the budget is maximised across Mid Ulster.

- **Rolling Grants Awards – Good Relations and Local Community Festivals**

Proposed by Councillor McNamee
Seconded by Councillor Kearney and

Resolved That it be recommended to the Council to approve the Rolling Grant Awards – Good Relations and Local Community Festivals as per grant recommendations in Appendix 1 of the report to a value of £17,606 and Decade of Anniversaries Grant Awards.

- **Community Development Update**

Members noted Community Development Update.

D142/19 Proposal to Name the Sensory Garden at Seamus Heaney HomePlace

The Head of Culture and Arts presented previously circulated report and sought approval to name the sensory garden at Seamus Heaney HomePlace ‘The Back Yard Sensory Garden’

Proposed by Councillor Milne
Seconded by Councillor Kearney and

Resolved That it be recommended to the Council that approval be given to the naming of the garden area to the rear of Seamus Heaney HomePlace at Moyola Hall, currently The Sensory Garden, to ‘The Back Yard Sensory Garden’.

D143/19 Forest Service NI Consultation Forestry Planning in the East Fermanagh/East Tyrone Area

The Head of Parks presented previously circulated report and sought approval for the consultation response being carried out by Forest Service Northern Ireland (FSNI) – Scoping a new forestry plan for forests in East Fermanagh and East Tyrone.

Councillor Kerr asked that Altmore be included in this and requested that consideration be given to inviting Cappagh Village Regeneration Group to a future meeting to make a presentation.

Councillor Burton referred to Lumford’s Glen and said that it was important to try and bring it back to what it was as it had become very dilapidated and dangerous after recent bad weather which caused landslides.

Councillor Doris enquired why Drumcaine Forest wasn’t included in the study.

The Head of Parks referred to the Memorandum of Understanding between the Mid Ulster District Council and Forest Service and advised that although Drumcaine wasn’t on the list it still was included the Council’s improvement scheme as there was a generative response in our outdoor recreation strategy which will be in the scope.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That it be recommended to the Council to respond to consultation as per Appendix 1 and to confirm that the Council will continue partnership

working arrangements to expand opportunities for the development of Forest Recreation in East Fermanagh and East Tyrone. This continued development will be managed under the scope of the current Memorandum of Understanding (MoU) between Mid Ulster District Council and Forest Service NI and delivered through the creation of new Licence and Lease Agreements for identified properties within the catchment of scoping area.

The Chair raised concern regarding admission charges by the Forestry Service and Council having no justification in the matter and felt that it would be beneficial to issue an invite for representatives to attend a future meeting on the criteria for charges.

Proposed by Councillor Wilson
Seconded by Councillor Monteith and

Resolved That it be recommended to the Council to issue an invite to representatives from the Forest Service to attend a future meeting to get clarification on admission charging for Forestry Parks.

D144/19 Mid Ulster District Council and DAERA (RDP/TRPSI) Capital Works Programme

The Head of Parks presented previously circulated report and sought approval for Council to take forward Capital Projects under the MUDC/DAERA/Rural Development and TRPSI Programme. The Council to act as lead partner for Rural Development Projects, with Mid Ulster Rural Development Partnership (the LAG) as co-applicant regarding to the following:

Councillor Ashton referred to issue of capital funding and advised it had been brought to Policy & Resources Committee seeking the release of additional funding and enquired where we are with the capital fund and the timeframe as the Council has made a significant contribution for maintenance programme at the last Policy and Resources meeting and whether this was ringfenced within the budget.

The Director of Leisure and Outdoor Recreation advised that work has being ongoing with the Officer team identifying significant match funding and requirements would be uncertain as projects needed to be further developed. She said that this was DAERA's funding but there was a need for investment from Council to meet the overall budget requirements. This would be brought to Policy & Resources Committee for approval.

Councillor Ashton stated that there was a need for an officer collective across all departments as there was a significant request brought for approval to P&R Committee by the Environment & Properties department last week and felt that members on the P&R should be furnished with the full picture as this was a regular occurrence.

Councillor Doris enquired if Officers could investigate for the next committee meeting the potential for 24-hour toilet facilities at Washingbay.

Councillor Monteith referred to the major project for Railway Park and advised that this scheme was due to commence in October or November but unfortunately there has been an issue with the landowner and suggested that a Dungannon DEA meeting be arranged to discuss.

- Ballyronan Marina – Refurbishment Works
- Washingbay Wetlands Park
- Portglenone Angling Stands
- Davagh Forest Mountain Bike Trails – Extension
- Maghera Outdoor Recreational Facilities
- Fivemiletown Round Lake
- Moydamlaght

Proposed by Councillor Corry
Seconded by Councillor McNamee and

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

- (i) Progress with the identified Capital Works Programme as detailed in the report.
- (ii) Engage, tender and procure the necessary IST Capital Works contractors, where necessary, in order to deliver the programme of Capital Works as proposed, subject to confirmed funding confirmation (LoO).
- (iii) Endorsement to present listed projects and Capital Funding request to P&R Committee for approval.
- (iv) Dungannon DEA meeting to be arranged to discuss Railway Park Scheme as a matter of urgency.

D145/19 Sports Representative Grants

The Acting Head of Leisure presented previously circulated report and sought approval for grant allocations for the Sports Representative Grant – Team and Individuals.

Proposed by Councillor Monteith
Seconded by Councillor McNamee and

Resolved That it be recommended to the Council to agree the Sport Grant Allocation in relation to the Individual and Team Representative Grant and to approve the transfer of £6,000 from the Sports Capital Grant Programme.

D146/19 Schools Sports Facilities Grant

The Acting Head of Leisure presented previously circulated report and sought approval for the Schools Sports Facilities Grant 2019/20.

Proposed by Councillor Ashton
Seconded by Councillor McNamee and

In response to Councillor McNamee's query, the Acting Head of Leisure advised that there has been no update on expansion of Mid Ulster Sports Arena.

Resolved That it be recommended to the Council to roll out the Schools Sports Grant programme as in previous years with funding from an underspend in the current Grant programmes.

D147/19 Update on Capital Projects – DAERA Funding

The Head of Tourism presented previously circulated report to update members on the progress of the Capital Projects funded by DAERA at Davagh Forest and Ballyronan Marina.

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to the Council that approval be given to relocate the on-water glamping pods project from The Round Lake in Fivemiletown to Ballyronan Marina. To work up the full application to be submitted to DAERA on or before 31 December 2019, for the Ballyronan Marina site.

D148/19 Darina Allen Visit

The Head of Tourism presented previously circulated report which outlined the planned visit to the region in October by Darina Allen, Ballymaloe and Caroline Hennessy, Head of the Irish Food Bloggers Association and member of the Irish Food Writers Guild. The Invest NI Collaborative Growth Programme and the Seamus Heaney cluster members to coordinate this visit.

Proposed by Councillor Milne
Seconded by Councillor Kearney and

Resolved That it be recommended to the Council to proceed with the event to promote and showcase the Seamus Heaney Cluster and Food Producer across Mid Ulster. Darina Allen to also take part in book signing in Seamus Heaney HomePlace as part of her visit.

D149/19 Corporate Events 2019

The Head of Tourism presented previously circulated report to provide an update on the change of date for the Dungannon Annual Christmas Lights Switch On from Saturday 23 November 2019 to Friday 22 November 2019 to allow a local community group to participate in an event.

Councillor Doris asked if Officers could investigate for next year the option of Coalisland Christmas Lights Switch On being changed to a Friday evening instead of a Sunday.

Councillor Monteith declared an interest in the Dungannon Switch on as a member of the Thomas Clarke GAC.

Proposed by Councillor Monteith
Seconded by Councillor Cuddy and

Resolved That it be recommended to the Council to change the date of the Christmas Lights Switch On in Dungannon to Friday 22 November 2019.

D150/19 Stone Mountain Highland Games

The Head of Tourism presented previously circulated report and sought permission to attend Stone Mountain Highland Games in Atlanta, Georgia, promoting the Presidential Trail that includes US Grants Homestead.

Proposed by Councillor Cuddy
Seconded by Councillor Kearney and

Resolved That it be recommended to the Council that approval be granted for one member of staff to attend Stone Mountain Highland Games with Tourism Ireland in October 2019.

Matters for Information

D151/19 Minutes of Development Committee held on 3 July 2019

Members noted Minutes of Development Committee held on 3 July 2019.

The Chair referred to issue which was raised at last month's Development Committee regarding VE Day commemorations in the District and advised that a report would now be brought to October meeting.

Councillor Cuddy enquired if contact had been made with representatives from Killeeshil and it was anticipated that there would be a lot of visitors coming over and there was a need to develop this.

The Director of Business & Communities said that there was work underway and that a full report would be brought to committee in October.

D152/19 2019 Summer Activities

Members noted update on 2019 Summer Programme of Activities.

D153/19 US Ulster Scots Familiarisation Trip

Members noted update on US Ulster Scots Familiarisation Trip to Northern Ireland (3-day trip 23rd-26th September 2019 (visiting US Grant Ancestral Homestead as part of the 3-day trip).

Councillor Ashton said that it would be worthwhile issuing an invitation to the US Consulate General Belfast, Ms Elizabeth Kennedy Trudeau, to coincide with the visit.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Cuddy
Seconded by Councillor McNamee 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 D154/19 to D157/19.

Matters for Decision

- | | |
|---------|--|
| D154/19 | Tender Report for the Appointment of a Contractor to Deliver the Mid Ulster Transform Programme |
| D155/19 | Review of Hill of The O'Neill & Ranfurly House Arts & Visitor Centre Education Programme Charges |
| D156/19 | Department for Communities Access and Inclusion Programme 2019/20 |

Matters for Information

- | | |
|---------|---|
| D157/19 | Confidential Minutes of Development Committee held on 3 July 2019 |
|---------|---|

D158/19 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.30 pm.

CHAIR _____

DATE _____

Report on	Conferences, Seminars & Training
Date of Meeting	26 September 2019
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 2019-20 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	Approval for Consideration of Attendance by Elected Members 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.
3.2	Officer Approvals There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix B to this report is sought.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications Financial: Costs to be set against Members 2019/20 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member

	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 Member Conferences, Seminars & Training Appendix B Officers Approvals

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NILGA Code of Conduct Training	Wednesday 2 October 6.30pm – 8.30pm	Ranfurly House, Dungannon	Travel and subsistence	Cllr Graham
NILGA - Changing Places: <i>Planning, Place-shaping and Place-making in Northern Ireland</i>	Tuesday 8 October 2019 9.30 am – 4.00 pm	Killyhevlin Hotel Enniskillen	Travel and subsistence	Cllr Burton, Glasgow, Graham, S McPeake
NILGA Code of Conduct Training	Monday 25 November 6.30pm 8.30pm	Town Hall, Bangor	Travel and subsistence	

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
National Association of Councillors Northern Ireland Region (Conference AGM)	Friday 4 October 2019 at 11:00am	Glenavon House Hotel, Cookstown	Travel and subsistence	Cllr Colvin
Chartered Institute of Housing: delivering affordable homes in NI	Monday 14 October 2019	Skainos Centre, Belfast	Conference fee £150 Travel and subsistence	
Play Matters Because Play Builds Children	20th November 2019	Crowne Plaza, Belfast	Conference cost £95 plus travel and subsistence	

***Code of Conduct Awareness Sessions for Councillors
Facilitated by the Local Government
Commissioner for Standards***

***Mossley Mill, Newtownabbey
29th August 2019, 10.30-12.30pm***

***Ranfurly House, Dungannon
2nd October 2019, 6.30-8.30pm***

***Bangor Townhall
25th November 2019, 6.30-8.30pm***

Representatives of the Local Government Commissioner for Standards will discuss how they deal with allegations that councillors have breached the Code of Conduct. They will outline a councillors responsibilities under the Code and explain in practical terms how councillors can maintain compliance. Case studies will be used to illustrate a number of points and help understanding.

A question and answer session will follow. Please note, staff from the Commissioner's Office cannot at any time discuss individual cases.

***Hosted by NILGA with support from the LGTG
(Local Government Training Group), these FREE events are open to all
Elected Members. Councils should put forward names of interested
members to Amy McGrath at a.mcgrath@nilga.org.***

Disclaimer

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

DRAFT AGENDA

Changing Places: *Planning, Place-shaping and Place-making in Northern Ireland*

**8th October 2019
Killyhevlin Hotel
Enniskillen**

Draft Agenda

Changing Places: *Planning, Place-shaping and Place-making in Northern Ireland* 8th October 2019, Killyhevlin Hotel, Enniskillen

Time	Topic	Speaker
9.30 – 10.00	Registration, tea and coffee	
10.00 – 10.05	Welcome to Enniskillen	Fermanagh & Omagh District Council
10.05 – 10.10	Welcome from NILGA and outline of the day	Cllr Steven Corr, Chairperson - NILGA Place-shaping and Infrastructure Network
10.10 – 10.40	Keynote Address Shaping NI: The role of the Department of Infrastructure in delivering well-being through regional place-shaping activity (planning policy, roads infrastructure, flood mitigation)	Katrina Godfrey Permanent Secretary DfI
10.40 – 11.10	Keynote address <i>Planning, Place shaping, Place making</i> New Civic Leadership: The power of place and the co-creation of public innovation	Prof Robin Hambleton, University of the West of England, and Urban Answers
11.10 – 11.20	<i>A place for questions....</i>	
11.20 – 11.45	Tea, coffee and networking	
	Growing Places	
11.45 – 12.00	A place to live – The future of housing in Northern Ireland	Prof Paddy Gray, Emeritus Professor of Housing - Ulster University
12.00 – 12.15	Thriving places – Local job creation and sustainability	Noelle McAloon Enniskillen BID Manager
12.15 – 12.30	Growing places? Addressing the infrastructure deficit	Sara Venning, CEO, NI Water
12.30 – 12.45	<i>A place for questions....</i>	
12.45 – 1.30	Lunch and networking	
	Green Places	
1.30 – 1.45	Enjoyable Places – Building social capital/community use of public space	Adam Turkington Seedhead Arts
1.45 – 2.00	Beautiful places – Caring for our environment	Dr Ian Humphrey Keep Northern Ireland Beautiful
2.00 – 2.15	Adaptable places – Building local resilience in a climate emergency	David Lindsay Ards and North Down Borough Council
2.15 – 2.35	Greening Places – Derry City Council Green Infrastructure Plan (video)	Dr Christine Doherty Derry City and Strabane District Council
2.35 – 2.45	<i>A place for questions...</i>	
2.45 – 3.00	Tea, coffee and networking	
	Going Places	
3.00 – 3.15	Connecting places - Transport planning	Peter Morrow Aecom
3.15 – 3.30	Connecting business – The digital infrastructure to deliver economic success	BT - <i>Invited</i>
3.30 – 3.45	Smart places – Smart cities and Innovation	Deborah Colville
3.45 – 4.00	Places to remember – Developing sustainable tourism infrastructure	David Jackson Causeway Coast and Glens Borough Council
4.00 – 4.15	<i>A place for questions...</i>	
4.15 – 4.30	Conference round up and close	Derek McCallan NILGA CEO

This event is **FREE** for NI Elected Members and Officers but numbers are limited to 6 per council. We would ask all councils to confirm in advance the names of those attending. NILGA will try to accommodate all enquiries.

Completed booking forms should be returned to events@nilga.org by the 24th September 2019.

NILGA Changing Places: Planning, Place-shaping and Place-making in Northern Ireland

**8th October 2019
Killyhevlin Hotel
Enniskillen**

BOOKING FORM

PLEASE NOTE:

Places at this event are limited so early booking is recommended.

Contact name of person responsible for bookings _____

Council: _____

Email: _____

Contact telephone number: _____

Council nominations

Full Name	Position	Dietary / Special requirements

Completed booking forms should be returned to events@nilga.org by the 24th September 2019.

**Northern Ireland Local Government Association
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Annual General Meeting

Date & Time: Friday 4 October 2019 at 11:00am
Venue: Glenavon House Hotel
52 Drum Road
Cookstown BT80 8JQ

Directions can be found here: <https://glenavonhotel.com/contact-directions/>

Timetable

10.00am	Registration, networking and refreshments
11:00am	Welcome and introductions to NAC UK, NILGA, LAMA & AILG
11:25am	Guest Speaker – Andrea Winders – Disruptieve.
12:05pm	Comfort break
12:15pm	AGM – Agenda below
1:00pm	Lunch
2:00pm	Meeting concludes

AGM Agenda

1. Apologies
2. Minutes of AGM 2018
3. Proposed Resolutions
4. Treasurer's Report
5. Secretary's Report
6. Chairman's Report
7. Stand down of Officers
8. Election of Officers
 - i. Chair
 - ii. Secretary
 - iii. Treasurer
 - iv. Senior Vice-Chair
 - v. Junior Vice-Chair
 - vi. Executive Committee – 7 other members
 - vii. Women's Representative
9. Date and location of the next Members' Meeting

Councillors wishing to attend should register by sending an email to: naoc@btconnect.com



Delivering genuinely affordable homes in Northern Ireland

Skainos Centre, Belfast • Monday 14 October

Morning chair: professor **Paddy Gray**, Ulster University

Section 1:
Defining the problem

Session includes:

- An update on government policy in this area from a senior representative from the **Department for Communities**
- Insights into the approach taken by the **Affordable Housing Commission** from the Commission secretary, **Paul Hackett**
- A Q&A session

Section 2:
Setting a baseline

Session includes:

- Contribution from **Joe Frey**, UK **Collaborative Centre for Housing Evidence** (CaCHE) and **Dr Martina McAuley**, **Housing Rights** with the launch of CaCHE supported research on Local Housing Allowance rates in Northern Ireland
- An update from **Eileen Patterson**, **Chartered Institute of Housing NI** on CIH's Rethinking Social Housing project
- Discussion about the affordability issues in the owner occupied housing sector from **Co-ownership**
- A panel discussion including representatives from the **Equality Commission for Northern Ireland** and the **Northern Ireland Human Rights Commission**

Afternoon chair: **Gráinne Walsh**, Housing Rights

Section 3:
Approaches elsewhere

Session includes:

- Insight from **Steve Stride** into the approach taken by **Poplar HARCA** in London
- An update on the **Wheatley Group's** experience of Midmarket Rent from **Tom Barclay**
- A Q&A session

Section 4:
Adapting an NI specific approach

Session includes:

- Contribution from **Karen Smyth** at **NILGA** on the challenge and opportunities of planning for affordable housing
- A presentation from **Seán Cullen** at **Belfast Housing Lab** on a community based response to the affordability challenge
- A panel discussion

Play Matters

Because Play Builds Children

PlayBoard NI Conference 2019

20th November 2019

Crowne Plaza, Belfast



Prices:

Member: £75

Non Member: £95

Play happens wherever children are, at home, in their neighbourhood and in their community. But not all children and young people growing up today have the same chances in life. For many children, their local environment offers great opportunities for play, recreation and hanging out with friends, supporting their hopes for a great future. For others, their experience is all too often one of play deprivation, poverty, inequality, environmental hazards and even conflict.

The responsibility to make things better lies with civic leadership, our government, local authorities and civil society, indeed all of us working together to lay the necessary foundations for cities, towns and communities, to fulfil the rights and needs of our youngest citizens.

This year our conference focuses on play as a key building block of childhood. Our keynote speakers and workshop facilitators will engage policy makers and resource providers, local leaders and civil society, offering all an opportunity to join hands and collectively develop strategies to make our cities, towns and local communities better places for children and young people to learn, grow and play.

Only by making the communities where children live places where they feel safe, secure and nurtured will they be able to flourish. Attending this conference you may be able to play your role in ensuring a brighter, playful future for every child in Northern Ireland.

Conference Speakers:

Jacqueline O'Loughlin
PlayBoard NI - Chief Executive

Alan Herron
PlayBoard NI - Director of Service Delivery & Development

Stella O'Malley
Psychotherapist and best-selling author

Felicitas zu Dohna
Arup - Senior Consultant

Helen Dodd
University of Reading - Professor of Child Psychology

Grainia Long
Belfast City Council - Commissioner for Resilience

Joanna Brown
Safeguarding Board for Northern Ireland - Implementation Manager for Education

Derek Baker
Department of Education - Permanent Secretary

For more information visit our website:

www.playboard.org/playboard-conference-2019/

Appendix Approval Sought – SEPTEMBER COUNCIL

Conference & Seminar	Date	No. of Attendees	Location	Attendance Fee (Yes/ No)
RTPI Annual Conference	17th September	1	Belfast	Yes
Chartered Institute of Waste Management Conference	24th September	2	Belfast	Yes
Royal Vernacular Conference	26th & 27th September	2	Oxford Island	No
The 'Game Changer' Conference	30/9/19	1	Belfast	Yes
Protect & Prepare Conference	2nd October	1	Stafford, England	Yes
Royal Institute Chartered Surveyors NI Conference	12/11/19	1	Belfast	Yes
Northern Economic Growth Conference	21/11/19	1	Manchester	Yes

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 26 September 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's <i>Civic Honour and Receptions Policy</i> .				
2.0	Background				
2.1	The policy was reviewed and subsequently agreed at April 2018 Council. All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.				
2.2	<p><u>Recognition</u></p> <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					

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

Appendix A: July 2019 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
Kayleigh Mulholland	KPMG Irish Kids Golf Tour's All-Ireland Trophy, Druids Glen Girls 10 And Under First Place	Cllr B McGuigan	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Jack McKee	KPMG Irish Kids Golf Tour's All-Ireland Trophy, Druids Glen Boys 7 Competition	Cllr Totten	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Holy Family Primary School, Magherafelt	Guinness World Record Holders 2018	Cllr Totten	<ul style="list-style-type: none"> Attained an outstanding achievement award 	For: N/A Date: N/A

Ellie Conway	Fleadh Cheoil 2019 12-15 Tin Whistle Champion	Cllr McFlynn Cllr Totten	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Kathryn Mullan (Ni Mhaolain)	Fleadh Cheoil 2019 Senior sean-nós singing competition went to Kathryn Ní Mhaolán	Cllr Kearney Cllr B McGuigan	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Dungannon CCÉ (Craobh Uí Néill)	First place at the Ulster Fleadh in July 2019 Class 26C	Cllr B Monteith	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
BT45 Barbers	L'Oreal Men's Image Awards 2019 Northern Ireland Region	Cllr Totten	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Gary McCoy	2018 Irish & Ulster Supertwin Champion 2018 Irish, Ulster & Moto 400 Champion	Cllr Wilson	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Augharan Pipe Band	RSPBANI UK & All Ireland Grade 4A Champions	Cllr Wilson	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A

Tullylagan Pipe Band	Grade 3B World Champions	Cllr Buchanan Cllr Bell Cllr Wilson	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: Drum Corp received civic reception category for achievements in 2017 Date: May 2018
Damien Campbell	Irish Indoor Bowling Association Indoor Bowls Short Mat All Ireland Champion of Champion Triples 2018/19	Cllr Bell	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Ellie Rose Cassidy	Dublin Horse Show 148c National Pony Champion	Cllr D McPeake Cllr McFlynn	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Alice Grimes	World Dance Championship Represented Country	Cllr Quinn	<ul style="list-style-type: none"> Representing Country at International Level 	For: N/A Date: N/A
Darren Sutton	Television Academy 2017-2018 Primetime Emmy Awards Honors - Game of Thrones Sculptor	Cllr Monteith	<ul style="list-style-type: none"> Outstanding Achievement Award 	For: N/A Date: N/A
Dance Dynamics	World Dance Masters Competition Club Members attained 17 First Places at the recent competition in Blackpool	Cllr M Quinn	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A

J D Dancers	World Dance Masters Competition Club Members attained 11 First Places at the recent competition in Blackpool	Cllr N Doris	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Clogher & District Pipe Band	Ulster Grade 3A Piping and Drumming Champions	Cllr T Wilson	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Members of Ulster GAA Wheel Chair Hurlers Coach: Shane McCann Players: Colm Brady Danhan Hughes Martin Corey Harry Turkington John McElhatton Barry McElhatton	All Ireland Wheel Chair Hurling Champions 2019 M Donnelly GAA Wheelchair Hurling Inter Provincial League	Cllr Doris	<ul style="list-style-type: none"> • Won first place at a competition level in their relevant field 	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
Danielle Hamilton	Member of Inverary Pipe Band Grade 1 World Champion Band	Cllr Wilson Received Civic Award 28.9.17 as a drummer with Inverary Band Band is based in Scotland
Marcus Wenlock	Member of Inverary Pipe Band Grade 1 World Champion Band	Cllr Wilson Band is based in Scotland
D Chesney J Chesney M Nelson G Crooks C McClean V McClean A Newell R Maloney A Hopper R Black	Member of Closskelt Pipe Band Scottish & NI Grade 2 Champion of Champions British & UK Grade 2 Champions	Cllr Wilson Band is based in Co Down
Naomh Colmcille	County Tyrone Junior Hurling Championship	Cllr Doris Cllr O'Neill

Eoghan Ruadh Hurling Club	County Tyrone Senior Hurling Championship	Cllr Doris
Eoghan Ruadh Hurling Club	County Tyrone Champions League Champions 2019 Teams: Seniors, Minors, Under 16s and Under 14s	Cllr Monteith

Report on	Consultation from Department for Communities Consultation Paper on 'Definition of Affordable Housing'
Date of Meeting	26th September 2019
Reporting Officer	Sinead McEvoy – Head of Development Plan
Contact Officer	Chris Boomer – Planning Manager

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	The purpose of this report is to provide members with details of a consultation from the Department for Communities (DfC) Consultation Paper on 'Definition of Affordable Housing,' and a response to the consultation.
1.2	The consultation commenced on 24 th June 2019 for 12 weeks, and officially closed on 13 th September 2019.
2.0	Background
2.1	Following notification of the consultation to the July Council meeting, it was agreed that an all member workshop be organised to prepare a response to the consultation, and that the officers who prepared response to Housing Executive Chronic Homelessness Action Plan consultation, be invited to workshop.
2.2	The workshop took place on Thursday 8 th August 2019, at 5.30pm, in the Council Chamber, Council Offices, Cookstown, and the discussion that took place is reflected in the response attached at Appendix 1.
2.3	Due to the fact that the consultation formally closed on 13 th September 2019, the response at Appendix 1 was presented to the September Planning Committee, and subsequently issued to DfC to ensure that our comments are registered before the consultation closed.
2.4	Members will note that in the response to DfC we requested that opportunity is given to amend, or supplement, the attached response by 30 th September 2019, following the September Council meeting, should members so desire. DfC have responded to confirm that they are content to accede to this request.

3.0	Main Report
3.1	We welcome the opportunity to re-consider the definition of the phrase ' <i>affordable housing</i> ' as set out within the Strategic Planning Policy Statement (SPPS), adopted since September 2015.
3.2	The existing accepted definition of ' <i>Affordable Housing</i> ' within Northern Ireland is set out through Regional Planning Policy. There is no legal definition and therefore no legal requirement on Local Government to apply or consider the term, except through the Local Planning Authority requirement to <i>take into account</i> the SPPS document.
3.3	Until the term has a legal definition stipulated in Primary Legislation, and Secondary Regulations, within Northern Ireland, there will continue to be ambiguity regarding the meaning of the said ' <i>umbrella term</i> '.
3.4	Whilst this council welcomes the consultation; it has some serious concerns which are summarised below and reflected in our answers to the specific questions attached at Appendix 1. These are:
3.5	<p>a. The timing of the consultation which has been over the summer and when most councils take a summer break. It has not been possible to present this response to our full council in advance of the consultation closure and therefore we have requested that the opportunity is given to amend or supplement these comments by 30th September 2019 if our elected members so desire;</p> <p>b. The models of provision presented appear too narrow and the council would welcome a study looking at publically provided housing in the EU, particularly the Netherlands and Germany, where the public sector provides top end housing in order to generate subsidies for those in need;</p> <p>c. There is particular concern at the suggested amendment to include privately provided housing within the definition. Unless properties were subject to a legislative regime and publically overseen, we do not believe, the appropriate controls are in place to generate proper governance. It is also inappropriate to ask the planning system to take on this task;</p> <p>d. While the scope of affordable housing may increase, the council is concerned that in the absence of detail, it is unclear how resources will be prioritised to ensure that those in the greatest need come first.</p>
3.6	In conclusion, therefore, Mid Ulster District Council invites the Department for Communities / NIHE to explain its priorities for resources and present robust legislation to regulate and enforce the provision of good quality decent homes.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: None identified
	Human: None identified
	Risk Management: None identified
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The consultation document has been subject to an Equality Impact Screen by DfC.
	Rural Needs Implications: The consultation document has been subject to a Rural Impact Assessment by DfC.
5.0	Recommendation(s)
5.1	Members are requested to note the contents of this report and attached response, which has already been issued to DfC. Members are asked to agree that the attached response at Appendix 1 can be confirmed to DfC as the response of this council.
6.0	Documents Attached & References
	Appendix 1 – Affordable Housing Consultation Response



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid Ulster District Council
Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN
Tel – 03000 132 132
Email – planning@midulstercouncil.org

Definition of Affordable Housing consultation
Housing Supply Branch
Department of Communities
Causeway Exchange
Level 3
Belfast
BT2 7EG

Ref:
Date: 09 September 2019

Dear Sir/Madam,

Re: Consultation Response to ‘Definition of Affordable Housing’

Introduction

Mid Ulster District Council welcomes the opportunity to re-consider the agreed definition of the phrase ‘*affordable housing*’ as set out within the Single Planning Policy Statement (SPPS), adopted since September 2015.

It is timely to review this definition in light of recent changes to UK government legislation on the issue of housing, planning and particularly, the social rented sector and private rented sector. Mid Ulster District Council wish to draw the Department’s attention to the Housing (Scotland) Act 2014¹ and Housing (Wales) Act 2014². The Council has serious concerns regarding the lack of an up-to-date and sound legislative basis for the fundamental issue of Housing within Northern Ireland, at a Regional level and at District Electoral Area level, at local level.

It is vital that the Northern Ireland Executive, the Department for Communities, the Department for Infrastructure and all other associated Government Department’s realise that Northern Ireland is in a housing crisis now. The subsequent impact the housing crisis is having on the people of Northern Ireland in terms of access to physical and mental health services, schools and education services, other public services has been profusely underestimated. There is a serious issue of accessibility and availability of good quality homes for those households who have qualified for Social Rented Homes.

¹ The Housing (Scotland) Act 2014

² The Housing (Wales) Act 2014

The existing accepted definition of 'Affordable Housing' within Northern Ireland is set out through Regional Planning Policy. There is no legal definition and therefore no legal requirement on Local Government to apply or consider the term, except through the Local Planning Authority requirement to *take into account* the SPPS³ document. Until the term has a legal definition stipulated in Primary Legislation and Secondary Regulations within Northern Ireland, there will continue to be ambiguity regarding the meaning of the said 'umbrella term'.

Whilst this council welcomes the consultation; it has some serious concerns which are summarised below and reflected in our answers to the specific questions. These are:

1. The timing of the consultation which has been over the summer and when most councils take a summer break. It has not been possible to present this response to our full council and therefore **it is requested that the opportunity is given to amend or supplement these comments by 30th September 2019 if our elected members so desire**;
2. The models of provision presented appear too narrow and the council would welcome a study looking at publically provided housing in the EU, particularly the Netherlands and Germany, where the public sector provides top end housing in order to generate subsidies for those in need.
3. There is particular concern at the suggested amendment to include privately provided housing within the definition. Unless properties were subject to a legislative regime and publically overseen, we do not believe, the appropriate controls are in place to generate proper governance. It is also inappropriate to ask the planning system to take on this task.
4. While the scope of affordable housing may increase, the council is concerned that in the absence of detail, it is unclear how resources will be prioritised to ensure that those in the greatest need come first.

In conclusion, therefore, Mid Ulster District Council invites the Department for Communities / NIHE to explain its priorities for resources and present robust legislation to regulate and enforce the provision of good quality decent homes.

Q1 Do you think the current definition of affordable housing needs amended?

Yes. The Council agree that the current definition as set out in Regional Planning Policy is not adequate for modern day client (household) requirements. Further detailed consideration needs to be given to the demographic changes of household size, the person(s) age, personal mobility (physical and financial), and accessibility to health services and education services. There is an adherent need for a wide variety of housing type, with outcome based monitoring focused on the client's needs not the suppliers products.

The proposed alternative definition is not specific, measurable, achievable, realistic or time bond.

Specific Comments:

³ The Planning Act (NI) 2011

The Council agree that the definition of *Social Rented Housing* which is to be retained as per page 114 of SPPS under Glossary section. It is a concise, well-established definition and all stakeholders understand the interpretation of the term.

The Council strongly disagrees with the statement made in paragraph 5.1. Reference has been made to '*new construction methods*', this will not impact on the volume of local people who are currently in housing stress, or affect the availability and accessibility of good quality social rented homes. The Council requests clarification regarding the terms '*New Government Funding Streams*' and '*Housing Association desire to diversify and grow?*'

The Council draws particular attention to the reference to private developers opening up opportunities for new affordable housing. No evidence has been included or referenced to within the paper to substantiate this statement.

The Council recognises that the needs of local people within Mid Ulster, consisting of a wide variety of households, is not, adequate. The commercial private rented, to let and buy housing market is difficult to access in terms of financial affordability. It is therefore the financial situation of the individual householder(s) that is key to the philosophy behind '*affordable housing*' not the physical built form.

It is essential that Government Department's such as the Department for Communities, accept that local affordable housing needs are determined on the financial affordability of local households, i.e. the ability of a person or a household to access financial support whether it is through co-ownership, shared ownership or right to buy, or other alternative financial supporting mechanism. Affordable Housing cannot be measured in '*residential units*', it must be measured on the individual householder(s) need to access a decent home.

Within Mid Ulster, by the Council has acknowledged that there is a major issue regarding the affordability of rent whether it is social rented homes or private rented homes, which is causing a distinct rise in homelessness, including hidden homelessness. The proposed changes to the term '*Affordable Housing*' will not change this fact.

Intermediate Housing: as defined within SPPS, lacks clarity, is easily misinterpreted. This has led to confusion. The definition of Intermediate Housing within the SPPS is restricted to 'shared ownership' and 'co-ownership' financial support options for a household who rents and owns a home. This paper suggests that this definition should include other forms of financial support options, which are only available to households, who are eligible to access them.

Unfortunately, the paper focuses on the physical product i.e. residential unit but not the actual circumstances of the resident, or rather the person(s) and households under housing stress. The key issue is the ability of the person(s) to access financial support to rent or buy a home in which to live. Affordable housing needs to relate to the person not the physical building.

There is a serious possibility that by broadening the definition of to include a wide range of affordable construction products i.e. affordable for the private sector to

construct, that those most in need of a home (including the homeless) maybe overlooked. None of the suggested products as set out on pages 21-22 and 24 will reduce the chronic lack of financially affordable homes within Mid Ulster and Northern Ireland. Such products are often beyond the means of many of those on lower incomes or the social housing need register. The proposed inclusion of these products will only serve to exacerbate further the real issue, which is lack of access and availability of social rented homes for local people, who either do not wish to purchase, or cannot purchase due to personal circumstances.

This model envisages that the private sector will bring forward an adequate supply of good quality homes at a reduced commercial market rent or purchase value to meet local housing needs, this is an unrealistic prospect given the private sector build housing (residential units) to make profit, it is a business. demand, however, as previous attempts to introduce similar affordable housing policies in other jurisdictions in the UK have shown, private developers have cited concerns around financial viability (through the use of Viability Assessments) as a reason not to include affordable housing within their schemes.

Q2 Do you agree with the overarching principles and objectives that have been identified?

No. The proposed principles and objectives are acceptable in that they provide a basis for discussion. However, there is a serious lack of detail within this consultation paper. There is no detailed mechanism for managing, monitoring or reviewing the methodologies for measuring the identified indicators for dPfG Outcome 8 and 11. There is no clear definition of '*housing stress*' and no methodologies for accurately measuring this ambiguous term.

All of the suggested affordable housing models within this paper focus on person(s) wishing to purchase their home. There is no suggested option for those who wish to remain in social or private rented homes. The suggested housing products do not provide an adequate range of choice required by the client, households or individuals. In light of the statements regarding the DfC's and NIHE ever-reducing financial resources and ability to fund the construction of new social rented homes, it is apparent that NIHE and the DfC, will advocate for the private developer to fill the existing housing gap. This is not an acceptable resolution to the existing housing crisis within Mid Ulster and the Council would contend that any existing financial resources must be allocated in full to social rented homes, either by purchasing existing vacant buildings for retrofitting and reuse as homes for rent or by constructing new homes specifically for social rented sector.

Specific Comments:

Mid Ulster has the second lowest number of NIHE and Social Housing properties across all districts in Northern Ireland. The latest statistics (March 2018) show that of those who applied to NIHE for Social Housing within Mid Ulster only 18.5% received a housing allocation. Mid Ulster has the 5,463 NIHE and Social Housing properties. This is the second lowest across all districts. To make matter worse up to March 2018, NIHE and Housing Associations have sold 7,552 units under the house sales scheme, further reducing the availability of social rented housing stock in the district.

Mid Ulster's population growth has outpaced the NI average between 2001 and 2013 as the population has grown by 19% (compared to NI growth of 8%), the supply of social rented homes has not kept pace with the demand for social rented housing, this coupled with the governments' continued use of 'Right to Buy' policy, all points to a deteriorating situation wherein the numbers of those identified within housing stress is likely to grow.

Paragraph 7.10 suggests that local planning authorities will have adequate resources to manage, monitor and enforce appropriate planning conditions to ensure new construction products under the guise of 'affordable housing' remain financially affordable and available to those most in need or under housing stress. This is not a realistic, achievable or viable option.

Mid Ulster District Council holds the view that planning conditions should not be viewed as a panacea to secure Social Rented Homes or Intermediate Housing Products under the umbrella of *affordable housing*. Planning can only provide an opportunity at the point at which permission is granted to ensure social housing is provided by a housing authority. After this point it is the housing authority's responsibility to ensure the housing remains affordable.

Q3 Do you agree with the proposed revised definition?

No.

Specific Comments:

Page 21, Paragraph 7.1, of the consultation paper sets out the alternative proposed definition, our comments relate to this statement:

The first sentence refers to the term '*outside the general market*'. The proposed phrasing lacks clarity. It will be difficult to measure a client-focused outcome without an agreed interpretation of the suggested phrasing.

The Council suggests the wording utilised by the Chartered Institute of Housing⁴, who recognise the term as:

'A home provided by a statutory body, Registered Housing Association or other organisation on a not-for-profit basis at a below commercial market rent'.

Mid Ulster District Council welcome the inclusion of the second sentence regarding the need for the public subsidy, whether it is provided by the Northern Ireland Housing Executive, a Registered Housing Association, the Local Council or other statutory body, be repaid and recycled. It is vital to the sustainability of social rented accommodation financial support, that all monies lent shall be repaid, and recycled. This will facilitate the continued access to and, availability of, social rented homes, for those households and person(s) who need a home.

The Council has considered the proposed inclusion and are content in principle that it will ensure:

⁴ Rethinking Social Housing Final Report, Chartered Institute of Housing, June 2018

- value for money for government subsidies (financial support); and
- the retention of social rented homes and, to an extent, co-ownership and shared ownership for those seeking to get on the property ladder.

If the ultimate aim of an amended definition of affordable housing is to provide clarity to all stakeholders then there must be adequate detail provided, particularly in terms practical mechanisms to ensure a sustainable approach to management, monitoring, delivery and enforcement. The Council contends paragraphs 7.5, 7.8, and 7.10, as viable options for the delivery of adequate quality homes for local households and individuals.

Paragraph 9.4 of the consultation document highlights the ongoing engagement with local councils in respect of LDPs and stresses the importance of complementarity between the work of DfC and the Councils in relation to the definition of affordable housing. It must be noted that DfC in their response to Mid Ulster's Draft Plan Strategy failed to provide any comment relating to Mid Ulster's proposed affordable housing policy.

Q4 Are there products that we should consider for inclusion as examples of affordable housing.

No specific products.

At this time the Council considers that, the existing range of options available and accessible to clients (local people) in terms of social rented homes is seriously inadequate. The utilisation of the umbrella term hides the fact that there are insufficient numbers of socially rentable homes built by the NIHE and Registered Housing Associations. It is clear that the social rented housing is in a crisis, both in terms of access and availability.

The Council draws the Department's attention to the need to provide adequate legislative control mechanisms and regulations for the following:

- A new Housing (NI) Act in line with Scotland and Wales;
- Fixed Rents for Privately Rented Homes;
- A Private Rented Landlord Register;
- Review of the Local Housing Allowance Levy.

Furthermore, the Council requests that DfC:

- Publish the review on consultation paper Social Housing Allocations and other recent relevant consultation papers;
- Require NIHE, DfC and Registered Housing Associations to publish vacancy rates in terms of Social Rented Homes, by District Electoral Area;
- Review and provide an agreed explanation of the methodology utilised to ascertain the term 'Housing Stress'.

What is critical is that planning professionals have a fixed set of criteria which enables them to consider, whether or not, a development proposal constitutes '*affordable housing*' on a case by case basis. Furthermore, in order to provide clarity, it is essential

that the Northern Ireland Housing Executive has the oversight role of determining the Affordable Housing need, both social and intermediate housing, within each Council area.

Q5 Do you agree with our proposed definition for Low Cost Housing without subsidy?

No. The Department cannot rely on the private sector to 'fill the gap' which is the need for social rented homes.

Specific Comments:

Paragraph 7.6 defines Low Cost Housing without subsidy '*as housing that priced at or below the average house price for the council area, as reported by LPS Northern House Price Index Report and which is provided without any Government funding and offered for outright sale.*'

The key to delivering such housing is the viability of any scheme for the private developer. If the circumstances of a particular site are such that it remains financially unattractive to a potential developer then it is unlikely that any Low Cost Housing will be forthcoming during the Local Development Plan period.

Furthermore, in order to circumvent a planning policy requirement for a certain percentage of affordable housing within a scheme, a developer may demonstrate that a development proposal is unviable. In such circumstances the local authority can either accept a reduced contribution of affordable housing from the developer or refuse the scheme altogether. In either scenario a proportion of the much needed Social Rented homes will not come to fruition.

Q6 Do you consider that low cost housing without subsidy should be included in a new definition of affordable housing?

No. It is not a viable option for sustainable Social Rented Homes. It does not make financial sense for the private commercial sector to invest in below commercial market value house building, as such developers are commercial businesses and will be focused on the economic viability of a development i.e. profit margin.

However, it may be an option for Intermediate Housing, which can be purchased by the client through co-ownership or shared ownership with the developer. It would be subject to the Private Commercial rental and purchase markets.

Without central government intervention or financial subsidy however, the amount of new housing brought forward under such schemes is likely to be negligible.

Q7 What are your views on retaining affordable homes?

Mid Ulster District Council agrees with the requirement to retain social rented homes, through sustainable and accountable management of this limited resource. It is paramount that financial subsidises and receipts from the sale of affordable/social

housing are recycled back into the social rented homes to maintain existing housing stock availability.

Mid Ulster District Council are not opposed to the notion of selling housing executive or housing association properties to their occupiers. What is important is ensuring that the finance from sales are directed to replacing or providing social housing where there is need.

Specific Comments:

Paragraphs 7.7 – 7.10 however, imply that this could be achieved by way of planning conditions. This is an issue that needs a separate regulatory regime and is not something for the planning authority to regulate.

Q8 Are these the right target groups or are there other groups we should consider?

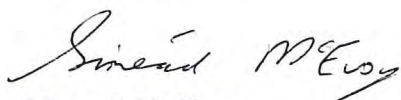
This paper ignores those in society who live in Social Rented Housing, either through necessity or by choice. There needs to be a government focus on not only those people on lower incomes who cannot afford market housing but also those people in the most acute need of housing, with restrictions such as income limits.

Mid Ulster District Council also considers that there needs to be a government focus on the housing needs of older people. In the context of an ageing population it is important that provision is made for affordable, specialist accommodation which caters for the elderly in our society who are in need of care due to a reduced ability to perform some tasks. A government focus on housing provision for this section of society would help reduce pressure on the demand for general social rented housing. Such specialist housing would also be likely to provide health and well-being benefits and reduce feelings of isolation for its residents.

It is important that the definition and target groups encompass provision for supported purpose built housing (supported living) to provide for a range of vulnerable people including people with disabilities and older people. Supported living can be by way of homes in a cluster environment with supported care, or more residential shared living with onsite care.

Whilst Mid Ulster District Council welcomes in principle the broadening of options available to those who wish to enter the housing market, the target groups mentioned above should not be ignored.

Yours sincerely



Sinead McEvoy
Head of Development Plan
On behalf of Dr Boomer, Planning Manager

Report on	Amendment to Part 2 of the Council's Constitution – Responsibility for Functions
Date of Meeting	26 September 2019
Reporting Officer	Claire McNally, Council Solicitor
Contact Officer	Claire McNally, Council Solicitor

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 seek Members' approval in relation to amending the Terms of Reference for the Planning Committee.
2.0	Background
2.1	The Terms of Reference for Committees ("the Terms") provides information on the constitution and functions delegated to the various committees. The Terms can be found in Part 2 of the Constitution – Responsibility for Functions and were agreed in March 2015.
2.2	Upon review of the Terms it was deemed appropriate for the Terms of Reference in relation to delegation to the Planning Committee to be redrafted. This is to ensure there is no ambiguity regarding the Planning Committee's functions. A redraft is to also that the Terms of the Planning Committee accurately reflect the scope and remit of the Planning Committee, which is best placed to consider, debate and decide on planning matters.
3.0	Main Report
3.1	The current Terms of Reference in relation to the Planning Committee is attached at Appendix 1.
3.2	<p>It is proposed that paragraph 3.4.4 of Appendix 1 in relation to what is delegated to the Planning Committee, is replaced with the following wording:-</p> <p>"3.4.4 Functions Referred <i>The following functions are referred to the committee:-</i></p> <ol style="list-style-type: none"> <i>1. The Planning Committee is responsible for the exercise all of the Council's planning functions, excepting those matters which are expressly delegated to officers under the Council's Scheme of Delegation on Planning Matters, or reserved to full Council.</i> <i>2. In relation to those functions that are reserved to full Council, the Planning Committee is responsible for considering business and making recommendations to council on those matters, which is:-</i>

	<ul style="list-style-type: none"> • <i>The approval of the Council's Local Development Plan.</i> <p>3. <i>The Planning Committee is responsible for the monitoring of the Council's Local Development Plan on an annual basis in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan.</i></p> <p>4. <i>The Planning Committee is responsible for responding to consultations in relation to planning issues, including; (i) any development plan documents, policies, strategies, etc. in adjoining authorities; (ii) on regionally significant or major applications to be determined by the Department; (iii) on any planning guidance, policy, or legislation; and (iv) any other matters which have significant implications for land use and physical development."</i></p>
3.3	Members will be aware that there is a separate Scheme of Delegation on Planning Matters which deals with those matters that are delegated to the Planning Manager. The proposed changes in this report does not affect that Scheme, however, it is envisaged that the Scheme of Delegation will also be reviewed in due course.
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: N/A</p> <p>Human: N/A</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>N/A</p>
4.3	<p><u>Risk Management Implications</u></p>
5.0	Recommendation(s)
5.1	That Members approve the amendment to the Terms of Reference of the Planning Committee as detailed in Section 3.1 of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Terms of Reference of the Planning Committee – March 2015

3.4 Planning Committee

3.4.1 Constitution

The Planning Committee will comprise 16 Members of Council appointed using the Quota of Greatest Remainder (QGR) as provisioned for within Sc. 2 of the Local Government (NI) Act 2014.

3.4.2 Chair

The committee will have a Chair and Deputy Chair and be appointed by the Council at its Annual Meeting as positions of responsibility under Part 3 of the Local Government (NI) Act 2014.

3.4.3 Quorum

Business shall not be transacted unless at least one third of the whole number of the committee is present. Six members shall be present.

3.4.4 Functions Referred

The following functions are referred to the committee:

1. Consider planning applications made to the council and decide whether or not they should be approved in line with Scheme of Delegation for Planning Applications. Notwithstanding this, the following powers are delegated to the committee:
 - Applications which fall within the Major category of development
 - An application for planning permission where the application is made by the council or an elected member of the council
 - The application relates to land in which the council has an interest/estate
2. Participate in the preparation of the Mid Ulster Local Development Plan
3. Approve the local development plan before it is passed by resolution of the council
4. Monitor Local Development Plan on an annual basis in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan
5. Consider and determine the serving of an Enforcement Notice, Stop Notice, and Listed Building Enforcement Notice.

Report on	Correspondence to Council – Sept 2019
Date of Meeting	Thurs 26 th September, 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Carolyn Harris MP (Swansea East)</p> <p>The MP for Swansea East has corresponded with the Chief Executive to confirm that a Children's Funeral Fund is being implemented in England, following similar funds already in place in Wales and Scotland. Correspondence confirms that she has contacted the Permanent Secretary in the Department for Communities and the Secretary of State for Northern Ireland asking that Northern Ireland be brought into line with the rest of the UK. Appendix A.</p>
3.2	<p>Correspondence from Chief Fire & Rescue Officer, NI Fire and Rescue Service</p> <p>The Chief Fire & Rescue Officer of the NI Fire and Rescue Service has corresponded with the Chief Executive providing clarification on the Service's Interim Service Delivery Arrangements. Correspondence confirms that the Interim service Delivery Arrangements being employed will not affect fire stations in the Mid Ulster District Council area. Appendix B.</p>
3.3	<p>Correspondence from Northern Ireland Housing Executive – Traveller Working Group</p> <p>The Regional Manager, South of the Housing Executive has responded to the Council Chair in response to his letter in relation to the attendance of NIHE officials at meetings of the Mid Ulster District Council Traveller Working Group. Appendix C.</p>
3.4	<p>Correspondence from the Secretary to the NI Housing Council</p> <p>The Secretary to the Housing Council, on behalf of the Chair of the NI Housing Council has requested that the August Housing Council Bulletin, and all future Bulletins be circulated to all councillors at forthcoming council meetings. Appendix D.</p>

3.5	<p>Correspondence from the Chief Executive, Newry, Mourne & Down District Council</p> <p>The Chief Executive of Newry, Mourne & Down DC has corresponded with the Chief Executive of Council to confirm that it has passed a motion expressing its opposition to plans being introduced by the BBC on the provision of TV Licencing for the over 75's. Appendix E.</p>
3.6	<p>Correspondence from Legal & Civic Services Department, Belfast City Council</p> <p>The Chief Executive of Council has received correspondence from Belfast City Council giving notification of a motion carried by its council in the area of Equal Protection for Children legislation, with specific reference to championing the inclusion of equal protection for children in the Programme for Government. Appendix F.</p>
3.7	<p>Correspondence from Permanent Secretary, Department for Health</p> <p>The Permanent Secretary of the Department for Health has responded to the Council Chair on the council queries raised when the Council submitted its response to the regional consultation on Stroke Services. Appendix G.</p>
3.8	<p>Correspondence from Assembly Leader and Vice-President, Sinn Fein</p> <p>Ms Michelle O'Neill MLA has corresponded with the Council Chair to commend Mid Ulster District Council on the carrying of the motion at its June 2019 meeting regarding the need to continue welfare mitigations. Appendix H.</p>
3.9	<p>Correspondence from Chief Executive, NI Housing Executive</p> <p>The Chief Executive of the NI Housing Executive has corresponded with the Council Chair following his notification to the Executive that Mid Ulster District Council carried a motion commending the #FDANODELAY campaign that recognises persons living in hostels and other temporary accommodation as homeless. Appendix I</p>
3.10	<p>Correspondence from Northern Ireland Office, DAERA and Irish Government</p> <p>The Chair of Council, Cllr Kearney has received correspondence from the Secretary of State for Northern Ireland, the Permanent Secretary of DAERA and the Minister for Foreign Affairs & Trade in response to the carrying of a motion by Council calling for a <i>"....central all-Ireland register for animal abusers"</i>. Appendix J (i-iii).</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable

	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	<p>Appendix A: Carolyn Harris MP (Swansea East)</p> <p>Appendix B: Northern Ireland Fire & Rescue Service</p> <p>Appendix C: Northern Ireland Housing Executive</p> <p>Appendix D: Housing Council</p> <p>Appendix E: Newry, Mourne & Down District Council</p> <p>Appendix F: Belfast City Council</p> <p>Appendix G: Department of Health</p> <p>Appendix H: Sinn Féin</p> <p>Appendix I: Northern Ireland Housing Executive</p> <p>Appendix J(i-iii): Northern Ireland Office, DAERA and Irish Government</p>



HOUSE OF COMMONS
LONDON SW1A 0AA

Appendix A



Mr Anthony Tohill
Chief Executive
Mid-Ulster Council
Dungannon Office
Circular Road,
Dungannon
BT71 6DT

6 August 2019

Dear Mr Tohill,

Last month saw the implementation of the Children's Funeral Fund in England, meaning that grieving parents will no longer have to pay for burial or cremation fees when their child dies. This follows similar funds which are already in place in Wales and Scotland.

I am aware that councils in Northern Ireland have attempted to help families by assisting with burial fees but that nationally many bereaved parents are still facing financial hardship at a time when they are already struggling with the death of their much-loved son or daughter.

In the absence of an assembly at Stormont, I understand the difficulties in securing a national fund, so I am reaching out to individual Councils across Northern Ireland in the hope that they will work with me.

I have contacted the permanent Secretary in the Department for Communities and the Secretary of State to petition for Northern Ireland to be brought in line with the rest of the UK. It would be wonderful if you would consider doing the same.

I would be happy to discuss this in more detail if you require any further clarification. Please contact Alexandra Landes in my office (landesab@parliament.uk) if you would like her to arrange a telephone call.

Yours sincerely,

Carolyn Harris

MP for Swansea East



**Northern Ireland
Fire & Rescue Service**

Appendix B

NIFRS Headquarters

1 Seymour Street
Lisburn BT27 4SX

T 028 9266 4221

F 028 9267 7402

enquiries@nifrs.org
www.nifrs.org

Interim Chief Fire & Rescue Officer
Michael Graham

Date: 13 September 2019

Dear Anthony Tohill,

RE: NORTHERN IRELAND FIRE AND RESCUE SERVICE INTERIM SERVICE DELIVERY MODEL

I am writing to you today regarding your request for more information on the Interim Service Delivery Model Arrangements that Northern Ireland Fire and Rescue Service are implementing from 12 August onwards.

The Interim Service Delivery Model Arrangements which are being introduced will not change operations in fire stations in the Mid Ulster District Council area. The fire stations in your council area will continue to operate as they have previously done so.

These measures that are being introduced in stations across Northern Ireland are designed to help the service deal with budgetary pressures.

If you require further information, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Graham', written over a horizontal line.

Michael Graham

Chief Fire and Rescue Officer (Interim)

Martin Kearney
Chair
Mid Ulster District Council
Circular Road
DUNGANNON
Co Tyrone

23 July 2019

Dear Martin

Appendix C

Received
25 JUL 2017
Chief Executive

Re – Mid Ulster Council Traveller Working Group

Thank you for your letter, dated 5 July 2019, in relation to Housing Executive attendance at the Mid Ulster District Council Traveller Working group.

I note that Council members are requesting that the Housing Executive reconsider a decision not to attend the working group. I would like to clarify that the Housing Executive proposed that the business of the working group would be incorporated into the work of the environmental services committee and that the Housing Executive would provide a written report two times a year to this committee covering traveller accommodation and site licencing.

I would like to stress that the Housing Executive is committed to continue its work on Traveller site identification in the Mid Ulster Council area and welcomes any assistance from the Council. However, servicing regular, quarterly working group meetings has proved to be challenging for the Housing Executive, as we service multiple Community Planning and other Council meetings with the five District Councils in the Region, which call on a limited number of officers on a regular basis.

I would propose that if it is not possible to incorporate reporting arrangements for the Traveller working group into the Environmental services committee; the Housing Executive would propose attendance at the group on an ad hoc basis when there are developments to report.

I hope this is of some assistance and can again reassure you that the Housing Executive is committed to work on identifying a suitable Traveller site in the Mid Ulster Council area

Yours Sincerely



Comghal McQuillan
Regional Manager, South



AUGUST HOUSING COUNCIL BULLETIN

The Northern Ireland Housing Council met on Thursday, 8th August 2019 at 10.30 am in the Braid, Ballymena at the kind invitation of the new Chair, Alderman Tommy Nicholl

For Information, a report of the attendance is undernoted:-

Members Present

Ald Tommy Nicholl	Mid & East Antrim Borough (Chair)
Cllr Anne-Marie Fitzgerald	Fermanagh & Omagh District (Vice Chair)
Ald Phillip Brett	Antrim & Newtownabbey Borough
Cllr Nick Mathison	Ards & North Down Borough
Ald Jim Speers	Armagh City, Banbridge & Craigavon Borough
Cllr Michelle Kelly	Belfast City
Ald Allan Bresland	Derry City & Strabane District
Ald Amanda Grehan	Lisburn & Castlereagh City
Cllr Catherine Elattar	Mid Ulster Borough

Members Apologies

Ald John Finlay	Causeway Coast & Glens Borough
Cllr Michael Ruane	Newry, Mourne & Down District

The Housing Council's considered various routine items at the Meeting, followed by detailed discussions on the undernoted matters:-

- Members received a power-point presentation by Caroline Connor, Assistant Director from the Housing Executive on the **Chronic Homelessness Action Plan**.
- The Housing Executive's Chief Executive gave a verbal update on **Housing Executive's Business from the June Board Meeting** (no meeting was held in July), which included the following items:-
 1. Draft Annual Report and Accounts for Year Ending 31 March 2019
 2. Housing Executive's Finance Report as at 31st May 2019
 3. Final Draft 2019 – 2020 One Year Corporate Business Plan
 4. Monkscoole House Rathcoole
 5. Approval to remedy Contracts awarded to Company in Administration
 6. Relets and Actionable Voids Analysis and Voids Action Plan 2019-2022
 7. Homelessness Strategy Year 2 Annual Report and Strategy Update
 8. Supporting People Provider Investment Fund
 9. Health & Safety proceedings and works at 58 Downpatrick St, Rathfriland
 10. Supporting People Programme – Progress Status Update
 11. Community Safety Strategy Action Plan Update

- Members then received an update from Paul Price and David Polley Department for Communities, on the **Departments' Housing Top Issues** to date, which included:-
 1. Social Newbuild starts
 2. Co-ownership
 3. New Shared Neighborhoods (TBUC)
 4. Programme for Social Reform
 5. Fundamental Review of Social Housing Allocations Policy
 6. Reclassification of Northern Ireland's Social Housing Providers
 7. Supporting People Delivery Strategy
 8. Homelessness Strategy
 9. St Patrick's Barracks, Ballymena
 10. Regulation of the Private Rented Sector
 11. Increasing Housing Supply
 12. Affordable Warmth Scheme
 13. NIHE Rent Scheme
 14. Welfare Reform Mitigation payments
- Representatives from the **Chartered Institute of Housing**, Eileen Patterson and Justin Cartwright, addressed Members to provide an insight into the work of the Institute.

The next Housing Council Meeting is scheduled for Thursday, 12th September at 10.30 am in the Antrim & Newtownabbey Borough Council area in the Antrim Civic Centre.

Should you require any further information or have any questions regarding the content.

Contacts

Chair

Tommy Nicholl

Ald.nicholl@midandeantrim.gov.uk

Mobile: 07970012520

Secretary

Kelly Cameron

The Housing Centre

2 Adelaide Street

Belfast BT2 8PB

Kelly.cameron@nihe.gov.uk

Tel: 028 95982752

Liam Hannaway
Chief Executive

Appendix E

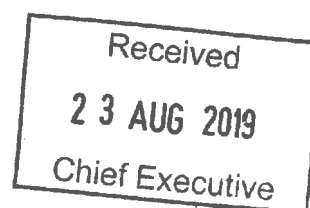


Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
**Newry, Mourne
and Down**
District Council

M/2

20 August 2019

Mr Anthony Tohill
CEO
Mid Ulster District Council
Council Offices
Circular Road
Dungannon
BT71 6DT



Dear Mr Tohill

Re: TV Licensing for the over 75s

At a meeting of Newry Mourne and Down District Council held on Monday 5 August 2019, the following Notice of Motion was agreed:

"This Council notes with serious concern the plans that the British Broadcasting Corporation has announced relating to the means testing of the provision of TV licensing for the over-75s.

The Council agrees to request that the BBC immediately cease these plans and agrees also that the Chairperson of Council convenes a meeting with BBC senior officials and the Newry and Mourne Senior Citizens Consortium to hear at first hand the impact that this decision will have on our most valued and respected Citizens of Newry, Mourne and Down."

Members were unanimous in their robust opposition to the plans announced by the BBC relating to the means testing of the provision of TV licensing for the over 75s and are seeking support for this Motion from all Councils across N. Ireland.

I look forward to your reply.

Yours sincerely

Mr Liam Hannaway
Chief Executive

/PM

Legal and Civic Services Department
Democratic Services Section



Belfast
City Council

Your reference

Being dealt with by Mrs. L. McLornan

Our reference LM/MO

Ext. 6077

Appendix F

Date 12th September, 2019

(By email)

FAO: Mr. Anthony Tohill, Chief Executive

Dear Mr. Tohill,

Equal Protection for Children Legislation

Belfast City Council, at its meeting on 2nd September, passed the following motion which had been proposed by Councillor Heading and seconded by Councillor Lyons:

"This Council notes and welcomes the work of the Northern Ireland Commissioner for Children and Young People's work in promoting positive parenting and Equal Protection for Children.

In recognition of this work by the NICCY and in support of other agencies such as the Northern Ireland Human Rights Commission, this Council will write to Assembly Party Leaders, the Executive Office and other NI Councils to champion the inclusion of Equal Protection for Children legislation in the Programme for Government, which would remove the defence of reasonable chastisement for parents who physically punish their child and provide more support and guidance for parents to promote constructive and effective ways to encourage better behaviour and development for their children."

I would welcome any comments which you may wish to make in relation to the motion.

Yours faithfully,

Louise McLornan

Democratic Services Officer



**From the Permanent Secretary
and HSC Chief Executive**

Appendix G



Mr Martin Kearney
Chairman Mid Ulster District Council
chair@midulstercouncil.org

Castle Buildings
Upper Newtownards Road
BELFAST, BT4 3SQ
Tel: 02890520559

Email: richard.pengelly@health-ni.gov.uk

Our ref: RP4475
SCORR-0692-2019

Date: 23 Aug 2019

Dear Martin

Thank you for your email of 23 July and the subsequent email from your colleague Helen Gormley of 25 July requesting that a public consultation event on stroke services is held in the Mid Ulster area.

As you will be aware, a number of public consultation events have taken place across Northern Ireland. These events have primarily taken place in those areas with acute stroke units where the proposals in the Reshaping Stroke Care consultation document could, depending on the preferred model to be identified after the consultation, have the greatest direct impact.

To that end, the Department has hosted one consultation event in the Northern Trust in Coleraine and three in the Western Trust, with two in Enniskillen and one in Derry/Londonderry.

I am content that this has provided an opportunity for people in the area to participate in a consultation event and, consequently, it would not be my intention to hold a further public consultation meeting in the Mid Ulster area.

However, I would strongly encourage people to respond to the consultation which has now been extended until 30 August 2019. They can do so either by completing the questionnaire available at <https://www.health-ni.gov.uk/reshaping-stroke-care> or by emailing comments to StrokeConsultation@health-ni.gov.uk.

Yours sincerely



RICHARD PENGELLY



**Oifig an Leas-Uachtaráin | Office of the Vice-President
53-55 Falls Road, Belfast BT12 4PD**

T: (028) 90347350

E: VP@sinnfein.ie

By email: info@midulstercouncil.org

06 August 2019

Cllr Martin Kearney
Chair, Mid Ulster Council
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Dear Martin

Thank you for your recent correspondence regarding the motion proposed by Sinn Féin Councillor Donal McPeake and agreed by Council:

“That this Council; welcomes the range of reports recently published which highlight the serious risk of greater hardship for many within our community, if Welfare Mitigation's do not continue beyond March 2020. These reports include:

- ***Welfare Reform: Mitigations on a Cliff Edge***
- ***Cliff Edge Coalition NI***
- ***NIAO: Welfare Reforms in NI.***

It calls on all parties to support the need to continue Welfare Mitigation's beyond March 2020 and further; Calls on the DfC to take all steps necessary to ensure the Mitigation's scheme will continue to help the most vulnerable in our community.”

Firstly, I would like to commend Mid Ulster Council for highlighting this very important issue.

In 2015, Sinn Féin sought and secured an agreement, with other political parties in the Stormont Assembly, for a mitigation package from Executive funds to offset some of the worst aspects of the British Government's imposition of welfare cuts. In addition, a number of changes to the administration of Universal Credit were also secured.

The reports listed above have demonstrated just how beneficial the mitigation package has been in terms of protecting the most vulnerable in this society.



**Oifig an Leas-Uachtaráin | Office of the Vice-President
53-55 Falls Road, Belfast BT12 4PD**

T: (028) 90347350

E: VP@sinnfein.ie

They have shown how almost 40,000 tenants here do not pay Bedroom Tax because of the mitigations, how families have been protected from the Benefit Cap and how many others have benefited from a range of other supplementary payments.

The financial package of welfare mitigation measures is in place until March 2020.

Sinn Féin is committed to seeking agreement with the other parties to commit to continue mitigation measures beyond that date. Inter-party and departmental discussions are ongoing and we will continue to participate in these as we seek a positive outcome.

My colleague and party spokesperson on Welfare and Poverty, Alex Maskey MLA, would welcome the opportunity to meet with you should you wish to discuss this further.

Yours sincerely

Michelle O'Neill MLA
Assembly Leader & Vice-President

Councillor Martin Kearney
Chair
Mid Ulster District Council
Ballyronan Road
Magherafelt
BT45 6EN

Appendix I

17th July 2019

Dear Councillor Kearney

I refer to your letter dated 4th July, regarding the motion passed at a meeting of Mid Ulster District Council.

A Full Duty Applicant is a person to whom the Housing Executive owes a duty under the homelessness legislation, Article 10(2) of the Housing (NI) Order, 1988.

The awarding of homelessness status (Full Duty Applicant status) is set out in the criteria laid down in The Housing (NI) Order 1988.

Where a person presents to the Housing Executive as homeless, we will respond in accordance with this law and commence our enquiries.

The Housing Executive is prohibited from taking a blanket approach to awarding Full Duty Applicant status to residents living in a homeless hostel.

A full duty applicant is a person who passes all four tests for homelessness. Our enquiries will determine whether or not the applicant meets the four statutory homelessness tests, which are defined in law.

Those four tests, which are applied, are:-

1. Homeless/threatened with homelessness;
2. Eligible for assistance;
3. In priority need; and
4. Unintentionally homeless.

Assessments are carried out on an individual basis by the Housing Executive and when enquiries are complete, a Notification of Decision is given in writing to the applicant. If an individual's circumstances change, we would encourage them to visit us to be re-assessed.

I trust this answers your query.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'C Bailie'. The signature is written in a cursive, slightly stylized font.

C Bailie
Chief Executive



Northern
Ireland
Office

**Secretary of State for
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Mid Ulster District Council
Cookstown Office
Burn Road
Cookstown
BT80 8DT
info@midulstercouncil.org

12 August 2019

Dear Councillor Kearney,

Thank you for your letter dated 5 July to the Prime Minister regarding an all-Ireland Animal Abuse Register. I am replying on behalf of the Prime Minister.

This issue is devolved in Northern Ireland and therefore for the Northern Ireland Civil Service to consider in the absence of an Executive. The request has been brought to the attention of the relevant Northern Ireland Civil Service departments who will need to consider the practical and legislative implications of creating such a register, taking into account any views expressed by the Irish Government on the proposal.

Yours sincerely,

**RT HON JULIAN SMITH MP
SECRETARY OF STATE FOR NORTHERN IRELAND**

From the Permanent Secretary
Dr Denis McMahon



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk

Your reference N/A
Our reference SCORR-0231-2019

Mr Martin Kearney, Cllr
Chair
Mid-Ulster District Council
Cookstown Office
Burn Road
Cookstown
BT80 8DT

Permanent Secretary's Office
Room 636, Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast BT4 3SB
Telephone: 028 9052 4608
Email: perm.sec@daera-ni.gov.uk

4 September 2019

Dear Mr Kearney,

Animal Welfare Conviction Register

Thank you for your letter, which you sent to the Prime Minister's Office, in which you advised that Mid-Ulster District Council has proposed the establishment of an all-island register of individuals convicted of animal welfare offences. I am responding as policy responsibility for the welfare of animals sits with the Department of Agriculture, Environment and Rural Affairs (DAERA).

The establishment of a central offenders' register of those convicted of animal welfare offences is a topic which has been raised several times in the past, most notably by the Northern Ireland Assembly during the review of the implementation of the Welfare of Animals (Northern Ireland) Act 2011 ("the Review"). The Review established that the creation of such a register does not fall solely within the gift of the Department. Conviction data is classed as sensitive personal data which is strictly controlled and managed through the Criminal Record Viewer, which is part of the wider Causeway system and comes under remit of DoJ.

Three bodies are responsible for enforcement of the 2011 Act: DAERA (for farmed animals), Councils (for non-farmed animals) and PSNI (for more serious animal welfare offences such as animal fighting and wild animals). Each body is responsible for following up on disqualification orders made following cases they investigated to ensure that the person is not keeping animals in contravention of the order and for taking any appropriate enforcement action. Each body therefore retains information on disqualification orders made following cases they investigated. However, where a disqualification order is made, for example following a DAERA case relating to farmed animals, that order could in some instances also encompass a ban from keeping non-farmed animals. Subsequently, following the Review, the Department secured access to the Criminal Record Viewer for Council Welfare Staff and Departmental enforcement staff.

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The Review also considered the creation of an accessible central register in some depth and concluded that it should not be done for a number of reasons. Firstly, access for non-statutory bodies to this information would engage difficult and complex issues regarding Freedom of Information, Data Protection, the rehabilitation of offenders and protecting certain human rights, particularly the Right to Life, the Right to a Family Life and the Right to Privacy.

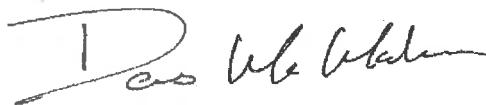
Although the right to privacy may be interfered with by a public body, provided that it is in accordance with national law and is necessary in a democratic society, the necessity for third party access must be considered in light of the statutory role of the three enforcement bodies who are responsible for the protection of animal welfare in respect of people subject to disqualification orders. Effective enforcement of disqualification orders should provide adequate protection for rehomed animals in this regard.

Secondly, it was clear, following the Review, that there was no demand among rehoming charities for access to this data. During the course of the Review, Departmental officials met with animal charities and re-homing organisations to discuss the technical issues that would be encountered, in the event a register could be created. It became apparent that these organisations would incur significant costs if they wished to access and use conviction data. For example, putting the necessary arrangements in place to facilitate third party access to the DoJ Criminal Record Viewer would require entering data sharing arrangements with potential users and putting in place procedures to ensure information is kept secure and utilised only for the intended purposes. In addition, these organisations would also need to ensure that they have IT systems and administrative controls to manage the data in compliance with data protection laws. They commented that the home visits and other checks they perform on potential adopters are likely to discourage disqualified people from applying for animals in any event, and they were not aware of any disqualified person ever having applied for an animal in the past.

Officials from the Department have met with the DoJ within the last month to re-examine the possibility of third party access and the controls that an organisation would need to implement and the situation remains unchanged.

I trust that you find my reply helpful and I hope that this response clarifies the Department's position.

Yours sincerely



DR DENIS McMAHON
Permanent Secretary

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Mr. Martin Kearney
info@midulstercouncil.org

25 July 2019

Our Ref: IUKA190368

Dear Mr. Kearney,

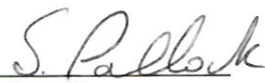
The Tánaiste and Minister for Foreign Affairs and Trade, Mr. Simon Coveney T.D., has asked me to thank you for your letter addressed to An Taoiseach including the text of a resolution adopted by Mid Ulster District Council concerning animal cruelty and proposing the introduction of an all-island Animal Abuse Register.

The Tánaiste appreciates the Council's concerns about these matters and has asked me to let you know that in this jurisdiction the Department of Agriculture, Food and the Marine (DAFM) has responsibility for animal welfare issues in accordance with the provisions of the Animal Health and Welfare Act 2013. That Department also has responsibility for North South cooperation in the area of agriculture, including animal health and welfare.

Copies of your correspondence have therefore been forwarded to Mr. Michael Creed T.D., Minister for Agriculture, Food and the Marine for attention.

I hope that this is of assistance.

Yours sincerely,


pp Clare Brosnan
Private Secretary

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	26 September 2019
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Corporate Policy and Equality Officer

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

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies. As such, it receives consultations 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
NI Policing Board	Audit of Inequalities, Draft Equality Action Plan; Draft Disability Action Plan 2019-2023	Following publication of its revised Equality Scheme 2018-2023, the NI Policing Board is consulting on its Draft Audit of Inequalities and its Equality and Disability Action Plans, all of which cover the period 2019-2023.	24 October 2019	
	Link to Consultation	https://www.nipolicingboard.org.uk/we-want-your-views-our-equality-and-disability-action-plans There is also a link on this page to the Board's Equality Scheme.		
	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
Arts Council of Northern Ireland	Equality Action Plan and Disability Action Plan 2019-2024	The Arts Council has produced an updated Equality Scheme and is consulting on its five year Draft Equality Action Plan and Disability Action Plan for the period 2019-2024.	28 October 2019	
	Link to Consultation	http://artscouncil-ni.org/research-and-development/equality-and-disability-consultation		
	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 (DAERA)	Draft Northern Ireland Animal Health and Welfare Strategic Framework	DAERA is consulting on a draft Strategic Framework which aims to provide an overarching and integrated approach to animal health and welfare in N Ireland. The draft Framework has been developed in conjunction with key stakeholders representing industry, veterinary and animal welfare sectors.	30 th Sept 2019	Environment Committee considered draft response at September meeting
	Link to Consultation	https://consultations.nidirect.gov.uk/daera-animal-health-and-welfare-policy-division/ni-animal-health-and-welfare-strategic-framework .		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Not applicable	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Charity Commission for Northern Ireland	Proposed changes to the Annual Return Regulations 2019 and the online application for registration of charities	The Charity Commission is consulting on proposed changes to the information registered charities are required to provide in their annual return and changes to the registration process. The additional questions are intended to increase transparency around key areas, contributing to public confidence in charities.	22 October 2019	
	Link to Consultation	https://www.charitycommissionni.org.uk/news/public-consultation-on-changes-to-the-annual-return/		
	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 Communities (DfC)	Draft Section 75 Equality Action Plan 2019-2022	The Department for Communities is consulting on its first Draft Section 75 Equality Action Plan covering the period 2019 – 2022. The draft plan sets out actions the Department proposes to take to address inequality issues identified from the Audit of Inequalities.	2 nd November 2019	
	Link to Consultation	https://www.communities-ni.gov.uk/consultations/section-75-equality-action-plan-consultation		
	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 (DAERA)	DAERA Science Strategy: Stakeholder Engagement	Following an initial engagement with a number of stakeholders representing all areas for which DAERA has responsibility as well as local universities, the department is now seeking views from a broader range of stakeholders and the public on what its Science Strategy should be to meet current and future needs.	22 October 2019	
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/daera-science-strategy-framework-document-consultation		
	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
Food Standards Agency NI (FSANI)	Consultation on the Implementation of the Official Controls Regulation (EU) 2017/625 (OCR) which takes effect on 14 December 2019	The OCR addresses official controls and other activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. The FSA is seeking views on (1) the proposed implementation of the N Ireland legislation to provide for the execution of powers and enforcement in relation to the FSA areas of responsibility for food and feed law and animal health & welfare and (2) their assessment of the impacts associated with implementation.	11 October 2019	
	Link to Consultation	https://www.food.gov.uk/news-alerts/consultations/implementation-of-the-official-controls-regulations		
	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
Commission for Victims and Survivors (CVS)	Draft Equality Action Plan and Disability Action Plan	The CVS is consulting on its new Equality Action Plan and Disability Action Plan for the period	29 November 2019	
	Link to Consultation	https://www.cvsni.org/resources/section-75-equality-and-diversity/		
	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
Probation Board NI	Corporate Plan 2020-2023	The Probation Board is seeking views to help shape the future of probation services in Northern Ireland as consulting on a new corporate plan for the period 2020-2023	31 October 2019	
	Link to Consultation	https://www.pbni.org.uk/guide-information/make-decisions/current-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 for Agriculture, Environment & Rural Affairs (DAERA)	Management measures for widely spread Invasive Alien Species (IAS) in Northern Ireland	DAERA is inviting views on management measures being considered for 10 widely spread Invasive Alien Species (IAS) found within Northern Ireland. EU Invasive Alien Species Regulation (2014) requires effective management measures be put in place, so that their impact on biodiversity, the related ecosystem services and, where applicable, on human health or the economy are minimised.	23 October 2019	
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/consultation-management-measures-widely-spread-invasive-alien-species-ias-northern-ireland		
	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	

Report on	Notification of Changes to Committee Membership and Position of Responsibility
Date of Meeting	Thursday 26 th September, 2019
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett. Head of Democratic Services

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

1.0	Purpose of Report
1.1	To inform Council of changes made by the Nominating Officer of the Social Democratic & Labour Party (SDLP), Cllr Malachy Quinn.
2.0	Background
2.1	The Chief Executive received notification from the Social Democratic & Labour Party (SDLP) Local Government Nominating Officer on 29 th July 2019 that Councillor Denise Mullen was no longer “...a member of the SDLP or an SDLP Councillor”.
2.2.	Consequently, the positions held by the above referenced Councillor by virtue of being an SDLP Councillor then became vacant. These were positions filled at the May AGM following the local government 2019 election. Schedule 1 of The Local Government Act (Northern Ireland) 2014 governs the filling of Positions of Responsibility (i.e. Chair/ Deputy Chairs) and positions on committees.
2.3	The Mid Ulster Council level Nominating Officer for the SDLP has provided notification of the Councillors to fill the vacancies arising on (i) the Planning Committee; (ii) the Policing & Community Safety Partnership and (iii) other outside bodies.
3.0	Main Report
3.1	<p>Notification is being given to Council that the following changes have been made by the SDLP Nominating Officer on Council, Cllr Quinn arising from 2.1 above:</p> <ul style="list-style-type: none"> • Councillor McFlynn will fill the SDLP vacancy on Planning Committee • Councillor McFlynn will fill the SDLP vacancy on the Policing & Community Safety Partnership • Councillor Hughes will fill the SDLP vacancy on the Mid Ulster Rural Development Programme - Local Action Group • Councillor M Quinn to advise who will fill the SDLP vacancy on the Heart of Ancient Ulster Landscape Scheme (THoAULP)

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 the contents of this report on changes made by the SDLP Nominating Officer on a committee membership, a position of responsibility and outside bodies.
6.0	Documents Attached & References
	None