



25 June 2020

Dear Councillor

You are invited to attend a meeting of the Council to be held in Burnavon Arts & Cultural Centre, Cookstown and by virtual means Burn Road, Cookstown, Co Tyrone, BT80 8DN on Thursday, 25 June 2020 at 19:00 to transact the business noted below.

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

Yours faithfully

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | | |
|----|---|----------|
| 4. | Council Minutes of Meeting held on 28 May 2020 | 3 - 20 |
| 5. | Council Minutes of Annual General Meeting held on 1 June 2020 | 21 - 36 |
| 6. | Planning Committee Minutes of Meeting held on 2 June 2020 | 37 - 62 |
| 7. | Policy and Resources Committee Minutes held on 4 June 2020 | 63 - 68 |
| 8. | Environment Committee Minutes of Meeting held on 9 June 2020 | 69 - 80 |
| 9. | Development Committee Minutes of Meeting held on 11 June 2020 | 81 - 100 |

Matters for Information

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| 10 | Correspondence | 101 - 104 |
| 11 | Consultations notified to Mid Ulster District Council | 105 - 108 |

Notice of Motions

- 13 Councillor Graham to move
"That this Council congratulates all those frontline workers who have worked tirelessly throughout this COVID-19 pandemic on all our behalf's, often at great risk to themselves, and calls on the Council to look at ways of acknowledging this so that we can show our gratitude and publicly thank them for all they have done"

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

Matters for Decision

- 14. Council Confidential Minutes of Meeting held on 28 May 2020
- 15. Planning Committee Confidential Minutes of Meeting held on 2 June 2020
- 16. Policy and Resources Committee Confidential Minutes of Meeting held on 4 June 2020
- 17. Environment Committee Confidential Minutes of Meeting held on 9 June 2020
- 18. Development Committee Confidential Minutes of Meeting held on 11 June 2020
- 19. Audit Committee Confidential Minutes of Meeting held on 16 June 2020

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 May 2020 in the Burnavon Arts and Cultural Centre, Cookstown and by virtual means

Chair Councillor Kearney

Members Present Councillors Ashton, Bell, Black, Brown, Buchanan, Burton, Clarke, Colvin, Corey, Cuddy, Cuthbertson, Doris, Elattar, Forde*, Gildernew*, Glasgow, Graham, , Hughes, Kerr, Mallaghan, N McAleer, S McAleer*, McFlynn, B McGuigan, S McGuigan, McKinney, McLean* McNamee, D McPeake, S McPeake, Milne, Molloy, Monteith, Quinn, Robinson* and Wilson

Officers in Attendance Mr A Tohill, Chief Executive
Mr McCreesh, Director of Business & Communities
Mr Moffett, Head of Democratic Services
Mrs Forde, Member Support Officer
Ms Canavan, Director of Organisational Development
Mr Cassells, Director of Environment & Property
Mr Kelso, Director of Public Health & Infrastructure
Mr JJ Tohill, Director of Finance
Dr Boomer, Planning Manager**
Ms Campbell, Director of Leisure and Outdoor Recreation**
Ms McNally, Council Solicitor**
Ms Mezza, Head of Marketing & Communications**

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

At 6.45pm the Chair announced the guidelines for the meeting

The meeting commenced at 7 pm

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

C094/20 Suspension of Standing Order 30.2 – Amendment to Standing Orders

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

Proposed by Cuthbertson
Seconded by Councillor S McGuigan

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

C095/20 Adoption of Interim Standing Orders on Remote Access to Meetings

The Chief Executive drew attention to the Interim Standing Orders on Remote Access to Meetings which had been previously circulated and sought approval to adopt.

Councillor McKinney stated that within the existing standing orders the meeting was legal, the facility was fine and thus he did not see the necessity for interim standing orders to be agreed. He stated that remote access would prolong meetings and there would be communication problems which would leave room for discrepancy. He concluded that Council had the attitude of back to work safely and what was good for employees should equally apply to Members.

Councillor McKinney proposed not to accept the standing orders on Remote Access.

The Chief Executive advised that the interim standing orders is a means of regulating the existing standing orders, as the law now permits remote access and thus Council is obliged to do so. He explained that the interim standing orders on remote access was providing the guidelines for Council to hold remote meetings.

Councillor McKinney stated that if there was a vote and Wifi connections went down proceedings would be halted and thus would be more efficient to insist on attendance. He reiterated that there would be security and confidentiality issues.

Councillor Ashton highlighted that some Members were shielding and thus remote attendance was important in order that they could continue to carry out the job they were elected to do. She emphasised that it was important to proceed with the interim standing orders in order that there was appropriate guidelines and if meetings had to be suspended to allow reconnection in order that Members attending remotely may vote then so be it.

Councillor Mallaghan concurred stated that all Councillors should have the opportunity to attend either in person or remotely and said that some of the remarks made had been insensitive especially when many Members were shielding.

Councillor Glasgow stated that his concern was that lockdown was reducing at a reasonable pace and people would be encouraged to go back to work if it is safe to do so and reasonable thus what is good for the public is good for Members. He stated that good work had gone into setting up the meeting and allowing social distancing to be adhered to and alluded to the fact that social distancing would be a factor in the foreseeable future. He stated that where he lived connecting virtually was not an option and on occasions he had to go to other locations to connect to broadband. He stated that virtual meetings had not been tried and tested and may be abused.

The Chair, Councillor Kearney reminded Members that the meeting was being streamed by live Broadcast through You Tube.

Councillor Monteith stated that the ambition for Council in April had been to permit as many Members as possible to attend in person but some Members were shielding and thus the option to attend virtually was required to allow them to carry out their role. He stated that many employees were performing their role from home and thus Members should be afforded the same opportunity. He acknowledged that technology is not always as reliable as it should be but Council could not exclude anyone reminding the meeting that if people are shielding they are not only protecting themselves but others.

Councillor Cuddy stated that it was a tricky situation and acknowledged the attendance, the adherence to social distancing guidelines but stated that meetings may take three times as long as normal with remote attendance. Councillor Cuddy highlighted the safe environment provided for the meeting but said Members must assess their own risk and emphasised that longer meetings would lead to all those in attendance breathing recirculated air and stressed that meetings should last no longer than one hour.

Councillor Doris stated it was shocking asking people not to follow guidelines and stressed that people were shielding due to underlying conditions and remote access should be available and if there was broadband issues they could possibly access broadband connections elsewhere safely.

Councillor Elattar concurred with Councillor Doris stating that guidelines state if you can work from home you should do so and this was applicable to Councillors also. She stated that people who were shielding or who were carers would be at a disadvantage without remote access. Councillor Elattar concluded that it was ridiculous that 20 minutes had been used to debate this and stressed that life in general is taking longer due to the pandemic and that is just how it was.

The Chair Councillor Kearney stated that the standing orders had been suspended and called for a vote on the adoption of the Interim Standing Orders.

For 27

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That Council adopt Adoption of Interim Standing Orders on Remote Access to Meetings

C096/20 Apologies - due to COVID 19 Social Distancing Requirements

Councillors Oneill, Mullen and Totten

C097/20 Declarations of Interest

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

Councillor S McGuigan declared an interest in Killeeshil Community Centre.

C098/020 Chair's Business

The Chair, Councillor Kearney welcomed everyone to the meeting and thanked all for adhering to guidelines.

The Chair, Councillor Kearney acknowledged that the Arts make a great contribution in the community and congratulated Craic and Bardic Theatres on being nominated for seven IAMA awards between them. He stated that all would look forward to the adjudication of the awards and success for local groups.

The Chair, Councillor Kearney also referred to the meeting with DAERA last week when matters such as the exit from the European Union, waste matters and a replacement to the rural development programme had been discussed. He further welcomed the £23m made available for allocation to farmers in reaction to the COVID 19 crisis.

The Chair, Councillor Kearney advised he had visited four community groups across the district in recent days and had witnessed at first hand the great community spirit across the district. With this in mind he suggested that to mark volunteer week which commences 1 June 2020 Council light up its designated buildings.

Proposed by Councillor Mallaghan
Seconded by Councillor Milne and

Resolved That Council illuminate its three designated buildings (purple) to acknowledge Volunteer Week

Councillor Quinn thanked the Chair for his kind words in relation to both the Craic and Bardic theatre companies.

Councillor Quinn acknowledged the death of former councillor, Jim Cavanagh who had served in the legacy Dungannon & South Tyrone Borough Council. He stated he was a good friend to many people including himself and asked expressed sadness at his passing.

Councillor Quinn stated he had been contacted with regards to animal rights abuse incident in Magherafelt and asked had steps been taken to investigate the incident.

The Director of Public Health and Infrastructure confirmed that a report had been received regarding an alleged incident, that the investigation was ongoing and thus he could not comment further until the investigation was complete.

Councillor McFlynn stated that the incident had caused huge anxiety and stress and emphasised that the onus was on Council to investigate fully. The Councillor enquired as to the welfare of the animals concerned.

In response the Director of Public Health and Infrastructure stated that during a call made to the premises no animals had been found to be in distress but there was other aspects which were still under investigation.

Councillor Monteith concurred with condolences for the late Jim Cavanagh and stated he had served on the legacy council with him for many years during which they had 'many a rattle' but he was dedicated to his community and was a decent man which was reflected in the huge response to his funeral.

Councillor Monteith also stated that former councillor, Francis McNally who had served as a Sinn Féin councillor representing the Lough Shore in the legacy Cookstown Council had also passed away. He reflected he had lost two family members during the struggle but had served with great dignity and courage. He requested that condolences be passed to the McNally family.

Councillor Kerr concurred with condolences and extended sympathy to the families of the two former councillors.

Councillor Clarke raised the issue of broadband and stated that as the Chair of the Broad Band Working Group the aim had been for 100% connectivity throughout the district yet the Stratum project was not giving the commitment and with COVID 19 it was unlikely that things would return to how it had been. The Councillor emphasised that society would be different moving forward schools would be returning in small groups, universities were not having classes on campus, manufacturing was facing huge issues, GP practices were even changing how services would be delivered there would be many more issues. He stated that fibre broadband was a must for all areas as even satellite provision in some areas was not good thus Council needed to revisit broadband provision. He stated that the tender process was to be completed in 2019 and Council must establish what is to be delivered as if there was gaps it would be unforgiveable. Councillor Clarke proposed that Council convene a meeting of the Broadband Committee and seek an urgent meeting with the Department of the Economy re the STRATUM project.

Councillor Ashton referred to the meeting with the Minister for Agriculture, Environment & Rural Affairs and stressed that Council needed to focus on the Minister to ensure he took up the actions agreed at the meeting.

The Director of Business and Communities advised that the tender for STRATUM had now closed, the Department for the Economy had received approximately 5 bids and it was hope to have an appointment made by September. He stated that the area had the worst record for broadband in the UK at 24.59% of homes had less than what was acceptable. He stated a meeting of the broadband working group would be convened.

The Director also referred to the discussion with the Minister Agriculture, Environment and Rural Affairs and concurred that it had been a productive discussion in the broader sense of rural development programme, broadband and establishment of revised programme and lag and other regeneration activated. He concurred with previous comments with regard to the governance structure.

Resolved That Council

- (i) convene a meeting of the Broadband Working Group; and
- (ii) seek an urgent meeting with the Department of the Economy on the STRATUM project;

Councillor Mallaghan referred to the Chair's remarks on the recent meeting with the Minister for Agriculture, Environment and Rural Affairs and concurred it had been useful but he would wish to pursue matters and proposed Council write to the Minister to seek a fair distribution of the £20 million allocated to farmers as to prioritise dairy and horticulture would be unfair for example to beef and sheep farmers; seek date for the launch of tranche two of tier two of the Farm Investment Programme as this money would help re-engage the economy; and seek confirmation date for the allocation of the £20million as it was taking too long to reach farmers.

Proposed by Councillor Mallaghan
Seconded by Councillor Milne and

- (I) Seek fair distribution of the £20million allocated to Farmers as to prioritise dairy and horticulture would be unfair for example to beef and sheep farmers;
- (II) Seek date for the launch of tranche two of tier two of the Farm Investment Programme as this money would help re-engage the economy;
- (III) Seek confirmation date for the allocation of the £20million as it was taking too long to reach farmers.

Councillor McNamee concurred with the sympathies extended to the family of former councillor, Francis McNally.

Councillor D McPeake spoke of former councillor, Seamus O'Brien who had served on the legacy Magherafelt Council and had passed away in recent weeks. He requested that a letter of condolence be forwarded to Mr O'Brien's family also.

Resolved That the Chair forward letters of sympathy to the families of undernoted Councillors who served in legacy councils who have passed away in recent weeks;

- (i) Former Councillor Jim Cavanagh (former Dungannon & South Tyrone BC);
- (ii) Former Councillor Francis McNally (former Cookstown DC)

- (iii) Former Councillor Seamus O'Brien (former Magherafelt DC)

C099/20 Council Minutes of Meeting held on Thursday 23 April 2020

Proposed by Councillor Wilson
Seconded by Councillor B McGuigan and

Resolved That the Minutes of the Council held on Thursday 23 April 2020 (C082/20 – C0090/20 and C093/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C100/20 Mid Ulster Covid 19 Business Recovery Plan

The Director of Business and Community drew attention to the previously circulated paper outlining the Mid Ulster Covid-19 Business Recovery Plan. The Director sought approval for the plan detailed at appendix one of the report. He also acknowledged that given the report was prepared a week prior to the meeting the government had since moved on some issues.

Councillor McNamee welcomed the recovery plan covering the various sectors of business. He highlighted the rates relief granted and asked if Council had received clarification in writing from the Minister for Finance as to whether or not the NI Executive was picking up the tab as loss of revenue to Council would seriously impact what could be delivered. He also highlighted the proposed Cookstown Bypass stating that it was pivotal for the growth deal. He proposed that Council seek a further meeting with the Minister of the Department for Infrastructure with Officers and Cookstown DEA Members in attendance.

Resolved That Council seek a meeting with the Department for Infrastructure with regard to the Cookstown Bypass Scheme.

The Director of Finance acknowledged that the rates was a vital aspect of Councils income stream and was critical to service delivery. He stated that discussions continued between Councils and the Department of Finance and Department for Communities to establish stabilising factors but to date there was no guarantee of protection beyond the initial 4 month period proposed by the Executive.

Councillor Kerr highlighted that some businesses had missed out on the rates relief as their rent to landlords incorporated rates and as such the relief had not been passed on. He also highlighted comments in section 2.2 of the report manufacturing and engineering sector stated that comments regarding younger guys was ageist. Councillor Kerr also spoke in relation to the furlough scheme and stated that companies should do their utmost to ensure employees were receiving full pay. He further welcomed comments in relation to PPE highlighting that the Community Sector had met the gap from the beginning of the crisis. He welcomed in particular

the comments in relation to trade unions especially in engineering sector and was emphatic that the profit of no company was not worth one workers life.

Councillor Ashton proposed that Council write to the Department of Finance and the Department for Communities seeking clarification regarding funding for rates relief for businesses.

Resolved That Council write to the Department of Finance and the Department for Communities seeking clarification with regard to Rates Relief for businesses. Requesting assurance for the further period of rates relief granted that Councils will not be at a financial deficit.

Councillor Ashton welcomed the recommencement of committees and stated that reports should be coming forward in initiating time frames for example Village Spruce Up Schemes in an effort to assist local sectors of the economy. She acknowledged key issues outlined in the report and asked for proposals to be brought forward regarding grant schemes.

Councillor Burton commended the report and stated there was a lot of issues which led to opportunities and new ways of working.

Councillor M Quinn left the meeting at 7.55pm

Councillor Burton stated that a joined up approach across the 11 councils was needed to attain sustainable recovery and focus on the replacement of lost jobs and businesses.

Councillor Kearney acknowledged leadership displayed by Councillor Burton in recent weeks as president of NILGA.

Councillor M Quinn returned to the meeting at 7.57pm

Councillor Wilson commended the report and highlighted issues in relation to High Streets stating that a retailer with multiple shops only qualified for rates relief on one premise and Council should be lobbying on their behalf. He also spoke of apprenticeships as due to social distancing the make-up of these would change in the work place, in relation to private hire bus companies he advised that they were in difficulties and whilst Council was not a money machine they could lobby on behalf of such businesses. He spoke in relation to the furlough scheme stating that as it reduces or comes to a close what will happen people's jobs.

The Director of Business and Community concurred that multiple retailers were losing out and stated that the business community was asking for more flexibility. He also highlighted that industry was finding it difficult to support apprenticeships and was seeking greater flexibility with the Department for Education.

The Chair, Councillor Kearney stated it was 8pm and requested that the meeting rise and show its appreciation to the NHS and care staff.

All applauded

Following the display of appreciation the meeting resumed

Councillor Molloy welcomed the paper and the progressive work being carried out stating that Council will be central to delivery of recovery. In relation to retail and hospitality he stated that Council would need to revisit trading and licensing laws as queuing and social distancing would be the new norm and in the winter months the weather may not be so kind. He stated that one solution won't fit all but it was good to get discussions started and meetings with the small business federations as soon as possible.

Councillor Monteith stated that Council needed to make available larger meetings rooms emphasising the need to engage and get new ideas. He stated that town centres were in dire shape and as a Council and society the decision needed to be made if we want to keep them radical and uncomfortable decisions need to be taken and strong political and community will would be required. He stated that prior to COVID 19 town centres were in decline thus radical measures will be required and the people and traders would know better than Council. He accepted that the report was an initial fact finding measure but highlighted that it did not capture sole traders, or touch businesses such as tattoo artists, beauticians, physios, personal trainers. He stated they were frightened and did not have a collective voice and sole traders especially had not been eligible for hardship grants. He also spoke of the atrocious treatments of banks who had left businesses and workers floundering. He commended the report and stated that brave decisions would have to be made.

Councillor Mallaghan welcomed the report stating that it echoed concerns across sectors and suggested that a letter be sent to the Minister for the Economy in relation to the traders and businesses highlighted by Councillor Monteith.

He also spoke of the manufacturing sector and recommendations in relation to a task force highlighting it was a good idea but those businesses who had not treated their workers well should not be part of the group.

Councillor S McPeake seconded Councillor Mallaghan's proposal regarding the letter to the Minister for the Economy.

Resolved That Council write to the Department for Finance and Business and Communities seeking clarification with regard to Rates Relief for businesses. Requesting assurance for the further period of rates relief granted that Councils will not be impacted.

Councillor S McPeake stated the NI Executive had undertaken good work and highlighted that in relation to the rates relief scheme if the Assembly had followed the English model 60% of businesses would not have qualified. He acknowledged that there would be difficulties but that there was an enthusiasm in Mid Ulster and a strong drive to get the economy up and running and stated that the people at the helm would not be found wanting.

Councillor B McGuigan commended the report which highlighted the views and challenges in coming months. He stated that Council had a good relationship with Invest NI and it would be important to engage with them and collectively lobby central government for support.

Councillor Quinn commended the report and concurred with previous speakers that in relation to towns and businesses one size does not fit all. He also highlighted the arts sector which would also need assistance to get back on its feet.

The Director of Business and Communities reminded Members that the weakest sector would be the High Streets and retail stating that many towns needed new structures and that NILGA and SOLACE would be the one voice across all Councils.

Proposed by Councillor Mallaghan
Seconded by Councillor Molloy and

Resolved That Council approve the Mid Ulster COVID-19 Business Recovery Plan

Councillor Mallaghan left the meeting at 8.20pm

C101/20 Health Protection (Coronavirus Restrictions) (Northern Ireland) Regulations 2020 – Authorised Officers

The Director of Public Health and Infrastructure drew attention to the previously circulated report informing Members of designation of Council as a relevant person under Regulation 7 and as an authorised person under Regulation 9 of the Health Protection (Coronavirus Restrictions)(NI) Regulations 2020 (“the 2020 Regulations”) and sought authority of the Council, under Section 7(1) of the Local Government Act (NI) 2014, to delegate the discharge of its functions, as a designated person under the 2020 Regulations, to the Council’s Environmental Health Officers.

Councillor Mallaghan returned to the meeting at 8.23 pm

Councillor Monteith asked if the authorisation meant that Council officers would have the authority to enter premises to ensure companies were adhering to PPE requirements and social distancing throughout its workforce.

In response the Director of Public Health and Infrastructure stated that to date the PSNI had entered premises if they were in breach of regulations and that Council would continue to have a close working relationship with them.

Councillor Monteith asked if Council had the authority to enter premises.

In response the Director of Public Health and Infrastructure said yes if they were trading.

Councillor Monteith stated that previously workers had been told they had to put their name to a complaint and there was no commitment to confidentiality and stated he

felt workers needed to be protected. He emphasised that councils needed to work with businesses and this needed to commence as independent inspections had not been available especially in agri food sector and shops.

The Chief Executive stated that Council was not the enforcing authority for the concerns expressed by the Member.

The Director of Public Health and Infrastructure stated that the Health and Safety Executive were the enforcing authority for concerns such as that expressed by the Member.

Councillor Ashton stated that she was receiving reports that people remotng in could not hear the debate.

Councillor Cuthbertson asked if officers would be brought back from furlough to carry out the aforementioned.

In response the Director of Public Health and Infrastructure stated that no Environmental Health staff had been furloughed but some were working from home and advised that additional resource would not be required.

Proposed by Councillor B McGuigan
Seconded by Councillor Colvin and

Resolved That Council

- (i) Note the appointment of Mid Ulster District Council as an enforcement authority for Regulation 3) and 4) the Health Protection (Coronavirus Restrictions) (Northern Ireland) Regulations 2020
- (ii) That pursuant to Section 7(1) of the Local Government Act (NI) 2014, Members delegate the discharge of the /council's functions, as a designated person under the 2020 Regulations, to the Council's Environmental Health Officers.

C102/20 COVID 19 Recovery of Buildings

The Director of Public Health and Infrastructure drew Members attention to the report outlining the arrangements which are being made to reconfigure Council buildings so as to take account of 'Social Distancing' and associated NI Executive guidance in this regard. The Director sought Members approval for the adoption of the Business Continuity - Recovery of Council Premises Procedural Guide for Council facilities and services.

Councillor Milne left the meeting at 8.30pm

The Director highlighted the appendix to the report detailing the social distancing measures, staff quota numbers and flexible home working measures that would be required.

Councillor Corry left the meeting at 8.32 pm

Councillor Kerr stated he had no issues and welcomed the reopening of Coalisland Civic Amenity Centre. He also asked that Council explore the antibody system that test if people have immunity.

Councillor Milne returned to the meeting at 8.33pm

Proposed by Councillor Brown
Seconded by Councillor Buchanan and

Resolved That Council adopt the Business Continuity - Recovery of Council Premises Procedural Guide for Council facilities and services.

Matters for Information

C103/20 Update on Mid Ulster District Council Community Support Hub

The Director of Leisure and Outdoor Recreation drew attention to the previously circulated report outlining the operation of the Council's Community Support Hub providing support to vulnerable people in Mid Ulster during the Covid 19 pandemic.

Members noted the report.

Declaration of Interest

Councillor Kerr declared an interest Coalisland COVID-19 Support Group

Councillor Kerr praised all sectors politicians and volunteers for the work being carried out in local communities.

Declaration of Interest

Councillor Colvin declared an interest in Moneymore Heritage Trust

Councillor Colvin stated it was heart-warming to see communities working together and whilst people clapped the National Health Service many were expressing support in providing Personal Protective Equipment and people's actions at this time instilled a confidence for going forward.

Councillor Corry returned to the meeting at 8.35pm

Declaration of Interest

Councillor Quinn declared an interest in St Vincent de Paul group.

Councillor Quinn concurred with previous speakers stating that community support in the Torrent area was a powerful force.

Declaration of Interest

Councillor S McPeake declared an interest in Termoneey Community Association

The Chair, Councillor Kearney stated that previous declarations were noted.

Declaration of Interest

Councillor Monteith declared an interest in Me, You and Them

Councillor Black acknowledged the excellent community response and sterling work carried out by council staff all of which gives hope to both individuals and society.

Declaration of Interest

Councillor Burton declared an interest in Bawn Development Association.

Councillor Burton spoke of the excellent work being carried out in rural volunteer groups highlighting examples such as up to 300 meals delivered to homes and ladies sewing PPE she stated it was very much a hands on approach and extended her thanks to volunteers across the district.

Councillor Monteith drew attention to the report and stated that it was not very clear what would be in place post June and it was not within Council gift to provide food packages and stated that it should be an item on the development committee agenda as to how support would continue. He also stated that Officers should speak to volunteers as to how they visualise community support going forward. Councillor Kerr concurred.

Resolved That a report be brought to Development Committee regarding community support, grants and schemes to help re start the economy for example Village Spruce-Up Schemes

C104/20 Covid 19 Community Support

The Director of Business and Communities and Director of Leisure and Outdoor Recreation drew attention to the previously circulated progress report. Members noted the report.

C105/20 Consultations notified to Mid Ulster District Council

Members noted previously circulated report which provided update on consultations notified to Mid Ulster Council for comment.

Councillor Monteith sought clarity in relation to the consultation listed *Department of Justice – Consultation on Proposals on the use of Live Links for Police Detention/Interviews* asking if this was indication of extending detention times and if so it was very disappointing that it was that it was being moved forward without proper scrutiny and he would not be in favour of the department handing more power to the PSNI. He stated that the six county police force had not covered itself in glory during the COVID 19 pandemic stating that they had stopped and searched people from the Nationalist and Republican community treating them with suspicion and this consultation would indicate that their power was being enhanced through the back door.

Councillor Kerr concurred stating that he was aware of one volunteer with the correct identity documents displayed on the windscreen of his car who was stopped by the PSNI and received a fine for disorderly behaviour.

Councillor Monteith stated that Council should have prepared a response.

Councillor Ashton stated that some of the comments made were in relation to specific incidents of which the full facts were not known and the PSNI had a difficult situation to manage and she would require more clarification on comments and thus would not support a response.

Councillor Monteith referred back to his original question, if the consultation involved an extension to detention times, as it was not clear in the report.

The Head of Democratic Services advised there was a hyperlink within the report leading to the full detail of the consultation and clarified that yes it did mention extension to detention times.

Councillor Monteith stated it was reprehensible and advised he would be making his own objections.

C106/20 Correspondence

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

Proposed by Councillor Cuthbertson
Seconded by Councillor Colvin and

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

The live broad cast concluded at 8.47pm

Matters for Decision

- (i) Council Confidential minutes of meeting held on 23 April 2020
- (ii) Planning System Replacement

Matters for Information

- (iii) Update on Furlough Scheme
- (iv) COVID 19 Financial Update

C111/20 Duration of Meeting

The meeting was called for 7pm and ended at 9.56pm

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

Good evening and welcome to our meeting of Mid Ulster District Council in the Burnavon Arts & Cultural Centre, Cookstown whether you have joined us remotely or in the auditorium.

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

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

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

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

Minutes of Annual Meeting of Mid Ulster District Council held on Monday 1 June 2020 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Kearney (Outgoing) Councillor Mallaghan (Incoming)
Members Present	Councillors Ashton, Black*, Brown, Buchanan*, Burton*, Colvin*, Corry*, Cuthbertson, Forde*, Glasgow*, Graham, Hughes*, Kerr, N McAleer*, S McAleer*, McFlynn*, B McGuigan*, S McGuigan, McKinney*, McLean*, McNamee, D McPeake*, S McPeake, Molloy, Monteith, Quinn, Robinson* and Wilson
Officers in Attendance	Mr A Tohill, Chief Executive Mr Moffett, Head of Democratic Services Mrs Forde, Member Support Officer Ms Campbell, Director of Culture and Leisure** Ms Mezza, Head of Marketing and Communications** Mr Cassells, Head of Environment and Property** Mr Kelso, Director of Public Health & Infrastructure** Mr McCreesh, Director of Business & Communities** Mr JJ Tohill, Director of Finance**

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

AC1/20 Apologies

None

AC2/20 Declarations of Interest

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

AC3/20 Chair's Business

The outgoing Chair, Councillor Kearney reflected on his year as Council Chairperson as undernoted:

“Good evening and welcome everyone, both Council members and general public, whether you are joining us here in Dungannon, or joining us by use of technology. I hope you and your families are all keeping well in these trying times. We continue to face into unprecedented and fundamental challenges as to how we live our daily lives, including how we work, shop, come together, take leisure and of course how we all stay safe.

Let me say from the outset that it has been an absolute privilege to serve as Chair of this Council for the past 12 months. It is unquestionably a very demanding role but also a very rewarding one. As I said last year I got into politics to make a difference, having enjoyed being a teacher and Principal for 35 years. Those life experiences have had a very positive effect, allowing me to live and work with both traditions in this Country. I cherished that co-operation, community spirit and quest for reconciliation as I undertook my day-to-day duties. My aims were very simple and continue to be so – to listen, to learn, to protect and to promote.

My year began with the absence of government and decision-making at Stormont as well as the imminent calamity of Brexit. There is so much uncertainty still surrounding Brexit but thankfully government has been re-established. At that time we had reached crisis point particularly with issues affecting education, the health service and welfare reform.

My main focus for the Year centred on children and young people, and in particular the plight facing our schools and colleges, but especially our primary schools. The issue then was that many if not all of our schools were continuing to experience increased enrolments but with declining budgets. Of course we are all aware that Councils don't control educational budgets but these are the future generations of our society. I was fortunate to be able to visit 32 schools during the Year to affirm the great work going on but being so badly missed for the present. However, fast forward to 2020 with COVID19 and getting our schools up and running at all is giving great cause for concern.

Acting on our Community Plan Mid Ulster Council continues to play its part supporting schools, by establishing a Skills Forum and other initiatives this Council is performing a dynamic role providing information on career pathways including apprenticeships for second level students.

Our lives have all been affected since mid-March with the spread of COVID 19 but in the worst of circumstances we are seeing the best of people. It is a great concern to us all to see health services stretched, people uncertain about their jobs and futures, businesses closing, and many losing their nearest and dearest to this terrible scourge. Every death is a human story of tragedy and loss. COVID 19 has changed our society overnight and it is distressing to witness it unfold and impact on our lives, our communities and our businesses.

On a happier note there were many highlights worth recording during the Year. The approval of the 'Final Draft' regional economic strategy by the Governance Steering Group of the MSW Growth Deal, with the total Growth Deal funding now standing at 252 million pounds: the visit of US Consul, the Chinese Consul, Tara Ghandi, granddaughter of Indian leader Ghandi and Princess Anne to Mid-Ulster, all four witnessing our wealth of literacy, education, community cohesion, culture and

businesses: the many Civic Awards, the sheer number of awards testament to the wealth of talent, featuring those who will contribute and influence the future shape of this District: the Chair's Receptions, giving me the opportunity to acknowledge those community groups and organisations whose volunteers give so freely of their time and energy: the Launch of the Connecting Pomeroy Project which promises so much to that community: the refurbishment of Dungannon Leisure Centre: the European Course Angling Festival at Portglenone, which generated 1 million pounds to the local economy: the horticultural successes at UK level of Castlecaulfield, Stewartstown and Donaghmore, and Donaghmore becoming 'Irish Village of the Year 2019.': the Special Evening held in Christ Church Cathedral Dublin, where internationally acclaimed stars of stage and screen gathered to celebrate the continued global interest in Ireland's most celebrated Poet Laureate Seamus Heaney. This performance sought to highlight the literary connections between Seamus Heaney Homeplace which has reached its 130,000 visitor milestone and the highly successful 'Listen Now Again' exhibition held in Dublin which has welcomed 162,000 visitors in one year. Thus creating a network across the entire Irish landscape where we and our visitors can embrace a 'Giant Literacy Spirit.'

It was my intention to organise a Gala Event on 2nd April as a fundraiser for the Air Ambulance Service, and plans were at an advanced stage with great interest being expressed. We make huge demands on this vital service, especially being such a rural Council. For obvious reasons this has been shelved but maybe it can be resurrected at a more opportune time.

I would like to particularly recognise the great achievements this Year spearheaded by our Economic Development Team and Officers: Mid Ulster hosted the Invest NI International Week: the first ever Mid Ulster Apprenticeship Employer Event sought to increase the number and quality of apprenticeships, to help address the skills gap in local businesses: the first ever Mid Ulster Enterprise Week, in conjunction with the Mid Ulster Skills Forum and the MEGA networks, staging 25 different free seminars, welcoming people at all stages of their business journey, whether start-up, scale up or growth: a successful Jobs Fair and a Business Support and Funding Event, a programme aimed at delivering one-to-one support to 690 businesses over three years. All this good work and expertise is going to be badly needed in the weeks and months ahead as we re-build and re-boot our economy. We are fortunate to have such a dedicated team in place to cope with all the demands for help and advice that will be so badly needed as we go forward.

The replacement of the RDP Programme is also currently being devised. The overall level of investment generated from the 8.3 million application to the RDP will be in the region of 19 million pounds. This investment assisted 95 rural businesses, projecting 200 jobs, grant aided 18 community/voluntary groups and invested in 50 rural towns and villages. Tremendous outcomes reaping huge benefits! We need to keep this momentum going into the next Programme.

COVID 19 has decimated local and global economies. The predicted drop in GVA for Mid Ulster is stark and as a result we are calling for a bespoke intervention by the Department for the Economy and InvestNI, to bring a package of immediate, substantial and sustained support.

The roles of councils are – and will continue to be – completely refocused as a result of COVID 19. The importance of local place shaping, resilience, data gathering, community planning and much more is in sharp focus right now. As we begin to plan ahead for recovery we have clearly shown in the 9/10 recent weeks that Mid Ulster Council has risen to the challenge in terms of constituent, corporate, local and regional work. By establishing a £400,000 funding package to meet immediate need we have taken on significant re-generational powers ourselves as a matter of urgency for the well-being of our people. Hopefully this extra responsibility will herald greater powers and resources coming to communities via local government. In the meantime we need to plan for recovery, by re-opening our facilities and services with the safety of staff, customers and community in mind, by reviewing our business models, by exploring other income generation streams, by exploring greater use of technology etc.

The impact of COVID 19 has now obviously changed the landscape and has the potential to unravel a lot of good work done by our Council. This virus doesn't ask your politics, nationality or faith, but in a strange way it has united our Communities. As Chair I have witnessed at first hand all the remarkable work and unparalleled community spirit that continues to prevail even in the midst of this uncertainty, fear and negativity. In recent days I have visited 5 community foodbanks across Mid Ulster manned by eager volunteers, reaching out weekly, and sometimes daily, to those who are most vulnerable. All frontline staff, including our own Council Staff have been outstanding – they have risked so much to look after us and allowing us to stay safe at home. Again, I wish to take this opportunity to commend the invaluable work so many of you, our Councillors, have been able to do both for your own Communities and the wider Mid Ulster Communities. As a Council we were delighted to offer the facilities of Meadowbank Sports Arena to allow Bloc Blinds to produce face shields for the NHS.

In conclusion, I wish to thank my SDLP Councillors and District Executive for nominating me for this Post. It has been truly an honour. I congratulate and thank Councillor. Cuthbertson on his successful year as Vice-Chair. We have worked well together fulfilling our duties as and when required. I thank each and every one of you for the respect shown to me and the odd word of advice from time to time. I thank the Chief Executive, Directors and Officer Team and Staff for their direction and assistance, especially Jennifer, Ursula, Colleen, Shirley, Eileen, Kate and the team at Communications. I wish Director Andrew Cassells a well-deserved retirement. He has given tremendous service both to Magherafelt District Council and Mid-Ulster Council. I also pay tribute to Councillor. Frances Burton who has completed her term of office as President of NILGA.

I thank my wife Grace and family for their patience and forbearance. I have been informed by my family a further period of lockdown is imminent after this Meeting.

I wish the incoming Chair and Vice-Chair all the best – it is certainly not an easy time to take on this role but I know with the support from Council you will face all the challenges ahead.

I finish with an ancient Irish saying. In English it reads: There is no strength without unity, meaning in life and hard times it is the most truthful of all statements. In Irish it reads: Ni ceart go cur le cheile!

Thanks again and best wishes to you all.”

The outgoing deputy Chair Councillor Cuthbertson spoke of his year stating,

“The past year has been a great year and flown in despite being cut short with engagements cancelled from the end of February due to the COVID-19 pandemic, while disappointed that I didn’t get carrying out everything that I had planned, it was fantastic to attend so many events, support and host various groups from the community which have never been recognised or supported by Council before. I will always be thankful to the 1833 people who voted for me to represent them on Council, without their support I would never had this opportunity. On stepping down from this role I want to pay tribute to all the critical workers involved in fighting COVID19, also the amazing community response that is still ongoing. We have many heroes in the mid ulster council area.”

Councillor Ashton on behalf of the DUP commended both Members on great year of which the concluding months had entailed difficult circumstances. She commended Councillor Kearney on his willingness to support the Air Ambulance and emphasised that she hoped the support would continue in the future. Councillor Ashton wished the incoming Chair and Deputy Chair success for the coming year.

Councillor Kerr paid tribute to the outgoing Chair stating that he had been very supportive of new Members, had been friendly and approachable and stated he was a true gentleman.

Councillor Quinn stated it was difficult for him not to be biased and commended his party colleague on the fantastic year in which he had set out to build bridges and had done so every day. He stated the entire party had wanted him for Chair and he had excelled in office especially during the recent crisis.

Councillor Molloy concurred with previous speakers and commended Councillor Kearney for his year in office and in particular the many community engagements he had undertaken and how during COVID 19 he had exhibited what Mid Ulster as a Council could do.

Councillor Wilson also concurred with previous speakers and stated that Councillor Kearney had been fair to all he also conveyed that the Deputy Chair too had done a good job throughout the year.

Councillor Wilson stated that many Members connecting via the meeting link where not receiving good sound quality.

Councillor Kearney thanked all for their comments and said he had enjoyed his term in office and concluded that the council was formidable and in the words of the poet Seamus Heaney, “Keeping going is a challenge in itself”.

AC4/20 Nominations of Councillors to hold Positions of responsibility for 2020-21 as confirmed at the AGN of May 2019

The outgoing Chair Councillor Kearney referred members to the meeting pack containing the previously agreed Positions of Responsibility for period 2019-2023, filled using the d'hondt method.

Councillor C Molloy nominating officer for SF nominated Councillor Mallaghan to take the Chair.

Councillor Kearney stood down from his position

The newly nominated Chair Councillor Mallaghan took position at 7.25pm.

The Chair, Councillor Mallaghan said he was honoured to be appointed as Chair, and stated that as Councillor Kerr had said the outgoing Chair was a gentleman and he would have liked to have shook his hand but due to COVID 19 restrictions this was not possible. He thanked his party for the nomination acknowledging that he had previously served as the Presiding Chair and filled in as interim Chair for a short time but this time would be very different context in which he would be undertaking his role due to the pandemic. He reflected on the 524 people who had lost their lives due to the virus to date. The Chair said that the virus impacts on the 'how' we do what we do – given the restrictions on how we all currently work, meet and interact – but not on the 'why' we do what we do. He said that the level of commitment with which Council delivers to its community is undiminished and acknowledged his personal commitment to supporting the people of Mid Ulster in the year ahead is absolute. No-one can fail to be impressed and inspired by the dedication of thousands of people across hundreds of groups, clubs and associations who have been working tirelessly to ensure not just practical support, but also the moral support is there for those who are isolated, whether by geography, economics or health. The Chair spoke of the economic impact and how Council was already lobbying for bespoke intervention for the district. He spoke of the date of the AGM falling on the first day of Volunteers' Week 2020 and indicated that he planned to highlight the work of the voluntary and community sector not just in the incoming week but throughout his year in office mentioning in particular Mid Ulster Women's Aid and concluded with a round of applause for Council front line staff.

The Chair, Councillor Mallaghan sought a nomination from the UUP for Deputy Chair.

Councillor Wilson nominated Councillor Graham.

Councillor Graham assumed the role as Deputy Chair.

The Deputy Chair acknowledged that she was the first female Ulster Unionist to hold the position in Mid Ulster and spoke of the privilege she felt in being appointed. She spoke of the steep learning curve she had experienced since being elected to represent the Clogher Valley area last year and how she had enjoyed working with the local community and looked forward with anticipation to the incoming year. Councillor Graham extended sympathy to all who had lost loved ones and acknowledges the NHS staff, care workers, Council staff and many key workers throughout the pandemic stating that she hoped the virus would be beaten and all

would emerge out the other side. In conclusion Councillor Graham thanked her family for all their support.

The Chair invited party nominating offices to nominate Members to hold the following positions of Responsibility, as listed for 2020-2021 in accordance with Schedule 1 of the Local Government Act (Northern Ireland) 2014.

Positions of Responsibility	Party	Councillor
Council Chair	SF	Councillor Mallaghan
Council, Deputy Chair	UUP	Councillor Graham
Audit Committee, Chair	SF	Councillor B McGuigan
Audit Committee, Deputy Chair	SF	Councillor N McAleer
Development, Chair	SF	Councillor McNamee
Development, Deputy Chair	DUP	Councillor Black
Environment Committee, Chair	SF	Councillor S McGuigan
Environment Committee Deputy Chair	SDLP	Councillor S McAleer
Planning Committee, Chair	SF	Councillor S McPeake
Planning Committee, Deputy Chair	UUP	Councillor Glasgow
Policy & Resources, Chair	SDLP	Councillor Quinn
Policy & Resources, Deputy Chair	UUP	Councillor McKinney
Housing Council for NI	SF	Councillor Elattar
Partnership Panel for NI (term of Council)	SDLP	Councillor Hughes
Reserve & Cadets Association for NI	DUP	Councillor Brown
Policing & Community Safety Partnership (term of Council)	SF	Councillor Mallaghan
	SF	Councillor B McGuigan
	SF	Councillor McNamee
	SF	Councillor S McPeake
	SF	Councillor D Molloy
	DUP	Councillor Burton
	DUP	Councillor Cuthbertson
	DUP	Councillor Forde
	SDLP	Councillor McFlynn
	UUP	Councillor Graham

	Year 1 2019/2020	Year 2 2020/2021	Year 3 2021/2022	Year 4 2022/2023
Council				
Chair	SDLP	SF	DUP	SF
Deputy-Chair	DUP	UUP	SDLP	DUP
Audit Committee				
Chair	SF	SF	UUP	SF
Deputy-Chair	UUP	SF	SF	SF
Development Committee				
Chair	UUP	SF	SF	SF
Deputy-Chair	IND (Monteith)	DUP	IND (Kerr)	DUP
Environment Committee				
Chair	DUP	SF	DUP	SF
Deputy-Chair	SF	SDLP	SF	UUP
Planning Committee				
Chair	SF	SF	DUP	SF
Deputy-Chair	DUP	UUP	SF	DUP
Policy & Resources Committee				
Chair	SF	SDLP	UUP	SDLP
Deputy-Chair	SDLP	UUP	SDLP	DUP
Housing Council for NI				
1 Representative	SF	SF	SF	SF
Partnership Panel for NI				
1 Representative 4 year term	SDLP			
Reserve Forces & Cadets Association for NI				
1 Representative	UUP	DUP	DUP	UUP
Policing & Community Safety Partnership - Mid Ulster (Note 3)				
10 Representatives 4 year term	SF SF SF SF SF	DUP DUP DUP SDLP UUP		

A5/20 Appoint of Councillors to Committees

The Chair, Councillor Mallaghan invited Nominating Officers from parties to nominate Members to allocate Members to serve on committees. Nominations and changes made as notified by Nominating Officers.

Audit Committee		
Position	Party	Membership 2020-2021
1. Chair	SF	Councillor B McGuigan
2. Deputy-Chair	SF	Councillor N McAleer
3. Member	DUP	Councillor Ashton
4. Member	SDLP	Councillor S McAleer
5. Member	SF	Councillor Mallaghan
6. Member	UUP	Councillor Colvin
7. Member	IND	Councillor Kerr
8. Member	IND	Councillor Monteith

Development Committee		
Position	Party	Membership 2020-2021
1. Chair	SF	Councillor McNamee
2. Deputy-Chair	DUP	Councillor Black
3. Member	SF	Councillor Clarke
4. Member	SF	Councillor Corry
5. Member	SF	Councillor Elattar
6. Member	SF	Councillor Doris
7. Member	SF	Councillor Milne
8. Member	SF	Councillor Molloy
9. Member	DUP	Councillor Ashton
10. Member	DUP	Councillor Burton

11. Member	SDLP	Councillor Hughes
12. Member	SDLP	Councillor Kearney
13. Member	UUP	Councillor Cuddy
14. Member	UUP	Wilson
15. Member	IND	Councillor Kerr
16. Member	IND	Councillor Monteith

Environment Committee		
Position	Party	2019-2020 Membership
1. Chair	SF	Councillor S McGuigan
2. Deputy-Chair	SDLP	Councillor S McAleer
3. Member	SF	Councillor N McAleer
4. Member	SF	Councillor B McGuigan
5. Member	SF	Councillor McNamee
6. Member	SF	Councillor Milne
7. Member	SF	Councillor Oneill
8. Member	SF	Councillor Totten
9. Member	DUP	Councillor Brown
10. Member	DUP	Councillor Buchanan
11. Member	DUP	Councillor Burton
12. Member	DUP	Councillor Cuthbertson
13. Member	SDLP	Councillor McFlynn
14. Member	UUP	Councillor Glasgow
15. Member	UUP	Councillor Graham
16. Member	UUP	Councillor Wilson

Planning Committee		
Position	Party	2019-2020 Membership
1. Chair	SF	Councillor S McPeake
2. Deputy-Chair	UUP	Councillor Glasgow
3. Member	SF	Councillor Bell
4. Member	SF	Councillor Clarke
5. Member	SF	Councillor Gildernew
6. Member	SF	Councillor Mallaghan
7. Member	SF	Councillor D McPeake
8. Member	DUP	Councillor Black
9. Member	DUP	Councillor Brown
10. Member	DUP	Councillor Cuthbertson
11. Member	DUP	Councillor Robinson
12. Member	SDLP	Councillor Kearney
13. Member	SDLP	Councillor McFlynn
14. Member	SDLP	Councillor Quinn
15. Member	UUP	Councillor Colvin
16. Member	UUP	Councillor McKinney

Policy & Resources Committee		
1. Chair	SDLP	Councillor Quinn
2. Deputy-Chair	UUP	Councillor McKinney
3. Member	SF	Councillor Doris
4. Member	SF	Councillor Elattar
5. Member	SF	Councillor Gildernew
6. Member	SF	Councillor S McGuigan
7. Member	SF	Councillor S McPeake
8. Member	SF	Councillor Molloy
9. Member	SF	Councillor Totten
10. Member	DUP	Councillor Ashton
11. Member	DUP	Councillor Buchanan
12. Member	DUP	Councillor Forde
13. Member	DUP	Councillor McLean
14. Member	SDLP	Councillor Hughes
15. Member	SDLP	Councillor McFlynn
16. Member	UUP	Councillor Cuddy

A6/20 Chair of Mid Ulster Policing & Community Safety Partnership (PCSP)

The Chair, Councillor Mallaghan invited the nominating officer for the SDLP to nominate the Chair of the Policing and Community Safety Partnership for year 2020-2021.

Councillor Quinn nominated Councillor McFlynn.

A7/20 Nominations for representation on Outside Bodies

The Chair Councillor Mallaghan drawing attention to the previously circulated report and giving no amendments to the membership notified the report was noted.

Matters for Information

A8/20 Council and Committee Meeting Schedule 2020-2021

The Chair, Councillor Mallaghan drew attention to the previously circulated 2020-21 Schedule of Meetings for Council and Committee meetings

In response to Councillor Monteith's query the Chief Executive stated he would review the scheduling of the audit committee in November 2020.

Councillor Molloy proposed that a full council meeting be held in August given the current crisis with COVID 19.

Councillor Monteith seconded the proposal stating that rapid decisions were made in response to COVID 19 due to delegated authority but in moving consideration should be given to how decisions could be made to reflect pace of change.

The Chief Executive stated that a date would be set.

Resolved That Council review the scheduling of a meeting in August 2020.

AC9/20 Duration of Meeting

The meeting was called for 7pm and ended at 7.40pm

CHAIR _____

DATE _____

Annex A - Introductory Remarks from Chairperson

Good evening and welcome to our meeting of Mid Ulster District Council in the Burnavon Arts & Cultural Centre, Cookstown whether you have joined us remotely or in the auditorium.

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 2 June 2020 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor McPeake, Chair

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

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer**
Ms McCullagh, Senior Planning Officer**
Ms McKearney, Senior Planning Officer**
Ms McNally, Council Solicitor
Ms McNamee, IT Support
Mr Moffett, Head of Democratic Services
Miss Thompson, Democratic Services Officer

Others in Attendance

Applicant Speakers

LA09/2019/0994/F	Mr Blacklaws
	Mr Bleeks
	Ms Cahoon
	Councillor Wilson*
LA09/2020/0111/F	Ms Wright
	Ms Hancock*

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

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

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

All confirmed that they had seen the addendum and had time to read it.

P040/20 Apologies

None.

P041/20 Declarations of Interest

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

Councillor Cuthbertson declared an interest in planning applications LA09/2017/1226/F, LA09/2018/0484/F and LA09/2019/1285/F.

The Chair, Councillor S McPeake declared an interest in planning applications LA09/2020/0069/F and LA09/2020/0111/F.

P041/20 Chair's Business

The Planning Manager provided update on the functioning of the Planning Department since the announcement of lockdown on 23 March. Members were advised that officers had been asked to work from home with a core admin team remaining in the office to receive planning applications as this is a statutory obligation. The Planning Manager stated that as time has progressed over the last couple of months' group meetings have taken place and decisions are being issued and that since 23 March, 130 applications had been received and 110 decisions had been taken therefore a backlog is not being held. The Planning Manager advised that the Department was now moving to its recovery plan and getting back to normal as much as possible, this will mean having more officers in the office whilst continuing to mix with home working. The Planning Manager felt that if managed correctly then a full planning service could be achieved. The Planning Manager advised that the ongoing situation has also had an effect on the Development Plan and that there was a paper to be considered later in the agenda on how to get this up and running again.

In relation to tonight's agenda the Planning Manager stated that all planning applications were being recommended for approval, the reasons for this were that the pandemic and lockdown situation were still ongoing and that applications for refusal would bring about more people seeking to come to the meeting and that officers wanted to ensure technology worked for this meeting. It was also felt that it was important to deal with applications that could be approved so development can take place as part of recovery. The Planning Manager stated that, if the Committee were minded, then applications for refusal would be brought to next month's meeting.

The Planning Manager also highlighted that the Development Management section of planning had achieved their performance objectives for the year and had indeed achieved their best performance in the last five years.

The Chair, Councillor S McPeake asked if Members were content to move forward with refusals featuring on next month's planning agenda.

Councillor Mallaghan stated he believed this was a reasonable way to move forward.

Councillor Mallaghan also expressed his thanks to the planning team for their support during his past year as Chair. Councillor Mallaghan stated that the Planning Committee were making good planning decisions for Mid Ulster.

Matters for Decision

P042/20 Planning Applications for Determination

The Planning Manager referred to planning application LA09/2019/0994/F in which there had been a request to defer this application from Councillor Wilson as it was felt there had not been adequate consultation with consultees in relation to objections being raised. The Planning Manager advised that the objections to the application were sent to the consultees and their responses are based on being in receipt of the objections. The Planning Manager stated it would not be his advice to permit a deferral on this application and it was reasonable for objectors to present their case to the Committee tonight.

Members were in agreement.

LA09/2017/1226/F Housing development of 76 units adjacent to junction of Station Road and Tullybroom Road, Clogher for T&H Mills

Members considered previously circulated report on planning application LA09/2017/1226/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That planning application LA09/2017/1226/F be approved subject to conditions as per the officer's report.

LA09/2018/0484/F Waste Water Treatment Works including security fencing, gates, underground sewer pipe, concrete range well, security light, telemetry antenna, kiosks and hard standing area for vehicular access, vehicle turning area and Kingspan BN biodisc RBC unit to service housing development LA09/2017/1226/F at approx. 43m West of 57b Station Road, Clogher and adjacent to existing NI Water waste water treatment works for T and H Mills

Members considered previously circulated report on planning application LA09/2018/0484/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2018/0484/F be approved subject to conditions as per the officer's report.

LA09/2018/1302/O Housing Development immediately East of 5 to 11 Cavehill Drive, Kilmascally Road, Ardboe for M Mallon

Members considered previously circulated report on planning application LA09/2018/1302/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2018/1302/O be approved subject to conditions as per the officer's report.

LA09/2019/0313/F 5 detached dwellings and 12 semi-detached dwellings, detached garages, car parking, landscaping and retaining walls and all other associated site works including temporary treatment works at lands to the NE of 3 Old Omagh Road, Ballygawley for Dr J Gormley

Members considered previously circulated report on planning application LA09/2019/0313/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/0313/F be approved subject to conditions as per the officer's report.

LA09/2019/0317/F 2 detached bungalows and 2 semi-detached dwellings, detached garages, car parking, landscaping and all other associated site works including temporary treatment works at lands to the NE of 3 and 15 Old Omagh Road, Ballygawley for Dr J Gormley

Members considered previously circulated report on planning application LA09/2019/0317/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0317/F be approved subject to conditions as per the officer's report.

LA09/2019/0456/O 2 dwellings and associated works to the rear of 32 The Square, Stewartstown for Kevin Campbell

Members considered previously circulated report on planning application LA09/2019/0456/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2019/0456/O be approved subject to conditions as per the officer's report.

LA09/2019/0766/F Café at site 20m E of unit 7-11 Kilcronagh Business Park, Cookstown for K E Holdings

Members considered previously circulated report on planning application LA09/2019/0766/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0766/F be approved subject to conditions as per the officer's report.

LA09/2019/0823/F Residential development of 13no. dwellings (9 detached and 4 semi-detached) and 5no. garages and associated siteworks at 6 Tullyodonnell Road, Rock for F P Dev Ltd

Members considered previously circulated report on planning application LA09/2019/0823/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0823/F be approved subject to conditions as per the officer's report.

LA09/2019/0994/F Housing development of 39 units consisting of 2 storey detached and semi-detached dwellings with open space and temporary waste water treatment works at site N of 3 Coolreaghs Road, Cookstown for J and A Developments Ltd

Ms Doyle (SPO) presented previously circulated report on planning application LA09/2019/0994/F which had a recommendation for approval.

At the request of the Planning Manager, Ms Doyle shared a site layout plan on the Webex screen so that all Members could see a plan of the development and the extent of the red line.

The Planning Manager asked which properties raised objections in relation to privacy.

Ms Doyle (SPO) advised that an objection was received from 3 Coolreaghs Road in relation to privacy.

On viewing the site layout plan the Planning Manager stated that the separation distance to the opposite side of the Coolreaghs Road was significant, to the south of the site properties would be impacted more to the side which is not the same. The

Planning Manager also highlighted that the development has been designed around an open space and Council are keen to encourage this is included as an integral part of the design of developments.

The Planning Manager referred to road safety and stated that it appeared to be a typical access off the Coolreaghs Road and advised that Roads Service had been consulted and were content with the access.

Councillor Brown asked for clarification in relation to the Planning Manager's earlier comments in relation to this application and that the objector should be allowed to present their case

The Planning Manager confirmed that a request for deferral had been received from Councillor Wilson as it was felt inadequate consideration had been given by consultees to objections in relation to water/sewerage/roads issues. The Planning Manager advised that officers had checked the file and were content that consultees had considered the objections raised. The Planning Manager stated there may be a difference of opinion but that is not to say it has not been considered. In this instance the Planning Manager stated that nothing was going to change by deferring the application and it was right that the Committee considered the application tonight. The Planning Manager stated that the Councillor has a right to address the Committee and was waiting to present their case remotely.

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

Councillor Wilson stated that he had requested a deferral on the application as he lived further along the Coolreaghs Road and that there was inadequate sewer and storm drains in the area and as a result there has been instances of flooding over the years. The Councillor stated that he had raised concerns with the Water Service regarding the floods but that it was his understanding that Water Service do not have any record of previous floods yet there were photographs of raw sewerage into people's houses. In relation to the issue of privacy at 3 Coolreaghs Road Councillor Wilson advised that the proposed development would have a house being built six metres from this property and would mean the residents would be looking out at a brick wall in the future although it was hoped this issue could be sorted when the design came in.

Councillor Wilson stated he was surprised that Water Service had made no reference in their response to previous flooding. Other matters for concern were the roads and footpath system particularly for traffic entering the Coolreaghs Road, this is compounded by a narrow footpath which forces pedestrians onto the road.

The Chair, Councillor S McPeake asked Councillor Wilson to pause his presentation as another objector was waiting outside and in the interests of fairness, the objector needed to hear the full transcript of what he had to say.

The Planning Manager highlighted to Members that the application under consideration was a full application.

The Chair, Councillor S McPeake introduced Ms Cahoon to the meeting and advised that consideration of this application would need to be taken again from the start. He asked that the planning officer give a summary of their report again.

Ms Doyle (SPO) provided a summary of the case officers report and highlighted the main objections raised and that all consultees had been consulted.

The Chair, Councillor S McPeake asked Councillor Wilson to recap and continue with his presentation.

Councillor Wilson stated that the objectors are aware the land is phase 1 land and can be built on but that the issues of concern are mainly around the sewerage system and previous flooding and roads and footpaths issues. Councillor Wilson stated that there were photographs sent in to back up the concerns in relation to sewerage in people's houses and it was a mystery why Water Service had made no reference to this in their response and that he was not sure that Water Service had kept a record of the number of times flooding has taken place in this area.

Councillor Wilson stated that the roads and footpath system at the Coolreaghs/Lissan Road junction was currently unsatisfactory particularly for traffic entering the Coolreaghs Road from the Lissan Road which is compounded by a narrow footpath which forces pedestrians onto the road. With the increased traffic to/from the proposed development this situation will be made even worse and that there is nothing within the plan to upgrade the current footpath. Councillor Wilson stated that the electricity substation at this road junction also causes problems and that the developer proposes to have maintenance vehicles park on the other side of the junction while building work is ongoing. Councillor Wilson also referred to the number of entries and exits and hoped this matter could be addressed moving forward.

Councillor Wilson referred to concerns in relation to the proposed temporary treatment plant for the development and what the word temporary actually means. Councillor Wilson stated objectors would like to know how long temporary is and that to date no satisfactory answers have been received on this matter.

Councillor Wilson stated again that it is appreciated that the proposal lies within phase 1 land and that the objectors are not against the development per se but they are worried and concerned about the sewage, flooding and the roads systems in the area. As it was his understanding that Water Service made no reference to previous flooding in the area in their response Councillor Wilson asked that Water Service be written back to and that the application be deferred.

The Chair, Councillor S McPeake invited Ms Cahoon to address the Committee.

Ms Cahoon stated she was speaking on behalf of her elderly parents who live at 3 Coolreaghs Road, the property which will be most adversely affected by the proposed development. Ms Cahoon advised that her parents had lived at this property for almost 50 years and are upset and concerned what this new development will mean for them, to their quality of life and the value of their property.

Ms Cahoon referred to the planning report which shows the proposal and explained that there are two kitchen windows in the gable wall of her parent's house. Ms Cahoon stated that should the proposal go ahead, there would only be a separation distance of six metres from the proposed property to her parent's house and only three metres from her parent's kitchen window to the garden of the adjacent property. Ms Cahoon stated she appreciated that there had been amendments made to the design of the property but expressed concern over the level of privacy to her parent's home and the impact of noise and dirt if the proposal went ahead only six metres away.

Ms Cahoon stated she lived in a development in another part of Cookstown and that there was currently building development taking place at the bottom of her garden, Ms Cahoon stated she could not convey the considerable impact this recent building work has had on her life ie. Noise, dirt and robbing of privacy. Ms Cahoon stated she was concerned how this proposal would impact on the physical and mental wellbeing of her mother and father who are in there 70s and 80s and have complex health issues and are confined to the house. Ms Cahoon stated her parents have a small garden at the back of their property but this will be completely overlooked if development goes ahead.

Ms Cahoon stated this was a personal matter for her and her parents and asked Members to consider deferring the application to seek to alleviate some of her parent's concerns.

The Planning Manager asked where the kitchen windows in Ms Cahoon's parents home were located.

Ms Cahoon advised that there were two small kitchen windows on the side elevation of her parent's home nearing the proposed development.

In response to question from the Planning Manager Ms Cahoon advised that her parent's kitchen was quite small.

The Planning Manager stated that one of the key elements relating to privacy is habitable rooms. In relation to the kitchen this would not be treated as a habitable room as much as a living room, however for some people the kitchen is their living room.

Ms Cahoon stated that her parents spend a lot of time in their kitchen.

The Chair, Councillor S McPeake invited Mr Blacklaws to address the meeting.

Mr Blacklaws stated that the proposal is within the development limits of Cookstown and acknowledged the 14 objections received in relation to the development, all of which raised similar concerns.

Mr Blacklaws advised that Roads Service were consulted in relation to the development and expressed no road safety concerns. Mr Blacklaws advised that the footpath which abuts the Coolreaghs Road frontage will be widened.

Mr Blacklaws advised that Rivers Agency were consulted and drainage reports were submitted to them. Mr Blacklaws stated that the site does not lie within the 100 year fluvial flood plain however River Agency have asked for a condition that a final drainage design for the discharge of water from the site should be submitted prior to the commencement of any approved development and he stated this will be submitted in due course.

In relation to existing sewer capacity it was advised that Water Service state that the public foul sewer on Coolreaghs Road can become subject to incapacity due to downstream flow and additional network flows combined. The WWtW has capacity for the development. Mr Blacklaws stated that the proposal includes a temporary waste water treatment plant which will discharge into the storm water sewer until such times as the existing public foul sewer is upgraded.

Mr Blacklaws explained that there was a 375mm public storm drain on the site which can service property based on a discharge rate of 26.3m per second and that the detailed drainage design will confirm this.

Mr Blacklaws stated that there will be no significant noise or odour impacts on neighbouring receptors.

Mr Blacklaws referred to concerns in relation to Japanese Knotweed and stated that this issue was not within the space of the works however had been dealt with by a specialist company. Mr Blacklaws also stated that the Council's tree officer did not merit a TPO on existing trees.

Mr Blacklaws stated that he had worked closely with the case officer in relation to this proposal, that the number of dwellings had been reduced from 41 to 39 and that the proposed property adjacent to 3 Coolreaghs Road had been redesigned.

The Planning Manager stated that there appeared to be a problem with the sewerage infrastructure and on occasions the sewers themselves had not drained away and sewerage had then backed up. The Planning Manager stated that there had been work done over the years to Cookstown sewerage works and it was his understanding that these works have been upgraded. The Planning Manager stated that it appeared that Coolreaghs Road had not been connected to the sewerage works and that the proposed development will rely on being serviced by a package plant.

The Planning Manager stated that Rivers Agency have been consulted and are content but have requested that a pre commencement condition be placed on the application and that full details of the drainage system for the development should be submitted and approved prior to any development taking place.

The Planning Manager stated that privacy needs to be taken seriously however in this instance it is quite tricky as you can't expect to have the same degree of privacy on all elevations. As the kitchen window in this case is at a higher level there will not be a same degree of look in and there have been revisions to the design of the proposed adjacent property to try to address concerns.

The Council Solicitor referred to the concerns raised by the objector which are non material planning considerations – one being the loss in value of property and the other relating to the impact of noise and dirt during construction of development. The Council Solicitor advised that those objections are not relevant to the Planning Committee's decision making.

Councillor McKinney stated that it was recognised that there will be houses on this site at some stage but referred to the concerns raised in relation to previous instances of sewerage flooding. Councillor McKinney stated that sometimes the people on ground have more information than the relevant bodies and that the whole situation and recommendation did not sit well with him as it stands now. Councillor McKinney referred to previous presentation to Council by NI Water in which they stated a number of sewerage works across Northern Ireland were not fit for purpose and he was not aware if Cookstown works had been upgraded. Councillor McKinney also referred to the applicant's claim relating to the size of pipe taking water away and whilst he did not dispute this he stated he would like to know the size of the pipe that it would be linking into. Councillor McKinney proposed that the application be deferred.

The Planning Manager stated that officers have raised the issues of concern relating to sewerage with Water Service and they are satisfied with the proposal as is. In relation to issues with flooding Rivers Agency have also been advised of the objections and they are satisfied that a proper drainage system will deal with the concerns. The Planning Manager stated that there will be a package plant for the development and in relation to the water coming off the road and land this will be dealt with by the pipes on the site and may help to alleviate previous problems as the site would be piped.

The Planning Manager stated that the questions have been raised with the relevant agencies and there was not a lot further could be done in relation to those issues of concern.

Councillor Colvin stated that he still had concerns in relation to sewerage and that it was well known that the sewerage system across Mid Ulster is not up to standard. Councillor Colvin stated that he felt the word temporary waste water treatment plant was very misleading and he did not expect there to be any investment in infrastructure in the near future given the current situation. The Councillor stated that temporary could mean the plant is there for years which can then give rise to other complaints such as noise, smell and who will maintain it in the future. Councillor Colvin stated he would not be content with the situation at present and he did not feel it was sufficient for the statutory consultees to say everything will be alright as he was not convinced it will be. Councillor Colvin stated he would like to know how long temporary is going to be as it would help to inform the Members decision making.

Councillor Colvin stated he would also have sympathy with Ms Cahoon and her parents as the kitchen is a living space where a lot of time is spent and that there is nothing to stop the owner of the adjacent proposed property building a conservatory in the future and being even closer to 3 Coolreaghs Road.

Councillor Colvin seconded Councillor McKinney's proposal to defer the application in order to ascertain how long the temporary treatment works will be in operation and also to provide drawings of how privacy to 3 Coolreaghs Road will be maintained.

The Planning Manager stated that there should be proper infrastructure in place and that he was not comfortable with private package plants however did this mean that development should stop or should it be accepted as a measure until the infrastructure is in place. The Planning Manager stated that the long term management of the plant can be conditioned and also permitted development rights for the site adjacent to 3 Coolreaghs Road can be removed.

Ms Doyle (SPO) referred Members to condition 8 in the case officers report –

“Should adoption of the proposed temporary treatment plant not be feasible by Northern Ireland Water, then an adequate and effective maintenance programme shall be put in place for a period not less than 20 years. The programme should be submitted and agreed for approval prior to the occupation of any dwellings hereby approved.

Reason: To ensure the protection of residential amenity.”

The Planning Manager stated it may be better to link a condition such as the one outlined to prior to commencement so that there was not a situation of houses being built and the management of the sewerage system not being in place. The Planning Manager stated he would also want to know how the management plan will be funded.

Councillor Bell referred to NI Water and Rivers Agency being consulted with on numerous occasions in relation to this application and stated he would have confidence in the professionals in those agencies providing information that will stand up. Councillor Bell stated he would have sympathy for some of the objections raised however he felt that the objections have been taken into account and there had been moves to alleviate concerns. Councillor Bell stated that having listened to the officer's report and the debate so far he would propose the officer recommendation to approve the application.

The Planning Manager asked if Councillor Bell was happy with his suggestion in relation to condition 8 and that this should be in place prior to commencement of development.

Councillor Bell asked for clarification in relation to other developments in Cookstown, Dunnganon and Magherafelt and whether they had to take on such a condition.

The Planning Manager stated that practice is always evolving but that perhaps stating prior to commencement of development is unduly harsh and this should be amended to prior to the commencement of dwellings. This would enable the developer to proceed with site works and drainage infrastructure. The Planning Manager stated it would be bizarre to build houses before the infrastructure was in place. The developer would then be in control, the application could be kept alive and gives more flexibility. The Planning Manager also suggested that Permitted

Development rights on the side gable of the property to be situated adjacent to 3 Coolreaghs Road be removed.

The Chair, Councillor S McPeake asked if Councillor Bell was content with the amendments to the conditions of approval as outlined by the Planning Manager.

Councillor Bell stated he was unsure if his previous question had been answered.

The Planning Manager stated that planning works best when people work together and asked the developer if he would be happy to work with the conditions he had suggested.

Mr Bleeks stated that it was their intention to have the treatment plant adopted by NI Water as they have adopted similar plants in other developments.

The Planning Manager challenged the developer to get agreement from NI Water prior to the commencement of any houses. If agreement cannot be achieved with NI Water then he advised the developer to put forward their long term proposals for the management of the temporary plant.

Mr Bleeks stated this would delay the construction of the development.

The Planning Manager stated that there were currently no assurances that NI Water will adopt the plant.

Councillor Bell stated his proposal stands with the inclusion of the additional conditions.

Councillor Colvin stated that the infrastructure was not what it should be and that a partnership approach between Council and developers will be required going forward as it will be the people living in the houses who will suffer if the sewerage system is not up to standard. Councillor Colvin stated that what the Planning Manager was suggesting was not unreasonable and it is probably the first of many similar applications.

The Planning Manager stated that he felt what he had put forward was a sensible approach to ensure the management of the temporary package plant would be in place before building of houses commences.

Councillor McKinney referred to his earlier proposal to defer the application which Councillor Colvin seconded. Councillor McKinney stated that there was an element of horse trading going on with the developer and this is not something the Planning Committee should become involved in. Councillor McKinney stated that his fears were being confirmed during the debate and stated that whilst he recognised there was a need for housing in Mid Ulster the sewerage problem needed to be dealt with first. Councillor McKinney stated he would continue to stand over his proposal to defer the application.

Councillor Mallaghan seconded Councillor Bell's proposal.

The Council Solicitor referred to the additional condition outlined in relation to removing permitted development rights for the property to be situated adjacent to 3 Coolreaghs Road.

The Planning Manager confirmed that this would be a separate condition which would specify that permitted development rights were removed for any extensions or new windows on the side elevation adjacent to 3 Coolreaghs Road.

The Chair, Councillor S McPeake asked if Councillor Bell was content to include this in his proposal.

Councillor Bell stated he was happy that the additional conditions were included.

Members voted on Councillor McKinney's proposal –

For – 6

Members voted on Councillor Bell's proposal –

For - 9

Resolved That planning application LA09/2019/0994/F be approved subject to conditions as per the officer's report. That condition 8 be amended to state that the maintenance programme should be submitted and agreed for approval prior to the commencement of the building of dwellings. An additional condition should also be included in which permitted development rights are removed on the side elevation of the property to be sited adjacent to 3 Coolreaghs Road, Cookstown.

LA09/2019/1276/F Partial removal of roof of drive thru lane at KFC, 45 Killymoon Street, Cookstown for Kirk and Bryson Co. Ltd

Members considered previously circulated report on planning application LA09/2019/1276/F which had a recommendation for approval.

Councillor Clarke asked if the roof was a key part of the site on the original application for KFC.

The Planning Manager advised that when KFC made their application at that site Environmental Health had requested something which would reduce the impact of that particular development and that what the developer proposed is what is in situ now. The Planning Manager stated that in order to change the site officers have taken what is being proposed and consulted with Environmental Health however he advised that the site still needed to remain up to a good standard to protect neighbouring amenity. The Planning Manager stated that Environmental Health are content with the proposal.

Proposed by Councillor Colvin
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/1276/F be approved subject to conditions as per the officer's report.

LA09/2019/1285/F Dwelling and garage (change of house type) at 86m NW of 81 Killyliss Road, Dungannon for Gary McCann

Members considered previously circulated report on planning application LA09/2019/1285/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1285/F be approved subject to conditions as per the officer's report.

LA09/2019/1322/O Site for dwelling and domestic garage approx. 30m S of 4 Killyneese Road, Castledawson for Brendan McKenna

Members considered previously circulated report on planning application LA09/2019/1322/O which had a recommendation for approval. Members were also directed to addendum which advised of an additional letter of objection from a previous objector. The issues raised in this objection were addressed in the case officer report.

Councillor McKinney referred to the objection letter which suggested that the wrong name was on the application.

Ms McCullagh (SPO) advised that the application was made in the name of Brendan McKenna however he is known as Bernard. The officer advised that there were no other issues with the application.

The Council Solicitor stated she would have no issue provided no prejudice had been caused.

Councillor McKinney referred to the objection letter also stating that a garage was being used as part of farm business.

The Planning Manager stated that if an application is for a dwelling on a farm then the buildings on the farm can be taken into consideration ie. House, garage, shed.

Councillor Brown referred to the 10 year rule and stated that there had been a previous application made in 2013 for the same business id.

Ms McCullagh (SPO) advised that an application had been previously approved in 2013 however no work on this application had commenced.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2019/1322/O be approved subject to conditions as per the officer's report.

Councillor S McPeake vacated the Chair and withdrew from the meeting for the following items.

Councillor Glasgow took the Chair.

LA09/2020/0069/F Replacement dwelling and garage at site adjacent to 42 Dreenan Road, Drummuck, Upperlands for Mr and Mrs Adam and Catherine Morgan

Members considered previously circulated report on planning application LA09/2020/0069/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2020/0069/F be approved subject to conditions as per the officer's report.

LA09/2020/0106/O Dwelling adjacent to/N of 44 A Glencrew Road, Aughnacloy for Enda McGarrity

Members considered previously circulated report on planning application LA09/2020/0106/O which had a recommendation for approval.

The Head of Development Management also highlighted addendum which advised of an additional letter of objection received.

Councillor Cuthbertson asked if planners had written out to relevant parties to advise of upcoming meeting.

The Planning Manager stated it was not general practice to write out but given there had not been a Planning Committee held for the last couple of months officers had made contact with all relevant parties to advise that there was a meeting coming up in June. The Planning Manager stated that this course of action was only undertaken for this meeting to ensure everyone was aware it was taking place and it is not intended that it continues as it is a labour intensive exercise. The Planning Manager stated that there was also press coverage highlighting that a meeting would take place in June.

Councillor Cuthbertson stated he did not have an issue with writing out but that due to the tendering process there is no press coverage in the Clogher Valley area and only for the objector receiving a letter advising that the meeting was coming up they would not have known.

Councillor Colvin asked for clarification on what a crossroads can be.

The Planning Manager stated that officers can refer to crossroads, or a community facility but that ultimately it should be something which gives a place an identity. The Planning Manager stated that the key thing is that if it is a cluster it should have development on two sides with four buildings, three of which should be dwellings. It was advised that there is a series of criteria in relation to a cluster.

The Planning Manager felt that this case did not look like a traditional crossroads but policy does not say anything in relation to the length of time properties have been there. The Planning Manager stated that policy facilitates the development and therefore the application has passed the test.

Proposed by Councillor Bell
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2020/0106/O be approved subject to conditions as per the officer's report.

LA09/2020/0111/F Single storey rear extension and single storey side carport at 10 Ballyheifer Road, Magherafelt for Shauna Wright

The Head of Democratic Services advised that officers were checking if the objector had been able to gain access remotely as they were not online at present and not in the public gallery.

The Council Solicitor referred to the interim standing orders relating to a member of the public attending remotely and wanting to exercise their right to speak. The Council Solicitor advised that the Chair would have two options – either to adjourn the meeting for a short period to determine if a remote connection can be established or to suspend consideration of this item and continue with other items on the agenda to determine if a remote connection can be established.

The Planning Manager felt that it would be sensible to suspend consideration of this item in the interim and continue with other items on the agenda which will give opportunity to determine if a connection can be made with the objector. The Planning Manager highlighted that the objector may have now chosen not to speak as opposed to not being able to join the meeting remotely.

Councillor Cuthbertson proposed that the application under consideration be suspended for the time being and that the meeting continue with the other items of business.

Councillor D McPeake seconded Councillor Cuthbertson's proposal.

Resolved That consideration of planning application LA09/2020/0111/F be suspended in the interim in order to contact the objector. Meeting to continue with other items of business as per agenda.

Councillor S McPeake rejoined the meeting and took the Chair.

**H/2014/0154/F Agricultural store 150m NE of 20 Newferry Road, Bellaghy
for Alan Mawhinney**

Members considered previously circulated report on planning application H/2014/0154/F which had a recommendation for approval.

Proposed by Councillor Kearney
Seconded by Councillor McKinney and

Resolved That planning application H/2014/0154/F be approved subject to conditions as per the officer's report.

LA09/2018/0944/O Dwelling and garage (Infill) approx. 90m SE of 43 Rocktown Road, Bellaghy for Mr David Arrell

Members considered previously circulated report on planning application LA09/2018/0944/O which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved That planning application LA09/2018/0944/O be approved subject to conditions as per the officer's report.

LA09/2019/0417/O Dwelling and garage 180m NW of 18 Lower Grange Road, Cookstown for Lawson Martin

Members considered previously circulated report on planning application LA09/2019/0417/O which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2019/0417/O be approved subject to conditions as per the officer's report.

LA09/2019/1220/F Dwelling and domestic garage at 35m N of 25 Annaghmore Road, Annaghmore, Coalisland for Eithne O'Neill

Members considered previously circulated report on planning application LA09/2019/1220/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Quinn and

Resolved That planning application LA09/2019/1220/F be approved subject to conditions as per the officer's report.

Councillor S McPeake vacated the Chair for the following item and withdrew from the meeting.

Councillor Glasgow took the Chair.

LA09/2020/0111/F Single storey rear extension and single storey side carport at 10 Ballyheifer Road, Magherafelt for Shauna Wright

The Planning Manager advised that the objector made a request to speak to the meeting remotely and an invitation to join the meeting was sent.

The Head of Democratic Services confirmed that the invitation had been sent however there was no indication as to whether the person had accepted the invitation or not.

The Planning Manager stated that there was no telephone contact for the objector and referred to the interim standing orders and options therein as previously set out by the Council Solicitor. The Planning Manager stated that officers at present did not know whether the objector could not join the meeting because of a technical difficulty or that they were choosing not to speak and that this type of occurrence will require further thought and discussion between himself and the Council Solicitor for future. The Planning Manager felt that in this instance it would not be wise to put the Council in a position where it could be challenged.

The Council Solicitor noted that the meeting could be adjourned for a short period to establish whether contact can be made with the objector.

Councillor McKinney proposed that the meeting adjourn for 5 minutes.

Councillor Black seconded Councillor McKinney's proposal.

Resolved That the meeting be adjourned in order to try to make contact with the objector.

The meeting adjourned at 8.55 pm.

The meeting recommenced at 9.13 pm.

The Chair, Councillor Glasgow advised that the objector was attempting to dial in to the meeting and asked for Members continued patience.

Councillor McKinney asked if the meeting could proceed further with other items and return to the application.

The Planning Manager suggested that the next item that should be taken was the revised statement of Community Development.

Councillor Cuthbertson proposed that the meeting continue.

Councillor McKinney seconded Councillor Cuthbertson's proposal.

Resolved That the meeting continue with the next item of business and that the meeting return to planning application LA09/2020/0111/F later.

P043/20 Receive Revised Statement of Community Development

The Planning Manager presented previously circulated report which provided a revised Statement of Community Involvement (SCI) for the main planning functions undertaken by Mid Ulster District Council.

Proposed by Councillor Bell
Seconded by Councillor Colvin and

Resolved That it be recommended to agree that the revised Statement of Community Involvement as set out at appendix to report be submitted to the Department for their agreement.

Councillor S McPeake rejoined the meeting and took the Chair.

Matters for Information

P044/20 Minutes of Planning Committee held on 3 March 2020

Members noted minutes of Planning Committee held on 3 March 2020.

The Council Solicitor stated that the remaining items on the agenda are to be taken under confidential business and that planning application LA09/2020/0111/F was still under suspension. The Council Solicitor stated that contact was currently being made with the objector but that a decision should be taken on how to proceed with this application before moving into confidential business.

The Chair, Councillor S McPeake asked if the meeting could move into confidential business to deal with the remaining items and then return to the application again later.

The Planning Manager stated that would be problematic as the live feed would have to be cut and then brought back for the application.

Councillor Cuthbertson stated that there appeared to be technical difficulties and asked if it would be in order to defer the application until the July meeting.

The Planning Manager stated that may happen but that officers were putting in a lot of effort to contact the objector and he felt they should be given a few more minutes to see if the situation can be resolved.

Meeting adjourned at 9.22 pm and recommenced at 9.27 pm.

Councillor S McPeake vacated the Chair for the following item and withdrew from the meeting.

Councillor Glasgow took the Chair.

Matters for Decision

LA09/2020/0111/F Single storey rear extension and single storey side carport at 10 Ballyheifer Road, Magherafelt for Shauna Wright

The Chair, Councillor Glasgow confirmed with the objector that they could hear what was being said in the room.

Ms Hancock advised that she could hear.

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2020/0111/F which had a recommendation for approval.

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

Ms Hancock advised that in 2011 her father had passed away and she did not object to the application made at that time as it was the last thing on her mind. Ms Hancock advised that she sent a letter to the applicant on 27 October stating that she was to be informed of any further intentions to adapt the property however the applicant went ahead and submitted an application on 22 January without her knowledge. Ms Hancock advised that the plans submitted state Mr and Mrs Wright who are her parents and are both dead and further to this, the application gives her own name. Ms Hancock stated she was not informed of this nor did she agree to it. Ms Hancock confirmed her objections to the application and stated she did not want the development to go ahead.

The Planning Manager asked Ms Hancock when she first became aware of the application.

Ms Hancock advised that she first became aware of the application on 6 February by her solicitor.

The Chair, Councillor Glasgow invited Ms Wright to address the committee.

Ms Wright stated that Ms Hancock had been made aware of the proposed adaptations in 2016 and that she had documentation supporting this. Ms Wright stated that she felt the objections being raised were not a planning matter and it was not about who was wrong or right, Ms Wright advised that the application had been made in order to adapt her 8 year old sons home in order for him to exist. Ms Wright explained that her son had Duchenne Muscular Dystrophy (DMD) which is a life limiting condition and that his mobility was decreasing on a daily basis.

The Planning Manager stated that Ms Wright was providing information which would normally be considered under confidential business and that he was aware of the live broadcast.

Ms Wright stated she gave her consent to proceed in open business.

Ms Wright stated that her son relies more and more everyday on his electric wheelchair, that he has muscle wastage, deterioration of the heart and lungs, has cataracts of the eyes and takes eleven medications a day in order to stay alive. Ms Wright stated that her son cannot get washed in his own home, cannot move around safely and that there is currently not the room for the equipment he needs and will need in the future. Ms Wright stated that there could be no more delays as her son gets weaker everyday and that he deserved to feel safe in his own home.

The Planning Manager stated that this was a difficult case, made more difficult due to the issues between families. The Planning Manager stated that anyone who has ownership should be made aware of the application as it gives them the right to object and provides them with the opportunity to put their affairs in order. The Planning Manager stated that planning does not confer title and that planning decisions can be taken when the applicant is not the owner. The Planning Manager stated that the objector has known about the application for the requisite period of 21 days before a decision being taken on it and that this is important as the objector can choose to make their own application or take their own civil proceedings with regards to the issue of ownership. In this case planning permission goes with the land.

The Planning Manager stated that the objector had not raised any planning reason to refuse the application such as amenity which is what the Planning Committee would normally consider and it was his view that the objector and applicant needed to get together and resolve their dispute. He stated that from a planning point of view it would be safe to move ahead and take a decision on the application.

The Council Solicitor referred to the issue raised in relation to the name on the certificate and name on the application and stated that as the objector is aware of the application and has had an opportunity to make representations then there is no prejudice to the objector and the purpose of the certificate has been fulfilled.

Councillor McKinney stated that the remit of the Planning Committee was to make a planning decision based on planning grounds and not to decide who owns what. Councillor McKinney proposed the officer recommendation.

Councillor McFlynn stated that the committee could not make decisions on ownership of land/property and that the planning officer had recommended the approval of the application. Councillor McFlynn seconded Councillor McKinney's proposal.

Councillor Mallaghan stated that it was a difficult situation but that he would support the officer recommendation.

Councillor Black agreed with the comments already made and that it was not the job of the Planning Committee to sort out civil matters, the Councillor stated it was unfair on the person suffering to have to suffer further and that he would support the officer recommendation.

Resolved That planning application LA09/2020/0111/F be approved subject to conditions as per the officer's report.

The Chair, Councillor Glasgow confirmed with Ms Hancock that she had heard the discussion and the decision taken.

Councillor S McPeake rejoined the Committee and took the Chair.

Live broadcast ended at 9.47 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Brown
Seconded by Councillor Quinn and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items P045/20 to P049/20.

Matters for Information

P045/20	Peat Extraction
P046/20	Confidential Minutes of Planning Committee held on 3 March 2020
P047/20	Enforcement Live Case List
P048/20	Enforcement Cases Opened
P049/20	Enforcement Cases Closed

P050/20 Duration of Meeting

The meeting was called for 7 pm and concluded at 10.00 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 2nd June 2020

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

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.12	Additional objection letter received from previous objector. Issues raised have been addressed in case officer report.	Members to note.
4.14	Additional objection letter received	Members to note.

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 June 2020 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor McKinney (In the Chair)

Councillors Ashton, Buchanan, Cuddy, Doris, Elattar, Gildernew* Hughes, Molloy, McFlynn, S McGuigan, McLean* S McPeake, Totten

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Canavan, Director of Organisational Development
Mrs Campbell**, Director of Leisure and Outdoor Recreation
Mr Cassells**, Director of Environment and Property
Mr Kelso**, Director of Public Health and Infrastructure
Mr McAdoo**, Head of Environmental Services
Ms Mezza**, Head of Marketing and Communications
Mr Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

In the absence of the Chair, Councillor Quinn, the Deputy Chair, Councillor McKinney took the Chair.

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

The Chair, Councillor McKinney welcomed members to the Policy and Resources Committee and also those who were virtually watching the proceedings.

PR077/20 Apologies

Councillors Forde, Quinn.

PR078/20 Declarations of Interest

Councillor Elattar declared an interest in Agenda Item 4 – Tullywiggan Play Park Lease Proposal as she is Board Member of Northern Ireland Housing Executive.

PR079/20 Chair's Business

The Chair, Councillor McKinney sent the good wishes of the Policy and Resources Committee to Councillor Quinn (Chair) and his wife on the anticipated arrival of their first child.

Matters for Decision

PR080/20 Tullywiggan Play Park Lease

The Director of Leisure and Outdoor Recreation presented previously circulated report and sought approval to transfer through lease or acquisition of a parcel of land adjacent to private dwellings 34 – 40 Tullywiggan Cottages, Cookstown from Northern Ireland Housing Executive relating to creation of a new play park by legacy Cookstown Council in 2002.

Proposed by Councillor Buchanan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to approve the transfer of land through either lease or acquisition, subject to agreement on Terms and Conditions as provided from Northern Ireland Housing Executive.

PR081/20 Elected Member Development Working Group

The Head of Democratic Services presented previously circulated report and sought approval for the report of a meeting of the Elected Member Development Working Group held on Thursday 5 March 2020.

Proposed by Councillor Buchanan
Seconded by Councillor Doris and

Resolved That it be recommended to Council to approve the report of the Elected Member Development Steering Group meeting, and actions contained, held on Thursday 5 March 2020.

PR082/20 Outcome of Consultation Undertaken on the Council's Proposed Improvement Objectives 2020-21 and 2021-22

The Head of Democratic Services presented previously circulated report to update on the findings and outcome of the consultation undertaken on the Council's proposed improvement objections 2020 – 2021 and 2021 – 2022.

He advised that it was a routine requirement of the Local Government Act 2014 to publish the improvement plan by June, but the Department of Communities has advised that this would now be extended to possibly December.

Councillor Cuddy referred to the 50 or so responses being returned and felt that this could potentially be staff and said that it looked like that this could be a mandatory requirement which would be difficult to monitor especially within these last three months. He stated that it was important to be mindful of not getting too involved with this.

The Chief Executive advised that there was considerable time and effort put into this document as it was a legal requirement by the Auditor. He said over that last four years it has been demonstrated how our services have improved immensely and would agree that although a lot of work has been put in, it shouldn't be seen as burdensome, but more of something that should be embraced. These objectives are for a two-year period, but due to the recent situation efforts over this last two months have focused on the corona virus recovery and achieving objectives.

Councillor Cuddy said that he welcomed the clarification from the Chief Executive and content that this was beneficial to the Council.

Councillor Ashton referred to Improvement Objective Two regarding technology and stated that there was a strong response around issues relating to rural broadband and felt there was an onus on the Council to take action.

Councillor Molloy agreed with Councillor Ashton's comments and said that there was good engagement with the community regarding concerns and many people raised issues around rural broadband. These concerns relate to people trying to work from home and children trying to complete school work and stated that broadband was failing the population of Mid Ulster and that this Council needed to step up to the mark.

Proposed by Councillor S McGuigan
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the outcome of the Corporate Improvement Objectives Consultation 2020 and 2021 and the adoption of the objectives.

PR083/20 Member Services

Councillor Molloy referred to the response to designated training needs for members and enquired if it reached the 60% mark.

The Head of Democratic Services said that he would investigate and advise members on the exact figure but was certain that it was sitting around the high 50% mark.

The Chair suggested that when new members join the Council they should get the full required training so that they can actively proceed forward onto Committees such as the planning committee.

Matters for Information

PR084/20 Minutes of Policy and Resources Committee held on Thursday March 2020

Members noted Minutes of Policy & Resources Committee held on Thursday 5 March 2020.

PR085/20 National Association of Councillors: Annual Subscription

Members noted previously circulated report which provided update on correspondence received from the National Association of Councillors (NAC) on annual membership/contribution payable for 2020-21.

PR086/20 Marketing & Communications Update

Members noted previously circulated report which provided update on key areas of recent marketing and communications activity.

PR087/20 Registration of Births, Deaths, Marriages & Civil Partnerships

Members noted previously circulated report which provided update on provision of Registration services within Mid Ulster District Council.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
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 Member consider items PR088/20 to

Matters for Decision

- PR088/20 Staff Matters for Decision
- PR089/20 Contract for the Collection and Processing of Mixed Dry Recyclates (Blue Bin Contract)
- PR090/20 Recognition for Essential Staff during COVID-19

Matters for Information

- PR091/20 Confidential Minutes of Policy and Resources Committee held on 5 March 2020
- PR092/20 Staffing Matters for Information
- PR093/20 Contracts and DAC
- PR094/20 Miscellaneous Matters

PR095/20 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.08 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 June 2020 in Council Offices, Circular Road, Dungannon
and by virtual means**

Members Present

Councillor S McGuigan, Chair

Councillors Brown, Buchanan, Burton, Cuddy*,
Cuthbertson, Glasgow, Graham, N McAleer, S McAleer*,
McFlynn, B McGuigan, McNamee, Milne*, Totten, Wilson

**Officers in
Attendance**

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

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

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

E101/20 Apologies

None.

E102/20 Declarations of Interest

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

The Director of Environment and Property declared an interest in agenda item 4 – Sustainable NI – Renewal of annual subscription for 2020/21 as he stated he is a Director and current chair of Sustainable NI.

E103/20 Chair's Business

Councillor Milne referred to land at Hillhead Terrace, Castledawson. The Councillor stated that there has been controversy over the years as to who owns this piece of land and that he was now in receipt of correspondence from Land and Property Services which confirms that Council owns the land in question. Councillor Milne advised that this land had been maintained by Council up until the new policy in relation to grass cutting. The Councillor advised that he had asked the Head of Property Services to follow up on the matter.

The Head of Property Services confirmed that he had received the information sent to him by Councillor Milne and would follow up on the matter with Council's legal team and TransportNI. The officer stated that the piece of ground is likely to have transferred to the former Council pre 1972 and would then have transferred to DoE Roads Service. He stated that officers would confirm ownership of the land in due course.

Councillor Burton referred to the debate regarding the reopening of recycling centres and welcomed that some had reopened and that this is appreciated by the public however she stated there was a vast amount of frustration in the Fivemiletown area, from both residents and businesses and the chamber of commerce as to when the recycling centre in Fivemiletown is likely to reopen. Councillor Burton stated that residents and businesses in the area are rate payers and are receiving a lesser service. The Councillor stated this is a periphery area and that people in that area feel disconnected and asked that Councillors get an indicative date for the reopening of the recycling centre at Fivemiletown.

The Director of Environment and Property advised that Council has 11 recycling centres, 3 of which opened on the 18 May and another 3 which opened at the beginning of June. The other 5 centres remain closed and cannot reopen at the moment due to staff resources. The Director stated that an added difficulty with the smaller centres is that social distancing is difficult to maintain and advised that he could not give a specific date for the reopening of the remaining centres as he did not know when he would have the staff resource available. The Director assured Members that when resources do become available then they would adopt an approach which will allow the remaining centres to open in a safe manner.

Councillor Burton stated she was of the belief that there were enough staff resources, as confirmed by another officer, and that was why she was raising the matter tonight. Councillor Burton stated that Members were receiving mixed messages from officers.

The Director of Environment and Property advised that there were approximately 50 staff not available in the department at the moment. Some of these staff are furloughed and others are over 70 or are in the vulnerable category. The Director stated he was aware that HR were currently working their way through that list of staff and making a medical assessment on those staff to enable them to come back to work within the context of what their job is. The Director reiterated that as soon as resources become available then facilities would be reopened but that he did not want to open the remaining centres and then have to close them again because of staff shortages.

Councillor McNamee referred to recent fire at Cookstown recycling centre and asked for update as there was a great need for the centre in the town to be open.

The Director of Environment and Property referred to the report within the papers and confirmed that, following the fire, a structural engineers report was required and that he had seen a draft of this report today. The Director advised that the structural engineers report indicates that there is no damage to the structural steel within the building however there is damage to the gable end and roof cladding. The Director advised that a loss adjustor had visited the site and asked for a forensic investigation of the site. The Director advised that the site has been cleaned and the burnt materials removed.

The Director of Environment and Property advised that the area affected in the fire was where wood and mixed plastics were stored and that officers have been in contact with NIEA in relation to the potential for using part of an adjacent yard which is also in Council ownership but does not fall within the recycling centre permit. If NIEA permits the use of the yard then materials can be stored at this yard. The Director stated that there is a meeting on Thursday and after this he would be in a better position to provide a reopening date, the Director stated that if the centre can reopen with a limited service then officers would undertake to do so whilst being conscious of health and safety and traffic management at the site. The Director stated that officers are aware this is a very busy centre and that the site would be reopened as soon as practicable.

Councillor B McGuigan referred to Draperstown recycling centre which remains closed and that he had directed those stating they wanted to use the site to Maghera or Magherafelt centres in the interim. The Councillor referred to previous updates in relation to staff resources and hoped that staff could be returned soon.

The Director of Environment and Property advised that the recycling centre at Fivemiletown is confined and it would be difficult to maintain 2 metre social distancing at the site but that officers would want to have a programme in place to reopen the 5 remaining sites as and when resources become available. The Director advised that when the 3 main centres reopened they were extremely busy but that volumes of traffic at these sites are now back to normal.

Councillor Wilson felt it was a disgrace that the centre at Cookstown would be closed 2 weeks this Saturday and that Council was still waiting on the loss adjustor. Councillor Wilson proposed that Council write to the loss adjustors expressing dissatisfaction at the length of time taken to get their report as fly tipping was now becoming a problem. Councillor Wilson felt that reopening part of the site was feasible.

The Director of Environment and Property stated that if there was not a satisfactory outcome to the meeting scheduled for later in the week then he would write to the loss adjustors but at the moment it would be remiss to do anything which would jeopardise Council's claim. The Director stated that when clearance is given then the site could reopen within 48 hours.

Councillor Cuthbertson referred to meeting of Dungannon Regeneration Partnership (DRP) which took place today at which discussion took place in relation to Council's role in the enforcement of the Executive's legislation in relation to businesses opening and closing. The Councillor stated there were a number of businesses who were unsure what to do and if Council officers would be making visits and requesting

risk assessments. Councillor Cuthbertson stated that whilst he realised that Council were not the legislation setters the DRP would request that an officer attend a meeting of the Partnership next week to discuss issues. The Councillor further proposed that a workshop be held as soon as possible for Councillors in relation to legislation regarding the opening and closing of businesses as businesses needed answers.

The Director of Public Health and Infrastructure advised environmental health officers have been very responsive to queries and are guiding businesses as best possible. The Director stated that businesses should look at their individual practices and processes and do a risk assessment on these and again environmental health officers can provide advice on this. The Director stated that officers can facilitate a meeting with Dungannon Regeneration Partnership.

Councillor Cuthbertson asked if a workshop could also be organised as retailers did not know what to do on Friday and were afraid of being closed.

The Director of Public Health and Infrastructure stated that a workshop could be organised if it was the desire of the Committee.

Councillor Cuthbertson proposed that a workshop be held as soon as possible for Councillors in relation to the opening of businesses.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Resolved That it be recommended to Council to organise a workshop for Councillors in relation to legislation relating to the opening of businesses.

Councillor McNamee stated he agreed with what had been said but it was most important that businesses get the information needed to allow them to reopen safely.

Councillor Graham stated that she had been contacted by sunbed salons who can maintain social distancing and are cleaned after each client and asked are they allowed to reopen on Friday.

The Director of Public Health and Infrastructure advised that they would need to look at the guidance in relation to the question raised and get back to the Member.

Matters for Decision

E104/20 Sustainable NI – Renewal of Annual Subscription for 2020/21

The Head of Technical Services presented previously circulated report which outlined correspondence from Sustainable NI in which a request was made for Council's continued financial support for the 2020/21 year.

Proposed by Councillor Wilson
Seconded by Councillor Brown and

Resolved That it be recommended to Council to continue to support Sustainable NI and make available a contribution of £5,000 for the 2020/21 financial year.

E105/20 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 Dungannon Road, Aughnacloy

Proposed by Councillor Burton
Seconded by Councillor Graham and

Resolved That it be recommended to Council to name development off Dungannon Road, Aughnacloy as Mill Pond Manor.

E106/20 Service Level Agreement for provision of Structural Engineering Services

The Head of Building Control presented previously circulated report which sought approval to sign a Service Level Agreement between Mid Ulster District Council and Fermanagh and Omagh District Council for the provision of specialist structural engineering services for Mid Ulster Building Control Service.

Councillor Wilson asked if these engineers were involved with Dungannon Leisure Centre.

The Head of Building Control advised that the service provided related to checking structural calculations on applications and structural issues on site. The issues in relation to Dungannon Leisure Centre were related to contracts.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to sign the Service Level Agreement between Fermanagh and Omagh District Council and Mid Ulster District Council for the provision of specialist structural engineering services.

E107/20 Northern Ireland Fire and Rescue Service – Termination of Memorandums of Understanding

The Head of Building Control presented previously circulated report which advised on the termination of Memorandums of Understanding by Northern Ireland Fire and Rescue Service with Mid Ulster District Council in relation to the enforcement of The Fire and Rescue Services (Northern Ireland) Order 2006 and the Fire Safety Regulations 2010.

Councillor Wilson felt that, following the most recent correspondence from NIFRS, Council were not in a position to do anything until further engagement had taken place in relation to the Memorandums of Understanding.

Members noted the content of the report.

E108/20 Bus Shelters Update

The Head of Technical Services presented previously circulated report which provided update on current bus shelter status following a recent bus shelter collaborative workshop.

Councillor Cuthbertson referred to application for bus shelter in Moygashel and that it had failed to reach the required numbers as set out in the policy and should be removed from the register. Councillor Cuthbertson asked how Translink work out the required number as it was very close in that 5 had been achieved and the required number was 6.

The Head of Technical Services advised he would check how the number was ascertained and come back to the Member.

Councillor B McGuigan referred to application for bus shelter at Tirkane Road, Maghera and that due to complications with the site he proposed that this application be removed from the register. In relation to application for Culnady Village the Councillor stated that this appeared to be almost over the line and hoped that the shelter would be in place shortly.

Proposed by Councillor Brown
Seconded by Councillor McNamee and

Resolved That it be recommended to Council approve the way forward outlined for proposed bus shelters as listed under sections 3.4, 3.5 and 3.8 of report and that application relating to request at Tirkane Road, Maghera be removed from the register.

Matters for Information

E109/20 Minutes of Environment Committee held on 10 March 2020

Members noted minutes of Environment Committee held on 10 March 2020.

Councillor McNamee referred to public toilets and that Mid and East Antrim Council had recently reopened their public toilet facilities. The Councillor commented that shops will be reopening from Friday and there will be a greater footfall in towns and asked where Council was at with the reopening of its toilet facilities.

The Director of Environment and Property advised that staff employed to work in toilet facilities are furloughed and there are no plans to reopen public toilets at the moment. The Director advised that, at the time of closure, all water systems were drained down in public toilet facilities. The Director advised that when the time comes to reopen, all facilities will require a deep clean and that staffing of facilities remains an issue. The Director advised that the reopening of facilities will be kept under review should there be any further relaxation in guidelines.

Councillor Cuthbertson stated he had discussed the reopening of facilities with officers and had suggested that the toilets at Dungannon Park could be opened as a pilot. The Councillor referred to guidance issued last week which indicated that public toilets could be opened and felt that Council should be taking a phased approach and that Dungannon Park was an ideal test.

Councillor B McGuigan referred to the toilets in Maghera and that he had flagged up the condition of these toilets at the March meeting and that they required a revamp. The Councillor felt that now was an opportune time to undertake this work when the toilets were closed.

The Director of Environment and Property stated he took on board the Councillors comments.

Councillor Burton stated the toilets in Augher also required a revamp.

Councillor Burton referred to discussion at March meeting in relation to fish being taken from White Lough. The Councillor stated that the Department stocks this Lough and informs the public through its website when the Lough has been restocked, in doing so, Councillor Burton felt it is easy for individuals to know when there is a lot of fish in the Lough and that stocks become depleted very quickly as nets are used to catch fish. Councillor Burton requested that the matter be raised with the Department.

The Director of Public Health and Infrastructure stated that the matter raised was more a Development Committee issue through the Parks section. The Director stated he would raise the matter with the relevant officer however if there is illegality then it is a fisheries matter.

E110/20 Building Control Workload

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

E111/20 Entertainment Licences

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

E112/20 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.

E113/20 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 as below –

- Shanliss Road, Stewartstown
- Henderson Park, Stewartstown
- Roan Close, Eglis
- Beechville Heights, Eglis
- Sandymount, Magherafelt
- Cappagh Road, Dungannon
- Mullaghmore Park, Dungannon
- Charlemont Street, Dungannon
- Mossband Road, Coagh
- Lough Mews, Ballyronan
- Garden Street Mews, Magherafelt
- Oakvale Drive, Magherafelt
- Wellbrook Manor, Dungannon
- Silverhill, Maghera
- Castleview, Benburb
- Ferry Road, Coalisland
- Innishmore Heights, Coalisland
- Innishmore Park, Coalisland
- Ardmore Terrace, Coalisland
- Ardmore Park, Coalisland
- Glen Road, Coalisland
- Bracken Court, Coalisland
- Chestnut Hill, Coalisland
- Lisnastrane Court, Coalisland
- Columbas Villas, Coalisland
- Mourne Crescent, Coalisland

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 erected as below –

- Ballygruby Lane, Magherafelt
- Ruskey Road, Coagh
- Mulnagore Road, Dungannon
- Lodge Villas, Donaghmore

E114/20 Environmental Health Update Report

Members noted previously circulated report which provided update on the Environmental Health Service during the COVID 19 pandemic between 1 April and 16 May 2020.

Councillor Cuthbertson stated that at the Environment Committee in March it was advised that Environmental Health matters would be considered at the Development Committee going forward.

The Director of Public Health and Infrastructure advised that there had been no change to staff structures as yet.

The Director of Environment and Property advised that he would be continuing in his role until the end of September.

Councillor Glasgow referred to the increase of instances of flytipping and felt that the closure of recycling centres undoubtedly contributed to this. The Councillor referred to the number of groups that had organised litter picks in the recent period and the huge amount of material they had collected. Councillor Glasgow stated that it was important to nip any flytipping in the bud and try to get the number of complaints down to below last year's level.

Councillor McFlynn referred to flytipping and the ongoing issues at the picnic area at Newbridge which is a concern for local residents. The Councillor asked for an update on how Council was managing the situation there.

The Head of Environmental Services advised that Council along with the Housing Executive and DfI were aware of the situation at Newbridge. The officer advised that Council had arranged for Travellers at Newbridge to be able to dispose of their waste at Magherafelt recycling centre whilst it was still closed and that staff would call at Newbridge before the end of the week to arrange for the rest of the material to be brought to the recycling centre.

Councillor McFlynn asked for an update in relation to recent case of cruelty to horses.

The Head of Environmental Health advised that the matter is receiving attention, that there have been visits undertaken and that investigations were ongoing. The officer advised that as investigations were ongoing she was not in a position to advise any further on the matter at this stage.

E115/20 Tree Planting Scheme at Magheraglass Landfill Site

Members noted previously circulated report which advised of a new native broadleaf woodland at the former landfill site at Magheraglass, Cookstown.

Councillor Glasgow asked if maintenance of the trees would be done in house.

The Director of Environment and Property advised that the trees had been acquired through the Forest Expansion Scheme. This scheme is fully funded and includes maintenance for two years post planting which will be undertaken by a third party.

E116/20 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October – December 2019

Members noted previously circulated report which provide 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 3 of 2019/20, October to December 2019.

Councillor Wilson advised that he had received complaints that a number of blue bins had not been emptied in the Westland Gardens area of Magherafelt today.

The Director of Environment and Property advised that he would investigate and get back to the Councillor on the matter.

Live broadcast ended at 8.00 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor B McGuigan
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 E117/20 to E129/20.

Matters for Decision

- E117/20 3G Sports Pitch Maintenance Tender Report
- E118/20 Tender report for the appointment of Vehicle Suppliers
- E119/20 Tender report for the retrospective appointment of a Vehicle Supplier
- E120/20 Amenity and Planting Sponsorship
- E121/20 Dungannon Leisure Centre refurbishment – ICT Fees
- E122/20 Maghera High School Site Development – Fees

Matters for Information

- E123/20 Confidential Minutes of Environment Committee held on 10 March 2020
- E124/20 Property Services COVID 19 Service Delivery Impact
- E125/20 Environmental Services COVID 19 Services Delivery Impact
- E126/20 Phase 4 Capping Capital Works at Tullyvar Landfill Site
- E127/20 Fire at Cookstown Recycling Centre
- E128/20 To update Members on changes to Affordable Warmth Scheme in response to Covid-19
- E129/20 Capital Projects Update

E130/20 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.06 pm.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 11 June 2020 in the Council Offices, Circular Road,
Dungannon and by Virtual Means**

Members Present

Councillor McNamee

Councillors Ashton, Black, Burton, Clarke (7.03 pm),
Corry*, Cuddy, Doris, Elattar, Kerr, Hughes, Kearney,
Milne*, Molloy, Monteith, Wilson

**Officers in
Attendance**

Mrs Campbell, Director of Leisure and Outdoor Recreation
Mr McCreesh, Director of Business and Communities
Mr Browne**, Head of Tourism
Mr Gordon**, Head of Leisure
Mr Hill**, Head of Parks
Ms Linney**, Head of Community Development
Mr McCance**, Head of Culture and Arts
Ms McKeown**, Head of Economic Development
Mr Moffett**, Head of Democratic Services
Mr O'Hagan**, Head of ICT
Ms Grogan, Democratic Services Officer

**Others in
Attendance**

Councillors Brown*, S McGuigan*, McLean*, S McPeake*

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

D069/20 Apologies

None.

D070/20 Declarations of Interest

The Chair reminded members of their responsibility with regard to declarations of interest and drew members' attention to Capital Discretionary Grant Award - item 3.1 and Community Development Report – Peace IV additional funding expenditure.

The Chair, Councillor McNamee declared an interest in Community Development –

- *Arts Culture & Heritage Community Development Small Grants – 2020-2021 – Item 36 - Cookstown District Orange Lodge No. 3 – Encouraging Community Participation*

Item 131 - Stewartstown Amateur Dramatic Society

- *Sports Capital Development – item 9 – Cookstown Boxing Club*
- *Small Grants – item 9 – Cookstown Fr Rock's GFC*

Councillor Hughes declared an interest in:

- *Economic Development – LAG*

Councillor Monteith declared an interest in:

- *Capital Discretionary Grant Awards – item 3.1 – Eoghan Ruadh Hurling Club Dungannon*
- *Community Development – Sports Capital Development – item 11 – Eoghan Ruadh Hurling Club*
- *Community Development – Small Sports Grant Awards – item 17 – Dungannon Thomas Clarke's GFC*
- *Community Development – Strategic Grants – item 8 - Dungannon Gaelic Forum*
- *Culture & Arts – item 3.3 – An Chraobh Rua de Chonradh na Gaeilge and Conradh na Gaeilge Charn Tóchair*

Councillor Kerr declared an interest in:

- *Community Development – Sports Capital Development – item 8 – Coalisland Na Fianna GFC*
- *Community Development – Small Sports Grants – item 7 – Coalisland Na Fianna*
- *Coalisland Community Response*

Councillor Wilson declared an interest in:

- *Community Development – Arts, Culture and Heritage Community Development Small Grants – 2020-21 – item 36 – Cookstown District Orange Lodge No. 3 – Encouraging Community Participation*

Councillor Kearney declared an interest in:

- *Economic Development - ICBAN and LAG.*

Councillor Clarke declared an interest in:

- *Economic Development - LAG and Village Renewal Scheme – Broughderg.*

Councillor Burton declared an interest in:

- *Economic Development – LAG*
- *Capital Discretionary Grant - Caledon Regeneration Partnership*
- *Fivemiletown Corona Virus Group*
- *Community Development – Arts, Culture & Heritage Community Development Small Grants 2020-21 – Bawn Silver Band*

Councillor Milne declared an interest in:

- *Bellaghy Village Regeneration Group*

D071/20 Chair's Business

The Chair, Councillor McNamee thanked Councillors Wilson and Monteith, past Chair and Deputy Chair of the Development Committee for their tremendous work carried

out last year and stated that he looked forward to working with the Deputy Chair, Councillor Black.

He welcomed Mr Kieran Gordon, Head of Leisure to his first meeting of the Development Committee and said that he would look forward to working with him.

He advised that Community Development report would now be presented in open business for decision following agenda item 7.

In response to a query regarding Cookstown bypass, the Director of Business and Communities advised that Officers have been in touch with the Department for Infrastructure in relation to arrange and confirm a meeting to progress the matter and when dates and times are made known, this would be reverted back to members.

Councillor Doris raised an issue of concern, which was affecting her area within Derrylaughan and Derrytresk. She referred to the burning of moss and the detrimental effects that this was having on wildlife and the environment. She stated that she had met with a number of locals who advised that in years gone by the burning of moss was carried out in a controlled way.

She proposed that Officers meet with stakeholders and locals to investigate a way that these moss fires can be carried out in a controlled way so protection of wildlife and environment are sustained.

Councillor Clarke said that moss fires were a huge issue within his area also, but were fortunate this year as there were very few outbreaks. He referred back to an evening in May 2010 within his area when a moss fire was started, it created large flumes of smoke throughout the whole countryside and resembled the eruption of the volcano in Iceland.

He said years ago his father would burn a little moss every year to keep it under control and not let it get out of hand, but felt that some of the burning could be related to arson. He suggested that DAERA be consulted on how to proceed in a controlled way as to protect wildlife and the environment.

Proposed by Councillor Doris
Seconded by Councillor Kerr and

Resolved That it be recommended to Council the Officers meet with stakeholders and locals of Derrylaughan and Derrytresk area to investigate a way that these moss fires can be carried out in a controlled way so as to protect wildlife and the environment.

Councillor Kerr proposed that the undernoted group be invited to make a presentation to the committee.

Resolved That it be recommended to Council that Lough Neagh Partnership be invited to a future meeting to provide a presentation on School Lands project in the Kingisland area.

The Chair advised that Lough Neagh Partnership's name would be put on the list to make their presentation to a future meeting.

The Director of Businesses and Communities referred to the moss fires and advised that Officers would investigate NIEA's Policy on Controlled fires and take it forward.

He advised that the Heads of Culture & Arts and Tourism were having a joint meeting with Lough Neagh Partnership and they would progress this forward.

Councillor Wilson raised concern regarding anti-social behaviour on the pathway leading to the Westland Road and Council Offices and stated that something needs to be done to try and discourage this. He said that the PSNI were out all weekend in relation to young people congregating, drinking, and leaving the place a mess with alcohol bottles being left behind.

He stated that residents of the area had been phoning him this evening with concerns as they were aware of him attending tonight's meeting and they want something done to try and prevent this kind of behaviour.

The Chair, Councillor McNamee said he knew the area well as it backed onto St Jeans Cottages and that during the summer months there was a history of gatherings in the area and when there was good weather the larger the crowd would be.

The Director of Business and Communities said that he would investigate the matter.

Councillor McNamee advised that if any member wished to raise any issue in Chair's Business, could this done 48 hours in advance as to give him the opportunity make himself known with the topic in case of issues around sensitivity.

Matters for Decision

D072/20 Capital Discretionary Grant

The Head of Community Development presented previously circulated report and sought approval for Council Capital Discretionary Grant Awards.

Councillor Doris commended the Officers on their work, stating that this was a positive news story, and congratulated Derrylaughan GFC on their wonderful facility within the community.

Councillor Elattar concurred with previous member's comments and said that Ballinascreen were hoping to secure a community hub and was hopeful that this would help towards it.

Councillor Clarke stated that this was substantial support allocated to different areas and said that reading previously through the documents, that a 25 year lease for the Caledon Project was quite a short period of time and the group may not have use for the property after this and felt that a 99 year lease may be more appropriate.

The Head of Community Development advised that the funders criteria was met and also Council criteria and were content re the lease period.

Councillor Ashton said that the Council had only allocated funding of £50,000 to the overall project and that it was a major benefit for a rural village.

Councillor Clarke advised that he had no issue but felt that a longer lease may have been more appropriate.

Councillor Burton stated that Caledon Regeneration Partnership had done a massive amount of work in the past and that the much-needed childcare facility in the area was very welcome. She said that over the last 5 years there were housing developments emerging in the village and surrounding areas and looked forward to the delivery of the project.

Councillor Cuddy stated that a 25-year lease was always a minimum and felt that a 99-year lease was not really needed and said that the three major projects was a good news story and welcomed it.

Proposed by Councillor Doris
Seconded by Councillor Elattar and

Resolved That it be recommended to Council to approve the Council Capital Discretionary Grant – to agree the three projects for funding up to £150,000 based on approval of budget by the Policy and Resources Committee.

D073/20 Economic Development - OBFD

The Head of Economic Development presented previously circulated report, which provided an update on key activities as detailed below:

- **TRPSI Micro Business Development Scheme 2020**

Councillor Black referred to Village Renewal Scheme – Group 7 and enquired why Innishrush and Tamlaght were not being included when Culnady was.

The Director of Business and Communities said that this would be investigated.

Proposed by Councillor Clarke
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the participation of Mid Ulster District Council in the second call for applications in the TRPSI Micro Business Development Scheme 2020, funded by DAERA

- **ICBAN Funding Request (2020/21)**

Proposed by Councillor Molloy
Seconded by Councillor Hughes and

Resolved That it be recommended to Council to approve the:

- (I) Funding request from ICBAN for up to £15,000 from Council's Economic Development Budget (2020/21), to be paid in two equal instalments, subject to Council being provided with the requisite documentation (application form, confirmation of match funding, copies of accounts, insurances final report and Progress Updates).
- (II) Release of funding to ICBAN twice yearly in two equal instalments, once Council is in receipt of all documentation requested for each stage (as previously outlined). ICBAN Progress updates to be furnished to future Development Committee meetings.

- **Covid-19 Grant Scheme to Assist Town Centre Businesses**

Councillor Molloy said that he welcomed the opportunity to kick-start the villages and larger towns again and would like to see a central fund set up to support more rural villages. He stated that they are crying out for help in relation to the introduction of social distancing measures and would like to see this being progressed and

Proposed by Councillor Molloy

To accept the proposal with the same project for the urban areas being worked up by Economic Development and presented to DAERA for funding to roll out across the villages. This is to be done at the same time as the DFC proposal.

Councillor Kerr said that he would have concerns once again regarding the five main towns being chosen for the grant scheme and stated that all businesses were facing the same hardships as those in the larger towns. He said that Coalisland was in a fortunate position but felt sorry for those businesses that fell outside the remit and

Proposed by Councillor Kerr

That the Covid-19 recovery grant be made available to all businesses across the Mid Ulster Council area in every town, village and rural area as to protect workers and their jobs.

Councillor Ashton welcomed the development, said it was an opportunity to make good progress, and would support the recommendation in front of members tonight. She said that she would second Councillor Molloy's proposal that the same project for the urban areas is to be worked up by Economic Development and presented to DAERA for funding to roll out across the villages. This is to be done at the same time as the DFC proposal.

She said that this was not the time to object as there were 10 other Councils waiting to get our share, felt that we take this opportunity, and make a bid to DAERA for the rest afterwards.

Councillor Molloy said he was happy to agree to Councillor Ashton's proposal.

Councillor Monteith said that he would have a major issue with this Council making a difference between urban and rural businesses as Covid19 does not discriminate against a business park, rural or urban business and felt that it was not good for this Council to have a grant to exclude certain businesses simply because they fall outside the remit. He said that a considerable number of businesses have already put a substantial amount of expenditure into doing this on their own.

He said that he would second Councillor Kerr's proposal on the grounds that all businesses are included in the scheme so equality is shown.

Councillor Burton said that she concurred with the previous two speakers, that this pandemic has hit all the businesses really hard. She said that small businesses were feeling the threat as much as the larger ones and have put a considerable amount of money into installing Perspex screens and sanitising stations etc.

Councillor Burton enquired if Officers had been in contact with Fivemiletown Chamber of Commerce and asked for an update on small retailers availing of the £10k grant, as they have not received any funding yet. She said that the residents and business owners of Fivemiletown felt that they are some way being excluded compared to other areas within Mid Ulster

The Chair, Councillor McNamee said that this has been the criteria set out by the Department for specifically targeted towns and said that he understood that villages should also be included but for now we have to follow the criteria set out.

The Director of Business and Communities said that it was important for members to note that the Council is not launching any programme, only asking for permission to work up towards the programme. He said that a recovery programme was agreed and that discussions would be taking place with Ministers and Departments, with Department of Communities coming forward to support a Town Centre Investment programme. He stated that Department for Communities have been asked to look at the boundaries and if we were successful, it would mean that there would be substantive funding being made available. He said that the additional proposals put before committee tonight made sense and that villages were supported through other means, but would try and devise an approach with DAERA tomorrow as Officers will do their utmost to continue to seek funding to try and help all effected within our community.

Councillor Wilson said that he welcomed the project, but felt that it may be a little too late, as a number of shops had already been revamped. He commended the Officers within Economic Development on their excellent work with groups and businesses, and said that the idea of liaising with DAERA was a first class idea which should be welcomed.

Councillor Doris said that it was good to see £10m being awarded from Department for Communities and asked if there was an opportunity of lobbying the Department for Economy for villages.

The Director of Business and Communities advised that the Department for Communities do not have a remit for an area with 5,000 people or less, this falls into the remit of DAERA.

Councillor Molloy enquired about Dungannon Public Realm.

Councillor Cuddy enquired about the earliest date that the call can be made, as there was a need to proceed and not waste time.

The Director of Business and Communities said that there were early discussions with the Department over this last few days and there was a need to treat this in a similar manner to the food parcels.

He said that this was a problem in the town centre, which we had to work through.

Councillor Kearney said that there was a need to get towns and villages moving again as a matter of urgency as Maghera was dying on its feet.

Councillor Monteith stated that the proposal still stands, that this Council was sending a clear proposal and what was said tonight was not on the paper. He said that if a guarantee was given that no business was going to be excluded he would be content.

The Head of Economic Development in reply to Councillor Burton's query regarding Fivemiletown Chamber of Commerce advised that contact was made with 100s of businesses throughout Mid Ulster since this pandemic started but couldn't confirm whether Fivemiletown Chamber of Commerce was specifically spoken to or not, but reassured the member that if they weren't contacted already, staff would follow up.

The Chair, Councillor McNamee stated that the spruce-up scheme was a disaster with all the paperwork and hoped that this would be a lot smoother.

Councillor Kerr's proposal to include all businesses within Mid Ulster in the grant scheme not just the five major ones was put to the vote:

For 2

Councillor Molloy's proposed to accept the recommendation, plus write to DAERA asking them to consider funding opportunities for other villages and towns not covered by this scheme.

Councillor Monteith referred to licensed premises and advised that at least two-thirds of these fall outside the boundary for the Covid-19 recovery grant.

The Chair, Councillor McNamee said that members give Officers the direction and agreed with Councillor Monteith's comments that they should be all included, but we have to work with what is set out in front of us at present.

Councillor Molloy said that it was important that members all work together and felt that the 2 proposals presented should not fly in the face of each other and suggested that the town proposal be worked up with the rest of the businesses falling outside the remit being lobbied for.

Councillor Ashton said that it was important to take what we were being offered now and give Officers the chance of going away and working on a way forward with Officials to try and get secured funding for towns and villages.

The Director of Business and Communities said that it was important to take what was offered to us presently as Officers couldn't dictate to Department on the criteria they have set. He said that Officers would continue to lobby for those businesses, which fall through the loop.

Councillor Monteith said that members should be aware that they were elected representatives, representing their community, and stated that they would be the ones getting it in the neck, not DAERA or Department for Communities. He said that members should not be prepared to leave anyone behind and reminded them of the flack which they received regarding the Public Realm Scheme.

He said that it was paramount that town centre boundaries and villages are looked after also.

Councillor Molloy's proposal was put to the vote again to accept the recommendation with a project for the urban areas being worked up by Economic Development and presented to DAERA for funding to roll out across the villages. This is to be done at the same time as the DFC proposal.

For	12
Against	0

Councillor Molloy's proposal was carried.

Councillor Monteith disputed the resolution and stated that Councillor Kerr's vote was carried as 2 members voted in favour and none against.

The Chair, McNamee advised in his view he did not complete the vote as it was interrupted.

Councillor Molloy confirmed that he did not get the opportunity to finish what he was saying before being interrupted.

The Chair, Councillor McNamee stated that proceedings were carried out accordingly but put Councillor Kerr's proposal to the vote again.

For	2
Against	6

Councillor Molloy's proposal was carried.

Resolved That it be recommended to Council to approve that:

- (I) Council funding be made available from existing Business & Communities budgets for a Covid-19 Grant Scheme to assist Town

- Centre businesses, make internal/external adaptations to their premises to comply with Government's two metre social distancing procedures. Agreement to work up to the scheme, make any necessary funding applications and procure any required goods/services. Furthermore, when the scheme is ready, open the scheme to applications from eligible applicant businesses in Mid Ulster's 5 main towns (ie, Dungannon, Cookstown, Magherafelt, Coalisland and Maghera). If further funding becomes available, the scheme could be extended to include rural towns and villages.
- (II) A project for the rural areas be worked up by Economic Development and presented to DAERA for funding to roll out across the villages. This is to be done at the same time as the DFC proposal for town centre funding.

- **Economic Development Support to Businesses During Covid-19**

Councillor Kerr said he wanted to reflect what Councillor Burton said earlier regarding Fivemiletown and asked if Economic Development had been in contact with traders from Clonoe and Donaghmore.

Councillor Elattar advised if Economic Development had liaised with 100s of business owners both urban and rural and if anyone was left out this can be followed up.

In response to Councillor Molloy, the Director of Business and Communities advised that the relevant Director would clarify the snagging list for Dungannon in the morning.

In response to Councillor Doris' query, the Director of Business and Communities advised that a meeting with Coalisland Town Forum was being arranged for Monday where an update on Coalisland Public Realm would be provided.

Resolved That it be recommended to Council to approve to note progress.

D074/20 Cot Lane Carpark Lease Agreement

The Head of Parks presented previously circulated report to formalise a lease agreement between Mid Ulster District and the landowner in respect of the carpark at Cot Lane. Previous agreement dates back to December 2001 between the landowner and Cookstown District Council.

Proposed by Councillor Clarke
Seconded by Councillor Wilson and

Resolved That it be recommended to Council that approval be given to:

- (I) Council Officers liaising with the landowner and necessary bodies to formalise a lease agreement for the carpark area on Cot Lane.
- (II) Presenting Legal Agreements and associated LPS valuations, once received for Policy & Resources Committee approval.

D075/20 GOGA 2 Project Plan (2021 -2024)

The Head of Leisure presented previously circulated report to update on the GOGA (Get Out Get Active) 2 Project Plan (2020 – 2024) and sought approval to formalise the partnership between MUDC and Live Active NI to host a funded full time GOGA staff member. This partnership is anticipated to commence on the approval to sign a Memorandum of Understanding that will permit Live Active NI to fund and commence employment of the GOGA Officer.

Councillor Doris congratulated Mr Kieran Gordon on his appointment of Head of Leisure and said that she looked forward to working with him in the future. She said that this was a good news story especially for the elderly and people with disabilities.

Councillor Corry concurred with Councillor Doris and said it was encouraging to see this progressing as it showed a representation for the disabled and elderly.

Proposed by Councillor Doris
Seconded by Councillor Corry and

Resolved That it be recommended to Council that approval be given to formalise the partnership between MUDC and Live Active NI via the signing of a Memorandum of Understanding that will permit Live Active NI to fund and recruit a full time GOGA Officer.

D076/20 Community Development Report

The Head of Community Development presented previously circulated report and provided an update on the following:

- **Council Grants Recommendations for Award and process**

Proposed by Councillor Elattar
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the Council Community Grants – funding awards as outlined in appendix 1 of the report.

Councillor Elattar commended all the staff involved in the grants and wanted to pass on her congratulations.

Councillor Monteith said that these last 3 months has been really hard on local people, with a considerable number of people coming out and helping who didn't belong to any group or voluntary organisations and these people needed to be championed for putting themselves at risk, with most of them holding down full time employment. He stated that substantive funding had been made available in some areas, but there was little evidence where the money had manifested

He stated that before Covid-19 that an Anti-Poverty Strategy document was going forward and said that it was now vitally important that this be at the forefront of the

community. He said that the document was near completion and asked that this be progressed as people in the community had good ideas and asked that this be an item on the Agenda going forward.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council that Officers progress the Anti-Poverty Strategy and this be an item on the Agenda going forward.

Councillor Molloy referring to Strategic Events enquired if cancelled or deferred events would still have secured funding to run their events later in the year.

The Head of Community Development advised that some groups have pulled their events completely and some have deferred until a later date.

The Chair, Councillor McNamee concurred with comments regarding voluntary workers and people on the ground and stated that they should be commended and championed as they were outstanding within their communities.

- **Mid Ulster Advice STEP DFC Funding Uplift Approval**

Proposed by Councillor Kerr
Seconded by Councillor Hughes and

Resolved That it be recommended to Council to approve the issue of funding provided by DFC for specific advice provision, to be monitored direct by DFC.

- **Peace IV Shared Space Capital Project – Approval for Additional Expenditure**

Councillor Elattar said that this would be welcomed by the community within Draperstown is these were delivered.

Proposed by Councillor Elattar
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the additional funding to the shared space capital projects based on agreed design.

- **Community Development**

Members noted update report.

Matters for Information

D077/20 Minutes of Development Committee held on 12 March 2020

Councillor Doris raised the issue funding towards flowers for Stewartstown as they were previously awarded Ulster in Bloom's Most Improved Village last year. She said that this fantastic for good relations as it was a community project. She asked if Officers could investigate this and let her know of the outcome.

Councillor Monteith referred to agreement to sponsor the Mid Ulster Business Awards and stated that it was important if they went ahead that Council's name wasn't linked to this as previously happened with Dalradian.

Councillor Kerr sought an update on the following:

- Progress on Cappagh/Altmore and Drumcairne
- Coalisland Leisure Centre
- Gortgonis Running Track and soccer pitch anticipated re-opening

In response to Councillor Kerr's proposal it was

Resolved That it be recommended to the Council that an onsite meeting with Council Officers be arranged for Washingbay Walkway entrance to discuss road safety issues.

The Director of Leisure and Outdoor Recreation updated Councillor Kerr's queries as follows:

- Progress regarding Cappagh/Altmore had been delayed due to Covid19, but Council would re-engage with Forestry Service.
- Coalisland Leisure Centre – this is still being progressed.
- Gortgonis Running Track – due to re-open again from next Wednesday 17th June.

In response to the query regarding Washingbay Walkway, the Director stated that she would come back to members with a date for a meeting to progress this.

Councillor Doris said that she wanted reassurance that Altmore/Cappagh and Drumcairne projects would be given priority and couldn't understand why the Forestry Service Licences weren't being progressed.

Councillor Doris said she was disappointed that no response was received from Officers regarding Washingbay Walkway concerns.

She said that she welcomed the news of Gortgonis Running Track being re-opened again.

D078/20 Culture & Arts Update Report

Members noted previously circulated report which provided an update on activity delivered across Culture and Arts Services during the Covid-19 lock down period and to highlight key issues during this period. The report also highlighted specific events and activities within Culture & Arts Services that is currently being explored by the officer team in maintaining the contact between staff and officer team and customers, visitors, audiences and service users.

Councillor Corry commended Irish Language Officers within Culture and Arts for their magnificent work and online activity in response to the Covid-19 pandemic. She said that she hoped that it would encourage more activity online and considered for the future as to keep people up with the classes.

Councillor Ashton sought clarity in relation to item 3.5 of the report about the relaunch of the Facebook page, Development of Irish Language Site and also the page 55 – Irish in Schools – and enquired if this was mandatory for all schools to be included as some may not want to participate.

Councillor Black referred item 3.3 and said that he was not comfortable with the project name being in Irish as it was hard for him to understand what the project was. He said that in future it would be beneficial to have the project name translated into English. He reiterated that he didn't have an issue with the name being in Irish but would like it translated so that everyone was aware of what the project was.

Councillor Kearney said that it was disappointing for all the children intending to get to the Gaeltacht this year as it was something they were looking forward to.

The Head of Culture & Arts in response to Councillor Ashton's query advised that the development of the "site" referred to in the report was the existing Irish language Facebook page which was the only dedicated channel for the Language. He said that similar facebook pages were operated for the Burnavon and Ranfurly for a number of years now.

Councillor Ashton said that when you looked at it, it seemed like the Irish Language Facebook page and the Council website were like two different proposals coming together and that it was mandatory for all schools to participate in the Irish Language programme.

The Head of Culture & Arts stated that it wasn't a new website and the schools programme was open to those schools wishing to avail of the programme and was not a mandatory requirement.

The Director of Business and Communities advised that involvement in Irish Language activity was voluntary and not forced upon anyone.

The Head of Culture & Arts in response to Councillor Black's query regarding item 3.3 advised that he would take on board his suggestion to translate the project titles in English in addition to Irish.

D079/20 Tourism Department Update

Members noted previously circulated report which provided an update on Tourism department's current work streams.

Councillor Molloy enquired if there was any update on the anticipated opening of the Dark Skies project.

The Director of Leisure and Outdoor Recreation advised that discussions were to take place next week. She said that the internal works were complete and at the snagging stage, but was on the radar to open as soon as possible.

Councillor Burton said that it would be remissive of her not to mention the magnificent work which was being carried out by Tourism staff within our community. She said that there was ongoing concern regarding businesses within the border areas like small cafes etc as they were keen to reopen and wanted to commend staff on their expertise

In response to Councillor Cuddy's query regarding five furloughed staff, the Director of Leisure and Outdoor Recreation advised that a lot depended on when facilities reopened and direction from the Executive.

D080/20 Leisure and Outdoor Recreation – Covid-19 Update

Members noted previously circulated report which provided an update on response from the Leisure and Outdoor Recreation Team to the Covid-19 pandemic and the ongoing engagement and contact with customers and users of Council Leisure and Outdoor Recreation Services.

D081/20 EBA 2020 End of Year Report

Members noted previously circulated report which provided an update on the 19/20 EBA 2020 programme, in the form of an End of Year Report required by Sport NI so as to authorise the final payment to MUDC.

D082/20 Council Community Support – COVID-19

Members noted previously circulated report which provided an update on the Council's Community Support – Covid-19 response.

The Director of Leisure and Outdoor Recreation advised members that the 12 week food box scheme was coming to an end and other options were being looked at. She said that 1075 food boxes were delivered each week and that the Department for Communities would be looking at the continuation of these for people who would have been provided a letter from their GP for another 3 to 4 weeks.

She stated that there was concern around food poverty and this would be supported through Advice NI with benefits and supporting mechanisms being put in place by Department for Communities for the issuing of financial support towards food banks and distributors. Currently work is also being done on funding towards the implementation of a social supermarket.

She advised that the process for moving forward was that the Department for Communities would be issuing letters to those receiving a food box advising them of the end of the food box programme. Council would continue the 'befriending' service.

Councillor Ashton felt Day-care providers were facing huge problems regarding PPE. She said that it would be beneficial if Council could support these providers sourcing or purchasing PPE on their behalf.

The Director of Leisure and Outdoor Recreation said that she would take the suggestion on board.

In response to Councillor Black's query regarding reopening of public toilets, the Director of Leisure and Outdoor Recreation advised that to date no public toilets had reopened and that the Council were taking their guidance from DAERA and would be kept under review.

The Chair, Councillor McNamee stated that when shops reopen on Friday, issues could arise regarding public toilets being closed.

Councillor Burton raised concern about people receiving shielding letters from GPs and said that some patients were not aware that they were classed as 'at risk'. She stated that a lady from Fivemiletown rang the Advice line and was referred to Fermanagh & Omagh District area and by the time it was her turn all the food boxes were already allocated. She commended the Vineyard and the people who supply them for supplying food to vulnerable people and families. She felt that these kind of issues needed addressing as this has arisen through no fault of their own and should get what they were entitled to.

The Director of Leisure and Outdoor Recreation said there was a lack of clarity at this stage but once the end of June emerges, it may become a lot clearer. She said that she could not provide a definitive answer at this stage as it was the Department for Communities which ran the scheme and the Council carry out their instructions.

Councillor Burton said it was important that this committee realises that these people didn't do anything wrong, but fell through the loop and that the responsibility lays with the Department.

Proposed by Councillor Burton

That going forward it would be paramount that this committee agrees that a robust measure is in place as to protect our vulnerable citizens and receive all the support they are entitled to.

Councillor Monteith concurred with member's comments and said that while we accept that this scheme was worthwhile at the beginning of the Corona Virus pandemic, there were flaws in the system and not acceptable going forward.

He said it was like a postcode lottery as some GPs did not issue shielding letters, some only issued texts and some did nothing at all and once people started to question this, all the food boxes were allocated elsewhere. He said this time around no flaws would be accepted as we are 10 weeks in and 2 weeks from the end and we still are not aware of the situation going forward and clarity was needed. He stressed that there was an onus on elected members to make sure there were no loopholes for vulnerable people who were eligible for support going forward.

He said that it was unacceptable that this system allowed for people to go hungry and if a person can't get a food box there were entitled to, there was a need for Council to

financially bolster groups like the Vineyard to generate the support where it was needed most.

Councillor Monteith said that he would second Councillor Burton's proposal.

Resolved That it be recommended to Council that going forward it would be paramount that this committee agrees that a robust measure is in place to protect our vulnerable citizens and receive all the support they are entitled to.

Councillor Wilson declared an interest in this item as he was a member responsible for the delivery of food boxes.

Councillor Wilson concurred with previous comments and said that he was also aware of vulnerable people with shielding letters not receiving food boxes. He said that the Department for Communities done very well getting the food distributed but felt that more could have been done so that all eligible people received what they were entitled to.

He commended all the volunteers and the staff at MUSA on their hard work to date in making sure all the food boxes were prepared delivered.

Councillor Molloy agreed with previous comments and felt that those which have children were most hard done by. He said that the Department of Education have stated that they would not be responsible for the payment of school meals over the summer and that he was aware of local food banks supplying young families with food and felt that there was a real fear that there would be a huge increase in similar circumstances.

Councillor Kerr agreed with previous comments made and said that this Council needed to grab this by the bullhorns and really the real people who needed it most.

The Chair, Councillor McNamee said that there was a need to put pressure on the Department to make sure the vulnerable were supported this time around.

In response to Councillor Molloy's proposal it was

Resolved That it be recommended to Council the importance of a cross over between GPs and the Department so the message gets across and that people were made aware of what they were entitled to.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Black
Seconded by Councillor Molloy 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 D083/20 to D084/20.

Matters for Decision

D083/20 Tender Report for the Appointment of a Contractor to deliver the Mid Ulster Gearing for Growth Programme

Matters for Information

D084/20 Confidential Minutes of Development Committee held on 12 March 2020

D085/20 Duration of Meeting

The meeting commenced at 7.00 pm and concluded at 9 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Correspondence to Council – May 2020
Date of Meeting	Thurs 25 th May 2020
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 the Minister of Finance, Northern Ireland Executive</p> <p>It was resolved by Council, at its May meeting that it correspond with the Minister of Finance and Minister for Communities on the potential impact of Rates Relief Schemes being introduced by the Northern Ireland Executive on Local Government finances and Mid Ulster Council specifically.</p> <p>Appendix A refers to response received from the Minister of Finance</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: not applicable</p> <p>Human: not applicable</p> <p>Risk Management: not applicable</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: not applicable</p> <p>Rural Needs Implications: not applicable</p>
5.0	Recommendation(s)

5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: C Murphy, MLA, Minister of Finance, Northern Ireland Executive

From the Minister of Finance

Councillor Martin Kearney
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Private Office
2nd Floor
Clare House
303 Airport Road West
BELFAST
BT3 9ED
Tel: 028 9081 6216
Email: private.office@finance-ni.gov.uk

Your reference: C100/20
Our reference: CORR-1862-2020

Date: 16 June 2020

Dear Martin

IMPACT OF RATES RELIEF ON COUNCIL FINANCES

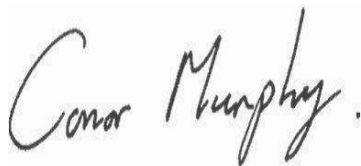
Thank you for your letter of 28 May in which you seek assurances, both from my Department and the Department for Communities regarding the impact of the further period of rates relief on council finances. I will respond to you on behalf of my Department.

On 19 May I announced further rate relief measures; specifically, the extension of the rates holiday for all business until 31 July followed by the introduction of a targeted rate relief scheme from 1 August 2020 to 31 March 2021 in support of sectors hardest hit by the pandemic.

I can confirm that the extended relief, which provides an additional £213 million of support for businesses, is being funded entirely by the Executive and ensures that Councils receive their full rates based on the Estimated Penny Product with a final settlement based on Actual Penny Product. The rates relief schemes will not affect that settlement.

I also announced an additional £20m for the Department for Communities to support local councils which have delivered vital services during the Covid-19 crisis.

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CONOR MURPHY MLA
MINISTER OF FINANCE

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	25 th June 2020
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues 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
Dept for Agriculture, Environment and Rural Affairs (DAERA)	Review of Further Education Support and Charging at the College of Agriculture, Food and Rural Enterprise (CAFRE)	<p>This exercise is a result of a review of the Further Education support and charging policy at CAFRE in 2018/19. The review took into account three key factors:</p> <ul style="list-style-type: none"> • The ongoing need to deliver affordable and accessible FE courses at CAFRE; • Variations in the policies in place within CAFRE and other FE providers in NI; and • The strategic policy direction of the DAERA Knowledge Framework 	11 September 2020	No
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/consultation-further-education-support-and-charging-policy-cafre		
	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 the Economy	Public Consultation on Parental Bereavement Leave and Pay	The Department for the Economy has launched a public consultation on the introduction of new rights to Parental Bereavement Leave and Pay in Northern Ireland. The aim is to bring the legislation	10 August 2020	No

		in Northern Ireland in line with the rest of the UK		
	Link to Consultation	https://consultations.nidirect.gov.uk/dfe-employee-relations-policy-and-legislation-1/parental-bereavement-leave-and-pay		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	

Report on	Service Recovery Update
Date of Meeting	25 June 2020
Reporting Officer	Chief Executive
Contact Officer	Chief Executive

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 recovery of council services following the relaxation in restrictions due to the coronavirus.
2.0	Background
2.1	Members will be aware that many council facilities and services have been significantly impacted over the past three months. While essential services continued to operate throughout, others were suspended and facilities were closed. The Health Protection (Coronavirus, Restrictions) Regulations (NI) 2020 were introduced to help control the spread of the virus.
3.0	Main Report
3.1	Over the past few weeks the restrictions imposed by the Regulations have begun to be relaxed and the Council has, incrementally, been able to restart some services and reopen some facilities.
3.2	The work of the Council through its committee structure was also interrupted with committees stood down in April and May before returning to sit earlier this month.
3.3.	As the committee system is now back up and running, recovery of services will continue to be a core aspect of each committees work in the coming months. However, rather than waiting until the next round of committee meetings, it was considered that it would be beneficial to provide an update on service recovery to Members at the June council meeting and this is attached at Appendix A for information.
4.0	Other Considerations
	Financial, Human Resources & Risk Implications
	Financial:

	N/A
	Human: N/A
	Risk Management: N/A
4.4	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members to note the service recover update.
6.0	Documents Attached & References
6.1	Appendix 1 – Service Recovery Update

Leisure Services	Current Status	Expected Reopening
Bowling Greens	Open	
Castlecaulfield Sports Hall Indoor	Closed	27 th July 2020
Cookstown Leisure Centre	Closed	27 th July 2020
Dungannon Leisure Centre	Closed	27 th July 2020
EBA 2020/Move More	Activity suspended	27 th July 2020
Gortgonis Citizen Centre	Closed	17 th August 2020
Greenvale Leisure Centre	Closed	27 th July 2020
Maghera Leisure Centre	Closed	27 th July 2020 – gym open 17 August (being refurbished)
Meadowbank Sports Arena	<ul style="list-style-type: none"> • Buildings closed to public • Venue in use for production of PPE • Pitches, tennis courts and running track open for bookings 	1 September 2020
Mid Ulster Sports Arena	<ul style="list-style-type: none"> • Buildings closed to public • Venue in use for food distribution • Pitches, tennis courts and open for bookings 	27 th July 2020
Moneymore Recreation Centre	Closed	17 August 2020
Tobermore Golf Driving Range	Open	
Playing Fields (Grass and 3G)	3G pitches open Some grass pitches open (summer maintenance programme occurring)	

Service Recovery Plan

19 June 2020

<u>Tennis Courts</u> Dungannon Park Mid Ulster Sports Arena Meadowbank Sports Arena Ballygawley Fairhill (Cookstown) Tobermore Leisure Centre Moneymore Recreation Centre	Open Open Open Closed Closed Closed Closed	
Parks	Current Status	Expected Reopening
Public Play Parks (102)	Closed	
<u>Public Park Car Parks</u> Dungannon Park Ballyronan Marina Round Lake New Ferry	Open	
<u>Forest Car Parks</u> Pomeroy Knockmany Iniscarn Moydamlaght Derrynoid Bantry	Open	
<u>Public Amenity Buildings</u> Dungannon Park Ballyronan Marina Round Lake	Closed	27 th July 2020 27 th July 2020 27 th July 2020
<u>Caravan and Tent Sites</u> Dungannon Park Ballyronan Marina Round Lake	Closed	3 July 2020 3 July 2020 3 July 2020

Service Recovery Plan

19 June 2020

Public Parks, Forest Trails, public paths and Open spaces	Open (Restricted access pedestrian/cycling)	
Arts & Cultural Facilities	Current Status	Expected Reopening
Burnavon Arts Centre	Closed to Public	October/November 2020 or when NI Executive guidance announce dates for commencement of Step 5 (whichever is sooner)
Seamus Heaney HomePlace	Closed to Public	10 th July 2020 (Exhibition only), in line with NI Executive Step 3. Performances in Helicon will be in line with NI Executive Step 5
Ranfurly and Hill of the O'Neill	Closed to Public	31st July 2020 to open Hill of O'Neill site and Exhibition area to the public, in line with NI Executive Step 3. Performances in Square Box will be in line with NI Executive Step 5
Tourism Facilities	Current Status	Expected Reopening
Bridewell & Library	Closed	20 July 2020
US Grants Homestead	Closed	20 July 2020
OM Dark Sky Observatory	Closed	September/October 2020 – To be confirmed.
Property Services	Current Status	Expected Reopening
Cemetery Services	Open	
Transport Management including fleet maintenance	Open	

Service Recovery Plan

19 June 2020

Grounds Maintenance	Open	
Building Maintenance	Open	
Off Street Car Parks	Open but no enforcement	1 July 2020
<u>Public Toilets</u>		
Tier 1	Partially open (Dungannon Park etc)	17 June 2020
Tier 2	Closed	Under review (TBA)
Tier 3	Closed	Under review (TBA)
Maghera Walled Garden	Closed	1 August 2020
Environmental Services	Current Status	Expected Reopening
<u>Household Waste Recycling Centres</u>		
Magherafelt	Open	Open sites on Winter Hours with some restrictions on trailers etc at specific sites; traffic levels returning to pre-Covid Levels. TBA) TBA) TBA) TBA) 1 July 2020
Cookstown	Open	
Dungannon	Open	
Maghera	Open	
Coalisland	Open	
Draperstown	Closed	
Castledawson	Closed	
Ballymacombs	Closed	
Moneymore	Closed	
Tullyvar	Open	
Fivemiletown	Closed	
Bulky Uplifts	Open	22 June 2020
Planning Services	Current Status	Expected Reopening
Development Management	Open	
Development Plan	Open	

Service Recovery Plan

19 June 2020

Enforcement	Open, bar inspections to occupied properties	
Building Control Services	Current Status	Expected Reopening
Plan Assessments	Open	
Site Inspections	Open, bar inspections to occupied properties	
Dangerous Structures	Open	
Property Certificates	Open	
Entertainment Licensing	Open	
Petroleum Licensing	Open	
Street Naming	Open	
Environmental Health Services	Current Status	Expected Reopening
Public Health & Housing	“emergency” visits carried out inside domestic properties	Subject to Govt advice and guidance .
Heath & Well Being	“emergency referral “ Affordable warmth visits carried out.	Subject to Govt advice and guidance.
Food Control	<p>List of current food controls contained within FSA correspondence which is effective until 17th July are taking place.</p> <p>Fuel stamps scheme continues to be administered and stamps delivered to retailers weekly.</p>	Consumer Protection and Tobacco Control queries and complaints as per Govt guidance.

Service Recovery Plan

19 June 2020

Health and Safety	Work being carried out in response to all complaints and accidents which have required some on site visits..	All services being delivered with the exception of scheduled inspections but higher priorities for the foreseeable future with reactive work.
Environmental Protection	Visits made to premises where needed. Air monitoring continues.	Indoor visits will resume when Govt advice permits and is necessary for resolution. PPC visits will resume with Govt advice ,
Dog control	All complaints investigated and dealt with . Dog Licensing carried out increasingly online and licences followed up by phone.	Respond to complaints as per current adopted arrangements. Household visits subject to Govt guidance .
Technical Services	Current Status	Expected Reopening
Capital Projects	Open with gradual recovery of construction on site.	
Signage	Open with gradual recovery of installation on site.	
Bus Shelters	Open with gradual recovery of installation on site.	