



27 July 2023

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 27 July 2023 at 19:00 to transact the business noted below.

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

Yours faithfully

Adrian McCreesh  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Notice of Recording  
This meeting will be webcast for live and subsequent broadcast on the Council's You Tube site [Live Broadcast Link](#)
2. Apologies
3. Declarations of Interest  
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
4. Chair's Business

### Matters for Decision

- |    |   |         |
|----|---|---------|
| 5. | Council minutes of meeting held on 22 June 2023                     | 5 - 18  |
| 6. | Environment Committee minutes of meeting held on 3 July 2023        | 19 - 28 |
| 7. | Planning Committee minutes of meeting held on 4 July 2023           | 29 - 44 |
| 8. | Development Committee minutes of meeting held on 5 July 2023        | 45 - 60 |
| 9. | Policy & Resources Committee minutes of meeting held on 6 July 2023 | 61 - 66 |

## Matters for Information

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| 10 | Consultations         | 67 - 80 |
| 11 | Correspondence Report | 81 - 96 |

## Notice of Motions

- 12 Councillor Johnston to move -  
That this Council notes with deep concern the Northern Ireland Troubles (Legacy and Reconciliation) Bill currently making its way through the UK Parliament despite opposition from all NI political parties, the Irish government, the US administration, the Council of Europe, the UN High Commissioner for Human Rights, UN Special Rapporteurs, national and international human rights institutions and more importantly our victims and the organisations that represent them. The latest intervention from the House of Lords highlights that even the upper house can see what this government appears not to, that this bill is an affront to democracy with its obstruction of due process which is a fundamental human right in any western liberal democracy.

Furthermore, this Council

1. Condemns this legislation and asks for it to be withdrawn
2. Writes a letter to the British government, the Chair of the Conservative Party and the NIO formally requesting that this bill is withdrawn

- 13 Councillor Kerr to move -  
I call on the Council to help facilitate a meeting between the relevant statutory agencies and the Killen Residents Group to help finalise a location for a defibrillator in the locality.

We as a local authority will try and aid the efforts of the Killen Residents Group. The installation of the defibrillator will benefit the community of Killen and surrounding areas.

- 14 Councillor Varsani to move -  
'That this Council condemns all aspects of hate crimes and sectarianism, including the burning of effigies, national flags and election posters on Eleventh Night bonfires and acknowledges the efforts by some in our communities to oppose such acts of hate crime and sectarianism.

We call for legislation to be put in place to regulate illegal bonfires which take place across the north of Ireland. This

will go a long way in preventing such acts of offensive behaviour; and further calls on all elected representatives, groupings, and organisations to promote anti-sectarianism, tolerance and inclusion.'

- 15 Councillor Quinn to move -  
That this Council notes with concern the Economic Activity of Public Bodies (Overseas Matters) Bill currently being debated in Westminster which seeks to prevent councils like Mid Ulster District Council taking into account human rights abuses committed by foreign governments when making certain decisions, including on procurement of goods and services.  
That this Council writes a letter to the Secretary of State and the UK Government of our opposition to this bill.  
Reaffirms its support for the BDS movement as voted on by members in 2018.

**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

16. Audit Committee Confidential minutes of meeting held on 20 June 2023
17. Council Confidential minutes of meeting held on 22 June 2023
18. Environment Committee confidential minutes of meeting held on 3rd July 2023
19. Planning Committee confidential minutes of meeting held on 4 July 2023
20. Development Committee confidential minutes of meeting held on 5 July 2023
21. Policy & Resources Committee confidential minutes of meeting held on 6 July 2023
22. Document for Sealing: MSW Growth Deal Programme Director Agreement

Matters for Information

23. Use of Delegated Authority by Chief Executive on Matters Delegated



**Minutes of Meeting of Mid Ulster District Council held on Thursday 22 June 2023 in the Council Offices, Circular Road, Dungannon and by virtual means**

|                               |  |
|-------------------------------|--|
| <b>Chair</b>                  | Councillor Molloy  |
| <b>Members Present</b>        | Councillors Black, Bell*, Brown, J Buchanan, W Buchanan, F Burton, J Burton, Carney, Clarke, Corry*, Cuthbertson, Forde, Gildernew, Graham, Groogan*, Johnston, Kelly, Kerr, Mallaghan, Martin, McAleer, McElvogue, McFlynn, McGuigan, McLean, McLernon, McNamee, D McPeake, S McPeake, McQuade, Milne*, Monteith, Quinn, Robinson, Varsani and Wilson   |
| <b>Officers in Attendance</b> | Mr McCreesh, Chief Executive<br>Mr Black, Strategic Director of Communities and Place (SD: C&P)<br>Ms Campbell, Strategic Director of Environment (SD: Env)<br>Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD: ODSP)<br>Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)<br>Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD: ODSP)<br>Mr Tohill, Strategic Director of Corporate Service and Finance (SD: CS&F)<br>Ms Keys, Marketing and Communications Manager*<br>Mr McKeown ICT<br>Mrs Forde, Committee and Member Services Manager |

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

The meeting commenced at 7 pm.

*The Chair, Councillor Molloy 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.*

**C109/23 Notice of Recording**

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

**C110/23 Apologies**

Councillors Cahoon and Totten

## **C111/23      Declarations of Interest**

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

Councillor Kerr declared an interest in Project Stratum as his employer was a Contractor.

Councillor Kerr declared an interest in Coalisland Food Bank.

The Chair, Councillor Molloy declared an interest in Dungannon Enterprise Centre

Councillor J Burton declared an interest in Dungannon Enterprise Centre

## **C112/23      Chair's Business**

The Chair, Councillor Molloy opened the meeting by saying

*"Members, the time has gone by so fast since our AGM that it is hard to believe that I have already completed my first few weeks as Chair, and they have been a busy few weeks indeed and I thank all those who welcomed me at various events.*

*One of my very first engagements was to open our first Mid Ulster Housing Conference as we lead the way in tackling the need for housing in our district. The multi-agency conference held in Burnavon Arts Centre, Cookstown was a major success.*

*It is an important first step as we look to provide the affordable and comfortable homes that all our residents deserve. It is very clear that it's not just about building more houses; it's about delivering the right type of homes in the right areas. By bringing people together like this and working in partnership, we are starting the journey to make homes available for those who need them.*

*Given that grassroots sport is one of my priorities this year, I was pleased to see the recent announcement of 415 projects awarded a total of £625K in grant aid by Council. This huge amount awarded will help to support a range of activities in not only sports, but also arts and culture, community and strategic events, as well as community development and good relations projects.*

*Speaking of sports, it was an honour this week to be invited to meet with organisers and participants from Ethnic Minority Sports Organisation NI at Mid Ulster Sports Arena for another heat of the Confederations Cup and to hear more about their passion not just for football but to celebrate our cultural diversity. Mid Ulster is one of the most diverse council areas here and sport can bring everyone together in a positive way. Staying on sport I wish to extend sincere congratulations to Sammy Jo Sweeney on winning double gold at the Special Olympics World Games in Berlin and to cyclist Darren Rafferty who put in a huge week to finish a close 2<sup>nd</sup> at the u23 Giro d'Italia. I was privileged to meet some of the younger residents of our district last week at the Eco-Schools Northern Ireland Official Green Flag Awards at Hill of The O'Neill & Ranfurly House. These awards are a celebration and a formal recognition of the*

*incredible environmental work that schools have taken on and undertaken over the last two years. An astonishing 22 schools in Mid Ulster received their Green Flag this year. It reassures me to know that so many of our young people are this passionate about protecting our environment and the world we live in. But by far and away the most rewarding engagement was a visit this week to Oakridge Senior Education Centre for Disability Learning Week. It was humbling to see the unbelievable work by staff in buildings not fit for purpose. Some of our most vulnerable people are being poorly served on a daily basis, we must continue to apply pressure from all directions to ensure a new build is delivered as soon as possible.*

*Lastly, on behalf of the entire Council, following the sudden death of a long-term allotment holder at Dungannon Park allotments on Sunday, I would like to extend my deepest sympathies to those bereaved and all who are grieving such an unexpected loss at this difficult time. I would also like to thank and pay tribute to the other allotment holders and Council staff who gave immediate assistance at the scene, as well as members of the emergency services and air ambulance who were in attendance. I also extend sympathies to all those within the Council who have lost loved ones recently.*

*That concludes my remarks for this evening. Thank you.”*

The Chair, Councillor Molloy called on Councillor D McPeake to speak.

Councillor D McPeake thanked the Chair, for the opportunity to pay tribute to former Magherafelt Cllr John Hurl who passed away on 23rd of April. He said that ‘Big John’ had served two terms on Magherafelt Council between 1989 and 1997 and had covered much of the area of the current Ballymaguigan ward containing Ballymaguigan and Newbridge. He shared that John had been the first Sinn Féin chairman of Magherafelt Council in 1995/96. Councillor D McPeake concluded by extending condolences to John’s wife, son and daughter on his passing.

*The Chair, Councillor Molloy called on Councillor McLean to speak.*

Councillor McPeake paid tribute to those named on the King’s honours list making particular mention of Councillor Anne Forde who received a BEM on services to the community, Mary McGee who had received an MBE for her work in tourism commenting on her effort and enthusiasm she had for her work and Ian Henry of Henry Brothers. He concluded by offering his congratulations to all and proposed that the Chair of the Council forward letters of congratulations to all recipients of King’s honours who resided in the district.

The Chair, Councillor Molloy acknowledged many in the district considered it to be a great honour and agreed to send letters.

**Resolved** That the Chair, on behalf of Council write letters of congratulation to district residents highlighted on the King’s Birthday Honours List

*The Chair Councillor Molloy called on Councillor McLernon to speak.*

Councillor McLernon said, "Thank you Chair, I would like to raise here in the Council tonight the issue relating to many families who have children with special educational needs who are entering nursery or P1 this September, and who are still waiting for their child to be offered a school placement, when we are just a few days away from the end of the academic year.

As I am sure everyone here tonight would agree, this is an outrageous situation, and is adding to the stress and anxiety of vulnerable children and their families.

Children with special educational needs require the highest level of support in our schools to ensure they have the best start in life. There are 1151 schools here in the north, 39 of which, are special educational schools. The majority of pupils with special educational needs are taught in mainstream schools, including those pupils who attend specialist units attached to mainstream settings.

I fully appreciate that developing adequate services in response takes time, funding and resources, and its more than just finding a place for a child, but rather finding the child the right place, suitable to their individual needs. However, as demand has risen, any advances in provision here has failed to keep up. This is happening in a context where spending per pupil here is much lower than in England. There should be proper investment in our education system to ensure positive outcomes for children with SEN and their families. Cuts to education funding, as a result of a Tory budget, has targeted the most vulnerable children in our society. The Education Authority has a statutory duty to secure provision for pupils with special educational needs. They are responsible under SEN legislation for identifying, assessing and making provision for children with special educational needs.

I therefore would like to make the proposal here tonight with agreement with members that the Mid-Ulster Council write to the Education Authority on behalf of its citizens to request that children with special educational needs are offered a school place urgently, and without delay.

Proposed by Councillor McLernon  
Seconded by Councillor Carney and

**Resolved** That Council write to the Education Authority on behalf of its citizens to request that children with special educational needs are offered a school place urgently, and without delay.

The Chair, Councillor Molloy, called on Councillor Cuthbertson to speak.

Councillor Cuthbertson spoke of the massive work carried out in Coolhill Cemetery in the past year and how the second contract for grounds work which was more sensitive had commenced on 6 April but has seemed to have ceased. He said there was a lack of progress and he had been advised that the contractor had moved off site and sought clarity on the status of the contract and what assurances could be given to families concerned about loved ones graves.

*The chair, Councillor Molloy said the issue was sensitive.*

The SD: Environment said it was a contractual issue and the legal team was currently working on the situation and thus she could not comment. She advised that some interim work had been completed and council was working towards a resolution as soon as possible.

The Chair, Councillor Molloy said an update would be given at the Environment Committee.

**Resolved** That an update be provided to Environment Committee in relation to contractual issues at Coolhill Cemetery Works

The Chair, Councillor Mallaghan spoke of residents making contact with him regarding complaints about Fibrus highspeed broadband. He said people were experiencing difficulties to get through to stakeholders, that the turn around speed in returning calls was in some cases one, two or up to six weeks. He proposed that Council write to request a dedicated Elected Member Hotline and also an improvement on call response times.

*Proposed by Councillor Mallaghan  
Seconded by Councillor Wilson and*

**Resolved** That Council write to Fibrus requesting an Elected Member Hotline be provided; and that turnaround response times to customer calls in relation to broadband speeds be improved.

The Chair, Councillor Molloy in drawing Chair's business to a close said that, "those of you who have previously worked with me as a committee chair will know I try to chair meetings in a fair and positive manner, giving members the opportunity to speak on issues but at the same time keeping the meeting efficient. We have a full list of Standing Orders, I would respectfully ask that all Members familiarise themselves with these, particularly Standing Orders 13, 14 and 15 which are designed to aid the flow of meetings. For requests to raise issues under Chairs Business, it would be greatly appreciated if members give at least 3 days' notice with the very odd exception in emergencies. If a matter is deemed to be an issue for a relevant committee then that is where it will be directed to."

### **Matters for Decision**

**C113/23 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on 20 April 2023**

*Proposed by Councillor Quinn  
Seconded by Councillor McNamee and*

**Resolved** That the Minutes of the Council held on Thursday 20 April 2023 (C088/23 - C100/23 and C108/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C114/23 Receive and Consider Minutes of matters transacted in "Open Business" at the Annual Council Meeting held on 5 June 2023**

Proposed by Councillor Kerr  
Seconded by Councillor McLean and

**Resolved** That the Minutes of the Annual Meeting of Council held on Monday 5 June 2023 (AC1/23 - AC11/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C115/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 12 June 2023**

Proposed by Councillor S McPeake  
Seconded by Councillor Mallaghan and

**Resolved** That the Minutes of the Planning Committee held on Monday 12 June 2023 (P047/23 – P055/23 and P064/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C116/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 13 June 2023**

Proposed by Councillor McAleer  
Seconded by Councillor McLernon and

**Resolved** That the Minutes of the Policy & Resources Committee held on Tuesday 13 June 2023 (PR089/23 – PR100/23 and PR110/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C117/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on Wednesday 14 June 2023**

Councillor Mallaghan brought to the attention of the meeting an extreme set of circumstances which took place at the Environment Committee. He advised that when the roll call was taking place most members responded by saying in Irish ‘anseo’ which translated means here/present. Councillor Mallaghan said that there was a difficulty in understanding that this meant the Member speaking was present even though in many cases the people were in the room. He said he was unsure whether the Chair was experiencing a difficulty or whether it was a displeasure for the Irish language. Councillor Mallaghan said if it was the latter all must be mindful that the Irish language had an equal footing and must be treated with respect. He said Council had one of the most progressive Irish language policies across the North and Councils branding which was dual language demonstrated this. He also stated that the British Government was a signatory of the European Charter for Minority Languages and had a duty and care to protect them. He said that Sinn Féin would be taking advice from the Northern Ireland Local Government Commissioner

for Standards (the Commissioner) and would be keeping a watching brief that the NIPSO Code of Conduct for Members was adhered to all times.

Councillor Kerr drew attention to E128/23 Dual Language Surveys: and requested that the appendix to report that the letter detailed as Mill Race, Dungannon be amended to Mill Race Coalisland.

Councillor Kerr acknowledged Coalisland Fianna G.F.C who helped organise a recent cleanup. He also requested an update on the public consultation on recycling centres that was agreed at the February Council meeting.

The Chair, Councillor Molloy advised that the item was not on the agenda thus would be referred back to the Environment Committee for update.

Proposed by Councillor Quinn  
Seconded by Councillor McAleer and

**Resolved** That the Minutes of the Environment Committee held on Monday 14 June (E115/23 – E131/23 and E139/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C118/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 15 June 2023**

Proposed by Councillor McNamee  
Seconded by Councillor Clarke and

**Resolved** That the Minutes of the Development Committee held on Thursday 15 June 2023 (D076/23 – D080/23) transacted in Open Business having been printed and circulated were considered and adopted.

**C119/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 19 June 2023**

Councillor Ann Forde drew attention to discussion D091/23 Affordable Warmth Scheme and suggested that Council should also have a meeting with Department for Communities as it was they that have redirected the funding to the Northern Ireland Housing Executive.

The Chief Executive indicated the request could be progressed.

**Resolved** That Council request a meeting with Department for Communities to discuss issue with reallocating of funding to Northern Ireland Housing Executive to deliver Affordable Warmth Scheme.

Councillor Kerr drew attention to D079/23 Chair’s Business with regard to the blue/green algae in the Lough. He advised that he had been contacted by residents from Brocagh in relation to a foul odour and asked if this could be investigated and if

NI Water could be invited to the meeting with NIEA as the Lough was a source of drinking water.

The Chair of the Development Committee Councillor McNamee agreed.

**Resolved** That NI Water be invited to the proposed meeting with NIEA to discuss present water quality in Lough Neagh.

Councillor Kerr drew attention to D086/23 and spoke of the huge financial burden the purchase of school uniforms and 'pe' kits in particular have on families. He asked if Council could co-ordinate the role of charities working to alleviate these pressures.

The Chair, Councillor Molloy advised that this had been the crux of his proposal at the development committee that council would coordinate the charities and public in a uniform exchange.

Councillor Kerr also asked that a report detailing statistics of foodbank usage be brought to a future meeting.

Councillor McNamee in relation to earlier discussion on affordable warmth scheme advised that the purpose of the meeting with the NIHE was to see how they would deliver the scheme but said he had no objection to meeting with Department for Communities also.

Proposed by Councillor McNamee  
Seconded by Councillor Quinn and

**Resolved** That the Minutes of the Development Committee held on Monday 19 June 2023 (D081/23 – D095/23 and D100/23) transacted in Open Business having been printed and circulated were considered and adopted.

### **C120/23 Conferences, Seminars and Training**

The HoSS&E sought approval for the previously circulated report on conferences, seminars and training as outlined in Appendix A of the report.

Proposed by Councillor Quinn  
Seconded by Councillor McLernon and

**Resolved** That approval be given to submitted requests for conferences, seminars and training as outlined at Appendix A to the report.

### **C121/23 Civic Recognition Requests**

The HoSS&E sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, and as detailed within the report at Appendix A.

Councillor McLernon advised that Sammy Jo Sweeney had won two gold medals at the Special Olympics and requested that they be added to her achievements and also that both her name and Councillor Carney's be added to nominations for Brocagh GAA, Celebrating 100 years; Clonoe O'Rahillys, Under 15s, Intermediate League; Eamon Quinn, Sammy Jo Sweeney, and Raymond Singleton, Representing Ireland in the Special Olympic World Games.

Councillor Kerr concurred with the update of Sammy Jo Sweeney's achievements.

Councillor S McPeake said he had nominated a number of people for civic recognition prior to the election and requested that Councillor Kelly's name be added to them.

The Chair, Councillor Molloy stated that this was acceptable and should others wish to add names to nominating Councillors they should do so.

Councillor Mallaghan said that the civic recognition working group had met and a report had been brought to the Policy & Resources Committee in November 2022 to look at a way forward in making awards more meaningful. He said the aspiration of the group had been to have the work completed prior to the new council term and it was disappointing that it had not happened. He requested that a meeting of the civic recognition working group be progressed with immediate effect.

Councillor McLean said he would propose that Policy & Resources committee review all working groups to see if they are beneficial or if the work could go to the main committee.

Members concurred.

**Resolved** That a review of Working Groups be progressed through Policy & Resources Committee.

Councillor McFlynn requested that Councillor Johnston's name be added to nominations she had submitted.

Councillor McFlynn drew attention to her nomination for derry Under 14s Ladies football team and said although they had received recognition in the previous year the team had changed and proposed that recognition be approved. She drew on a similar circumstance with Under 14 Derry Camogs.

Members agreed to upgrade the team to civic recognition.

Councillor Kerr said he had been advised that Tyrone Minors and Tyrone Minor Camogs had also received civic recognition in the past three years and requested that they be upgraded also.

Members concurred.

Councillor McLean stated that Members should be mindful that they were moving away from the process.

The Chief Executive stated that the process needed to be reviewed and whilst he understood Members desire to have their nominees recognised consideration must be given to consistency. He referred to previous meetings of the working group and said it was difficult to get consensus of everyone and that a new approach would be advantageous to the corporate body but any changes would be at the discretion of Council. He suggested that Council draw a line at the process and work towards a new policy.

Proposed by Councillor McLean  
Seconded by Councillor Mallaghan and

**Resolved** That the current civic recognition be suspended with immediate effect and the Working Group reconvene with expediency with an aim to introducing a new methodology for civic recognition.

**Resolved** That approval be given to submitted requests for civic recognition detailed at Appendix A as outlined in the report and that

- That Cllr Kelly's name be added to nominations put forward by Cllr S McPeake;
- That Derry Under 14s Ladies Football Team receive recognition
- That Tyrone Minors receive recognition;
- That Tyrone Minor Camogs receive recognition;
- That Cllr Johnston name is added to nominations submitted by Cllr McFlynn;
- That SammyJo Sweeney's 2 Gold Medals are added to nomination;
- That Cllrs Carney and McLernon are added to nominations for Brocagh GAA, Celebrating 100 years; Clonoe O'Rahillys, Under 15s, Intermediate League; Eamon Quinn, Sammy Jo Sweeney, and Raymond Singleton, Representing Ireland in the Special Olympic World Games.

## **Matters for Information**

### **C122/23 Consultations**

Members noted consultations received for attention of Council.

### **C123/23 Correspondence**

Members noted update on correspondence received for attention of Council.

Councillor Cuthbertson drew attention to correspondence received from Department for the Economy in relation to Tourism white on brown signs. He reminded the meeting that on two previous occasions he had raised the issue of signs for Hill of The O'Neill and Ranfurly House and said that Ranfurly House had been removed. He advised that the signs were situated at Anne Street and also the access road to town from M1.

The Chair, Councillor Molloy concurred.

Councillor Wilson stated that one of the largest tourism attractions at Moneymore still does not have a brown on white sign to provide direction and he would like this raised.

It was proposed that Council write to Department for the Economy regarding provision of tourism white on brown signs.

The Chief Executive said that the best approach would be for tourism manager to compile a report to bring forward.

Members concurred.

**Resolved** That issues with regard to Tourism Brown Signage be referred to Development Committee with a view to preparing a report.

*The live broadcast concluded at 7.35 pm.*

**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.**

Proposed by Councillor McNamee  
Seconded by Councillor Kerr and

**Resolved** That items C124/23 to C132/23 be taken as confidential business.

#### **Matters for Decision**

- (i) Council Confidential minutes of meeting held on 20 April 2023
- (ii) Planning Confidential minutes of meeting held on 12 June 2023
- (iii) Policy & Resources Confidential minutes of meeting held on 13 June 2023
- (iv) Environment Confidential minutes of meeting held on 14 June 2023
- (v) Development Confidential minutes of meeting held on 19 June 2023
- (vi) Document for Sealing: Lease to Draperstown Celtic Football Club CLC001-0093 and two counterparts
- (vii) Document for Sealing: Burnavon Refurbishment Works – Ref MUDC/TS/C/2022/007
- (viii) Document for Sealing: Digital Transformation Strategy Agreement with Tailwind Digital Limited
- (ix) Document for Sealing: MUDC and Dungannon Enterprise Centre for land at Feeneys Lane, Dungannon

**C133/23 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.40 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## **Annex A - Introductory Remarks from Chairperson**

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

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

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

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

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



**Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Monday 3 July 2023 in Council Offices, Circular Road, Dungannon and by virtual means**

**Members Present**

Councillor Cuthbertson, Chair

Councillors J Burton, J Buchanan, Cahoon, Kelly, Groogan, Mallaghan, Martin\*, McAleer, McElvogue, McGuigan, Milne\*, Quinn\*, Robinson, Varsani

**Officers in Attendance**

Mrs Campbell, Strategic Director of Environment (SD: Env)

Mr Lowry, Head of Technical Services (HoTS)\*\*

Mr McAdoo, Assistant Director of Environmental Services (AD: ES)\*\*

Mr Scullion, Assistant Director of Property Services (AD: PS)

Mr Brown, ICT Support

Mrs Grogan, Committee and Member Services Officer

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

\*\* Denotes Officers present by remote means

\*\*\* Denotes others present by remote means

The meeting commenced at 7.00 pm.

*The Chair, Councillor Cuthbertson welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Cuthbertson 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.*

**E140/23 Notice of Recording**

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

**E141/23 Apologies**

Councillor McNamee.

**E143/23 Declarations of Interest**

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

## **E144/23 Chair's Business**

None.

## **Matters for Decision**

### **E145/23 Capital Projects – Contract Awards Delegated Authority Request**

The Strategic Director of Environment (SD: Env) presented previously circulated report and sought approval to award delegated powers for the award of Capital Contracts for the following projects:

- Connecting Pomeroy – Arts Trail Development (IST Contract)
- Small Settlements – Moneymore (IST Contract)
- Small Settlements – Castlecaulfield (ICT Contract)
- Small Settlements – Moy (ICT Contract)
- Small Settlements – Clady/Castledawson (IST Contract)

Councillor McGuigan referred to the Small Settlement project 'Clady/Castledawson' (IST Contract) which were grouped together for some reason. The member stated that he had an issue with the Castledawson part as there was quite a substantial project going on at Riverside housing estate and currently in the process of building a bonfire at the site. The member's view would be that this was on Council land and where this project has been funded and taking place, would propose that this be put on hold until a firm agreement that no bonfire is to be built on that site. The member was aware of discussions taking place as he attended an earlier Bonfire Working Group meeting and discussions were taking place in the background with the local community in terms of going down the road of a beacon which is the right direction of travel and adhering to Council policy also. The member felt that to spend this vast amount of money on this particular project and the same to happen again next year would be unwise as there would be no guarantee that the same thing would not happen again even though the feedback is that the bonfire builders were going to go down the beacon route but until there was some firm agreement, his view would be not to proceed. He said there was still a few days left to show that the bonfire builders can go down the beacon route and if this is the case he was aware that there is an opportunity to allow this to happen, but until that Council get that guarantee, he would propose that this was put on hold to see what the outcome was and that the Clady part of the application goes ahead.

The Chair advised that the report in front of members here tonight was in relation to appointing contractors or giving delegated authority to the Chief Executive and while the Environment Committee award ICT and IST contracts, the actual details on the ground would go through either Policy & Resources or Development committees and not relevant to this committee. The Chair said that he would not be aware of things on the ground and would assume that it would not be possible to separate the scheme for Clady/Castledawson and best to move ahead in relation to what the recommendation is seeking approval for.

The Strategic Director of Environment (SD: Env) advised members that the way the projects are grouped together for Clady/Castledawson was how it was going to be procured. Council have not however moved to advertise IST award yet. The SD: Env said that there were a lot of other small settlement schemes ongoing and the team have paused this group at the moment given what was happening on the ground and suggested changes. The SD: Env concurred with comment by member in relation to ongoing discussions between our community team and members of the local community in that area and would be hopeful that agreement is reached in proceeding down a beacon route possibly next year but it is still work in progress. The SD: Env advised that this was what stage the project is at, but proposals have been brought through in terms of modifications that would facilitate a beacon approach and this was the work which was ongoing at the moment.

Councillor Mallaghan advised that this was a very useful update but felt that in the interim that these two projects should be separated before they go out for advertisement and the part relating to Castledawson should be at least held until full Council to see what happens over the next few weeks. The member encouraged the SD: Env and her team to continue working with the local community and was aware that some progress was being made but would be irresponsible on our behalf and on behalf of the ratepayers to proceed to publicly funding this project if in 12 months' time a huge bonfire was going to be sited there.

Councillor Mallaghan seconded Councillor McGuigan's proposal to put on hold Castledawson part of the project.

The Chair enquired if Councillor McGuigan's proposal was to remove the Castledawson element from the delegated authority and not in relation to actual what was going to be delivered on the ground.

Councillor McGuigan agreed that the Castledawson element be removed from delegated authority to see if agreement could be reached as he did not want to see the same thing happening next year when the project has already been delivered on the ground.

The Chair advised that this was to permit delegated authority to the Chief Executive in August as there would be no meetings until September.

Councillor Robinson felt that if there was an issue it may be better holding all the projects in the interim and made this a proposal until everything was sorted out.

The SD: Env advised that some of these projects were very funding dependent and have a deadline, particularly Pomeroy Arts Trail Development which has to be delivered by December. The SD: Env cautioned against stopping all the projects as it would endanger the whole funding package that is secured for Pomeroy, and this was something that had to go ahead. The SD: Env referred to the Small Settlement Schemes and advised members that there were also deadlines up to the end of March that had to be met.

Councillor McGuigan advised that none of the other projects should be held up just because there was an issue with this particular one at Castledawson. The Member

felt that the other projects should be allowed to continue and the Castledawson element set aside until some sort of agreement was reached on a bonfire not proceeding on this particular site.

Councillor Robinson advised that he wasn't aware of the Clady/Castledawson one and surely that this was something for the Bonfire Committee to deal with. The members said that he did not realise that any meetings were taking place at the moment as it was his understanding from the last Council meeting that it was decided that no sub-committees meetings would be taking place until it was looked at. The member sought clarification on the matter.

The Chair advised that this was his understanding as well, the proposal made by Councillor McLean and seconded by Councillor Mallaghan with the exception of the Civic Awards Working Group. The Chair's recollection was it was agreed on the night that working groups would not meet until a report was reviewed and brought back to the P&R Committee for consideration.

Councillor Mallaghan confirmed that this was not the case at all and that the Civic Receptions would be put on ice and that the working groups would be reviewed at P&R Committee but not to be stopped.

The Chair stated that the working groups were to be reviewed and not to meet because there never has been a meeting yet of the working group in relation to the recycling centres.

The SD: Env advised that there were proposals brought in relation to reviewing the working groups, but it was her understanding that the working groups were still permitted to continue and the reason that there hasn't been a meeting of the Recycling Working Group as she was awaiting names to come back from the parties. The SD: Env said that she was unaware if these have been received yet but once the names have been received a meeting would be convened.

The Chair said that it was his understanding that names had been submitted in March.

The SD: Env advised that some of the members had changed because of the election and she was waiting on confirmation from committees.

The Chair assumed that the Bonfire Working Group members would have changed after the election.

The Chair advised that there were two proposals brought forward for consideration:

- 1) Proposal made by Councillor McGuigan and seconded by Councillor Mallaghan to accept the recommendation with the exception of Castledawson.
- 2) Proposal made by Councillor Robinson to hold all the projects – *not seconded*.

Councillor Robinson enquired which parties had not nominated for the working group for the recycling centres.

The Assistant Director of Environmental Services (AD: ES) advised that he had no further update as still waiting on names to be confirmed.

The SD: Env advised that an update can be provided to members if need be.

Councillor Robinson said that he found it strange that a working group cannot be set up for recycling centres as it affects everybody, yet a Bonfire Working Group can proceed and felt that some clarity would be useful.

Councillor Mallaghan confirmed that his party had submitted names for all of the working groups of the Council.

The Chair advised that the DUP had also submitted names in March for working groups.

Councillor McGuigan's proposal was carried.

Proposed by Councillor McGuigan  
Seconded by Councillor Mallaghan and

**Resolved** That it be recommended to Council that authority is delegated to the Chief Executive during August 2023 to approve the the award of contracts for the aforementioned schemes except Castledawson. A full report to be brought back to Members in September Committee/ Council for information. It was further agreed that progression of the Castledawson project element be paused pending agreements being formalised with the local community regarding the use of a beacon in future years.

#### **E146/23 Street Naming and Property Numbering**

The Assistant Director of Property Services (AD: PS) presented previously circulated report which considered the naming of new streets within residential housing development within Mid Ulster. Requests for the naming of streets within proposed residential development as follows:

- **Request 1 - Sites of Crannog Way, Dungannon**

**The options submitted are as noted below:**

Proposed by Councillor Varsani  
Seconded by Councillor Mallaghan and

➤ **Site 1 off Crannog Way, Dungannon (33 Dwellings)**

1. Crannog Drive
2. Crannog Grove
3. Crannog Place

**Resolved** That it be recommended to Council to name new street within new residential development as Crannog Drive.

➤ **Site 2 off Crannog Way, Dungannon (9 Apartments)**

1. Crannog Mews
2. Crannog Court

**Resolved** That it be recommended to Council to name new street within new residential development as Crannog Court.

- **Request 2 - Site off Sixtowns Road, Draperstown**

**The options submitted are as noted below:**

- Crockmore View
- Crockbrack View

Proposed by Councillor Groogan  
Seconded by Councillor McGuigan and

**Resolved** That it be recommended to Council to new new street off Sixtowns Road, Draperstown as Crockmore View.

**E147/23 Dfl Roads Proposal to Mid Ulster District Council – Disabled Person’s Parking Bay, Coalisland**

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek the agreement of Members in relation to a proposal from Dfl Roads to introduce a Disabled Person’s Parking Bay at The Square, Coalisland. Proposed limit waiting in the bay to 2 hours no return in 2 hours, Monday to Saturday from 8am to 6pm.

Proposed by Councillor McAleer  
Seconded by Councillor Groogan and

**Resolved** That it be recommended to Council approve the proposed introduction of a disabled persons’ parking bay at The Square, Coalisland. Proposed limit waiting in the bay to 2 hours no return in 2 hours, Monday to Saturday from 8am to 6pm.

## **Matters for Information**

### **E148/23 Minutes of Environment Committee held on 14 June 2023**

Members noted minutes of Environment Committee held on 14 June 2023.

### **E149/23 Eco Schools Green Flag Awards 2023**

Members noted previously circulated report which provided an update on the Eco Schools Green Flag Awards Ceremony 2023.

### **E150/23 Bus Shelters Update**

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

Councillor McAleer stated that there were 5 or 6 applications which were pending legal advice or feedback from the Housing Executive and enquired if there was any update and if not, could members be provided with an update this week as he has had a few queries regarding one which has been outstanding within his local area.

The Assistant Director of Property Services (AD: PS) advised that he would provide an update to the member before the end of the week.

### **E151/23 Building Control Workload**

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

### **E152/23 Dual Language Signage Surveys**

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

### **E153/23 Dual Language Signage Requests**

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

### **E154/23 Entertainment Licensing Applications**

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

*Live broadcast ended at 7.15 pm.*

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

Proposed by Councillor McAleer  
Seconded by Councillor Robinson and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E155/23 to E163/23.

### **Matters for Decision**

- E155/23 Application for Funding to the Innovate UK Local Industrial Decarbonisation Plans (LIDP) Competition
- E156/23 Four Year Cyclical Fleet and Diverse Plant Replacement Programme (01/04/2023 – 31/03/2027)
- E157/23 Extension of 3<sup>rd</sup> Party Contracts

### **Matters for Information**

- E158/23 Environment Committee Confidential Minutes of Meeting held on 14 June 2023
- E159/23 Live Here Love Here Small Grants Scheme 2023
- E160/23 Capital Framework – ICT Contracts Update
- E161/23 Capital Framework – IST Contracts Update
- E162/23 Capital Projects – Scoping Contracts Update
- E163/23 Electric Vehicle Charging Points Update

### **E164/23 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.30 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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



**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 4 July 2023 in Council Offices, Circular Road, Dungannon and by virtual means**

**Members Present**

Councillor S McPeake, Chair

Councillors Black\*, J Buchanan, Carney, Clarke, Cuthbertson, Graham, Kerr, Mallaghan, Martin, McConnell, McElvogue, McFlynn, D McPeake\*, Robinson, Varsani

**Officers in Attendance**

Mr Bowman, Head of Strategic Planning (HSP)  
Ms Donnelly, Council Solicitor  
Ms Doyle, Head of Local Planning (HLP)  
Mr Marrion, Senior Planning Officer (SPO)  
Ms McAllister, Senior Planning Officer (SPO)\*\*  
Ms McCullagh, Senior Planning Officer (SPO)\*\*  
Ms McKinless, Senior Planning Officer (SPO)  
Mr McClean, Senior Planning Officer (SPO)\*\*  
Miss Thompson, Democratic Services Officer

**Others in Attendance**

Councillor Bell\*\*\*  
Councillor Brown\*\*\*  
Councillor McAleer

LA09/2022/0063/O  
LA09/2022/1426/O

Mr Cassidy\*\*\*  
Mr Devlin

- \* Denotes members and members of the public present in remote attendance  
\*\* Denotes Officers present by remote means  
\*\*\* Denotes others present by remote means

The meeting commenced at 7.00 pm

**P065/23 Notice of Recording**

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

**P066/23 Apologies**

None.

**P067/23 Declarations of Interest**

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

Councillor Cuthbertson declared an interest in agenda item 5.2 – LA09/2021/1256/F and agenda item 5.11 – LA09/2023/0404/F.

## **P068/23 Chair's Business**

The Head of Local Planning (HLP) referred to the addendum circulated and correspondence dated 26 June 2023 from the Department in relation to their Notice of Opinion regarding the application for the extraction, transportation and working of sand and gravel from Lough Neagh. The HLP advised that the letter states that any requests to appear before and be heard by the Planning Appeals Commission must be received within eight weeks from the date service of the Notice.

Councillor Mallaghan proposed that a report on this matter be brought to Committee in August so that the Committee can make an informed decision. Councillor Mallaghan also proposed that the Planning Committee be given delegated authority at the July Council meeting in relation to this matter in order for a submission to be submitted before the deadline.

Councillor Clarke seconded Councillor Mallaghan's proposals.

The Chair, Councillor S McPeake felt that these were good proposals and that the Committee needed to be sure that the fishing rights on the Lough co-exist mutually with the right to extract sand.

**Resolved** That a report on planning application LA03/2021/0940/F - Application for the extraction, transportation and working of sand and gravel from Lough Neagh and related correspondence from Department on their Notice of Opinion be brought to August Planning Committee.  
That the Planning Committee be given delegated authority at the July Council meeting to allow a response to be submitted to the Department regarding the Notice of Opinion before the deadline.

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

Agenda Item 5.10 - LA09/2023/0373/O - Replacement dwelling at 270m SE of 101 Barnaghs Road, Dungannon for Mr Sean O'Donnell.

Agenda Item 5.12 – LA09/2023/0487/O - Dwelling and garage adjacent to & SW of 65 Mullybrannon Road, Dungannon for Mr Peter O'Donnell.

Agenda Item 5.13 – LA09/2023/0488/O - Dwelling and garage adjacent to and NW of 30A Dunseark Road, Dungannon for Mr Peter O'Donnell.

The HLP also advised that the following applications should be deferred in order to allow time to consider additional information –

Agenda Item 5.9 – LA09/2023/0359/O - Infill dwelling and garage at land approx. 190m SE of 2 Lisalbanagh Road, Magherafelt for Mr Richard Brown.

Agenda Item 6.6 - LA09/2022/1288/O - Replacement dwelling at 15 Finulagh Road, Castlecaulfield for Ryan McGurk.

The HLP referred to request for deferral in relation to Agenda Item 5.11 - LA09/2023/0404/F and advised that this will be considered at that point of the meeting.

**Resolved** That the planning applications listed above be deferred for an office meeting / further consideration.

### **Matters for Decision**

#### **P069/23 Planning Applications for Determination**

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

**LA09/2021/0970/F**                    **3G pitch, 12m high flood lighting, 6m high ball stop fencing, additional car parking, and new access onto Cooneen Road at 39 Cooneen Road, Fivemiletown, for Fivemiletown United Football Club**

Members considered previously circulated report on planning application LA09/2021/0970/F which had a recommendation for approval.

Proposed by Councillor McConnell  
Seconded by Councillor Varsani and

**Resolved** That planning application LA09/2021/0970/F be approved subject to conditions as per the officer's report.

**LA09/2021/1256/F**                    **Demolition of club house and construction of indoor training pitch; extension to ground floor changing rooms; extension to board room to provide new club house at Far Circular Road, Dungannon, for Dungannon Utd Youth**

Members considered previously circulated report on planning application LA09/2021/1256/F which had a recommendation for approval.

Proposed by Councillor Varsani  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2021/1256/F be approved subject to conditions as per the officer's report.

**LA09/2022/1363/F**                    **Replacement of Fire Damaged Workshop/Store with a new increased size workshop/store at 31 Coalisland Road, Dungannon, for Mr Kevin Donnelly**

Members considered previously circulated report on planning application LA09/2022/1363/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Martin and

**Resolved**    That planning application LA09/2022/1363/F be approved subject to conditions as per the officer's report.

**LA09/2022/1510/F**                    **Cladded steel frame building to cover existing external concrete storage yard and associated site works at 7 Corchoney Road, Cookstown for Meteor Electrical**

Members considered previously circulated report on planning application LA09/2022/1510/F which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor Martin and

**Resolved**    That planning application LA09/2022/1510/F be approved subject to conditions as per the officer's report.

**LA09/2022/1675/F**                    **Change of house type and amended siting from LA09/2018/0051/F (4 dwellings) at Off Mullaghmore, Approx 40m W of 17 Mullagh Road, Maghera for Mr Noel Young**

The Chair, Councillor S McPeake stated he was aware of a number of objections in relation to this application and asked if the privacy concerns have been considered.

Ms McKinless (SPO) presented a report on planning application LA09/2022/1675/F advising that it was recommended for approval advising that privacy concerns have been taken into account.

Councillor McFlynn asked what the original ridge height was.

Ms McKinless advised that there is an increased ridge height of 0.4 metres.

Proposed by Councillor McFlynn  
Seconded by Councillor Martin and

**Resolved**    That planning application LA09/2022/1675/F be approved subject to conditions as per the officer's report.

**LA09/2023/0053/F**

**Demolition of existing Hall and Gym buildings to facilitate a new community health and well-being centre and a new covered multipurpose space (4G Pitch) with ancillary accommodation including a new gym and fitness suite; community social spaces; multi- purpose rooms; kitchen/servery and ancillary stores. External works include provision of a new grass pitch (GAA Standards) with floodlighting and ball net stops; a new single storey outbuilding for toilets/ plant and machinery storage; a new terrace hard standing area for spectator viewing; new walking trails and the re-configuration of existing on-site parking with a new vehicular access and associated landscape/ boundary works at 18 Halfgayne Road, Maghera, for Robert Emmets GAC Slaughtneil**

Members considered previously circulated report on planning application LA09/2023/0053/F which had a recommendation for approval.

Proposed by Councillor D McPeake  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2023/0053/F be approved subject to conditions as per the officer's report.

**LA09/2023/0147/O**

**Site for dwelling and garage at adjacent and N of 11 Tamlaght Road, Kilrea for Mr Terence Birt**

Members considered previously circulated report on planning application LA09/2023/0147/O which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor D McPeake and

**Resolved** That planning application LA09/2023/0147/O be approved subject to conditions as per the officer's report.

**LA09/2023/0247/F**

**2 agricultural buildings, livestock and machinery storage at 180m NW of 10 Fallylea Lane, Maghera for S Kelly**

Members considered previously circulated report on planning application LA09/2023/0247/F which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2023/0247/F be approved subject to conditions as per the officer's report.

**LA09/2023/0359/O**                    **Infill dwelling and garage at land approx. 190m SE of 2 Lisalbanagh Road, Magherafelt for Mr Richard Brown**

Agreed that application be deferred for consideration of additional information earlier in meeting.

**LA09/2023/0373/O**                    **Replacement dwelling at 270m SE of 101 Barnaghs Road, Dungannon for Mr Sean O'Donnell**

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

**LA09/2023/0404/F**                    **Retention of amended house type (approved under LA09/2020/0459/RM at 72m NW of 21 Whitetown Road, Newmills, Dungannon for Mr David Weir**

The Chair, Councillor S McPeake advised that objections to the application had been sent in as part of the process and that the objector had requested a deferral of the application as he was unable to attend tonight's meeting. The Chair advised that the objector was asked if they had any additional objections to make and that none had been received and that officers are content that all objections have been considered as part of the officer report.

Members considered previously circulated report on planning application LA09/2023/0404/F which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor Graham and

**Resolved**    That planning application LA09/2023/0404/F be approved subject to conditions as per the officer's report.

**LA09/2023/0487/O**                    **Dwelling and garage adjacent to & SW of 65 Mullybrannon Road, Dungannon for Mr Peter O'Donnell**

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

**LA09/2023/0488/O**                    **Dwelling and garage adjacent to and NW of 30A Dunseark Road, Dungannon for Mr Peter O'Donnell**

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

**LA09/2022/0063/O**                    **Replacement dwelling and domestic garage adjacent to 16 Roshure Road, Desertmartin, Magherafelt for Mr Rodney McKnight**

The Head of Local Planning (HLP) presented a report on planning application LA09/2022/0063/O advising that it was recommended for refusal.

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

Mr Cassidy stated that when considering a replacement opportunity he would look for two things, that being the physical evidence on the ground and the historical evidence at a location. When looking at the historical evidence Mr Cassidy stated that Griffiths Valuation is a useful source of information. Mr Cassidy advised that within the Griffith archives the site is identified as comprising of a house, offices and land in the tenancy of Samuel Fleming and occupies the same location as 14 Roshure Road as identified on modern aerial photography. The historical evidence demonstrates the presence of a residential building on this site for a least 163 years and directly links the Fleming family to the site for the replacement dwelling. Mr Cassidy stated that the majority of the house survives with roof and walls intact and that gable walls appear to have been rebuilt in the 1960s with a more modern block. The front and rear walls are intact and consist of random rubble stone which would be the material expected on a building of this age. Mr Cassidy stated that the front wall has evidence of two windows and a door and that the door appears to have been widened in the 1960s, the windows are steel framed divided into six panes and appear original. The heads above the windows are timber and show signs of rot, they appear original and are also what you would expect to find in a building of this age that was used for living. The rear window is identical to those at the front and there is a tiled floor internally. The left gable wall has one window and also attached to the left gable is the remains of an outside toilet. Mr Cassidy stated that the site is unseen from the main road and is enclosed by a wall, mature trees and hedgerows. Mr Cassidy stated he believed there was sufficient evidence both on the ground and historically to demonstrate that the building was used a dwelling and therefore meets the policy for replacement. Mr Cassidy stated that a site visit may be beneficial in order for Members to see the site and evidence for themselves.

The HLP advised that Mr Cassidy had sent in photographs as part of his speaking request and that these had been previously circulated to Members. It was advised that further photographs were submitted today and these were being shown on screen for Members.

The Chair, Councillor S McPeake stated that based on what he had seen tonight he did not feel he could make his mind up.

Councillor Cuthbertson asked if any Census records had been submitted.

The Chair referred to the information submitted from the Griffiths Valuation.

The HLP stated that in terms of the application there is a building which has been submitted as a replacement opportunity but highlighted that there is also a new house immediately next door to the site. The HLP questioned if there was any certainty based on the Griffiths Valuation that the dwelling that was listed as being once there has already been replaced with the new dwelling at no.16 Roshure Road. The HLP stated she would be uncertain whether that has happened but stated that if there was one dwelling there and there is still one dwelling it was something Members should consider.

The Chair asked if there would be any records regarding the new dwelling.

The HLP advised there was nothing she could see in the planning history regarding a replacement dwelling.

Councillor Graham stated that if there is a new dwelling that was not applied for as a replacement then the application should stand on its own.

The HLP stated that because of the age of the building there was no report and that as it did not seem to have been described as a replacement she was therefore unsure what consideration had been given to a new dwelling at that time. The HLP stated that she felt the suggestion of a site visit was useful as it is difficult to tell from the photographs whether there was a replacement opportunity.

The Chair agreed that he felt a site visit would be worthwhile.

Proposed by Councillor McFlynn  
Seconded by Councillor Black and

**Resolved** That planning application LA09/2022/0063/O be deferred for a site meeting.

**LA09/2022/0283/F Dwelling at 71 Anneeter Road, Coagh, Cookstown for Mr Charles Mallon**

Members considered previously circulated report on planning application LA09/2022/0283/F which had a recommendation for approval.

Proposed by Councillor Martin  
Seconded by Councillor Graham and

**Resolved** That planning application LA09/2022/0283/F be approved subject to conditions as per the officer's report.

**LA09/2022/0380/F Dwelling and garage between 70B and 72 Gortlenaghan Road, Dungannon for Joe Doherty and Dervla McGonnell-Doherty**

Members considered previously circulated report on planning application LA09/2022/0380/F which had a recommendation for approval.

Proposed by Councillor Carney  
Seconded by Councillor McElvogue and

**Resolved** That planning application LA09/2022/0380/F be approved subject to conditions as per the officer's report.

**LA09/2022/0381/F Double infill for dwellings and garages at 170m SW of 219 Dungannon Road, Cabragh for Brendan Goan**

Members considered previously circulated report on planning application LA09/2022/0381/F which had a recommendation for approval.

Proposed by Councillor McConnell  
Seconded by Councillor Varsani and

**Resolved** That planning application LA09/2022/0381/F be approved subject to conditions as per the officer's report.

**LA09/2022/0739/F**                    **Buildings for wood and coco fibre plant, storage bay, chip feed bin, access (insitu) and ancillary site works at lands approx. 7m N of 16 New Ferry Road, Bellaghy for Bulrush Horticultural Ltd**

Members considered previously circulated report on planning application LA09/2022/0739/F which had a recommendation for approval.

Proposed by Councillor D McPeake  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2022/0739/F be approved subject to conditions as per the officer's report.

**LA09/2022/1288/O**                    **Replacement dwelling at 15 Finulagh Road, Castlecaulfield for Ryan McGurk**

Agreed that application be deferred for consideration of additional information earlier in meeting.

**LA09/2022/1426/O**                    **Site for dwelling and garage within a cluster at 40m NE of No 178 Battery Road, Moortown for Peter Devlin**

Mr Marrion (SPO) presented a report on planning application LA09/2022/1426/O advising that it was recommended for refusal.

*Councillor Cuthbertson left the meeting at 7.25 pm.*

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

Mr Devlin advised that there are already five properties within 100 metres of the agricultural building at 6 Anneeter Road and there have been no complaints from environmental health that he was aware of. Mr Devlin also referred to planning permission granted for 42 houses and units to the south of 6 Anneeter Road and that a considerable amount of that development is within 100m of the same agricultural building and that no consideration had been given to environmental issues at that time. Mr Devlin also referred to approved planning application LA09/2020/0966/F and stated that the case officer in their report for that application stated that the site layout shows that a significant proportion of the properties in that area are within 100m of a farm and no known complaints were raised by residents. The case officer also stated that the proximity to the farm is not considered a concern. Mr Devlin also referred to letter from owner of piggery and clarified that he owns the property. Mr

Devlin also confirmed that he owns the surrounding land and that there is no right of way through the land.

*Councillor Cuthbertson returned to the meeting at 7.28 pm.*

Councillor McAleer stated that the rationale for refusal of this application is the proximity to agricultural buildings and that the advice from environmental health that any new buildings should be sited over 100m away. Councillor McAleer felt that there are several considerations which would allow for an exception to be made for this application the first being that there are already four or five residential properties that are within 100m of the agricultural buildings. The Councillor stated that last month there were 26 residential properties approved on the same lane and that a significant number of those properties are within 100m of another working farm and that the case officer for that application stated that there were other single dwellings in close proximity to the application site and there are no known complaints from the existing residents in relation to the agricultural operations and that the proximity of the farm is not a concern. Councillor McAleer stated that several of those proposed houses are closer to that farm than what this application will be to the agricultural buildings at 6 Anneeter Road. Councillor McAleer stated that there was a substantial planning application granted approximately 10-12 years ago for 42 houses and retail units to be sited to the immediate south of those agricultural buildings and a significant proportion of that development would have fallen within 75-100m of the said buildings.

The Chair, Councillor S McPeake stated that when the application originally came before the Committee he had raised the view of the football pitch being a focal point and that at the site meeting this had been agreed. The Chair stated he could see why there is caution whenever the term piggery is used as it is known the issues industrial sized units can give when in close proximity to dwellings but in this case it is not an industrial piggery but rather an old disused building that is not active. The Chair felt officers were potentially being over cautious in relation to this application.

Councillor Mallaghan stated that the site visit was beneficial in terms of seeing the lay of the land compared to the imagery provided. Councillor Mallaghan stated that given the circumstances and from what he had seen on site he did not feel there would be any detrimental impact on the rural aspect of the location and therefore proposed that the application be approved.

Councillor Kerr agreed with the comments made and given the information provided by Mr Devlin tonight he would second Councillor Mallaghan's proposal.

The Chair referred to comment from Mr Devlin that the buildings are in his ownership.

Councillor McFlynn stated she had been to the site visit and confirmed that there are other buildings on the lane and that this application would be a rounding off of what is already there. Councillor McFlynn also referred Mr Devlin's comments that the building is not going to be used for pigs.

Mr Develin advised that the building is going to be knocked down.

Councillor McFlynn stated she was happy to go with the proposal to approve.

The Chair, Councillor S McPeake stated he was aware of other applications which have been approved, with objections, as close as 50-60m proximity to piggeries.

The HLP stated that the application has so far been considered under policy Cty2a and that it is clear from the case officers report that the application does not meet the spirit of this policy. The HLP stated that she wanted to be clear that the Committee are not treating the application as an exception to policy Cty2a and highlighted that as a lot of development in the cluster is within the settlement limit of Moortown the focal point therefore cannot be relied upon. The HLP asked if the Committee are content that the application will be rounding off.

The Chair, Councillor S McPeake stated he did not feel that the application would change the character of the area.

The HLP referred to conditions and that these be delegated.

Mr Marrion (SPO) stated that conditions should be in relation to access, landscaping and siting. Mr Marrion stated that Mr Devlin has told the committee tonight that he owns the surrounding land to the site however there has been nothing submitted to support this. Mr Marrion stated that the application is not considered a dwelling on a farm but rather rounding off of development. In terms of design Mr Marrion stated that this can be assessed at reserved matters stage.

The Council Solicitor asked if the application would need to be assessed under a new heading.

Mr Marrion stated that siting design and appearance could be reserved and that this could be considered at the next stage when submitted.

**Resolved** That planning application LA09/2022/1426/O be approved as a rounding off of existing development. Wording of conditions of approval to be delegated.

**LA09/2022/1571/F Dwelling on farm with detached domestic garage at site 150m NW of 10 Fallylea Lane, Maghera for S Kelly**

Members considered previously circulated report on planning application LA09/2022/1571/F which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor McConnell and

**Resolved** That planning application LA09/2022/1571/F be approved subject to conditions as per the officer's report.

**LA09/2023/0317/F**

**Infill dwelling and garage at 15m NW of 259 Hillhead Road, Knockcloghrim for Albert Speer**

Members considered previously circulated report on planning application LA09/2023/0317/F which had a recommendation for approval.

Proposed by Councillor D McPeake  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2023/0317/F be approved subject to conditions as per the officer's report.

The Council Solicitor referred back to agenda item 5.11 - LA09/2023/0404/F and that the objector had asked for a deferral based on the fact that he is out of the country tonight. The Council Solicitor stated that she wanted to bring this to the Committee's attention and asked if the Committee wanted to consider deferring the application on that basis.

The HLP advised she had been in contact with the objector on Friday and advised that it would be at the discretion of the Chair and Committee whether the deferral would be granted. The HLP stated that she had asked the objector if he wanted anyone to speak on his behalf and that he had said he didn't. The HLP also advised the objector that if he had anything else he wanted the Committee to consider then this could be circulated as part of the addendum but that nothing further has been received. The HLP advised that she was content that everything received from the objector to date has been considered as part of the officer report.

The Chair, Councillor S McPeake stated there appeared to be nothing new to learn in relation to the application.

Councillor Mallaghan stated he was content that the objections received have been considered within the officer report.

Members were in agreement with the earlier proposal to approve the application.

**P070/23 Receive Report on Review of the Planning (Development Management) Regulations (NI) 2015 – Initial Stakeholder Engagement**

The Head of Strategic Planning (HSP) presented previously circulated report which outlined Council response to an initial stakeholder engagement exercise relating to current Regulations governing how 'Major' planning applications are defined.

Proposed by Councillor S McPeake  
Seconded by Councillor Carney and

**Resolved** That the content of report as previously circulated be submitted as the formal response to the consultation.

## **Matters for Information**

### **P071/23 Minutes of Planning Committee held on 12 June 2023**

Members noted minutes of Planning Committee held on 12 June 2023.

The Chair, Councillor S McPeake referred to discussion at last month's meeting regarding timing of future Planning Committee meetings and survey of Members that was since undertaken on preferred time. The Chair advised that the outcome of the survey preferred a 5pm start going forward.

Councillor Cuthbertson advised that he had responded to the survey with a preferred start time of 7pm. The Councillor stated that there have been a lot of discussions in the past regarding timing of meetings and asked if the Planning Committee can change the time of its meeting or would this have to go to P&R Committee. Councillor Cuthbertson stated he welcomed the Planning meeting being held in Dungannon tonight and that going forward this Committee should also be rotated around the sites similar to other committees. The Councillor stated that if the meeting did start at 5pm party groupings usually meet beforehand and some Members could be leaving their house from 3.30 pm. Councillor Cuthbertson stated that even with a 5pm start the meeting could still go on to 8 or 9pm without a break for an evening meal, the Councillor stated that the earlier start time would affect families and that people would not see their children in the evening time. Councillor Cuthbertson asked for a bit more reasoning and referred to a previous decision to change the time of meetings because of family issues and to help family life but that he did not believe a decision to change the time to 5pm would help with this.

The Chair, Councillor S McPeake stated the survey was carried out due to the previous discussions and pointed out that a number of other Councils hold their Planning Committee meetings during the day. The Chair referred to the impact on staff and that their family life also needs to be considered. The Chair stated that there had been discussion at last month's meeting and a vote has since been undertaken and that the view of the Planning Committee is that the start time of this Committee should change to 5pm and that this democratic wish should be moved forward.

Councillor Cuthbertson stated that he was not present at last month's Planning Committee so he was not aware of discussions at that meeting but that Members were presented with three options in the survey of 5, 6 or 7pm. The Councillor referred to comment of other Councils holding their meetings during the day and questioned why other options were not offered in the survey such as during office hours.

The Chair, Councillor S McPeake advised that the times presented in the survey were the times discussed at last month's planning meeting.

Proposed by Councillor S McPeake  
Seconded by Councillor Mallaghan and

**Resolved** To progress the decision of the Planning Committee to have a start time of 5pm for its Committee meetings going forward.

Councillor Black stated he had some reservations regarding the 5pm start both for those on the Planning Committee who work and also for the public who wish to attend. Councillor Black stated the appreciated the democratic vote and the will of the Committee to have a 5pm start but that officers should check if this needs to go to P&R Committee to be formalised to ensure that the Committee is on solid ground in terms of its decision.

*Live broadcast ended at 7.56 pm.*

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

Proposed by Councillor Kerr  
Seconded by Councillor McConnell 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 P072/23 to P077/23.

### **Matters for Decision**

P072/23 Receive report on MUDC Response to DfI's request for clarification on Draft Plan Strategy Submission  
P073/23 Receive Legal Advice regarding ongoing challenges  
P074/23 Receive Enforcement Report

### **Matters for Information**

P075/23 Confidential Minutes of Planning Committee held on 12 June 2023  
P076/23 Enforcement Cases Opened  
P077/23 Enforcement Cases Closed

## **P078/23 Duration of Meeting**

The meeting was called for 7 pm and concluded at 8.25 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, I will ask each member to confirm whether you are for or against the proposal or abstaining from voting
- 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 - apologies and then roll call of all other Members in attendance.

**Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 5 July 2023 in the Council Offices, Circular Road, Dungannon and by Virtual Means**

**Members Present**

Councillor McNamee, Chair

Councillors Bell, W Buchanan, F Burton, Clarke, Corry\*, McLernon\*, McQuade\*, Molloy, Monteith\*, Milne\*, Quinn, Wilson

**Officers in Attendance**

Mr Black, Strategic Director Communities & Place (SD: C&P)

Mr Gordon, Assistant Director of Health, Leisure and Wellbeing (AD: HL&W)

Ms Linney, Assistant Director of Development (AD: Dev)\*\*

Ms McKeown, Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) \*\*

Mr O'Hagan, Head of ICT

Mrs Grogan, Committee and Member Services Officer

**Others in Attendance**

**Agenda Item 5 – T:BUC Funding Streams**

Mr Gardner – Head of Good Relations\*\*\*

Councillor Robinson\*\*\*

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

\*\*\* Denotes Others present by remote means

The meeting commenced at 7.00 pm.

*The Chair, Councillor McNamee welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor 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.*

**D101/23 Notice of Recording**

This meeting will be webcast for live and subsequent broadcast on the Council's You Tube site.

**D102/23 Apologies**

Councillors Black, Forde and Gildernew.

### **D103/23 Declaration of Interests**

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

*Councillor W Buchanan declared an interest in agenda item 6 – Development Report – Community Festival Grants – Crossdernott Parish Church.*

### **D104/23 Chair's Business**

Councillor Wilson advised that a new Squash Club had been formed in Mid Ulster and the Deputy Chair had attended the launch on Saturday where it was raised about the possibility of using sponsorship signage within or around the courts. The member stated that there was currently no policy in Council to allow them to do that but a policy was in place for outdoor sports at MUSA and various other places. The member asked if it would be possible for Officers to investigate to see if this type of sponsorship could be permitted which would allow the Squash Club or any other type of club to raise funds for themselves.

The Strategic Director of Communities and Place advised the member that this would be investigated.

### **D105/23 Deputation: T:BUC Funding Streams**

The Chair, Councillor McNamee welcomed Mr Gardner from T:BUC to the committee and invited him to address the committee.

Mr Gardner advised members that he was aware that this was a new Council and wished to update members on the Review of the T:BUC Strategy. He stated that T:BUC stood for 'Together: Building a United Community' which was the Executive's wider supported strategy to improve good relations and eradicate sectarianism. It had seven headline actions which is delivered across key nomadic areas including education, housing, engaging young people and interfaces which was approved by Ministers before they left their posts, although it was 10 years old. Mr Gardner stated that out of the seven headline actions, five had successfully been delivered and significant progress had been made in other complex areas including the reduction and removal of interface barriers and the building of shared education campuses. He advised that the approach to good relations was the same as 10 years ago but the issues that society is facing is considerably different within the last 3 years with communities dealing with covid, impact of brexit and the cost of living amongst other things. He stated that the fabric of society has also changed considerably with Northern Ireland becoming a more diverse place with diversity only going to increase moving forward, with age old sectarianism still remaining. Stakeholders have been asked what they would like to see done differently with a number of key themes emerging in the review including: Social Economic Issues, Funding and More Social Inclusion.

The Chair thanked Mr Gardner for his presentation and enquired if T:BUC were planning a review of the current strategy should Stormont Ministers return or just a refresh on what was currently there already.

Mr Gardner advised that potentially there could be a new approach to Good Relations more broadly. He stated that the review has not been finalised yet and should be concluded over the summer months.

Councillor Monteith said that although the presentation alluded to top level things he was curious to know if any of the T:BUC money has been sent to the Mid Ulster area. The member stated that another concern he would have is that it seemed to be very urban based and not a lot of opportunities for rural communities.

Mr Gardner in referring to the Member's queries advised that T:BUC have been working with Rural Community Network to ensure a better spread of areas moving forward. One of the issues within rural areas is that sometimes they are largely single identity and because T:BUC has to fund cross-community work there is often a lack of infrastructure to support that in terms of transport to a venue or a venue to host good relations activities. Mr Gardner agreed that there was a piece of work to do in terms of the wrap-around support to make sure that people in the rural areas can also access and improve the services that are there.

In terms of the breakdown in Mid Ulster, Mr Gardner advised that there was significant delivery across the programmes for central good relations funds including Councils based programmes, T:BUC camps, shared housing which all has aspects of delivery. He advised that their work is mapped and one of the things that T:BUC faces is that some of the larger organisations were based in or around Belfast and Derry/Londonderry, with a lot of the funding streams being merit based and often came down to whoever has the resources to spend the time writing hi-tech application forms which can sometimes put some rural applicants off and being a step behind. He hoped that funding can be targetted more effectively and a place based effect essentially to make sure that each area gets what it needs.

The Chair thanked Mr Gardner for attending the meeting tonight.

*Mr Gardner withdrew from the meeting at 7.18 pm.*

## **Matters for Decision**

### **D106/23      Development Report**

The Assistant Director of Development (AD: Dev) presented previously circulated report to update members and to seek approval for the following:

- Community Grants Rolling Programme
- Irish Language Bursary and Activity Grants
- Development Update

Councillor Corry said that she would be happy to propose the recommendation as it was good to see money being distributed through community groups, sports organisations and anything else which do such good work for everyone.

Councillor Corry referred to the Community Wealth Building plan with DTNI and DfC and sought clarification on whether a timeframe has been decided yet and when the next working group meeting will be.

The Assistant Director of Development (AD: Dev) advised that quite a bit of detailed work had taken place with DTNI in relation to setting parameters and background work on how it was going to be brought forward. The AD: Dev said it was planned to hold a meeting, with SD: C&P, Social Inclusion Manager and herself to discuss the test and learn plan and getting the working group meeting organised in September. She stated that there had been a recent presentation with SMT.

The AD: Dev stated that Officers would like to see a draft action plan for the Autumn because we are conscious of getting a number of testing pilots in place so to inform the full plan going forward which she anticipated to be the Autumn and the working group up and running again in early September in terms of discussing the next stages.

The SD: C&P agreed that it was hoped to get the working group back together by September. The Test and Learn Action Plan will be pulled together over the summer and its delivery will be used to shape and the full Community Wealth Building framework and action plan for the Council going forward. The SD: C&P said that it was hoped to bring to the meeting in September the completed Test and Learn Action Plan as we see it, based on the engagement which is to be hosted over the summer.

Councillor Molloy said that it was great to see the rolling, community and sports grants all rolled out for the fantastic work which is going on. The member said to see such a broad spectrum of successful applicants was great to see and a good news story for this Council and the Officers which put it together.

Councillor Monteith said he would like to raise two issues.

Firstly, he wished to raise the issue of Social Inclusion – Housing Conference and the key outcomes. The member said that it was not clear how these key outcomes were going to be taken forward and asked if an update could be provided to him within the next week or two. The member advised that there was a lot work to be done and may be unrealistic to think that it may be all done but was conscious that there did not seem to be anything to say who was taking which bit forward. He felt that the bit that was missing from this whole concept of dealing with housing was that there needed to be discussions with people who are living this, there needs to be a way of speaking to the people affected by the housing crisis, people on waiting lists for houses, people in rented accommodation that they cannot afford, people in houses of multiple Occupation (HMO) where there were unacceptable standards. The member said that there needs to be a mechanism put in place but was unsure how this can be achieved here tonight. He said that the conference was great and very enjoyable but there were very few people in that room sitting on a waiting list for a house, the room on the day felt very bureaucratic. The member asked that some thought process be put into how we talk to people who are at the coalface of this, people who were affected on a day to day basis as they needed help now and listened to as there was no-one taking on board what they were saying and our role should be to facilitate them to get their voices heard at these events.

The Assistant Director of Development (AD: Dev) advised that the Housing Report was currently being drawn up and would be shared with all Councillors along with the Housing presentation so all members are kept up to date. The AD: Dev advised that a follow up would be taking place with the Housing Working Group and one of the things which would be looked at is putting an action plan in place for who is responsible and there will be things we can potentially look at in the short term and other things which would still be policy based areas. The AD: Dev advised that she was aware that new policies were being investigated at the moment or had started in the last administration and hopefully will be looked at again to take forward. An action plan will be looked at with the Working Group and engagement with the wider Councillor group also which will be built in with doing a session with people with regard to where they are at. The AD: Dev said that she appreciated that everyone was talking from a point of view of Government, Policy and Developer prospective but would try and get the voice of the people who were not represented.

Councillor Monteith referred to his second matter which related to the Hill of The O'Neill over the next couple of years. The Member stated that now the election was over it was time to raise the issue of the British Military mast on the site where the strategic community plan cannot be developed on the site to its full potential whilst the mast is still present.

Councillor Monteith said that it would be beneficial to reignite the meeting which was ongoing a few months back as there was some progress made and although all the answers may not have been acquired that was sought, there were conversations with the people responsible for getting the mast removed.

Councillor Monteith proposed to reignite the meetings with DfI and NI Water regarding the removal of the mast.

The AD: Dev apologised as this was something she should have updated members on. She said the conversation which was proposed by members was brought forward and Officers had met with NI Water and a study started and will arrange to get an update to members on the study. She advised that the study was looking at a range of options such as relocation, potential reduction in size, potential camouflage amongst a range of other things. The AD: Dev advised that NI Water had employed specialist consultants to look at it as there were a lot of issues to take in terms of the range of users which will take a few months to do but will keep members up to date.

Councillor Quinn welcomed the report and looking at the grants and the sheer variety of groups i.e. arts, sports, community groups etc. felt that this should be something the Council should be praised for especially relating to the arts. The member advised that he had been speaking to someone today who stated that Northern Ireland does not invest in the arts compared to the Republic of Ireland and his simple answer was to look at Mid Ulster Council because we actually prioritise which was fantastic to see and commended everyone involved.

The Chair concurred with Councillor Quinn and said that this was always a good news story every year for our Community Grants and a lot of groups out in the community were very happy to avail of this funding every year.

Proposed by Councillor Corry  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to –

- Agree the rolling community grant allocations
- Approve the annual Regional Minority Language Bursary Awards and Irish Language Activity Funding.
- Note the Development Update

**D107/23 Extension of the Service Level Agreements with Armagh City, Banbridge and Craigavon Borough Council**

The Assistant of Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to seek continued approval for the renewal of Service Level Agreements (SLA's) with Armagh City, Banbridge and Craigavon Borough Council (ABC) for the provision of Tobacco Control and Health Inequalities work for the period April 2023 – March 2024.

Proposed by Councillor W Buchanan  
Seconded by Councillor Quinn and

**Resolved** That it be recommended to Council that approval be granted for the signing of the renewal Service Level Agreements with Armagh City, Banbridge and Craigavon Borough Council for the provision of Tobacco Control and Health Inequalities work for the period April 2023 – March 2024.

**D108/23 Health and Wellbeing Programmes**

The Assistant of Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to provide an update to Members on the current programmes available to residents within our District through Council's Health, Leisure and Wellbeing service and to seek approval to sign the proposed MUDC/NIFRS Partnership Agreement in relation to the Home Safety Programme Referral pathway.

Councillor Corry said she was happy to propose the recommendation as there were a lot of good programmes which the AD: HL&W alluded to and doing brilliant work throughout the Mid Ulster area and commended the Council team also.

Councillor Corry referred to Macmillan Move More and advised that she engages quite a bit with the users of that programme who find it very beneficial going through their life living with cancer and was aware of the funding last year as being 50/50 between Council and Macmillan up to March 2024. The Member advised that it has been raised with her and was also conscious that the contract ends in 9 month's time and asked if there was any update on that or can any further information can be sought on the engagement with Macmillan to see if the programme would be continuing going forward.

The AD: HL&W said that this was previously 100% funded programme by Macmillan and then the funding mechanism changed last year for all Councils as we contribute on

a 50% basis. The AD: HL&W said that this was something which has been raised with Macmillan right from the outset of last year, there is a steering group meeting with the partnership in August with Macmillan and all the Councils to see what the plans and the approach was going to be after March 2024. He said that after the meeting in August he hoped that he would be in a position to bring back an update around what the programme may look like.

*Councillor F Burton declared an interest in Agewell as sits on the Partnership.*

Councillor F Burton referred to Home Safety – supported with funding via the Public Health Agency. The Member said that she was aware of the Officers doing a lot of front face work as a lot of people quite often live on their own. She stated that she was speaking to someone quite recently at a Community Transport meeting and one of the things that the Health Trusts were saying is that someone living on their own in isolated areas was that loneliness is having a detrimental affect on their lives and anything that we can do to partner with other agencies to ensure that referrals are made to guarantee people are supported in their own homes. The member referred to Make a Change to encourage people to eat healthier and changing their lifestyle to be more active with 1-2-1 support available and felt that anything that can be done to support this is very worthwhile.

Proposed by Councillor Corry  
Seconded by Councillor F Burton and

**Resolved** That it be recommended to Council that approval be given to signing the proposed Partnership Agreement between Mid Ulster District Council and the Northern Ireland Fire & Rescue Service in relation to the Home Safety Programme Referral pathway.

#### **D109/23 Age Friendly Strategy and Action Plan**

The Assistant of Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to update Members on the progress of the Ageing Well Initiative and to seek approval for the formal adoption of the Mid Ulster District Council Age Friendly Strategy and Action Plan.

Proposed by Councillor F Burton  
Seconded by Councillor Wilson and

**Resolved** That it be recommended to Council that approval be granted for the formal adoption of the enclosed Mid Ulster Council Age Friendly Strategy and Action Plan.

#### **D110/23 Funding Offer from Department of Business Energy & Industrial Strategy (BEIS) 2023-2024**

The Assistant of Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to inform Council of a potential funding opportunity for the Environmental Health service area from the OPSS for 'The Capacity & Capability

Building Programme in Northern Ireland: Non-Food Products 2023/24'. Funding is for the period 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024.

Councillor Wilson enquired if there was an Officer in place.

The AD: HL&W advised that currently there is recruitment ongoing for vacancy at the moment with interviews due to take place between now and the end of July. It was hoped if Council were able to avail of this funding that a temporary job offer could be made as part of this recruitment to tie Council over to March 2024.

Councillor Wilson said that the reason he raised the issue was because funding was in place last year with an Officer in place and obviously their contract has run out.

The AD: HL&W stated that there was the capacity a number of months ago with a number of changes within the team and Officers moving on meaning that the team were down a resource but was hopeful that this vacancy can now be filled.

Proposed by Councillor Wilson  
Seconded by Councillor F Burton and

**Resolved** That it be recommended to Council to accept the offer of funding from OPPS (up to a maximum of £55,000) in relation to activities undertaken in 2023/2024, and if accepted, that it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under the Scheme of Delegation for Senior Officers to sign and return the funding agreement between Mid Ulster District Council and the Department of Business Energy & Industrial Strategy (BEIS).

#### **D111/23 Economic Development – July 2023 - OBFD**

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) presented previously circulated report to update on key activities as detailed below:

- **Rural Micro Business Development Scheme 2023**

Councillor Molloy said he was aware that the expected start was in September and enquired what was the closing timescale for spend was which he felt could be seen as a tight turnaround. The member enquired if there would be a database available which was previously used as it may not have been relevant at that stage but could provide a heads up in preparation for it.

The AD: EDT&SP referred to the timeline for spend and said that this had to be worked through with the funder (DAERA). She indicated it is expected the application process may be open for approximately one month, however this would be finalised in the coming weeks, as would the timeframe when businesses that were awarded fundings had to submit their final claims. She noted that Council staff require a period of time, prior to the end of March 2024, to complete actions related to programme closure.

The AD: EDT&SP advised that the Programme would be promoted widely using Council's business directory database which includes over 1000 businesses and via Council's social media platforms as well through AD: Dev's team to reach rural communities. She also advised that Members will be notified when the scheme opens to enable them to promote their network to contacts also.

Councillor Burton enquired if this scheme was the one which quite often was oversubscribed and asked if funding was provided last year to an applicant would new applicants this year get first preference. The Member referred to small businesses within the Dungannon Local Farmers Market and enquired if they could apply for this funding.

The AD: EDT&SP advised that Officers had been speaking to businesses involved with the Farmers Market to make them aware of potential funding opportunities, including this scheme. She stated that Council is awaiting a letter of offer from DAERA and when in receipt of such, the scheme criteria will be finalised. She said that her team are familiar with the issues likely to arise and are in regular liaison with DAERA. She advised her staff would enquire whether it was feasible to give preference to new business applicants who hadn't been awarded TRPSI funding before and would report back to the member.

Proposed by Councillor Molloy  
Seconded by Councillor F Burton and

**Resolved** That it be recommended to Council to approve Council's participation in the 2023 Rural Business Development Grants Scheme and delegate authority to the Chief Executive to sign any forthcoming letter of offer from DAERA related to the Scheme.

- **Covid 19 Recovery Revitalisation Programme**

Proposed by Councillor F Burton  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to approve authority for the Chief Executive to sign the Covid-19 Recovery Programme Letter of Variance on Appendix 1, dated 21 June 2023 which grants an extension to the period of funding to 31 March 2024, and to return the signed letter to the Department for Communities immediately following the Development Committee to meet the Department's response timeframe.

- **Great Days Out**

Proposed by Councillor F Burton  
Seconded by Councillor Quinn and

**Resolved** That it be recommended to Council to approve delivery of the Great Days Out event 2023 in the Glenavon House Hotel, Cookstown on 18 October 2023 at the cost of £2,500.

- **Sperrins Walking Programme**

Councillor F Burton welcomed the fact that this was about publicity and would be important to try and ensure that all the other walking places gets a heads up at that particular time.

Proposed by Councillor Burton  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to approve delivery of the Sperrins Walking Programme with the four Councils involved in Sperrins Partnership at a cost of £3,000 within Tourism budget constraints.

**D112/23 10X Place Based Approach: Call for Evidence**

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) presented previously circulated report to provide Members with an update on 10X Place Based Approach: Call for Evidence.

Councillor Wilson said that this was a vitally important document and stated that the response was excellent. The Member said that for a number of years this area seemed to be disadvantaged by the fact that everything revolved around Belfast or Londonderry and now we have an opportunity for local input in this and have a key role in developing a strategy has to be welcomed. His concern would be what the Department would make of this as it takes away power from them.

Proposed by Councillor Bell  
Seconded by Councillor Wilson and

**Resolved** That it be recommended to Council to approve Council's draft response to the 10X - Call for Evidence which is to be submitted by Friday 7 July 2023 (deadline is Sunday 9 July 2023). If any Member has further comments they wish to add, these should be forwarded to the Assistant Director of Economic Development, Tourism & Strategic Programmes by **12noon on Friday 28 July 2023**.

**Matters for Information**

**D113/23 Minutes of Development Committee held on 15 June 2023**

Members noted Minutes of Development Committee held on 15 June 2023.

**D114/23 Minutes of Development Committee held on 19 June 2023**

Members noted Minutes of Development Committee held on 19 June 2023.

## **D115/23 Update on Gambling Reform/Legislation**

Members noted previously circulated report which provided an update on the reform of gambling legislation within Northern Ireland.

Councillor Monteith advised that Council were very restricted in the remit of gambling and what we have responsibility for and what we are looking at but felt it would be remiss of us as a Council not to take this opportunity to raise the very real problems that are going on within our communities with the issue of online gambling and the legislation that is proposed. He said that he would accept that it is very hard to keep up but the reality is that the vast majority of betting which takes place does so online. It is impossible to watch any major sporting event, particularly the large soccer matches without being bombarded with advertising for ingame gambling and whilst there are rules around advertising for alcohol where it cannot be advertised at a time where young people will be watching, this is the similar sort of approach that is needed for gambling advertising as well. The member said that this was a very real issue and any youth organisations will state that young people at very young ages are becoming involved in online gambling, more so than betting in bookie shops and amusements, as normally the first point of entry for young people gambling is online and in order to deal with that we need to look and promote those issues otherwise it's a huge elephant in the room which is ignored.

The Chair said that he totally agreed with Councillor Monteith's comments and hoped one day to see gambling being treated the same as alcohol misuse and the message is out there on how dangerous it can be.

## **D116/23 Economic Development and Tourism Achievements 2022 – 2023**

Members noted previously circulated report which provided an update on key activities relating to Economic Development and Tourism Achievements 2022 – 2023 as detailed below:

- Levelling Up Fund
- Business Start Programme
- ESF Programme
- Four Business Programmes
- Village Projects
- Public Realm Scheme
- Mid Ulster Enterprise Week (14-17 November 2022)
- Mid Ulster Labour Market Partnership (LMP)
- DAERA Rural Tourism Scheme
- Tourism NI (TNI) Market Led Programme
- Shared Island Local Authority Development Fund
- Summer/Winter Marketing Campaign 2022
- Spring Marketing Campaign 2023
- Business Engagement

Councillor Wilson said that whilst reading this report, staff need to be congratulated on the vast amount of hard work and effort they have put into delivering these programmes.

Councillor Burton concurred with previous comments as Chair of Tourism group as staff really punch above their weight here and all the hard work they carry out behind the scenes.

### **D117/23      Sliabh Beagh Engagement Consultation**

Members noted previously circulated report which provided an update on Sliabh Beagh Engagement Consultation.

Councillor F Burton advised that she had attended the Sliabh Beagh Partnership meeting on the 20<sup>th</sup> June which is a partnership between 3 different Councils Fermanagh & Omagh, Monaghan County Council and Mid Ulster. The member stated that the partnership had been taking part in a feasibility study and wished to pay tribute to our staff who try and engage to get the best for Mid Ulster out of this partnership working. She referred to Lumfords Glen which was currently sitting at RIBA stage 2 as part of the feasibility study and quite a bit of discussion on the night taking place and in order to reach RIBA stage 3 where it needs to be as a Council, there will need to be additional studies such as ecology and further engineering studies taking place also. The Member said that this was a beautiful place in the Clogher Valley area and this was an ideal opportunity to get something done as part of this partnership, our staff has worked really hard to ensure the map went out wide enough to ensure that this was included in it and considerable lobbying done in the past. During Covid people who lived beside it were in walking through it and as it is an open glen, there is a requirement to have it as safe as possible and it's right on the doorstep of Knockmany where Council public toilets are.

Councillor F Burton proposed that Officers proceed in trying to get the additional studies in order to get it onto RIBA stage 3. Would encourage Officers to advertise on Council's social media platforms this consultation to try and ensure that Knockmany Runners and people in that area feed into it.

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) in response to Member's query advised that the piece of work which is currently being carried out is a feasibility study, funded by the Shared Island Initiative. She advised the feasibility study when complete will provide a comprehensive document and will provide opportunities for the Sliabh Beagh Partnership to make future bids for capital funding. She said that moving projects beyond the scope of the currently feasibility study would require a conversation with Council's SMT and Communities & Place team in terms of Council's future recreation plans and suggested a separate meeting with the respective teams involved in the first instance.

Councillor Burton said that she was well aware that this was part of the feasibility study as it was stated on the night that Mid Ulster was going to have to put money into this and would be confident that there was funding within Tourism or elsewhere to get these studies done and stood by her original proposal to look at this and try and progress it if at all possible.

The Strategic Director of Communities and Place (SD: C&P) agreed with what what the AD: EDT&SP alluded to and felt that it would be more useful for Officers to have a more detailed conversation offline and if necessary and appropriate a further report would be brought back to committee. The SD: C&P said that he was aware of the aspirations around other projects in the area.

Councillor W Buchanan seconded Councillor F Burton's proposal.

The Chair referred to what SD: C&P alluded to stating that a paper with substance was needed in order to progress this matter forward as this was only on tonight for information and we need a paper with a recommendation.

Councillor F Burton advised that she had no issue with that but what she was proposing was to look at it and that we try and progress it because if we don't progress it as part of Mid Ulster Tourism, it's not going to be progressed and sit at RIBA stage 2. The Member referred back to the minutes where Lumfords Glen was first mentioned it was probably before the SD: C&P commenced employment in Mid Ulster District Council and was really adamant that this needs to be pushed on. She commended staff who have tried to do everything to get it included in the feasibility study and look forward to that report coming back.

The SD: C&P stated that he was comfortable with the proposal that we progress this further in terms of the conversation and report back to committee.

The Chair said that he would be happy to see this progressed but that a paper was needed with some substance to bring this forward.

**Resolved** That it be recommended to Council that Officers engage around the projects identified as part of the Sliabh Beagh feasibility study, specifically in relation to Lumfords Glen, and consider options available to progress this project. Consultation to be advertised on Council's social media platforms to try and ensure that Knockmany Runners and people in that area feed into it.

The AD: EDT&SP referred to page 312 where it refers to the Sliabh Beagh consultation event on 27<sup>th</sup> July 2023 and stated that she had just been notified yesterday that the date has changed to Tuesday 1<sup>st</sup> August from 6pm - 9pm, same venue as listed. She advised that this is a public event, and all elected members will be invited and anyone who wishes to attend is encouraged to do so. There will also be an online survey for those who cannot attend and details of this will be issued to Members also.

### **D118/23 Mid Ulster Labour Market Partnership (LMP) 2023-24 Funding**

Members noted previously circulated report which provided an update on Mid Ulster Labour Market Partnership (LMP) 2023-24 funding.

The AD: EDT&SP advised that at a previous meeting Members were made aware that as a result of DfC funding cuts, funding for Mid Ulster LMP for 2023/24 had been reduced from £368K to £92K (a funding reduction of 75%). She said that further to this, DfC carried out an equality impact assessment consultation on their reduced budget

proposals and had received 185 responses, including a significant number on the impact of the pause in LMP funding. As a result of this, she updated Members that DfC had written to the Chair of Mid Ulster LMP on 21 June 2023, to advise that LMP funding for 2023/24 will be sustained as per the original offer, i.e. £368K.

Councillor Molloy said it was good news but was in similar vein to other programmes which has happened to Department for Education and Department for Economy and different things that has financed projects. At the bottom of all this, people are employed in jobs where people and programmes are set out and these groups are trying to set budgets for incoming years to protect employees and when people do not have that security of employment they do go and look elsewhere because they have to put bread on the table. We have seen through the budgetary cuts which have been imposed by the Secretary of State and down through the departments because of a non functioning executive that people are being forced away and programmes being lost and then comes back to say 'here is the money now' and felt that there needed to be security for people with some sort of tenure for the employed.

*The live broadcast ended at 8.04 pm.*

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

Proposed by Councillor Clarke

Seconded by Councillor Molloy and

**Resolved** In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D119/23 to D120/23.

#### **Matters for Decision**

#### **Matters for Information**

D119/23 Confidential Minutes of Development Committee held on 19 June 2023

D120/23 SHHP Bellaghy Bawn Literary Residential Proposal

#### **D121/23 Duration of Meeting**

The meeting commenced at 7pm and concluded at 8.10 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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



**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 6 July 2023 in the Council Offices, Circular Road, Dungannon and by Virtual Means**

**Members Present**

Councillor Corry, Chair

Councillors Bell\*, Brown\*, J Burton, Cahoon, Johnston, McAleer, McFlynn, McLernon\*, S McPeake, Molloy\*, Totten\*, Wilson

**Officers in Attendance**

Mr McCreesh, Chief Executive\*\*  
Mr Black, Strategic Director of Communities and Place (SD: C&P)  
Mrs Campbell, Strategic Director of Environment (SD: Environment)\*\*  
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP)  
Mrs Dyson, Head of Human Resources (HoHR)\*\*  
Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)  
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP)  
Mr O'Hagan, Head of IT (HoIT)  
Miss Thompson, Committee and Member Services Officer

\* Denotes members present in remote attendance

\*\* Denotes Officers present by remote means

\*\*\* Denotes others present by remote means

The meeting commenced at 7.00 pm

*The Chair, Councillor Corry welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Corry 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.*

**PR111/23 Notice of Recording**

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

**PR112/23 Apologies**

Councillors Gildernew and McLean and Strategic Director of Corporate Services and Finance.

### **PR113/23    Declarations of Interest**

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

### **PR114/23    Chairs Business**

None.

### **Matters for Decision**

#### **PR115/23    Draft Response to The Department for the Economy's Spending Plans for 2023/2024**

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval of the draft consultation response developed on behalf of Mid Ulster District Council in response to the consultation on The Department for the Economy's Spending Plans for 2023/2024.

Proposed by Councillor S McPeake  
Seconded by Councillor McAleer and

**Resolved**    That it be recommended to Council to approve the draft response as circulated at appendix to report.

The Chair, Councillor Corry referred to discussion at last month's meeting regarding response to consultation on Rate Support Grant and asked if Councillor McLernon's comments had been forwarded on.

The HoSS&E advised that the response to the Rate Support Grant consultation was amended to include the comments raised by Councillor McLernon at last month's meeting. The HoSS&E stated that a copy of the response would be circulated to Members.

#### **PR116/23    Corporate Performance Improvement Plan (PIP plan) 2023 to 2024**

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which considered Council's Corporate Performance Improvement Plan (PIP) for period 2023-2024.

Councillor S McPeake stated that this is a well put together document and highlights the remit of the four objectives which are all important. The Councillor referred to objective one - *Mid Ulster District Council will seek to reduce the environmental impacts of our own activities and will contribute to the improvement of the wider environment though local action* – and felt that this would fit in with the Climate Change Working Group and that it is important to get this working group up and running to be able to take this objective forward.

The HoSS&E took on board the Councillor's comments.

Councillor Wilson asked if there were targets set against the objectives.

The HoSS&E advised that in appendix 2 of the Plan the Council's corporate health indicators are set out and this deals with the specifics in terms of targets.

Councillor Burton referred to objective in relation to creating cleaner neighbourhoods and that it is important that Council does everything it can in this regard. The Councillor highlighted that Council no longer has the services of WISE but still has the same problems in terms of chewing gum, dog fouling and waste. Councillor Burton referred to the volunteers who do a lot in villages and that it is important that these people are supported and asked how Council will know it is succeeding in meeting this objective.

The Chair, Councillor Corry referred to report taken through June Development Committee in relation to the possibility of Councils working collaboratively with regard to littering issues and that a further report is to be brought to the Development Committee on this issue.

Councillor Burton stated she was aware of this but asked if there are targets so that Council will know if there has been an improvement.

The HoSS&E advised that the lead officer in relation to objective three will be the Assistant Director of Health, Leisure and Wellbeing and that listed in the plan are key actions for all objectives. The HoSS&E advised that within the realms of the work that targets will be set in order to see benefit in all areas.

The Chief Executive referred to article he had read recently which stated that 70% of litter emanates from 4 to 5 companies. The Chief Executive stated that Council should set targets where it can but highlighted that Council does not create the litter and that everyone has a responsibility in terms of disposing of their waste and litter in a responsible way. The Chief Executive also felt that companies who are part of the problem need to step up and be part of the solution and that he expected that this will be worked towards and that he was aware of engagement with the said companies to encourage them to become more involved in the solutions.

The Chief Executive also welcomed Councillor McPeake's comments in relation to the Climate Change Working Group. The Chief Executive stated that both the Climate Change Working Group and Transformation Working Group are critical and he would encourage these groups to be populated over the summer period. The Chief Executive stated that there are real responsibilities and targets to be met between now and 2030 starting with buildings and how these will be powered and heated going forward. The Chief Executive also highlighted the need to move away from fossil fuels and the number of vehicles and equipment which Council has that relies on these fuels at the moment and the need to convert these. The Chief Executive stated that the Climate Change Working Group will be critical as Council will have to transform how it does business in the coming years and that officers are keen to get the group up and running.

The Chair, Councillor Corry agreed that there is a lot of work to be done going forward.

Councillor McFlynn stated she welcomed the report and highlighted the Eco Schools Programme and that educational officers continue to work with schools to get them all up to green flag status.

Councillor Bell stated he wanted to take the opportunity to thank officers for their hard work in tackling the litter issue in the towns and villages and especially the removal of chewing gum from streets. The Councillor stated that chewing gum is a real problem in towns and villages and that it was his understanding that new machinery has been in operation which can remove this which has produced fantastic results.

Proposed by Councillor Wilson  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to Council to approve the Corporate Performance Improvement (PIP plan) Plan 2023-2024 to 2024-2025 as set out at appendix to report.

### **PR117/23 Member Services**

Councillor S McPeake referred to previous allocation of umbrellas to Members and asked if stocks could be refreshed as there were a number of new Councillors and they would be useful for outdoor engagements/site visits etc.

Councillor McFlynn supported the suggestion stating that they had been soaked at an outdoor event at Davagh.

The Chair, Councillor Corry concurred.

The Chief Executive agreed to take this forward.

### **Matters for Information**

#### **PR118/23 Minutes of Policy & Resources Committee held on 13 June 2023**

Members noted Minutes of Policy & Resources Committee held on 13 June 2023.

#### **PR119/23 Organisational Development, Strategy & Performance: 2023-24 Directorate Service Plan**

Members noted previously circulated report which outlined the Directorate Service Plan for Organisational Development, Strategy & Performance for period 2023-24.

*Live broadcast ended at 7.15 pm.*

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

Proposed by Councillor McAleer  
Seconded by Councillor Burton and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR120/23 to PR132/23

**Matters for Decision**

- PR120/23 Cookstown Chamber Upgrade
- PR121/23 Leisure Services VAT claim update
- PR122/23 Review of Staff Enhancements/Coaching Supplements
- PR123/23 Land and Property Matters: Easement, Lease & Disposal
- PR124/23 Mid South West (MSW) Region Update – Programme Management and Innovate UK funding

**Matters for Information**

- PR125/23 Confidential Minutes of Policy and Resources Committee held on 13 June 2023
- PR126/23 Managing Attendance
- PR127/23 Staff Matters for Information
- PR128/23 Council Organisational Redesign – Update on Structural Changes
- PR129/23 Restructure for Planning Department for Information
- PR130/23 Contracts and DAC
- PR131/23 Mid South West (MSW) Region Growth Deal Update
- PR132/23 Bonfire Working Group Minutes – 3 July 2023

**PR133/23 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 7.50 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.

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- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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

|                          |   |
|--------------------------|---|
| <b>Report on</b>         | Consultations Information notified to Mid Ulster District Council   |
| <b>Date of Meeting</b>   | 27 July 2023  |
| <b>Reporting Officer</b> | Philip Moffett, Assistant Director of Organisational Development, Strategy & Performance<br>Joe McGuckin, Head of Strategic Services & Engagement |
| <b>Contact Officer</b>   | Ann McAleer, Policy Engagement and Equality Officer   |

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

|            |  |
|------------|--|
| <b>1.0</b> | <b>Purpose of Report</b>   |
| 1.1        | To update members on the consultations notified to Mid Ulster District Council and to provide feedback on draft consultations responses for comment/approval.  |
| <b>2.0</b> | <b>Background</b>  |
| 2.1        | Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.  |
| 2.2        | The Secretary of State for Northern Ireland announced the 2023/24 Budget on 27 April 2023. Since then, various government departments have commenced public consultations on their own specific 2023/24 Budgets.   |
| <b>3.0</b> | <b>Main Report</b>   |
| 3.1        | Documentation relating to the aforementioned consultations can be accessed via the links provided in the table attached in Appendix A.   |
| 3.2.       | Appendix B contains a draft response to the Department of Health's 23/24 Budget EQIA. The draft response was issued to members for comment via email on 14/7/23, requesting that any feedback or amendments be provided by 18/7/23.  |
| 3.3        | Appendix C contains a draft response to the Department for Educations 23/24 Budget EQIA. The draft response details the Council's opposition to the proposed cuts. The draft response was issued to members for comment via email on 11/7/23, requesting that any feedback or amendments be provided by 17/7/23. |

|            |  |
|------------|--|
| <b>4.0</b> | <b>Other Considerations</b>  |
| <b>4.1</b> | <b>Financial, Human Resources &amp; Risk Implications</b>  |
|            | Financial: N/A   |
|            | Human: N/A   |
|            | Risk Management: N/A   |
| <b>4.2</b> | <b>Screening &amp; Impact Assessments</b>  |
|            | Equality & Good Relations Implications: These consultation responses relate to EQIA consultations.   |
|            | Rural Needs Implications: The lack of available RNIA's in relation to these consultations has been included in the body of the consultation responses. |
| <b>5.0</b> | <b>Recommendation(s)</b>   |
| 5.1        | Members review and note active consultations and further associated consultation information notified to Mid Ulster District Council.                  |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>   |
|            | Appendix A: Details of Current Consultations   |
|            | Appendix B: Draft DoH Budget EQIA Response   |
|            | Appendix C: Draft DE Budget EQIA Response  |

## Appendix A: Details of Current Consultations

| Organisation               | Consultation Title   | Issue   | Closing Date   | Response Currently Being Developed |
|----------------------------|--|---|--|------------------------------------|
| DAERA                      | <b>Consultation on Northern Ireland's 2030 and 2040 Emissions Reduction Targets</b>  | The primary objective of this consultation is to seek your views on the proposed Sustainability at the heart of a living, working, active landscape valued by everyone.<br>2030 and 2040 emissions targets for Northern Ireland and proposed carbon budgets for the periods 2023-2027, 2028-2032 and 2033-2037. | 11 October 2023  | No                                 |
|                            | <b>Link to Consultation</b>  | <a href="http://www.daera-ni.gov.uk/consultations/carbonbudget">http://www.daera-ni.gov.uk/consultations/carbonbudget</a>   |  |                                    |
|                            | <b>Delegated Authority</b> 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 |
| The Executive Office (TEO) | <b>Public Consultation on the Provision of Free Period Products</b>  | TEO wants feedback regarding what period products should be made available, where these should be available and how people can access these.  | Monday 18 September 2023   | No                                 |
|                            | <b>Link to Consultation</b>  | <a href="https://consultations.nidirect.gov.uk/teo/provision-of-free-period-products-consultation/">https://consultations.nidirect.gov.uk/teo/provision-of-free-period-products-consultation/</a>   |  |                                    |
|                            | <b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)? |   | Yes, DA would need to be granted to the September P&R Committee Meeting. |                                    |
| Organisation               | Consultation Title   | Issue   | Closing Date   | Response Currently Being Developed |

|                       |  |   |                 |    |
|-----------------------|--|---|-----------------|----|
| <b>Cabinet Office</b> | Procurement Reform Bill  | The new Procurement Reform Bill, which is in the final stage of it's passage through Parliament, will contain provision for Northern Ireland. Cabinet Office has now launched a public consultation on the secondary legislation required to implement this new procurement regime. | 11.45pm 28 July | No |
|                       | <b>Link to Consultation</b>  | <a href="https://www.gov.uk/government/consultations/part-1-consultation-on-draft-regulations-to-implement-the-procurement-bill">https://www.gov.uk/government/consultations/part-1-consultation-on-draft-regulations-to-implement-the-procurement-bill</a>                         |                 |    |
|                       | <b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)? | Yes   |                 |    |

18 July 2023



Department of Health

Castle Buildings

Stormont

Belfast

Northern Ireland

BT4 3SQ

Email: Budget23-24response@health-ni.gov.uk

Reference: DoH EQIA Consultation Report on the 2023-24 Resource Budget

To whom it may concern

Mid Ulster District Council would like to take this opportunity to provide comments on DoH Resource Budget 2023-24 Equality Impact Assessment. It is Mid Ulster Council's understanding that the outcome of the implementation of these proposed budget cuts has the potential to services changes and reductions in the following areas:

- Reduce funding for Waiting List Initiatives
- Reduce Family Health Service Spending
- Reduce Funding for the implementation of the Integrated Care System
- Reduction in funding for Digital Improvements
- Removal of Some Critical Shift Payments to Trust staff
- Restrict Range of Core Demand Led Services across Acute and Community Services
- Increase Car Parking Charges to Full Cost Recovery
- Remove Free Flu vaccine for 50–64-year-olds
- Medium Impact ALB (excluding Trusts)
- Saving Measures including efficiency savings in PHA core budgets, reductions in health improvement programmes
- Further reductions in public information campaigns
- Reductions in Northern Ireland Fire and Rescue Service (NIFRS) Public Fire Safety and Prevention campaigns

**Cookstown Office**  
Burn Road  
Cookstown  
BT80 8DT

**Dungannon Office**  
Circular Road  
Dungannon  
BT71 6DT

**Magherafelt Office**  
Ballyronan Road  
Magherafelt  
BT45 6EN

**Telephone 03000 132 132**

info@midulstercouncil.org  
www.midulstercouncil.org

From examination of the proposed cuts and their anticipated impacts it is clear that the cuts will significantly negatively impact on S75 groups in a cross sectoral way, particularly people with disabilities, people with dependents, various age groups and gender impact. In addition, implementing cuts of this nature seems to go against the overall long term strategic priorities of the Department.

### **General Comments**

Mid Ulster District Council would also have concerns in relation to impact upon capital expenditures. The Council would seek reassurance that the reduction in planned capital allocations for estate and backlog maintenance, investment in the upgrade of GP Practices will not undermine the reallocation and centralisation of services across the Southern and Northern Trust areas; including the removal of maternity delivery services from Causeway Hospital and the removal of emergency surgical provision from Daisy Hill Hospital. The centralisation of both these services required improvements to be made to Craigavon Area Hospital and Antrim Area Hospital respectively. Without these upgrades it is difficult to fathom how the existing facilities and estates could cope with the additional demand on beds.

In addition the Council is well aware of the need for capital improvements across the Trust area and therefore is deeply concerned that the capital investment programme that the Department had planned to take forward over the next 10 years in acute, primary, social care, mental health facilities, cancer strategy, digital technology and in emergency services may be delayed. The consultation information also details that the Department is not currently in position to make a pay offer to its staff. The Council has also responded to several Trust led consultations in recent months. A common thread amongst these consultations was staffing issues and the absence of successful long-term recruitment strategies. Therefore, the combination of not having the ability to make pay offers to staff as well as not being able to maintain estates and deliver on capital build commitments, paints an extremely grave and concerning picture for the future of health service delivery in NI.

Furthermore, with regard to the potential impact of savings measures not yet taken including:

- Reduction in payments for support services provided by the Community and Voluntary Sector.
- Reduction in the amount of Community Aids and Adaptations to clients living in their own homes
- Further reductions in Waiting List Initiative (WLI) activity
- Reduction in nursing and residential care placements

- Restriction of domiciliary care packages
- Reduction in payments for support services provided by the Community and Voluntary Sector
- Reduction in the amount of Community Aids and Adaptations to clients living in their own homes
- Reduction in nursing and residential care placements

The Council would disagree in the strongest of terms, with these proposals. Services in these areas are already at breaking point and the negative impacts would be hard to quantify across Section 75 categories. However, what is clear, is that the most vulnerable members of society would suffer the most should these additional saving measures be implemented.

### **Mitigations**

While the Council appreciate that it is difficult to make funding cuts across any area removal of which will have a significantly negative impact across Section 75 groupings, the Department does not seem to have presented any significant mitigations or alternatives within the EQIA. There is also little clarity in relation to whether or not the Department has any priority areas for introducing mitigations or alternative, should additional funding be identified or secured.

### **Consultation Timeline**

It is the opinion of the Council that this consultation would have benefited immensely from opportunities to fully discuss the budget proposals and their implications. Additional consultation opportunities would have also allowed impacted groupings to ask questions and seek clarifications. The opportunity for additional consultation mechanisms would also have been an important opportunity for the Department to demonstrate that it is open to changing the current proposals. Some decisions seem to have been made prior to the EQIA being conducted therefore it is difficult for the Department to demonstrate appropriate consideration being given to potential equality impacts.

Finally, while the Council understands the constrained timeframes in relation to decisions in relation to the 23/24 budgets, the Department will be aware that holding consultations during popular holiday periods is also not conducive to encouraging significant levels of feedback.

## **Cumulative Negative Impact**

It cannot be ignored that this consultation is not being held in isolation. The majority of NI Assembly Departments have recently consulted across short timeframes on drastically reduced budgets. It is clear that each of these budgets focused on EQIAs that identified negative impacts across Section 75 groups. The overall result is a devastating cumulative impact on some of the most vulnerable people in society.

There is also an overall lack of joined up thinking in relation to the proposals made across four Departments. Each Department seems to be viewing their budgets in isolation without documenting the issues created by multi-sectoral cuts that will directly negatively impact upon some of the most vulnerable and most marginalised in society. This is particularly concerning in relation to the lack of joined up discussion between this Department and the Department of Education, given the considerable overlap between the two Departments in relation to early years and SEN.

## **Rural Needs**

Mid Ulster District Council welcomes that the Department has attempted to demonstrate due regard to the Rural Needs as they are required to do under the Rural Needs Act 2016. However, these proposals will clearly have a more significant impact on those in rural areas in relation to access to services and as such it would have been beneficial to provide a copy of the Rural Needs Impact Assessment as part of the overall consultation process.

## **Conclusion**

Mid Ulster District Council strongly opposes the outlined budget for 23/24. Overall, the EQIA identifies that the outcome of these proposals will lead to significant inequalities linked directly to, age, disability and gender, among others. Therefore, as a Council we would object in the strongest terms to the removal of support health and support services that are currently provided to some of most vulnerable and to the vast majority of Section 75 groups.

Yours sincerely

**Dominic Molloy**  
Council Chair

18 July 2023



Budgeting Team

Department of Education

Room S11, Rathgael House

43 Balloo Road

Rathgill

Bangor

BT19 7PR

Email: [debudgeteqia@education-ni.gov.uk](mailto:debudgeteqia@education-ni.gov.uk)

Reference: EQIA Consultation Report on the 2023-24 Resource Budget

To whom it may concern

Mid Ulster District Council would like to take this opportunity to provide comments on DE Resource Budget 2023-24 Equality Impact Assessment. It is Mid Ulster Council's understanding that the outcome of the implementation of these proposed budget cuts would lead to a removal or reduction of services in the following areas:

- School Holiday Food Grant
- CCMS
- Healthy Happy Minds
- Engage Programme
- Extended Schools
- Leargas
- Bready District Ulster Scots Development Association
- North Belfast Principals Support Programme
- Irish medium preschool support service
- Extended Services Funding (to pre-schools)

**Cookstown Office**  
Burn Road  
Cookstown  
BT80 8DT

**Dungannon Office**  
Circular Road  
Dungannon  
BT71 6DT

**Magherafelt Office**  
Ballyronan Road  
Magherafelt  
BT45 6EN

**Telephone 03000 132 132**

[info@midulstercouncil.org](mailto:info@midulstercouncil.org)  
[www.midulstercouncil.org](http://www.midulstercouncil.org)

- Playboard NI Play Policy
- Aggregated Schools Budget
- BookStart Programme
- Budget reductions to SEN
- Belfast Wide Early Years Pilot under Fair Start
- EA Block Grant
- Entitlement Framework
- Getting Ready to Learn Programme

From examination of the proposed cuts and their anticipated impacts it is clear that the cuts will significantly negatively impact on S75 groups in a cross sectoral way. The EQIA identifies a likely 'major' adverse impact on children and young people, children with a disability, race, and dependants. This is particularly evident in relation to SEN students and students from disadvantaged backgrounds, leading to students from disadvantaged backgrounds being obstructed from reaching their full potential.

However, the EQIA, does not however appear to include the full range and/or full detail of policy proposals being considered, including:

- The extent of the budget reductions to the Aggregate Schools Budget (ASB) and the Education Authority Block Grant and the potential impacts of these cuts
- The extent of the budget reductions to Arm's Length Bodies and the potential impacts
- The extent of budget reductions to unspecified third-party organisations supporting curriculum delivery and the likely impacts
- Consideration of the impacts of budget cuts to the capital budget is not covered
- Specific reference in policy proposals to a reduced budget on SEN provision is not included

Mid Ulster District Council also notes that childcare is not included in the EQIA consultation information. Accessible and affordable childcare is directly linked to

women's participation in the labour market, economic independence and promoting equality between men and women. It is widely recognised that early years provision plays a key role in children's development and can have significant beneficial impacts for those children most at risk of educational underachievement.

In addition, 93% of lone parents in Northern Ireland are women. Therefore, the cuts to School Holiday Food Grant will have a major negative impact on women. This is not reflected in the information included in the EQIA. When this impact is taken within the context of the cuts proposed across NI Departments, the impact is significantly negative. The Department claims to 'provide benefit to all children and young people across NI', however removal of these services/benefits impact not just on children and young people but on their parents and carers as well.

### **Consultation Timeline**

It is the opinion of the Council that the short time frame during which this consultation is being carried out would have benefited immensely from opportunities to fully discuss the budget proposals and their implications. Additional consultation opportunities would have also allowed impacted groupings to ask questions and seek clarifications.

The opportunity for additional consultation mechanisms would also have been an important opportunity for DE to demonstrate that it is open to changing the current proposals. Some decisions seem to have been made prior to the EQIA being conducted therefore it is difficult for DE to demonstrate appropriate consideration being given to potential equality impacts.

Finally, while the Council understands the constrained timeframes in relation to decisions in relation to the 23/24 budgets, the Department will be aware that holding consultations during popular holiday periods is also not conducive to encouraging significant levels of feedback.

## **Cumulative Negative Impact**

While the Department have referenced the cumulative impact of the proposed cuts within its particular service area, it cannot be ignored that this consultation is not being held in isolation. A plethora of NI Assembly Departments have already or are currently consulting across short timeframes on drastically reduced budgets. It is clear that each of these budget focused EQIAs identify negative impacts across Section 75 groups. The overall result is a devastating cumulative impact on some of the most vulnerable people in society.

Overall, there is a lack of joined up thinking in relation to the proposals made across Departments. Each Department seems to be viewing only their budgets in isolation without documenting the issues created by multi-sectoral cuts that will directly negatively impact upon some of the most vulnerable and most marginalised in society. Therefore, as a Council we would object in the strongest terms to the removal of these services that are currently provided to some of most vulnerable people within Section 75 groups.

## **Rural Needs**

In relation to this consultation Mid Ulster District Council believe that the Department has failed to demonstrate that due regard has been paid to the Rural Needs Act 2016. The cuts clearly have a significant impact on rural dwellers, however the relevant Rural Needs Impact Assessment information has not accompanied this consultation and as such the influence of rural needs requirements are not reflected in the significantly reduced budgetary provisions. In addition, in the absence of a documented assessment, no rural needs mitigations have been made available in relation to these proposals. DAERA, who oversee the implementation of the Act are clear that a Rural Needs Impact Assessment should not be completed retrospectively. Therefore, any assessment that follows this consultation period is not useful because the time for its influence on decision making will have already passed.

The Council have liaised with Rural Community Network (RCN) in relation to the development of this response. RCN highlighted the negative impact to proposed cuts to the Engage, Happy Healthy Minds and Extended Schools programmes. Given that research has demonstrated that LGBTQI+ children and young people are at significantly increased risk of mental health challenges, bullying, family difficulties and isolation, these programmes provide needed support and reprieve. Removal of these services could be really detrimental for an LGBTQI+ child or young person which is likely additionally challenging for LGBTQI+ child who live in rural communities.

## **Conclusion**

Mid Ulster District Council strongly opposes DE's outlined budget for 23/24. These cuts are being proposed at a time when it was reported in various media outlets that around 390 children SEN in Northern Ireland are still waiting for a suitable school place for September 2023. If this is the case prior to the implementation of the proposed cuts, there is little hope that a sustainable delivery model of education can be established by DE and EA within these revised further under resourced financial conditions.

Overall, the EQIA identifies that the outcome of these proposals will lead to significant inequalities linked directly to, ethnicity, disability and gender, among others. These inequalities will more than likely, have lifelong negative impact on an individual's education pathways. From the perspective of the Council, continuing with these proposals in the face of the stark realities is unworkable and therefore the proposals should be fully reconsidered.

Yours sincerely

**Dominic Molloy**

Council Chair

Draft

|                          |  |
|--------------------------|--|
| <b>Report on</b>         | Correspondence to Council                          |
| <b>Date of Meeting</b>   | Thursday 27 July 2023                              |
| <b>Reporting Officer</b> | J McGuckin Head of Strategic Services & Engagement |
| <b>Contact Officer</b>   | E Forde, Committee & Member Services Manager       |

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

|            |   |
|------------|---|
| <b>1.0</b> | <b>Purpose of Report</b>  |
| 1.1        | Provide an update on correspondence received for attention of Council.  |
| <b>2.0</b> | <b>Background</b>   |
| 2.1        | This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.  |
| <b>3.0</b> | <b>Main Report</b>  |
| 3.1        | <p><b>Correspondence from Northern Ireland Local Government Association (NILGA)</b></p> <p>The Chair has received correspondence from NILGA seeking a formal political consideration within council of NILGA's draft Corporate Plan. Feedback is sought by Thursday 31 August 2023. Refer to Appendix A</p> |
| 3.2        | <p><b>Correspondence from Department for Levelling Up Communities</b></p> <p>The Chief Executive has received correspondence from the Department for Levelling Up Communities in relation to introducing the Economic Activity of Public Bodies (overseas matters) Bill. Refer to Appendix B.</p>           |
| 3.3        | <p><b>Correspondence from Education Authority</b></p> <p>The Chair has received a response to letter from Council regarding Special Education Needs school places. Refer to appendix C.</p>   |
| <b>4.0</b> | <b>Other Considerations</b>   |
| <b>4.1</b> | <b>Financial, Human Resources &amp; Risk Implications</b>   |
|            | Financial: not applicable   |

|            |  |
|------------|--|
|            |  |
|            | Human: not applicable  |
|            | Risk Management: not applicable  |
| <b>4.2</b> | <b>Screening &amp; Impact Assessments</b>  |
|            | Equality & Good Relations Implications: not applicable   |
|            | Rural Needs Implications: not applicable   |
| <b>5.0</b> | <b>Recommendation(s)</b>   |
| 5.1        | That Council notes and considers, as necessary, the correspondence received.   |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>   |
|            | Appendix A: Northern Ireland Local Government Association<br>Appendix B: Department for Levelling Up Communtiiies<br>Appendix C: Education Authority |



*the voice of local government*

Councillor Dominic Molloy  
Chair  
Mid Ulster District Council  
Council Offices  
Circular Road  
DUNGANNON  
BT71 6DT

30<sup>th</sup> June 2023

Dear Councillor Molloy,

As the council led representative body for local authorities in Northern Ireland, NILGA is your association.

In recent months, NILGA has independently reviewed all aspects of our work with input from councillors and council officers across all 11 councils. Thank you for the proactive and engaged participation of your council in these reviews.

The purpose of these reviews was to:

- reflect on our work to date,
- consider the current and future strategic operating context, and
- to develop a fit for purpose and fit for the future NILGA vision and priorities.

On behalf of the cross-party political leadership of NILGA, we have pleasure in presenting the Draft NILGA Corporate Plan 2023-2027 for your consideration. The view of your council is essential to NILGA in ensuring the association sets a corporate direction in keeping with its members' priorities.

We would be grateful if you could ensure this is given formal political consideration within your council and any feedback is provided to NILGA by Thursday 31 August 2023, to enable final consideration of the plan at the NILGA Executive Board meeting scheduled for Friday 8 September 2023.

Yours sincerely,

Clr Matt Garrett  
President (SF)

Clr Alison Bennington  
Vice-President (DUP)

Clr Billy Webb  
Vice-President (All)

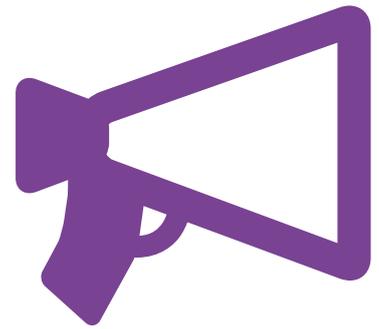
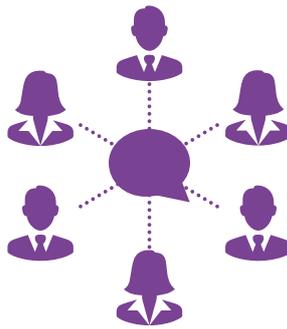
Ald Hazel Legge  
Vice-President (UUP)

Clr Brian Tierney  
Vice-President (SDLP)

**Northern Ireland Local Government Association**

Bradford Court, Upper Galwally, Castlereagh, BT8 6RB

Tel: 028 9079 8972 email: [office@nilga.org](mailto:office@nilga.org) web: [www.nilga.org](http://www.nilga.org) twitter: @NI\_LGA



# NILGA Corporate Plan 2023-2027

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# NILGA's Impact

## Who we are

The Northern Ireland Local Government Association (NILGA) is the council led representative body for local authorities in Northern Ireland. The Association is supported by political parties and independent members in councils. NILGA members are drawn from each of the 11 councils providing regional and cross-party representation on the NILGA Executive Committee.



## Our Aims

- To be the inclusive and collective voice of councils and promote, enable and develop local government in Northern Ireland
- To convene and engage on matters relating to national, regional and local policy and the financing of local government services; as it affects the delivery of local services and outcomes for local people; and as the organisation deems appropriate
- To ensure that local government and the Northern Ireland Executive work together in partnership based on principles of mutual respect and interdependency whilst recognising the legitimacy of the role each play in Northern Ireland's governance

## Who We Work with

NILGA believes genuinely and wholeheartedly that working in partnership with others will add important value to our work. Whether that is in partnership with Ministers, civil servants, political parties, other local government associations or other key stakeholders.

Of particular importance though is the partnership with the Society of Local Authority Chief Executives NI (Solace NI) as strategic professional officer advisors and the National Association of Councillors (NAC NI) as the organisation who represents the interests of individual councillors.

## What we do

NILGA is the Voice of Local Government in Northern Ireland. It represents the sector's views on critical policy issues and national pay, promotes the role and successes of local government, delivers training for elected members and works with partners to secure the future sustainability and transformation of the sector.

NILGA collaborates with the NI Assembly and Departments, regional, national and international bodies and other local government associations to support its work and enhance the role of NI local government.

NILGA's six key workstreams are:

### Elected member development *"Being the best councillor you can be"*

The learning and development of our councillors is a key priority for NILGA, empowering elected members to be the best community representatives they can be. NILGA's Regional Programme of Elected Member Development provides planning, leadership, and development training for our members every year. And by using collective purchasing power, we save councils and ratepayers nearly £200,000 per year to deliver high-quality training courses.



### Workforce *"Representing councils in national pay negotiations"*

NILGA represents the 11 Northern Ireland Councils at national level where pay, terms and conditions for our 12,000+ workforce are agreed. We ensure that fair and affordable pay and terms are implemented by having a direct, council representation at every pay meeting until an agreement is struck, as well as providing advice to council HR teams. Since 2015, the benefits financially to our 11 councils based on national agreement, compared to local and regional outcomes in Scotland and parts of England, amount to approx. £7,000,000.



### Communications *"Speaking up for local government"*

NILGA is the strongest voice for our 11 local councils. We highlight the positive work and successes of local government in Northern Ireland, the delivery of first-class public services for communities, and communicate the roles and responsibilities of our councils. We are a strong communicator of everything good about our 11 local councils and a consistent advocate of the positive role that local government plays for communities and areas across Northern Ireland.



### Representation *"The strongest voice for local government"*

NILGA ensures elected members and local councils are represented on regional, national, and international bodies which we can learn best practice from, secure crucial investment, and develop positive links across the world. Whether it's vital funding support during Covid, helping shape post-EU Exit funding and grant schemes, or co-designing policy, NILGA ensures local government's voice is heard at all levels.



### Policy *"Delivering practical solutions for local government"*

Lobbying for progress and positive change is a key priority at NILGA. Policy work is a vital tool for our 11 local councils, collating ideas and solutions to present to partners in central and national government. NILGA's strong lobbying has helped deliver on issues as varied as waste management, the environment, place-shaping, infrastructure, and Covid support funding.



### Local Government for the future *"Protecting the future of local government"*

Despite our successes, NILGA is constantly seeking to deliver more for local government in Northern Ireland. Review of local government reform, transfer of key regeneration powers, the rejuvenation of our high streets, climate action, a new financial deal for councils, EU replacement funding, improvement and transformation – these are just some of the issues we are working on to continue lifting up local government in Northern Ireland.

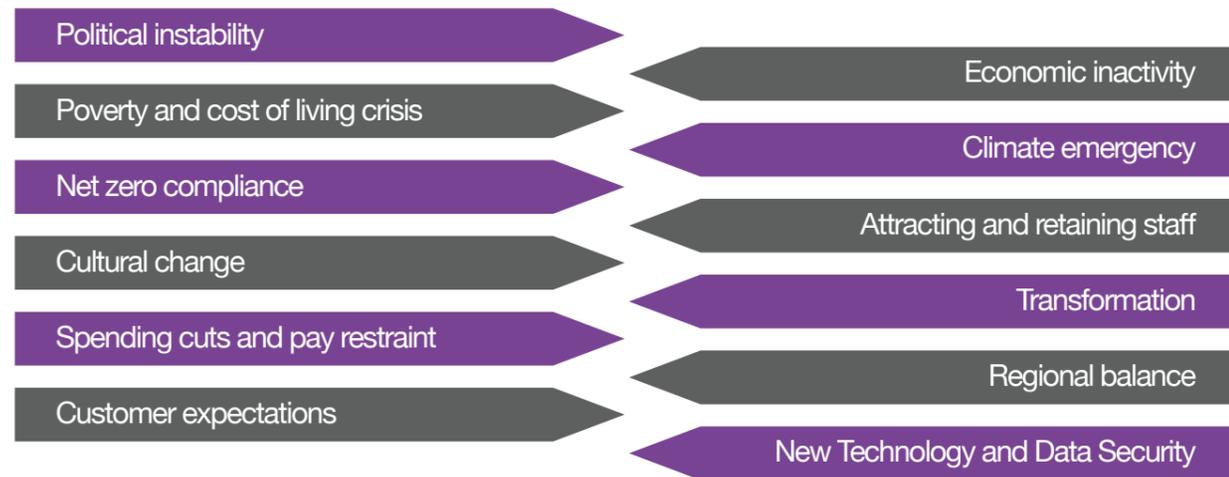


# Strategic Context

## Background

Local government is integral to our structures of governance, public services and political life. Therefore, as the representative voice of local government, NILGA is central to key local, regional and national policy to delivering lasting, real and positive change in people’s lives.

There are very significant challenges for the future of public services including:



NILGA wants to ensure that our future direction supports and enables councils and the local government sector to tackle these challenges and maximise opportunities to deliver for people. This is particularly important following local government elections on 18 May 2023 which provided a renewed and focused mandate for councils and councillors.

In anticipation of the 2023-2027 local government mandate, NILGA as the representative voice of local government has undertaken a number of independently facilitated reflective reviews of all aspects of our work, engaging widely with councils, councillors, chief executives, political parties and partner organisations such as the Society of Local Authority Chief Executives NI (Solace NI) and the National Association of Councillors (NAC). These reviews were:

- Review of NILGA’s policy development, impact and future priorities
- Review of NILGA’s governing constitution to ensure it is fit for the future
- Review of the effectiveness of NILGA’s Elected Member Development Programme
- Review of NILGA’s strategic operating context now and into the future

# NILGA for the Future

## NILGA’s Vision

Councils, councillors, officers and partners welcome the renewed ambition and enthusiasm for NILGA’s work with a recognition that this is an important period for local democracy.



## Cross Cutting Enablers

As a result of our recent reviews, it has been identified that NILGA must ensure that the following cross cutting enablers are in place to drive our success in the 2023-2027 local government mandate.

### Focus on enhancing NILGA's strategic profile

- A strategy must be in place to develop NILGA's strategic profile to effectively communicate our purpose, priorities, partnerships, relationships, client base and how we can best work with individual councils, local government collectively, central government, political parties, partners and stakeholders.
- NILGA will continually refresh our knowledge of the main and emerging actors within the various partner organisations, policy networks, political parties and civil servants.
- NILGA will highlight our success in providing an effective and positive forum for cross-party working and consensus development around policy issues and explore in more detail how and why NILGA operates effectively in this regard.
- NILGA will ensure key performance indicators are in place to measure all aspects of our work to ensure a decisive focus on our impact and effectiveness.



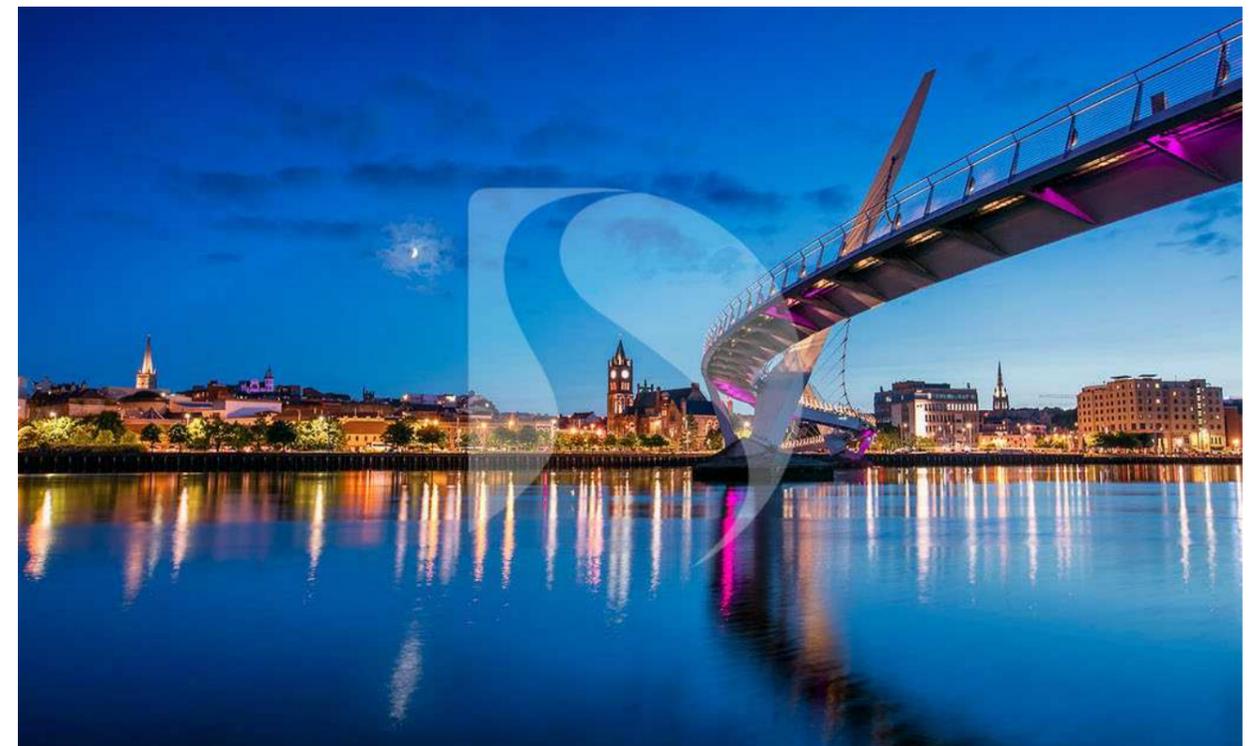
### Shifting from lobbying to negotiating

- NILGA will embed itself in the policy-making process of central government and transform this relationship from being perceived and operating as a lobbying body for local government to that of a negotiating partner, embedded in the policy-making processes
- NILGA will ensure balance between the work we undertake either individually or collectively for our membership on a functional process level and the work we undertake with central government as an advocate and partner in policy development; and promoting the interests of local government
- NILGA will ensure leadership on devolution and decentralisation to local government is at the centre of our work, including setting clear objectives as to what can and should be achieved for local government through any future process of devolution and decentralisation.



## Raising awareness of NILGA's purpose, services and impact

- NILGA will ensure there are high levels of awareness of our services and impact across both local government, central government, political parties, partners and stakeholders, including the range and quality of our services and the value added.
- NILGA will ensure the work we undertake is clearly distinguished from that of Solace NI and the National Association of Councillors and identify areas of mutually beneficial co-operation with those bodies while maintaining an independent identity
- NILGA will deepen our understanding of the varying needs and perceptions of its different partners and stakeholders to ensure our services have purpose and deliver maximum impact



# NILGA Corporate Plan 2023 -2027

This NILGA Corporate Plan 2023-2027 is intended to enhance our strategic alignment, outline our work in supporting councils, councillors and communities and deliver a NILGA that is valued and effective.

| Strategic Themes                                 | Corporate Priorities  |
|--|---|
| <b>Empowered and resourced councils</b>          | <ul style="list-style-type: none"> <li>• Influencing the delivery of outstanding legislation and financial sustainability to allow local government to function effectively</li> <li>• Delivery of balanced and respectful central/local relationships delivering on the principle of prioritising local decision making</li> <li>• Support sector led transformation and innovation informed by best practice</li> </ul> |
| <b>Empowered and confident councillors</b>       | <ul style="list-style-type: none"> <li>• Enable confident politically led representation for the sector</li> <li>• Deliver high quality learning and development for councillors</li> <li>• Deliver improvements in effectiveness of Code of Conduct for councillors</li> </ul>   |
| <b>Empowered and supported people and places</b> | <ul style="list-style-type: none"> <li>• Influence further devolution of powers and resources to support local decision making</li> <li>• Shape regional and national policy to empower local delivery</li> <li>• Support councils and councillors in creating the conditions for local economic, social and environmental resilience</li> </ul>  |
| <b>Empowered and valued NILGA</b>                | <ul style="list-style-type: none"> <li>• Build confidence in NILGA's effectiveness</li> <li>• Enable proactive councillor and officer engagement in key regional sectoral work</li> <li>• Reinvigorate local democracy through communications and collaboration</li> </ul>  |

## Strategic Theme – Empowered and resourced councils

### Context

Public services have been under pressure for some time and as global economic and political uncertainty continues, the prospects for our citizens and businesses are under threat. Over the next decade councils will have to face the challenges of public sector spending restraint, meeting new legislative requirements and increasing customer expectations.

Local government has the ambition and drive to overcome these challenges and build on the confidence in councils to deliver for people, with strengthening local democracy as key. Councils are agile, dynamic, innovative, have a real connection with the communities they serve and have high levels of accountability and democratic oversight.

However, barriers to success remain - local government reform remains incomplete, with legislation and regulations to affirm council rules of operation, planning processes and a code of conduct outstanding.

To achieve our sectoral ambitions and create stronger more reliable public services, greater collaboration with government departments to design services, deliver added-value and remove duplication is essential. Embracing technology and using data to drive decision-making as well as investing in our workforce will be the cornerstones of innovative 21st century councils.

### Corporate priorities

- Influence the delivery of outstanding legislation and financial sustainability to allow local government to function effectively
- Support the delivery of balanced and respectful central/local relationships delivering on the principle of prioritising local decision making
- Support sector led transformation and innovation informed by best practice

### Why it matters

Financial sustainability is a critical success factor for the sector. Fair and transparent budget allocations over a longer term (which return the Rates Support Grant to sustainable levels) would offer greater certainty to councils and recognise their role and value. Pooling of budgets for place-based delivery and alignment of funding streams across government would minimize inefficiencies and bureaucracy. As a valued partner in government, local government can improve policy and process design and delivery for better local and regional outcomes.

Delivery of outstanding legislation to allow local government to function effectively, along with progress on priority policy areas will go some way towards empowering the local government sector in Northern Ireland. However, this must be underpinned by sector-led transformation and innovation, informed by best practice which takes advantage of the best knowledge and expertise across sectors and place real value on local decision making.

## Strategic Theme - Empowered and confident councillors

### Context

Councillors are elected to make decisions which affect the quality of life and livelihoods of local people. Inspiring local communities and creating the conditions for inclusive growth takes ambitious leadership – and effective political leadership is at the heart of a healthy democracy. By investing in the skills and knowledge of councillors through the provision of learning opportunities tailored to their role, NILGA will strengthen the impact councillors have on local areas and in doing so strengthen the voice of local government.

Through a standardised regional induction programme and renewed Elected Member Development programme, NILGA will support councillors to push boundaries for their constituents and the local government sector and deliver better outcomes for all.

Elected member conduct, ethics and standards are important issues for local government. The continued impasse on modernising the Code of Conduct in both content and process, undermines local democracy and the representative, policy and operational workings of councils and councillors.

### Corporate priorities

- Enable confident politically led representation for the sector
- Deliver high quality learning and development for councillors
- Deliver improvements in effectiveness of the Code of Conduct for councillors

### Why it matters

The role of local councillor is wide-ranging and demanding from place-shaping to licensing. Equipping local leaders with the competencies, skills and knowledge to carry out their roles is a priority for all councils, whether that be on developing skills in leadership or scrutiny and challenge; or building knowledge on planning, climate change, economic development or community planning.

Councils who want to improve the social, economic and environmental wellbeing of their communities must invest in councillor learning and development. Councils participating in the Elected Member Charter process can benefit from a robust, structured framework to increase councillor competence and confidence; strengthened member-officer relationships; and enhanced democracy and participation.

A review of the current Code of Conduct for councillors to mirror that of the NI Assembly would provide clarity for councillors, while not impeding their role as democratically elected decision makers.

## Strategic Theme - Empowered and supported people and places

### Context

Councils are at the forefront of improving how people live and work. They are place-shapers and are best placed to identify solutions to local challenges and draw in the right partners to deliver for their areas.

Councillors are embedded in their communities, giving them unique insight into their needs, hopes and aspirations. Bringing this unique perspective to the delivery of public services both within their councils and with central government, councillors play a vital role in holding public services accountable for delivering for people.

Addressing climate change, improving community planning mechanisms, unblocking bureaucracy in the planning system, realising the potential of local development planning and using economic and social levers will stimulate growth and investment in local areas. Yet councils are still dependent on regional government delivering public services in local areas as the devolution and decentralisation of powers has not been comprehensive. The absence of regeneration powers and budgets diminishes the role of local councils in shaping and improving their areas.

### Corporate priorities

- Influence further devolution and decentralisation of powers and resources to support local decision making
- Shape regional and national policy to empower local delivery
- Support councils and councillors in creating the conditions for local economic, social and environmental resilience

### Why it matters

Pride in place is best achieved by delivery close to local people and businesses, in other words by local authorities that understand each place's unique local context. A place-based approach to public service delivery, underpinned by cross-government and cross-sectoral collaboration will drive inclusive growth in local areas. As the civic hub and primary co-ordinator of public services in local areas, local government has a central role to play to reduce fragmentation, improve efficiency and effectiveness in government.

## Strategic Theme - Empowered and valued NILGA

### Context

As the representative body for the local government sector, it is important that NILGA members are confident in its ability to provide strong leadership, scrutiny, representation and accountability.

NILGA's constitution sets out the governance framework for the organisation which will include regular engagement with the full NILGA membership as well as on an individual council basis. NILGA's Executive Committee members must engage in scrutiny of the organisation's performance and impact to shape its success, with input from councils and the wider group of councillors. Compliance with everchanging legislative and regulatory requirements, overseen by a strong Audit and Organisational Sustainability Committee will ensure value for money is achieved for members.

In addition, having a responsive and adaptable approach to formulating, co-designing and shaping policy with political and officer input will allow the organisation to engage effectively and proportionately and demonstrate its value to government and other sectors.

Communicating success as well as becoming more outward-looking and collaborative in our engagement will raise the profile and impact of the organisation and the sector

### Corporate priorities

- Build confidence in NILGA's effectiveness
- Enable proactive Councillor and Officer engagement in key regional sectoral work
- Reinvigorate local democracy through communications and collaboration

### Why it matters

To be strategically effective and sustainable, NILGA must demonstrate value and impact to its members and partners. Maintaining decisive focus on its corporate priorities, working at pace to deliver on these and providing evidence on the impact of its work will reassure members of the organisation's role and benefits.

As a political organisation NILGA will always be led by the views of its member councils. To support that, however, NILGA must understand and reflect the differing policy views of the political parties in its work and can only do this by maintaining sound and open relationships with political parties. Equally, NILGA will rely on reciprocally strong relationships with the professional officer core via Solace NI to advise on technical and operational matters which affect the sector, in particular on new and revised policy and regulatory requirements, funding, and processes. Fully communicating the shared and regional views of councils and councillors in its policy work will reinforce NILGA's representative voice for the sector.

## Making It Happen

The NILGA Corporate Plan 2023-2027 will be supported by an annual business plan, which will be agreed by the NILGA Executive. This will identify the specific actions required to deliver on these corporate priorities and more importantly the framework within which NILGA's performance and impact is measured and communicated to its members.





# **NILGA**

## **Corporate Plan**

### **2023-2027**

**Northern Ireland Local Government Association (NILGA)**

Bradford Court

Upper Galwally

BELFAST

BT8 6RB

**Tel: 028 9079 8972**

**Email: [office@nilga.org](mailto:office@nilga.org)**

**[www.nilga.org](http://www.nilga.org)**

**Twitter: NI\_LGA**

**LinkedIn: <https://www.linkedin.com/company/nilga/>**



## Department for Levelling Up, Housing & Communities

**Felicity Buchan MP**  
 Parliamentary Under-Secretary of State  
**Department for Levelling Up, Housing  
 and Communities**  
 4th Floor, Fry Building  
 2 Marsham Street  
 London SW1P 4DF

To all Local Authority Leaders and Chief  
 Executives

19 June 2023

Dear Leaders and Chief Executives,

### **INTRODUCING THE ECONOMIC ACTIVITY OF PUBLIC BODIES (OVERSEAS MATTERS) BILL**

I am pleased to announce that the Government has today introduced the Economic Activity of Public Bodies (Overseas Matters) Bill, fulfilling an important manifesto commitment to *“ban public bodies from imposing their own direct or indirect boycotts, divestment or sanctions campaigns against foreign countries”*.

The Bill is required to stop public bodies pursuing their own foreign policy agenda, including with public money, through divisive boycotts, divestment and sanctions campaigns and will ensure that the United Kingdom speaks with one voice internationally. The UK can best achieve change with one coherent foreign policy directed by the central UK Government.

This legislation will prevent divisive behaviour that undermines community cohesion and pits different communities against one another. This is not about taking a position on any particular campaign or country but tackling discrimination and promoting a consistent foreign policy. If there is a case for formal sanctions, they should be properly debated and determined by the UK Government under powers granted by Parliament.

The Bill will prevent “public authorities” - as defined in section 6 of the Human Rights Act 1998 - from conducting their own boycotts and divestment campaigns against foreign countries or territories. This will include expressions of intent to do so, as these can also cause harm in the same way as actual boycotts and divestments. The Bill will only deal with boycotts and divestments targeted at foreign countries or territories. It will not deal with boycotts and divestments for other reasons, such as against fossil fuels. There is evidence of divisive BDS campaigns in public bodies, including local authorities advocating boycotts. This is not about cutting across the appropriate fiduciary duty of administering authorities, nor is it about interfering with a scheme manager’s ability to make proper and prudent use of Environmental, Social and Governance considerations in making investment decisions.

The ban will apply UK-wide. There will also be powers for Ministers to make regulations to exempt a particular country or territory from the ban, i.e. allow public bodies to conduct boycotts and sanctions against that country or territory. We will use this power to exempt Russia and Belarus from the ban as the Bill comes into force.

The ban will be in primary legislation and public bodies that do not follow the law will

be open to judicial review. The Bill also includes an enforcement regime which provides powers for Ministers and regulators to investigate if they have strong grounds to suspect non-compliance, and to issue compliance notices and impose financial penalties on public bodies included within the ban. This power is intended to punish clear breaches of the law and public bodies that do not engage in BDS activity need not modify their behaviour or provide proactive assurance.

The Government is not restricting any private individual's right to free speech. This legislation is about creating consistent foreign policy, focusing public bodies on their core purpose and preventing divisive campaigns that pit one community against another.

We are confident that this legislation will ensure there is a consistent approach to UK foreign policy and deliver on our 2019 manifesto commitment. I would be grateful for your support for the legislation.

The Bill and supporting documents can be found on Parliament's website.

Yours ever,

A handwritten signature in brown ink that reads "Felicity Buchan". The signature is written in a cursive, flowing style.

**Felicity Buchan MP**  
Parliamentary Under-Secretary of State



10<sup>th</sup> July 2023

Dear Dominic,

In response to your recent correspondence, I would like to reassure you that supporting children with Special Educational Needs (SEN) and ensuring all children with statements receive a placement which fully meets their needs remains a top priority for the Education Authority (EA).

This year there has been a significant growth in demand for places (37% increase on that of September 2022 this equates to 2186 children) in Special Schools, Specialist classes in Mainstream schools and additional support in Mainstream classes particularly across pre-school and primary one. In identified areas of high demand, we are working to ensure that all children with SEN will still be offered a place which provides the additional support they need to maximise their potential.

All children with statements are equally entitled to a place which is appropriate to meet their needs. The EA recognises the pressures being felt by parents as they await placements for their children and since 2020 has actively engaged with schools to increase the number of appropriate places.

Despite the unprecedented financial challenges, the Department of Education and EA has already committed a significant amount of investment to special educational needs and disabilities.

From September 2021 the EA has increased capacity in Special Schools by 111 classrooms and in mainstream schools for pupils with SEN by 101 new classes. This continued from the EA creation, in 2020, of a dedicated cross-organisational team to focus on enhancing the capacity across the education system. In preparation for the 2023/24 academic year, EA has established a further 86 specialist classes in mainstream schools, including 20 Specialist Provision Early Years and Foundation classes for children who are currently presenting with severe learning needs.

The long-term planning and identification for special schools and specialist classes in mainstream is being delivered through the EA's Strategic Area Plan 2022-2027 supported by a series of operational plans and there will be more information available as this progresses.

As new children enter the statutory process throughout the year, demand for specialist placement will increase. EA is committed to creating additional classes during the 2023/24 academic year; however, we are limited due to the significant budgetary pressures currently faced by the organisation. We would ask you and your colleagues within the Mid-Ulster District Council to consider how we can work together to find solutions and to generate awareness of the significant financial challenge.

We continue to engage directly with the families involved to discuss all the options available and identify an appropriate placement for each child. We will do everything possible to ensure all children are placed with the support that they need to be happy, learning and succeeding.  
Your sincerely,

Una Turbitt  
Interim Director for Children and Young Peoples Services.

**“To inspire, support and challenge all our Children and Young People to be the best that they can be.”**

**Education Authority**

**40 Academy Street, Belfast, BT1 2NQ**

**T: +44 (0)28 9056 4000 F: +44 (0)28 9033 1914 W: [www.eani.org.uk](http://www.eani.org.uk)**

