



23 July 2020

Dear Councillor

You are invited to attend a meeting of the Council to be held in Burnavon Arts & Cultural Centre, Cookstown and by virtual means Burn Road, Cookstown, Co Tyrone, BT80 8DN on Thursday, 23 July 2020 at 19:00 to transact the business noted below.

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

Yours faithfully

Anthony Tohill
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | | |
|----|---|---------|
| 4. | Council minutes of meeting held on 25 June 2020 | 3 - 18 |
| 5. | Policy and Resources Committee minutes of meeting held on 2 July 2020 | 19 - 26 |
| 6. | Planning Committee minutes of meeting held on 6 July 2020 | 27 - 46 |
| 7. | Environment Committee minutes of meeting held on 7 July 2020 | 47 - 56 |
| 8. | Development Committee minutes of meeting held on 9 July 2020 | 57 - 76 |
| 9. | Civic Recognition Nominations | 77 - 84 |

Matters for Information

- | | | |
|----|--|-----------|
| 10 | Correspondence | 85 - 94 |
| 11 | Consultations | 95 - 100 |
| 12 | Mid South West Region Growth Deal Report | 101 - 104 |

Notice of Motions

13. Councillor Clarke to move -
"That Mid Ulster District Council resolves to take the necessary steps to have Davagh Dark Sky Park officially designated a UNESCO World Heritage Site"

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

Matters for Decision

14. Council confidential minutes of meeting held on 25 June 2020
15. Policy and Resources Committee confidential minutes of meeting held on 2 July 2020
16. Planning Committee confidential minutes of meeting held on 6 July 2020
17. Environment Committee confidential minutes of meeting held on 7 July 2020
18. Development Committee confidential minutes of meeting held on 9 July 2020
19. Contract for the Collection and Processing of Residual Waste

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 25 June 2020 in the Burnavon Arts and Cultural Centre, Cookstown and by virtual means

Chair Councillor Mallaghan

Members Present Councillors Ashton, Bell (7.02pm), Black, Brown*, Buchanan, Burton, Clarke*, Colvin, Cuddy, Cuthbertson, Doris, Elattar, Forde, Gildernew*, Glasgow, Graham, Corry (7.03pm), Hughes, Kearney, Kerr, N McAleer, S McAleer, McFlynn, B McGuigan, S McGuigan*, McKinney, McNamee, D McPeake, S McPeake*, Milne, Molloy, Monteith, Mullen, Oneill, Quinn, Robinson and Wilson

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

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

At 6.45pm the Chair announced the guidelines for the meeting

The meeting commenced at 7 pm

The Chair, Councillor Mallaghan 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.

C112/20 Apologies

Councillor Totten

C113/20 Declarations of Interest

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

Councillor Bell entered the meeting at 7.02 pm

C114/20 Chair's Business

The Chair, Councillor Mallaghan made reference to the announcement with regard to further relaxations of lockdown to include the re-opening of for example betting shops (3rd July), close contact services for example, spa and massage, tattoo parlours, reflexologists (6th July), indoor gyms and outdoor playgrounds (10th July), libraries (16th July), leisure centres (7th August), open air museums (late August). He stated that as Council also open services in line with guidance it would be a benefit to all.

Councillor McNamee welcomed the recent statement by Minister of Department for Infrastructure (DfI) with regard to the A29 Cookstown Bypass. He emphasised the importance of regular district electoral area (DEA) meetings and the ability to answer public queries. He expressed the view that if the route was to be Coagh Road it would be a 'dead end' and the impact of the route on the local Killymoon Golf Club. He stated there had been false dawns and it was crucial for Council to lobby to keep the pressure on to bring the project to fruition and in the interim secure timeframes, start dates, end dates and procurement timetables. Councillor McNamee also stressed the importance of lobbying for proposed bypasses in Moneymore and Dungannon, he recalled that Council had discussed the escalation of the projects possibly through the growth deal and said that linking a route through Mid Ulster district to the M1 and M2 road networks was crucial.

Councillor McFlynn concurred saying that the commencement of construction works on the Cookstown bypass would assist kick starting the economy and highlighted the importance of DEA meetings in relation to progress.

Councillor Molloy echoed Councillor McNamee's comments stating that the projects needed to gain momentum especially in light of how long Cookstown area had waited on the bypass.

Councillor Monteith concurred stating that Council needed to learn the lesson from the Cookstown project and a framework document to link up the M1 with Dungannon and Moy as a package needed to be worked up that Council has a preferred route and endeavours to have the projects on the list of DfI works.

Councillor Buchanan welcomed the news with regard to the A29 Cookstown bypass stating that the legacy Cookstown Council had lobbied for years and in more recent times Keith Buchanan MLA and himself had met with the Divisional Roads Manager at which they had established the project was 'high up the list'.

Declaration of Interest

Councillor Colvin declared an interest in Moneymore Heritage Trust who were lobbying for a bypass in Moneymore.

Councillor Colvin concurred with the importance of the bypasses especially in Moneymore where traffic arrives from all directions and comes to a halt.

Councillor Cuddy spoke of the duration of time, almost 20 years, he had been on Council and a Dungannon Bypass had been regularly discussed. He stressed a need for all political parties to work together to deliver major projects.

Councillor S McAleer welcomed the announcement of Ms Mallon, Minister for Infrastructure with regard to the investment for 20mph speed limits to now be introduced at schools.

Councillor O'Neill concurred highlighting that two years ago he had brought a motion before Council to lobby for the introduction of 20mph speed limits at all schools.

Councillor Quinn spoke of the murder of George Floyd and the recent 'Black Lives Matter' campaign. He reflected on the American Civil Rights Movements which civil rights campaigners in the local area had adopted songs and slogans used during the civil rights march from Coalisland to Dungannon many years ago. He stated that Colum Eastwood MP had sent a letter to all Councils requesting that civic buildings be illuminated to highlight the 'Black Live Matters' campaign.

In response to the Chair's query Councillor Quinn stated he was unsure of the exact colour but advised the aforementioned letter contained the relevant detail.

The Chair, Councillor Mallaghan stated that the current policy only permitted Council buildings to be illuminated for registered charities and stated that the matter would be referred to Policy and Resources committee for consideration.

Councillor Kerr reminded Members that Rayshard Brooks another African American murdered in recent weeks in the USA and stated that he supported 'Black Lives Matter' and referred to protests held across the six counties in recent days. He further referred to double standards displayed by the PSNI in relation to social distancing at aforementioned protests and also the history of the RUC in dealing with similar matters.

Councillor Kerr proposed that Council write a letter to the American Embassy to express disgust at the loss of the lives of George Floyd and Rayshard Brooks.

Councillor Colvin stated that there were many passionately held views on the matter and concurred with the Chair, Councillor Mallaghan that the matter be referred to policy and resources.

Councillor Monteith stated he disagreed with the matter of the letter being referred to Policy and Resources and seconded Councillor Kerr's proposal stated that the vast majority of people in Mid Ulster had been dismayed at the loss of the two lives

and subsequently how protestors were treated. He stated that people were dismayed at the ongoing systematic racism.

Councillor Graham stated it was not just a matter of saying black lives matter as colour should not come into it as all lives mattered and was emphatic that media reporting should have stated 'a policeman killed a man'. Councillor Graham concurred with the matter being discussed at Policy and Resources.

Councillor Cuthbertson stated that the matter was of no concern to Council as it was not relevant to the area and in relation to the claims about the PSNI such matters could be taken to the Police Ombudsman. He stated that current restrictions were to keep everyone safe. He also highlighted that the instances of the deaths should not have happened just like the three lives lost in an attack in England over the past weekend. Councillor Cuthbertson concluded that it would be wrong of Council to single out events.

The Chair Councillor Mallaghan stated that it was a sensitive matter and highlighted that there had been protests and books of condolence. He stated that as Chair he would send a letter to the American Embassy and refer the illumination of the buildings to Policy and Resources.

Resolved That

- (i) The Chair, Councillor Mallaghan send a letter to the American Embassy expressing dismay at the recent murders of George Floyd and Rayshard Brooks;
- (ii) The Policy and Resources Committee explore lighting up building policy with regard to lighting up building in respect of 'Black Lives Matter' Campaign.

Councillor Oneill highlighted that recent heavy rains had caused major flooding in Coalisland where in particular five shops had been badly affected. He paid tribute to local people who displayed community spirit in coming out in the adverse weather to stack sand bags in an effort to curb the flooding. He also paid tribute to the local GAA club and the statutory agencies who had assisted.

Councillor Kerr concurred stating that much money had been invested in the recent public realm scheme and stated that he would like to see a meeting with Rivers Agency, Council and other relevant statutory agencies as such repeated flooding in a first world country was unacceptable.

Councillor Doris thanked local people highlighting in particular Clonoe O'Rahilly's GAA for help with sandbags. She highlighted that Councillor Molloy had met with DfI Roads and also expressed thanks to Council officers who were endeavouring to find resolution.

Councillor Burton highlighted that Tudor Park in Fivemiletown had similar flooding issues on two recent occasions and stated that any meeting with statutory agencies

should include the area also. She stated that there had been previous meetings but it always came down to lack of funding and investment. Councillor Burton stressed that Tudor Park had been particularly bad as sewage had been passing residents front doors.

Councillor Quinn reflected on what had been said about all areas but stated that Coalisland had suffered very bad flooding for the fourth time over the past two years and supported Councillor Kerr's proposal for a meeting with all statutory agencies.

In response, the Director of Public Health and Infrastructure stated that planning for a meeting in relation to flooding in Coalisland was now scheduled to take place.

Councillor Doris stated she understood the difficulties highlighted by Councillor Burton but emphasised that issues in relation to Coalisland were particularly complex.

The Chair, Councillor Mallaghan stated that specific District Electoral Area meetings may be the best way forward.

Resolved That DEA specific meetings be progressed in respect of flooding issues in Coalisland and Fivemiletown.

Councillor Cuthbertson highlighted the recent fire witnessed in Killymerron Park Dungannon when two houses had been destroyed and a third damaged. He advised that the first house belonged to a highly respected man in the Dungannon area who had been hospitalised and stated that his thoughts and prayers were with the gentleman and his family. The second house severely damaged had meant that the family had to move out temporarily and the remaining household had lost absolutely everything. He said he had lodged an appeal on social media and within one hour a room in another home had been full of donations of clothes as the family had been left with very little. He advised that the family were now in alternative accommodation. Councillor Cuthbertson concluded that he felt it was right that the kindness and generosity of the wider community be highlighted at the meeting.

Councillor Mallaghan stated that it had been a great act of community spirit and commended Councillor Cuthbertson for the role he played.

Councillor Monteith echoed the praise stating that the wider community response from right across Dungannon had been amazing.

The Chair Councillor Mallaghan welcomed the recent COVID 19 statistics, which showed that deaths were now falling. He extended condolences to families who had lost loved ones and thanked the public for continuing to adhere to guidelines to save lives. He also stated that as people go back to work and places of worship that it was hoped the economy would begin to recover.

C115/20 Receive and Consider Minutes of matters transacted in “Open Business” at the Council meeting held on Thursday 28 May 2020

Proposed by Councillor Bell
Seconded by Councillor Corry and

Councillor Wilson referred to requests for civic recognition and the resolve at a prior Council meeting that those outstanding until end of February receive a letter and an award due to the current crisis. He requested that any outstanding nominations be presented to the July meeting of Council for consideration.

Proposed by Councillor Wilson
Seconded by Councillor Cuddy and

Resolved That previously deferred Civic Recognition report due to COVID-19 be now brought to July meeting of Council

The Chair, Councillor Mallaghan highlighted the pending review of civic recognition process.

Resolved That the Minutes of the Council held on Thursday 28 May 2020 (C094/20 – C106/20 and C111/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C116/20 Receive and Consider Minutes of matters transacted in “Open Business at the Annual General meeting of Council held on 1 June 2020

Proposed by Councillor B McGuigan
Seconded by Councillor Wilson and

Resolved That the Minutes of the Annual General Meeting of Council held on Monday 1 June 2020 (AC1/20/20 – AC9/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C117/20 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 2 June 2020

Councillor McKinney referred to the planning committee on 2 June and stated there were issues with regard to sound quality and the fact that the meeting was delayed by 40 minutes whilst an officer endeavoured to locate a person who had requested speaking rights. He stated the delay was unacceptable for all concerned.

Councillor McKinney referred to the question he had asked three times at the May meeting of Council stating he still had not received clarification, *“if a Member leaves*

the room whilst an application was being discussed they were not permitted to vote thus if a Member attending remotely left the screen did the same rule apply?"

The Chair, Councillor Mallaghan stated that he too had expressed concern regarding sound issues across all committees and advised that new ICT equipment had been purchased which should lead to improvements. With regard to the incident of the 40 minute delay he advised that the application form for speaking rights had been improved and going forward a mobile number would be submitted to improve contact. With regard to Councillor McKinney's question the Chair suggested that the question should be submitted in writing as the previous month the person responding had been linked in remotely and had not captured the entire question.

Proposed by Councillor Glasgow
Seconded by Councillor D McPeake and

Resolved That the Minutes of Planning Committee held on Tuesday 2 June 2020 (P040/20 – P044/20 and P050/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C118/20 Receive and Consider Minutes of matters transacted in "Open Business" Policy and Resources Committee Minutes of Meeting held on Thursday 4 June 2020

Proposed by Councillor Molloy
Seconded by Councillor Doris and

Resolved That the minutes of Policy and Resources Committee held on Thursday 4 June (PR077 – PR087/20 and PR095/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C119/20 Receive and Consider Minutes of matters transacted in "Open Business" Environment Committee Minutes of Meeting held on Tuesday 9 June 2020

Councillor Kerr highlighted E103/20 Chair's Business in recycling centres and requested that an update report be brought to the July Environment Committee meeting. He also referred to *E108/20 Bus Shelters Update* and welcomed the progression of shelters in Kildrum and Brocagh.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved That the Minutes of Environment Committee held on Tuesday 9 June 2020 (E101/20 - E116/20 and E130/20) transacted in Open Business having been printed and circulated, were considered and adopted.

C120/20 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 11 June 2020

Amendment to minute: Declaration of Interest Councillor McNamee declared an interest in Cookstown Community Allotments

Declaration of Interest

Councillor S McPeake declared an interest in (i) Termoneeny Young at Heart Club-recipient of Small Grant Award and (ii) ICBAN with reference to funding request.

In response to Councillor Cuddy’s query in relation to funding applications during COVID 19 the Director of Business and Communities advised that groups who had submitted eligible applications had received letters of offer on the proviso that if the original activities planned could not happen due to the pandemic alternative options would be considered.

Proposed by Councillor Milne
Seconded by Councillor Molloy and

Resolved That the Minutes of Development Committee held on Thursday 11 June 2020 (D069/20 – D082/20 and D085/20) transacted in Open Business having been printed and circulated, were considered and adopted.

Matters for Information

C121/20 Correspondence

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

The Chair, Councillor Mallaghan tabled a letter received from the Presbyterian Church in Ireland thanking Council Members and staff for their response to the COVID 19 crisis, the letter referenced many of the challenges faced by people working from home, dealing with childcare and home schooling issues. It commended the Council for reaching out to the community in partnership with the Church and expressed its appreciation for the opportunity to partnership in this way and stated it looked forward to building upon this in the future concluding that as all become accustomed to the new normal the Church would uphold Council in prayer.

The Chair, Councillor Mallaghan expressed his appreciation of the letter.

C122/20 Consultations Notified to Mid Ulster District Council

Members considered the previously circulated report.

Councillor Monteith requested that Council submit a response to *Department for the Economy, Public consultation on Parental Bereavement Leave and Pay* stating that on many occasions discussion had taken place regarding the issue and it was imperative that Council added its voice to support the rights of those facing such a horrendous bereavement as the loss of a child. He stated that Council should ensure that people aren't discriminated against for bereavement.

Councillor Corry concurred stating that people in such circumstances should be treated with understanding and sadly employers often don't do this. Councillor Corry stated that employers should support employees as they cope with the burden of such a loss.

Proposed by Councillor Monteith
Seconded by Councillor Ker and

Resolved That Council submit a response to consultation Department for the Economy, Public consultation on Parental Bereavement Leave and Pay

Councillor Colvin requested that Council submit a response to *consultation Department for Agriculture, Environment and Rural Affairs (DAERA): Review of Further Education Support and Charging at the College of Agriculture, Food and Rural Enterprise (CAFRE)*. He advised that the facility was an asset to the district stating that the quality of teaching at the college is excellent with 96% of people gaining employment.

The Chair, Councillor Mallaghan concurred.

Proposed by Councillor Colvin
Seconded by Councillor Mallaghan and

Resolved That Council submit a response to consultation Department for Agriculture, Environment and Rural Affairs (DAERA): Review of Further Education Support and Charging at the College of Agriculture, Food and Rural Enterprise (CAFRE).

C123/20 Service Recovery Update

Members noted previously circulated report providing an update on service recovery.

Councillor Ashton referred to the re-opening of leisure facilities and sought assurance that the dates outlined would be met with all facilities opening together unlike the recycling centres where some were closed whilst others opened.

The Director of Environment and Property stated that the reducing of social distancing from two metres to one metre assist in progressing the opening of other recycling centres.

The Director of Leisure and Outdoor Recreation advised that staff were beginning to return from furlough and practicalities were now being worked through to re-open facilities. She stated that Council would strive to meet the proposed dates.

Councillor Cuthbertson welcomed the recovery plan and asked if the relaxation of restrictions in relation to high performance athletes would have any bearing on the swimming pools. He also welcomed the re-opening of hotels and restaurants and stressed the importance of re-opening tourism venues in the district. Councillor Cuthbertson asked what strength tourism staff were working at present.

The Director of Leisure and Outdoor Recreation stated that high performance athletes were more liable to train in Belfast. She stated that the temperature in pools had been reduced in line with guidance and it would take a few weeks to get temperatures to required levels. She advised that the 7th August did allow for sufficient time to achieve this.

In response the Director of Business and Communities stated that there was currently approximately 15 staff specific to tourism with five currently working with the trade and tourism forum. He highlighted examples such as Ranfurly House was scheduled to open on the 6th July, the Bridewell Centre in line with the library service on 20th July. He stated that staff were contactable.

Councillor McKinney referenced the meeting in March at which it had been stated that staff would not be sitting idle yet had then be furloughed on full pay and asked if there was any difficulties in getting staff to return to work.

In response the Director of Leisure and Outdoor Recreation advised that centres had been initially cleaned then staff had been furloughed but given there had been a lapse in time the centres would need to be cleaned again.

Councillor Bell left the meeting at 7.51 pm

Councillor Monteith expressed disappointment that the Hill of The O'Neill was not opened as it was used by a large section of the town and it was easy to separate the park and building.

In response the Director of Business and Communities stated if it was the wish of the Council the opening of the Hill of The O'Neill would be progressed.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved That re-opening of the Hill of The O'Neill park be opened to the public as soon as possible.

Councillor Burton stated that as Chair of the Tourism Forum she wished to highlight the excellent work carried out by staff, who had set up a WhatsApp group of local

businesses to keep them abreast of what was happening. She spoke of the webinars organised and how useful these had proved and emphasised that there was no doubt that staff had been working and how tourism staff in particular were going the extra mile to have the district ready to go as restrictions lifted.

Councillor Bell returned to the meeting at 7.55 pm

Councillor Graham highlighted the re-opening of play parks and asked if Eglish play-park would open on 10th July.

In response, the Director of Leisure and Outdoor Recreation advised that they would strive to open all parks by 10th July and were endeavouring to progress improvements as soon as possible at Eglish.

In response to Councillor Robinson's enquiry regarding swimming pools the Director of Leisure and Outdoor Recreation advised that the pools were not drained but temperatures reduced as per guidance as aforementioned. She highlighted that the heat could not be turned off entirely and that the pool water had to be recycled constantly.

Councillor McFlynn welcomed the report and highlighted in particular Maghera Walled Garden stating that she would welcome the re-opening emphasising that it was good for people to get outdoors and beneficial to mental health.

Councillor Kerr asked if the opening of the Gortgonis Centre would be brought forward. In response the Director of Leisure and Outdoor Recreation advised that the running track and pitches were open and Officers would be looking at staffing striving to open the gym within guidelines.

Councillor Doris echoed the comments of Councillor Burton stating that the webinars had been fantastic and whilst COVID 19 had impacted the tourism potential was there and ready to go.

Councillor Cuddy welcomed the re-opening of facilities and stated that it would take the public time to embrace the re-openings and thus Council needed to promote that it was open for business.

The Chair, Councillor Mallaghan asked the Head of Marketing and Communications to comment. Members were advised that a promotional campaign was currently being worked up and marketing and communications would be working alongside colleagues in leisure to promote the opening of the facilities.

Resolved That Council promote the re-opening of its facilities in particularly leisure facilities across the district.

Councillor Wilson welcomed the recovery plan and highlighted that some facilities had been opened and mentioning Cabin Wood in particular stated the amount of litter strewn in it was a disgrace. He commended staff for clearing it but

emphasised that a campaign 'littering costs money' needed to be progressed to highlight the costs of such action given that it already costs approximately £600k to clean Cookstown per annum.

The Chair, Councillor Mallaghan stated the issue of a campaign should be referred to Environment Committee

Resolved That 'littering costs money' be referred to Environment Committee for further discussion.

In response to query from Councillor D McPeake on the Meadowbank facility the Director of Leisure and Outdoor Recreation advised that the outdoor facilities were open but Bloc Blinds would be continuing to use the indoor facility.

Notice of Motion

C124/20

Councillor Graham moved the motion as undernoted:

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

Councillor Graham stated that everyone had clapped for the National Health Service (NHS) workers which was the least that could be done to express appreciation for the sacrifices they have made during the pandemic. She highlighted that this extended to other care workers but highlighted there were many others who had not given it a second thought to continue to work such as farmers, factory workers, lorry drivers, Police Service Northern Ireland (PSNI), Northern Ireland Fire and Rescue Service (NIFRS), local shops, community groups, volunteers the list is endless and aforementioned examples only touch on those who have helped. Councillor Graham stated that everyone can take things for granted and over recent weeks' people may not have had all that they wanted but they certainly had what they needed. In order that Council may express its support and thanks to those who kept the district going Councillor Graham suggested that Council light up its buildings or form a working group to explore other options.

Councillor Wilson seconded the proposal so eloquently put and stated whilst the main focus had been on the NHS in recent weeks Councillor Graham's suggestion was an excellent way of giving recognition to all.

Councillor Black said that over recent months society had battled COVID 19 and whilst the NHS had been recognised it was right that recognition should be extended to others. Councillor Black stated that the DUP would support the motion.

Councillor Hughes concurred that the SDLP would support the motion highlighting that many workers had gone above and beyond and it was fitting that Council should recognise these heroes.

Councillor Monteith agreed with the sentiment of the motion but urged Members to remember these same people in the coming weeks and years when they would face pay cuts or maybe lose their jobs and would need council support. He also highlighted that many of these same people had zero hour contracts, were not entitled to government schemes had worked in factories with many issues regarding personal protective equipment. Councillor Monteith referred to last Christmas when the NHS staff had to strike to look for a fair pay and neither clapping nor illuminations would pay a mortgage. He was emphatic that moving forward workers' rights to include proper statutory sick pay in line with public sector must be sought. He stated he agreed with the recognition but that Council must also express their gratitude in supporting worker's rights.

Councillor McNamee stated that Sinn Féin supported the motion but reminded the meeting that there was still a way to go as society could quickly be back to square one.

The Chair, Councillor Mallaghan concluded that there was unanimous support for getting something done and stated that the illuminating of buildings could be referred to Policy and Resources committee.

Councillor Wilson stated that as Council is lighting the buildings for its own purposes it should not need to be discussed further, other than to decide a colour. Various colours were mentioned and Councillor Monteith suggested red and white as they were the Council's colours.

Councillor Molloy stated that whilst he agreed a job of work needed to be done to advise people what it actually represented suggesting that communications should promote this.

Councillor Cuddy stated that perhaps some large businesses could support this also. He also highlighted that the Westminster government had spent over £300m to get through this.

Councillor Kearney acknowledged appreciation for schools and colleges, teaching staff, clergy for their work during lockdown

Councillor N McAleer left the meeting at 8.13pm

Councillor Kearney advised that NILGA were organising a week of recognition and suggested Council work with them to progress recognition.

The Motion was Carried with unanimous support from Members.

The Chair, Councillor Mallaghan concluded that Council proceed to light up the civic buildings, communications promote the significance of the gesture and further recognition be progressed in line with NILGA campaign.

Councillor Graham extended thanks to all Members for their support.

Resolved That

- (i) Council in line with policy of lighting up civic buildings light up buildings as appropriate in red and white to acknowledge the role of key workers across all sectors during the recent pandemic;
- (ii) Communications to highlight the significance of the gesture and what it represents;
- (iii) Progress recognition in line with NILGA campaign.

Councillor N McAleer returned to the meeting at 8.16 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.

The live broad cast concluded at 8.16 pm

*Proposed by Councillor B McGuigan
Seconded by Councillor Buchanan and*

Resolved That items C125/10- C130/20 be taken as confidential business

Matters for Decision

- (i) Council Confidential Minutes of Meeting held on 28 May 2020
- (ii) Planning Committee Confidential Minutes of Meeting held on 2 June 2020
- (iii) Policy and Resources Committee Confidential Minutes of Meeting held on 4 June 2020
- (iv) Environment Committee Confidential Minutes of Meeting held on 9 June 2020
- (iv) Development Committee Confidential Minutes of Meeting held on 11 June 2020
- (v) Audit Committee Confidential Minutes of Meeting held on 16 June 2020

C131/20 Duration of Meeting

The meeting was called for 7pm and ended at 8.21 pm

14 – Council (25.06.20)

Chair _____

Date _____

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 2 July 2020 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor Quinn, Chair

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

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry**, Head of Technical Services
Ms McNally**, Council Solicitor
Ms Mezza**, Head of Marketing and Communications
Mr Moffett**, Head of Democratic Services
Mr O'Hagan**, Head of ICT
Mr JJ Tohill, Director of Finance
Miss Thompson, Democratic Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

PR096/20 Apologies

None.

PR097/20 Declarations of Interest

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

PR098/20 Chair's Business

The Chair, Councillor Quinn stated this was his first meeting Chairing the Policy and Resources Committee and that he looked forward to working with Members and Officers over the next year.

Matters for Decision

PR099/20 Capital Discretionary Grant Fund

The Chief Executive presented previously circulated report which sought agreement for the funding allocation to the Council Capital Discretionary Grant Awards.

Councillor Cuddy asked that if any of the projects did not commence was there a process of the £50,000 funding coming back to Council.

The Chief Executive stated that Council will be flexible with the organisations and their projects and there was an expectation from Council to see the projects delivered.

Councillor S McGuigan stated that the names of the projects/organisations should have been provided within the report as people reading this report did not know who the groups were nor the projects.

Proposed by Councillor Molloy
Seconded by Councillor Hughes and

Resolved That it be recommended to Council to agree the funding of £150,000 to the Council Capital Discretionary Grant budget for the three capital discretionary projects as previously agreed by the Development Committee.

PR100/20 Revision of Email and Instant Messaging Policy

The Head of ICT presented previously circulated report which sought approval for the adoption of a revised Email and Instant Messaging Policy.

Proposed by Councillor Buchanan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to adopt the Email and Instant Messaging Policy as set out at Appendix 1 to report.

PR101/20 Revision of Mobile Policy

The Head of ICT presented previously circulated report which sought approval for the adoption of a revised Mobile Device Policy.

Councillor Molloy asked if this policy was applicable to staff.

The Head of ICT advised that the policy was applicable to staff and members – anyone that had been supplied with a mobile device by Council.

Proposed by Councillor Molloy
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to adopt the Mobile Device Policy as set out at Appendix 1 to report.

Due to technical difficulties the meeting recessed at 7.13 pm and recommenced at 7.18 pm.

PR102/20 Committee and Council Meetings: 2020-2021 Update

The Head of Democratic Services presented previously circulated report which provided update in relation to Council and Committee Meeting Schedule for 2020-21.

Councillor Ashton referred to the Audit Committee scheduled for November and asked if it was more advantageous to have this meeting in December.

The Director of Finance advised that as a result of the COVID19 pandemic the Department of Finance had amended legislation as to when accounts needed to be submitted/published – that draft accounts could be submitted up until 31 August instead of 30 June and that accounts could be published up until 31 December instead of 30 September.

The Director of Finance advised that Council intends to submit its draft accounts next week and expects to publish its accounts in September and that the scheduling of the November Audit Committee was a back up schedule. The Director stated that he did not believe the Audit Committee should be moved into December and did not want to schedule it for any earlier in November.

Proposed by Councillor Ashton
Seconded by Councillor S McGuigan and

- Resolved** That it be recommended to Council –
- (I) To convene a meeting of the Council on Thursday 27 August 2020 at 7.00 pm in the Burnavon Arts and Cultural Centre, Cookstown and by virtual means.
 - (II) That the Audit Committee scheduled to take place on 24 November 2020 continues to take place on this date.

PR103/20 Annual Progress Returns 2019-2020 – Equality Commission and Department for Agriculture, Environment and Rural Affairs

The Head of Democratic Services presented previously circulated report which considered Council's progress reports for the period 2019-20 on meeting the statutory equality and good relations duties as detailed within Section 75(1) and 75(2) of the Northern Ireland Act 1998 and the Rural Needs Act Northern Ireland (2016).

Councillor Cuddy asked if DAERA ever come back to Council in relation to the reports it submits.

The Head of Democratic Services advised that DAERA can come back with questions but to date this Council has not received any queries in relation to the reports it has submitted but that is not to say other authorities haven't been questioned.

Proposed by Councillor Molloy
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to approve and submit the Annual Progress Reports (2019-20) as set out at Appendix A and B of report on the implementation and activities surrounding its Equality and Good Relations duties and Rural Needs duties.

PR104/20 Implementation of Review on Rural Needs Act (NI) 2016

The Head of Democratic Services presented previously circulated report which provided an update in relation to the Review of the Rural Needs Act legislation.

Councillor McKinney referred to providing feedback to DAERA and stated that a high number of rural households don't have broadband in order to give feedback and are therefore being disadvantaged. The Councillor therefore felt that a true record could not be achieved from most rural parts of this Council area due to lack of broadband.

Proposed by Councillor S McGuigan
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council –

- (I) To review the additional actions detailed in Appendix A of report which will be implemented by the Department for Agriculture, Environment and Rural Affairs; and
- (II) To implement the six recommendations emanating from the Review of the Implementation of the Rural Needs Act (NI) 2016 by approving the associated Action Plan as set out at Appendix B of report.

PR105/20 Policy on Illuminating Council Properties

The Head of Democratic Services presented previously circulated report which considered Council's existing policy and associated arrangements for the lighting up /illumination of Council properties.

The Chair, Councillor Quinn stated that he had brought the request to the Council meeting in June in which he asked that designated Council properties be lit up to recognise the Black Lives Matter movement. Councillor Quinn stated that Belfast City Council and Newry, Mourne and Down District Council had agreed to light up their buildings in respect of the movement and felt that this Council needed to review its policy in relation to illuminating Council properties to allow certain statements to be made on behalf of Council as current policy only allowed for charitable organisations to promote their cause.

Councillor Molloy agreed that now was an opportune time to review the policy on illuminating Council properties and proposed that the policy be reviewed.

Councillor McKinney stated that all lives matter and that any life lost is a tragedy. The Councillor felt that Council needed to be careful as to how it proceeds as the Black Lives Matter movement may be discriminatory to someone of a different colour.

The Chair, Councillor Quinn stated that the Black Lives Matter movement is for everyone.

Councillor S McPeake seconded Councillor Molloy's proposal.

Councillor McLean stated he would also have concerns and that Council needed to be careful going forward otherwise it could be left in a vulnerable position. The Councillor stated that he felt that by keeping the current policy to charitable organisations was a wise decision and asked how a review would be undertaken, whether it would be by officer, sub committee or this committee.

The Chief Executive advised that a working group could be formed in which Members can discuss and review the current policy. Membership of this working group can be restricted to Members of the Policy and Resources Committee or open to all Members under d'Hondt.

Councillor Molloy stated that working groups are normally formed with a membership of 10 Members made up by d'Hondt and proposed that the working group to review policy on illuminating Council properties be formed in this manner.

Councillor McLean seconded Councillor Molloy's proposal.

Resolved That it be recommended to Council to convene a working group to consider and review the current Council policy on illuminating Council properties, made up of 10 Members filled using the Council's d'Hondt calculation.

PR106/20 Member Services

None.

Matters for Information

PR107/20 Minutes of Policy and Resources Committee held on Thursday 4 June 2020

Members noted Minutes of Policy & Resources Committee held on Thursday 4 June 2020.

PR108/20 Performance Improvement: 2019-2020 (Q1-Q4) Progress Update on Statutory and Corporate Health Indicators

Members noted previously circulated report which provided monitoring information on the review of performance against Council's seven statutory and four corporate performance improvement indicators and standards along with an overview of the Corporate Health Indicators for the first twelve months of 2019 to 2020.

PR109/20 Service Improvement Plans 2020-21: Chief Executive's Office

Members noted previously circulated report which set out the Service Improvement Plans for the three Chief Executive Office services (Democratic Services, Legal Services and Marketing and Communications) for the 2020-2021 year.

PR110/20 Organisational Development Service Improvement Plan 2020-21

Members noted previously circulated report which set out the Service Plan for the Organisational Development Department for 2020/2021.

PR111/20 IT Service Improvement Plan 2020-21

Members noted previously circulated report which set out the Service Plan for the ICT Service for 2020-21.

Councillor Cuddy stated there was a lot of information contained within the service improvement plans and asked if the Chief Executive was happy with their content.

The Chief Executive stated that the Council continues to strive for excellence and continuous improvement and that the plans detailed tonight build on the work to date and pave the way for further improvement and service delivery for the Council area.

Live broadcast ended at 7.39 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor McKinney and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR112/20 to PR124/20.

Matters for Decision

- PR112/20 NI Business Start Up Programme 2/GoForIt2 (11 Council model) 2021-2023 Collaborative Agreement with Lisburn and Castlereagh City Council (L&CCC)
- PR113/20 Financial Update in relation to Covid19 and Associated Matters
- PR114/20 Financial Report for 12 months ended 31 March 2020
- PR115/20 Environment and Property Organisational Structures
- PR116/20 ICT Staff Restructuring
- PR117/20 Staff Matters for Decision
- PR118/20 Dungannon Leisure Centre / Maghera HS – Capital Projects
- PR119/20 Seamus Heaney HomePlace
- PR120/20 Full Fibre Project Procurement Update

Matters for Information

- PR121/20 Confidential Minutes of Policy and Resources Committee held on 4 June 2020
- PR122/20 Managing Attendance
- PR123/20 Staff Furlough Scheme – Update
- PR124/20 Contracts and DAC

PR125/20 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9.30 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 please raise your hand in the normal way and keep raised until advised to lower it
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Monday 6 July 2020 in Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present	Councillor S McPeake, Chair Councillors Bell, Black, Brown, Clarke, Colvin, Cuthbertson, Gildernew*, Glasgow, Kearney, Mallaghan, McFlynn, McKinney, D McPeake, Quinn, Robinson
Officers in Attendance	Dr Boomer, Planning Manager Mr Bowman, Head of Development Management Ms Doyle**, Senior Planning Officer Ms McCullagh**, Senior Planning Officer Ms McNally, Council Solicitor Ms McNamee, ICT Support Ms Grogan, Democratic Services Officer
Others in Attendance	Councillor McLean* Mr Dermot Monaghan, MBA Planning* Mr O'Hagan, Head of ICT**

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

** Denotes Officers present by remote means

The meeting commenced at 7.02 pm.

P051/20 Apologies

None.

P052/20 Declarations of Interest

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

Councillor Mallaghan declared an interest in item 4.1 – LA09/2017/1366/F – Residential development of 52 units at 20 Dungannon Road, Cookstown for McKernan Construction Ltd.

Councillor Mallaghan declared an interest in item 4.2 - LA09/2018/1361/O – Extension to existing industrial business park at lands immediately W of Kilcronagh Business Park, Cookstown for MACM Ltd.

The Chairman, Councillor S McPeake advised that due to an ICT technicality there would be an adjournment of the meeting.

The meeting was adjourned at 7.03 pm.

The meeting reconvened at 7.21 pm.

The Chair, Councillor S McPeake welcomed members and members of the public to tonight's Planning Committee meeting, but further advised that there would be another adjournment due on ongoing ICT technical issues and stated that the meeting would recommence once all members had the opportunity to join the meeting.

The meeting was further adjourned at 7.21 pm.

The meeting reconvened again at 7.29 pm.

The Chair apologised to members and those watching through the live broadcast for ICT technical issues tonight but had made the decision to proceed with the meeting.

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

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

He said that he was aware that one committee member couldn't connect to the live stream still awaited confirmation regarding the earlier circulated agenda.

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

The Chair reiterated the importance of members using their microphones correctly so discussion is clear.

P053/20 Chair's Business

The Planning Manager provided members with an update on the following:

- **Correspondence**

He advised that the Housing Executive were undertaking a further consultation on the Definition of Affordable Housing and have provided a Stake Holder Briefing Paper, for which representations need to be submitted by 10th July 2020. The paper proposes to change the definition of affordable housing to read:

"Affordable housing is either: a) Social rented housing b) Intermediate housing for sale or rent that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must

remain affordable or alternatively there must be provision for the public subsidy to be ***repaid or recycled in the provision of new affordable housing.***

However, they also wish to also explore private rented housing under the umbrella term. This is of concern as it appears they are looking for the Planning system to deliver this, which at present it is not designed to do, neither does it benefit from supporting legislation. He advised against further changes to the definition of affordable housing to include private rentals and suggest we challenge the Department of Communities to demonstrate clearly how they see this operating in Practice. A draft response is attached (appendix 1).

Proposed by Councillor Mallaghan
Seconded by Councillor Colvin and

Resolved That the draft letter be sent as proposed by the Planning Manager

- **Development Management Performance**

The Northern Ireland Annual Planning Performance Statistics are also out for Development Management for the period April 2019 to march 2020. The statistics make for good reading and demonstrate a marked performance on the previous year.

The key points are:

- 3rd highest number applications received and decided — only Belfast and Newry Mourne & Down have more. However, Mid Ulster had received the highest number of applications for commerce and industry
- Approval rate for major applications 100%
- 97.2% approval rate of local applications is highest
- Processing time reduced dramatically to 12.5 weeks, 4th fastest, despite having 3rd highest number of applications to deal with; 4th highest number to be processed within 15 weeks - only beaten by Antrim and Newtownabbey and Mid and East Antrim who receive nearly half the amount of applications and Fermanagh and Omagh who receive 30% less.
- 2nd lowest enforcement cases opened.
- 3rd highest number of enforcement cases concluded within 39 weeks - Court actions high in comparison to others at 11.
- 100% approval rate for renewable energy applications, which are among the highest — 14 received, 9 decided.

The statistics show that Mid Ulster remains a place to invest in particularly for Commercial and Industrial activities where we received the most applications of all the Council Districts in Northern Ireland.

It is also testimony to the efforts of the Head of Development Management and his teams, who have turned performance around and have much higher ratios of applications per officer than elsewhere.

The Chair congratulated the Planning Manager and his team on such impressive results.

The Planning Manager advised members that the Development Plan was now open to the public and a notice would be published. He said that they were in the process of discussions with officers throughout the period and that the closing date would be announced at 5pm on Thursday 24 September 2020.

- **Development Plan**

The Council Offices are now open to the public, and notices will be placed in the press inviting people to view the Draft Plan and other documentation and make appointments to discuss any concerns with Planning officers in the coming weeks. A closing date for representations is to be announced which will be 5 pm on 24th September 2020.

The Planning Manager said that it was on a sad note that he had to regrettably inform Members that Mid Ulster would be losing Sinead McEvoy, Head of Development Plan who would be moving closer to her home to take up the same role in Fermanagh and Omagh Council after the July Bank Holidays. She has been a great asset to this Council over the last 5 years and the Plan Strategy and all the accompanying research lays in testimony to her drive and dedication. He said that he would miss the support she has provided to him in delivering Planning Services.

The Chair concurred with everything that the Planning Manager said and stated that Ms McEvoy would be hard to replace. He said that Ms Evoy's leaving was Mid Ulster's loss but Fermanagh & Omagh Council's gain and passed on the good wishes of the committee and wished her well in her new role.

Councillor Mallaghan agreed with previous sentiments and said that he was disappointed to hear of Ms McEvoy's intention of moving to Fermanagh & Omagh Council but felt that this was a good opportunity for her and would envisage that she would carry out her role in a very professional manner as she done so here over the years.

Councillor Mallaghan enquired why the Planning Manager had not brought any refusals to tonight's committee for consideration as the agenda was very short and felt that this was a perfect opportunity to get these addressed as there were a high volume of refusals currently out in the community.

Councillor Mallaghan referred to the matter of enforcement and advised that he had been contacted by Councillor Molloy raising concerns regarding Enforcement team dealing with matters in Moy village. He asked that this matter be investigated due to the robust measures being taken and asked that an update be provided.

The Planning Manager in referring to more refusals being put on the agenda, advised members that it was his intention that buildings would be made more accessible and return to normal working hours hopefully in August, where a deferral

could be requested and availability of technology meant that this could be progressed and felt there was no reason why this could not be worked upon.

In referring to concerns raised regarding enforcement measures in Moy, the Planning Manager advised that he did not wish to discuss the matter in this arena tonight but asked that Councillor Molloy send his concerns in writing to him where he would issue a reply.

Councillor McKinney wished Ms McEvoy well in her new position and said that she was always well prepared and professional when presenting to this committee.

Councillor McKinney said that he was once again disappointed with ICT technology at tonight's meeting and said that a total of 20 hours had been lost of working teams which was unacceptable.

He concurred with member's comment about bringing forwarded refusals and said that he was happy that it would be an item on the agenda for next month's meeting.

Matters for Decision

P054/20 Planning Applications for Determination

LA09/2017/1366/F Residential Development of 52 Units at 20 Dungannon Road, Cookstown for McKernan Construction Ltd

Councillor Mallaghan withdrew to the public gallery.

Members considered previously circulated report on planning application L09/2017/1366/F which had a recommendation for approval.

The Planning Manager drew attention to late objection circulated tonight from Inaltus Limited on behalf of the objector regarding this application's recommended refusal. He read out the letter and went through concerns raised by the objector and felt that best way forward would be a deferral but said that this was up to the committee to decide.

He stated that by looking at the letter, you could read into it three different ways:

- 1) Deferral be sought
- 2) Objection being sought
- 3) Series of legal threats being made

He said that he has taken great offence at the assumption outlined in the letter regarding the alleged wrong-doing by the case officer working on the application as they were nothing but professional carrying out their duties.

He stated that this was the decision for this committee on what way to proceed.

Councillor Colvin said after contemplating the matter it would be in his best interest to declare an interest in the application L09/2017/1366/F and withdrew from the committee.

Councillor Bell sought clarification on protocol regarding the receipt of the letter and eligible timeframe for acceptance of late items.

The Planning Manager advised that the letter was received after 6 pm this evening.

Ms Doyle advised that the letter was received at 6.15 pm.

Councillor Bell stated that 12 noon prior to the meeting was the cut off time for protocol and felt that the letter contained substantive points very late in the day, which was wholly unfair.

The Council Solicitor said that there were a few issues to be considered regarding this correspondence and what could be read as a deferral request. In relation to the protocol for operation of the Planning Committee, deferral requests would have had to have been made by noon last Thursday, but that the Chair always had discretion in relation to late requests and what fairness may dictate.

She said that the fact the letter was received so late and referred to the letter where it stated they just became aware it was on the agenda, then it is plausible that the objectors may not have been aware of the application being on tonight's agenda. In light of the particular circumstances of COVID19 and that Committees has just restarted last month, then the interests of fairness may require careful consideration to be given to a deferral request.

Finally, the Council Solicitor referred to the fact that the letter raises a number of material considerations that the objector is saying have not being properly addressed and this may have an impact on any decision for the committee to make tonight.

She concluded by stating that a recent High Court case had suggested there is a need to discuss a deferral request and the reason for granting same or not.

The Planning Manager felt that this was nonsense that the notion of this only being considered in the month of July, he said that planning works all year round, month on month, but is aware of some other Councils only considering approvals in August which wasn't the case for Mid Ulster.

In relation to issues relating to Covid-19 concerns, this is a matter for the committee to consider and enquired if this would have been stopped because of investment. He said that the application was received and considered at the last committee and no refusals were brought tonight. He referred to major investment in schools in Cookstown and felt that it would have been a shame if this was lost.

The Chair said he took the Council Solicitor's point on board regarding the lateness and our duty, but felt that this be considered and perhaps maybe worthwhile getting

more details. He agreed with the Planning Manager's comments and said that Mid Ulster wants to make planning work for everyone and was in members best interest to promote application approvals, as we were duty bound and wanted to reiterate that there was no ulterior motive in taking this application forward at this time.

Councillor Brown said that he took on board previous comments made by the Planning Manager and Councillor Bell but felt that consistency was not being adhered to. He said that at previous planning meetings, that when late agenda items were circulated on the night requesting deferrals, no-one questioned this and decisions were made at the last minute.

He felt that the objectors had sent their thoughts to this committee for consideration after the application being previously deferred at a previous meeting, and felt that it was up to this committee to give them the benefit of the doubt regarding the issue of Covid-19 concerns.

Proposed by Councillor Brown

To defer the application for one more month and bring back to August committee after all investigations are carried out properly.

The Planning Manager stated that there was a procedure to follow and members should be very careful with this situation as he did not want to write a different set of procedures, but this was literally a decision for the committee to make.

Councillor Cuthbertson concurred with Councillor Brown and said that there could be some confusion for people as the Planning meeting was always held on the first Tuesday of each month. He said that he did not agree with late items being circulated on the night of the meeting and stated that in his view, a planning application was live until a decision was made.

Councillor Cuthbertson seconded Councillor Brown's proposal.

The Chair advised that the committee be adjourned until some ICT technical issues be addressed.

The meeting was adjourned at 8.05 pm.

The meeting reconvened at 8.10 pm.

The Planning Manager said that when a request was previously made for a deferral, a person had the opportunity to speak to committee and stated that one of the things that concerned him was there could be grounds for a grievance, as planning members give their approval to speak at the meeting. He said that previously the response was not ready with the view of the planning application, with planning appeal being a charade and all these consultants against the application and a barrister for the applicants agreeing with Planners.

He said that Mid Ulster Council does not want to be seen as an organisation not operating in a proper way and felt that the best way forward would be to allow a deferral to show complete transparency.

Councillor Bell said that he understood what the Planning Manager was saying, but would like clarity for those who wanted to speak as the deadline for requests was 12 noon on Friday before the meeting.

The Planning Manager advised that a request for speaking rights was agreed at a previous meeting and said he wouldn't be an advocate of seeking a deferral for the sake of it. He said if it is the case of not being the right decision, there is always someone against something and everybody is right and felt in this instance the best decision would be that everybody has had an opportunity to make representation.

The Chair said that the general opinion would be to defer the application until the August Committee.

Resolved That planning application LA09/2017/1366/F be deferred until the August meeting where a final decision will be made.

Councillor Mallaghan said that where we stand, the committee has set a difficult precedent going forward as with previous applications. He said that he understood what the Planning Manager was saying and how this is treated, but felt that when a contentious application comes forward and we miss the deadline this is not feasible. In the past when there were objections to a major supermarket in Cookstown, the Planners were praised for their great work in taking it forward and six months down the line, we are seeing a very different scenario.

The Planning Manager advised that everything before this was different, no other circumstance will be the same and late correspondence is always on the agenda each month.

Councillor McKinney said he wanted to make a note that this Planning committee has in the past deferred a deferral and in some cases, deferred an application for a third time and this was nothing new as this has been done numerous times.

Councillor Brown asked that members speak properly into the microphones, as it is sometimes difficult to hear what the committee was saying.

Councillor Colvin returned to the meeting at 8.18 pm.

LA09/2018/1361/O Extension to Existing Business Park at Lands Immediately W of Kilcronagh Business Park, Cookstown for MACM Ltd

Members considered previously circulated report on planning application which LA09/2018/1361/O had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2018/1361/O be approved subject to conditions as per the officer's report.

Councillor Mallaghan returned to the meeting at 8.20 pm.

LA09/2019/0665/F Demolition of Existing School Building, Construction of new 16,000m2, 1300 Pupil School Building and Associated Works on the Existing School Site; 3G Synthetic Pitch and Multi-Use Games Areas at Holy Trinity College, 9-29 Chapel Street, Cookstown for St Patrick's Educational Trust Limited

Members considered previously circulated report on planning application which LA09/2019/0665/F had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor McFlynn and

Resolved That planning application be LA09/2019/0665/F approved subject to conditions as per the officer's report.

LA09/2019/1259/F Change of Use from an Existing Ground Floor Bike Shop/Store to 5 Single Bedroom (Bedsit) Apartments at Ground Floor, Northland House, 2 Northland Row, Dungannon for Milford Properties Ltd, Homecare Housing

Members considered previously circulated report on planning application which LA09/2019/1259/F had a recommendation for approval.

Councillor Cuthbertson said that after reading over the application this afternoon, he would have some hesitations regarding the recommendation. He said that he would have to disagree with the Planning Manager's idea that this site was part of the town centre as it was not familiar with people coming to the area and opposite to the Royal School. He stated that a major concern would be parking facilities at this property and space for wheelie bins etc. as he had dealt with these kind of issues in the past and wanted some guidance.

The Planning Manager advised that this was the town centre and its boundary. He said that this application had concerned him as it was ultimately for a non-residential use and there was an onus on us to try and protect retail use and the retail core, but this does not stretch out to this as Perry Street was in a dilapidated state. He advised that the Prime Minister was carrying out a review on turning shops into residential units and there was no reason to refuse this application as in his opinion it is in the town centre and parking facilities has been considered within the report. He stated that there was a level that we should not go below where other Councils deem acceptable like canopies on basement windows etc. and when hard comes to hardy, we do not have a reason to refuse this application because of assumptions and would have to favour the applicant.

Councillor Cuthbertson said that he appreciated where the Planning Manager was coming from but was concerned about parking facilities and the lack of space for wheelie bin. He felt that this was just another nail in the coffin for Dungannon as the retail core was dying and serious problems relating to surrounding flats which was damaging the image of Dungannon.

The Planning Manager said that in the report all these concerns have been addressed by the Developer.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That planning application be LA09/2019/1259/F approved subject to conditions as per the officer's report.

LA09/2019/1337/O Residential Development at Vacant Site E of 19-25 Station Road and between No's 25 & 31 Station Road, Magherafelt for Telereal Trillium

Members considered previously circulated report on planning application which LA09/2019/1337/O had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Clarke and

Resolved That planning application be LA09/2019/1337/F approved subject to conditions as per the officer's report.

LA09/2019/1634/F Change of Access (approved under LA09/2017/1230/F) adjacent to 6 Downings Road, Ballynease-Strain, Portglenone for John McCann

Members considered previously circulated report on planning application which LA09/2019/1634/F had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved That planning application be LA09/2019/1634/F approved subject to conditions as per the officer's report.

LA09/2020/0164/F Dwelling and Detached Domestic Garage at Approx. 70m SE of 84 Fintona Road, Clogher for Teresa Dunphy & Jonathan Coney

Members considered previously circulated report on planning application which LA09/2020/0164/F had a recommendation for approval.

Proposed by Councillor McKinney

Seconded by Councillor Mallaghan and

Resolved That planning application be LA09/2020/0164/F approved subject to conditions as per the officer's report.

LA09/2020/0318/RM Bungalow and Domestic Garage at Site S of 63 Anneeter Road, Coagh for Oliver Conlon

Planning application LA09/2020/0318/RM withdrawn from the schedule.

LA09/2020/0321/O Infill Site for 2 Dwellings at Lands Adjacent to 26 Crewe Road, Maghera for Mr & Mrs R Shiels

Members considered previously circulated report on planning application which LA09/2020/0321/O had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Kearney and

Resolved That planning application be LA09/2020/0321/O approved subject to conditions as per the officer's report.

LA09/2018/1598/O Dwelling and Garage in a Gap Site, 40m NW of 109 Drumenny Road, Ardboe for Anthony Mallon

Members considered previously circulated report on planning application which LA09/2018/1598/O had a recommendation for approval.

Proposed by Councillor Quinn
Seconded by Councillor Bell and

Resolved That planning application be LA09/2018/1598/O approved subject to conditions as per the officer's report.

LA09/2019/0767/O Dwelling and Garage (Amended Access) at Approx. 150m NE OF 230 Coalisland Road, Gortin for Mr Cathal Keogh

Members considered previously circulated report on planning application which LA09/2019/0767/O had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application be LA09/2019/0767/O approved subject to conditions as per the officer's report.

P055/20 Receive Report on Consultation with DfI Regarding Planning Application LA03/2017/0310/F (Lough Neagh)

The Planning Manager presented previously circulated report to provide members with an overview and a draft reply to the consultation from the Department for Infrastructure (DfI) on a consultation under Section 76(3) of the Planning Act in respect of Planning Application LA03/2017/0310/F for 'Extraction, Transportation and Working of Sand, Gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totaling some 3.1km², in the North-West of Lough Neagh situated approximately East of Traad Point, North of Stanierds Point, West of Doss Point and South of Ballyronan and the ancillary deposition of silt and fine material'.

The consultation was received by the Council on 28th May 2020 and asked for a response within 30 days. The Department have been advised that due to committee meeting dates a response could not be provided within that timeframe. They have therefore asked that a response be issued as soon as possible after the July committee meeting.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved To note the contents of the report and the attached consultation, and to agree that the draft response letter at Appendix 3 be issued to DfI.

P056/20 Receive Report on Council's Consideration of Application by Dalradian Gold Ltd (LA10/2017/1249/F)

The Planning Manager presented previously circulated report to provide members with information on a planning application by Dalradian Gold Ltd (LA10/20107/1249/F) for 'Underground valuable minerals mining and exploration, surface level development including processing plant and other associated development and ancillary works, Greencastle, County Tyrone. (Please see application P1, sheet 1 for full project description).

Councillor McFlynn said that she fully welcomed the report due to the extent of community anger as there were over 40,000 plus objections and welcomed this. She said that issues around environment and health had to be addressed as Dalradian had expressed their intention to use radon gas.

She proposed that this Council is represented and also with legal representation as the residents of Mid Ulster want us to be the guidance as there was a need to fully pursue this.

The Planning Manager concurred with member comments and said that Fermanagh and Omagh needed to take the lead on this project as there were a lot of factors to take into consideration and said that Mid Ulster would need to err on the side of caution. He said that he would have no qualms about attending the public arena to raise concerns when the time comes and would be willing to take guidance from the committee on best way to proceed.

The Chair advised the member that her proposal would be revisited closer to the time.

Councillor Mallaghan said that he welcomed the inquiry as in the past Minister Michelle O'Neill and Councillor Declan McAleer were at the forefront campaigning that Chris Hazzard MP take this on board and now we have that decision.

He said that it was interesting to hear the Planning Manager's opinions and felt that he was under enough pressure as it was without taking the lead on this matter. He stated that when Shackleton Resources tried to mine in the Sperrins, this Council was successful in having the application refused and sometimes we think it is not our place to get involved, but we need to do the right thing for our communities. He said that Dalradian site was bordering on Mid Ulster lands and if there was a better vein in our lands they would have no issue holding back on pursuing that also and said going forward, he would support Councillor McFlynn's suggestion, as there was a number of questions down the line to deal with and serious conversations when the time arrives.

The Planning Manager said that he would be happy for members to come to his office for discussion when the time arrives, as we do not have the scientific background which is needed and do not want to let the public down.

The Planning Manager agreed that once the letter was issued to the Department, the committee could discuss how measures can be brought forward.

Councillor Mallaghan to follow up on what the Planning Manager had said, suggested that this be brought back as an agenda item and discussed as a Task Group.

Councillor Clarke advised that this was not Mid Ulster's remit, but in close proximity and if Dalradian gets approval, the obvious impact would be on Mid Ulster's Dark Skies initiative at Davagh and the nearby river and agreed with the suggestion of setting up a group discussion to raise concerns.

Proposed by Councillor Bell
Seconded by Councillor McFlynn and

Resolved To note the contents of the report and agree that the Planning Manager write to the Department for Infrastructure (DfI) requesting that a Public Inquiry be held in relation to application LA10/2017/1249/F and provides the Department a copy of this report as to the reasons why.

Matters for Information

P057/20 Minutes of Planning Meeting held on 2 June 2020

Members noted Minutes of Planning Meeting held on 2 June 2020.

Live broadcast ended at 8.46 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Robinson
Seconded by Councillor Mallaghan 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 P058/20 to P061/20.

Matters for Decision

P058/20 Receive Report on Davagh Dark Sky Planning Guidance

Matters for Information

P059/20 Confidential Minutes of Planning Committee held on 2 June 2020

P060/20 Enforcement Cases Opened

P061/20 Enforcement Cases Closed

P062/20 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.55 pm.

Chair

Date

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 6th July 2020

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

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.1	Letter of objection received	Members to note
4.5	Suffix error - should be O (outline) rather than F.	Members to note.
4.8	Withdrawn from the agenda to correct red line in relation to visibility splays.	Members to note.
7	Late objection received	Members to note.



Mid Ulster District Council
Planning Department
Local Development Plan Team
50 Ballyronan Road
Magherafelt
BT45 6EN
Tel - 03000 132 132
Email developmentplan@midulstercouncil.org

Definition of Affordable Housing
Further Stakeholder Engagement
Department for Communities
Housing Division
Level 3, Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

Dear Sir / Madam

RE: Response to Further Stakeholder Engagement Briefing Paper Regarding the Definition of Affordable Housing

Mid Ulster District Council welcomes the opportunity to engage with the Department in this Further Stakeholder Engagement on the Definition of Affordable Housing. The comments made in this engagement should be read in conjunction with the comments made by MI-JDC in response to the initial consultation on this matter, which was dated 9th September 2019.

We note that the Department, having taken on board the comments made as part of the initial consultation process, has proposed to make the following changes to its original document;

i. Revised definition to include direct reference to social housing ii. Low cost housing without subsidy is no longer considered affordable housing within the context of the definition; although the concept is proposed to be examined in relation to low cost housing for rent such affordable build to rent schemes.

With regard to the 2 questions posed in the briefing paper, MI-JDC would make the following comments in relation to each question.

Q1 — Do you agree with the proposed changes to the definition?

Specific Comments

MI-JDC welcome the express reference to social rented housing within the definition of affordable housing as well as the commitment that there will be no negative impact on the level of access to social housing or interfere with the Department's Social Housing Development Programme. Mid Ulster has the second lowest number of social housing

properties in NI and the additional products put forward by the Department as constituting intermediate housing, in the original consultation document, are often beyond the means of those on lower incomes and those on the social housing need register. We welcome therefore, the direct reference to social rented housing, within the umbrella term for affordable housing, which can be used in local plans and policies moving forward.

Given that the remainder of the definition is unchanged from the initial definition put forward by the Department, the comments made by the Council in relation to that definition in our consultation response dated 9th September 2019 remain unaltered.

Q2 — Do you think there is anything further we should consider regarding low cost housing without subsidy?

Specific Comments

The Department states in its further briefing paper that whilst low cost housing without subsidy is no longer considered as being within the definition of affordable housing, they wish to further consider this concept as a means of delivering houses in Build to Rent schemes.

From a planning point of view, MI-JDC would have serious concerns regarding the governance of such schemes. Unless these properties are subject to a new legislative regime and the Department of Communities is going to oversee their delivery and retention, it is difficult to imagine how such a scheme could operate with integrity and the appropriate level of control. It would certainly be inappropriate for the planning department of local councils to be expected to oversee such a scheme. Furthermore it would allow people claiming to be offering low cost rented accommodation access to policy provisions reserved for social housing, which inevitably would be abused.

In its original consultation document, the Department implied that such schemes could be regulated through planning conditions (para. 7.10) and this implication does not seem to have been altered by the further briefing paper. The Council is of the view that this approach would place the burden of regulating tenure and rental value on the planning system and this is clearly not the role of the local planning authorities. Planning can only provide an opportunity at the point at which permission is granted to ensure social housing is provided by a housing authority. After this point, it is the housing authority's responsibility to regulate tenure and value.

In conclusion we would oppose this change at the current time. This said we would challenge the Department of Communities to undertake further work to set out how they perceive this working in practice, what their role would be, what supporting legislation they propose to bring forward and what resources they process to bring to the table to assist deliver and manage this.

Yours Faithfully

Dr. Chris Boomer, Planning Manager
Mid Ulster District Council

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 7 July 2020 in Council Offices, Ballyronan Road, Magherafelt
and by virtual means**

Members Present

Councillor S McGuigan, Chair

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

**Officers in
Attendance**

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

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

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm

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

E131/20 Apologies

Councillors O'Neill and Totten.

E132/20 Declarations of Interest

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

E133/20 Chair's Business

None.

Matters for Decision

E134/20 DfI Roads Proposals to Mid Ulster District Council – Proposed Provision of a Disabled Persons' Parking Bay at Highfield Road, Magherafelt

Members considered previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to the proposed provision of a Disabled Persons' Parking Bay at Highfield Road, Magherafelt.

Proposed by Councillor Brown
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to the proposed provision of a Disabled Persons' Parking Bay at Highfield Road, Magherafelt.

E135/20 Street Naming and Property Numbering

Members considered previously circulated report regarding the naming of new residential housing developments within Mid Ulster.

Site off Mullan Road, Coagh

Councillor Wilson proposed that the development be named Mullan Lane.

Councillor Buchanan seconded Councillor Wilson's proposal.

Councillor N McAleer proposed that the development be named The Oaks.

Councillor McNamee seconded Councillor N McAleer's proposal.

Councillor Wilson withdrew his proposal.

Resolved That it be recommended to Council to name development off Mullan Road, Coagh as The Oaks.

E136/20 Building Notices Fees

The Head of Building Control presented previously circulated report which advised on the cancellation of Building Notice Applications and the associated fees applicable.

Proposed by Councillor Burton
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to refund the Building Notice fees in accordance with the relevant legislation where work has not commenced, subject to the deduction of a £50 administration fee from the returnable Building Notice fee.

E137/20 Service Level Agreement and Data Sharing Agreement between MUDC and DWI

The Head of Environmental Health presented previously circulated report which sought approval to sign an updated Service Level Agreement and associated Data Sharing Agreement with the Drinking Water Inspectorate (DWI).

Proposed by Councillor Wilson
Seconded by Councillor Burton and

Resolved That it be recommended to Council to approve the signing of the updated Service Level Agreement and associated Data Sharing Agreement (as set out at appendix 1 and 2 of report) with the Drinking Water Inspectorate, for the purpose of undertaking, on behalf of the DWI, risk assessments and sampling of private water supplies under The Private Water Supplies Regulations (Northern Ireland) 2017.

E138/20 Guidance for Applicants on Pavement Café Licensing

The Head of Environmental Health presented previously circulated report which set out the pavement café licence application process and sought agreement of the “Licensing of Pavement Cafés Act (NI) 2014 – MUDC Guidance for Applicants” document and its associated Equality Screening.

Councillor McNamee asked how Council byelaws would impact on pavement café licensing and also asked if there were any issues regarding the market held in Cookstown on a Saturday and that the rights for this market are held by a private landlord.

The Head of Environmental Health advised that there is an exemption under the byelaws if you have a pavement café licence however the premises has to hold an existing drinks licence. The officer advised that drink cannot be sold outside but can be consumed outside in the area covered by the pavement licence.

In respect of the market in Cookstown on a Saturday the Head of Environmental Health advised that there were ongoing discussions in that regard.

Councillor Wilson stated that he would also have some concerns regarding the Cookstown Saturday market and that there may need to be an Executive ruling on this matter.

Councillor Wilson advised he had received a number of complaints in relation to one of the rights of way from the main street in Cookstown to Union Street car park and that this has been closed for quite some time due to a premises currently making alterations to their property. The Councillor stated that whilst he recognised that the owner of the premises is entitled to make alterations to their property he felt that the situation needed to be monitored.

The Head of Environmental Health advised that the matter would be monitored and that officers could also have discussions with planning, if appropriate.

Councillor Buchanan asked if it was felt there will be a big uptake in pavement café licences.

The Head of Environmental Health advised that to date there have been a number of enquiries but no applications have been received in completed form. The officer highlighted the strict rules in relation to disability and rights of way etc.

Councillor Glasgow referred to the requirement for planning permission, where appropriate and asked if the planning department had been advised that they could receive a number of enquiries in relation to pavement cafés as no one would want to see an increased number of enforcement cases being instigated. Councillor Glasgow also referred to the need for street furniture to be removed within 20 minutes and asked what this means.

The Head of Environmental Health advised that the planning department have been involved with the pavement café process and are aware of the potential requirements. The officer advised that the legislation is set up for temporary tables and chairs outside of a premises and that such furniture needs to be able to be removed quickly, within the 20 minutes set out, in case of any emergency.

Councillor Burton stated that there will be some pavements which are narrower than others and asked if consideration will be given to those people with disabilities or those with visual impairments. The Councillor also surmised that pavement cafés will be more of a summer thing and that premises should not be allowed to use parasols in the long term.

The Head of Environmental Health advised that pavement cafés have been discussed with disability groups and that an equality screening report is included within the appendices to the report. The officer advised that within the guidance there has been consideration given to different forms of disability and to the design structure of the pavement café ie. The surroundings of the café and width restrictions etc. The Head of Environmental Health advised that there will be a 3 month review of the application process and that there is a consultation period in which disability groups can submit any issues which they may have.

Councillor B McGuigan referred to area required for a pavement café and felt that they are going to need quite a big space as guidance requires a minimum of 1.5 metres between the café perimeter and the roadside. The Councillor felt that very few footpaths will be able to accommodate this unless there is a large space outside of a business. The Councillor also referred to comments by the Minister for Infrastructure stating there should be more room within town centres for shopping and pavement cafés going forward and therefore this will need to be considered within the design of public realms etc so that such things can be accommodated in the future.

The Head of Environmental Health stated that the guidance on distances is through the disability forums and Department for Communities to ensure there is enough space in addition to the pavement café so that those with a disability, visual impairment or someone with a pram can move along the pavement safely.

Proposed by Councillor B McGuigan
Seconded by Councillor S McAleer and

- Resolved** That it be recommended to Council –
- (I) To approve the draft MUDC “Licensing of Pavement Cafés Act (NI) 2014 – Guidance for Applicants” (as set out at appendix 1 to report).
 - (II) To agree the Equality and Good Relations Screening Report in relation to the pavement café guidance and associated forms.

E139/20 Bus Shelter Update

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

Councillor Cuthbertson stated he had raised an issue at last month’s meeting in relation to a request for a bus shelter in Moygashel and that Translink had stated that the application didn’t meet their requirements. The Councillor asked that an officer get back to him at a later date to advise on what Translink’s requirements are and over what period of time this is considered.

Proposed by Councillor Wilson
Seconded by Councillor Cuthbertson and

- Resolved** That it be recommended to Council to approve the bus shelters listed under section 3.5 of report and remove from register those listed under section 3.8 of report.

Matters for Information

E140/20 Minutes of Environment Committee held on 9 June 2020

Members noted minutes of Environment Committee held on 9 June 2020.

Councillor McNamee referred to piece of waste ground adjacent to play park at Orritor Street in Cookstown. The Councillor advised of a recent incident in which a young person went to retrieve a ball from this waste ground and received substantial burns from what is believed to be some type of invasive species.

The Head of Property Services advised that the land in question is not council owned and stated that officers could not say for certain at this stage that it was Hogweed which had caused the burns but that this could be investigated further.

Councillor McNamee asked if officers were aware who owns the land as it had originally been in the ownership of legacy Council and had been put in as a buffer zone between the play park and neighbouring living accommodation. The Councillor also expressed some concern that Council playparks will be opening soon and at this location in particular there is only a small fence between the playpark and the waste ground and there was a danger for further similar incidents. Councillor McNamee stated that further investigation was required in identifying the invasive species at this location and that steps need to be taken to have it eradicated.

The Head of Property Services advised that officers had spoken with the property owner yesterday and that they were told there may well be invasive species on this land.

The Director of Environment and Property stated that officers would also pick up on the issue of the fence as well.

Councillor McNamee asked if the property owner could be identified.

The Chair, Councillor S McGuigan stated that the property owner could not be disclosed in open session of the meeting.

Councillor Cuthbertson referred to previous motion he had brought before the Council regarding invasive species and that Council, at that time, had rubbished the fact that there was any need for enforcement to be able to go after landowners to seek the removal of such invasive species. Councillor Cuthbertson stated that, since rejecting the motion, this is the first example of where that motion would have been useful as Council could have lobbied the Department to have powers to force landowners to deal with invasive species.

E141/20 Environmental Services Improvement Plan for 2020/21

Members noted previously circulated report which detailed the Environmental Services Improvement Plan for 2020/21.

E142/20 Tullyvar Joint Committee Update

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

E143/20 Property Services Service Improvement Plan 2020/21

Members noted previously circulated report which detailed the Property Services Service Improvement Plan for 2020/21.

E144/20 Building Control Workload

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

E145/20 Entertainment Licences

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

E146/20 Dual Language Signage Requests

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

Councillor Cuthbertson stated that, as per the report, a further 21 requests had been received for Dual Language Signage and referred to the fact that that this Council is

facing significant budget cuts across all departments in the future. The Councillor stated that Dual Language does not have a budget of its own as monies are taken from property services and building control budgets and that he felt the matter needed to be looked at again, in that, if everything else is having to take a hit Dual Language should have to take a hit as well.

Councillor McNamee stated that Dual Language was within Council policy and unless the policy changed things should continue as they are.

Councillor Cuthbertson stated that Council has a number of policies and a number of aspirations but if budgets are cut then everything under each department has to take its fair hit.

The Chair, Councillor S McGuigan stated the Councillors should wait to see where any significant cuts are being made and reflect on that.

The Director of Environment Property stated that budget cuts were discussed at a recent Policy and Resources Committee and it was agreed to defer the matter until September to enable further party discussions with the Chief Executive and Director of Finance over the summer period.

E147/20 Building Control Service Improvement Plan 2020/2021

Members noted previously circulated report which detailed the Building Control Service Improvement Plan for 2020/2021.

E148/20 Mid Ulster is Growing from Home Project

Members noted previously circulated report which provided update on the 'Mid Ulster is Growing from Home' project.

E149/20 Technical Services COVID 19 Service Delivery Impact

Members noted previously circulated report which provided an update on any service delivery impacts for Technical Services as a result of the COVID 19 pandemic.

Councillor N McAleer asked for an update in relation to Coalisland Public Realm scheme and if the scheme is behind schedule due to COVID 19. The Councillor also asked what the current costs are for the scheme in line with the original budget.

The Director of Public Health and Infrastructure advised that there was a report on the matter within Confidential Business section of meeting.

E150/20 Technical Services Service Improvement Plan 2020/21

Members noted previously circulated report which detailed the Technical Services Service Improvement Plan for 2020/21.

E151/20 Environmental Health Service Improvement Plan 2020/21

Members noted previously circulated report which detailed the Environmental Health Service Improvement Plan for 2020/21.

**E152/20 Noise Complaint Statistics for Mid Ulster District Council
2019/2020**

Members noted previously circulated report which outlined the number of noise complaints received by Mid Ulster Council in the 2019/2020 financial year.

Live broadcast ended at 7.26 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Brown
Seconded by Councillor B McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E153/20 to E156/20.

Matters for Decision

E153/20 Contract for the collection, disposal and treatment of waste paint and oils from Recycling Centres

Matters for Information

E154/20 Confidential Minutes of Environment Committee held on 9 June 2020

E155/20 Capital Projects Update

E156/20 Cookstown Recycling Centre Fire Damage Assessment and Reinstatement Works

E157/20 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.31 pm.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 9 July 2020 in the Council Offices, Ballyronan Road, Magherafelt
and by Virtual Means**

Members Present

Councillor McNamee

Councillors Ashton, Black, Burton, Clarke*, Corry, Cuddy,
Doris, Elattar, Kerr, Hughes, Kearney, Milne, Molloy
(7.11pm), Monteith, Wilson

**Officers in
Attendance**

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

**Others in
Attendance**

Councillor S McGuigan*

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

D086/20 Apologies

None

D087/20 Declarations of Interest

The Chair Councillor McNamee reminded Members of their responsibility with regard to declaration of interest and drew particular attention to the Review of Service Level Agreement report, Community Development Report – Good Relations Grants.

Councillor Wilson declared an interest in D095/20 Community Development Report Good Relations Grants - Mid Ulster Pipe Band Association

Councillor Clarke declared an interest in D092/20 Review of Leisure and Outdoor Recreation Service Level Agreements 2020/2021 – Broughderg Area Development Association

D088/20 Chair's Business

The Chair, Councillor McNamee advised Members that the Economic Development Service Plan 2020/21 had been inadvertently missed from the agenda and would be forwarded to Members for information but should anyone wish to comment they could do so at July meeting of Council.

The Chair, Councillor McNamee advised Members that the Director of Leisure and Outdoor Recreation would present an additional item in committee.

Councillor Burton advised Members that Carleton Cottage, Springtown Road, Augher was a Grade B1 listed building due to its links with the late poet William Carleton. She advised that prior to COVID 19 efforts had been made to secure an environment grant to repair/restore the premise however during recent heavy rain the roof had collapsed which would lead to the cottage falling into further disrepair. Councillor Burton highlighted the distress of local people and asked if even the possibility of a tarpaulin on the roof could be investigated whilst local groups endeavored to secure agreement to preserve the historic building which had great significance in the local area and contributed to the tourism product.

The Chair, Councillor McNamee asked if it was possible to weatherproof the cottage.

The Head of Tourism stated he was aware of the problem and advised that the cottage was in private ownership. He stated that there was ongoing efforts to form a Trust similar to that in relation to Killymoon Castle site. He advised that the owner had been contacted and Council would continue to encourage formation of a Trust to save the historic building.

Resolved That it be recommended to Council that Head of Tourism investigate and report to committee options for preventative measures of further deterioration and also formation of a possible Trust to save the historic Carleton Cottage, Springtown Road, Augher (Grade B1 Listed Building). It was noted that the building is in private ownership.

Matters for Decision

D089/20 Autumn Corporate Events 2020

The Head of Tourism presented previously circulated report to provide an update and recommendations on the Autumn Corporate Events 2020.

He advised that Halloween and Christmas events had to be remodeled due to social distancing restrictions.

Councillor Doris advised that there had been a meeting with regard to events in Coalisland at which a number of innovative ideas had been discussed.

Councillor Ashton agreed that as reported these are strange times and stated events should be in consultation with town traders and any change in costings should be brought back to committee.

In response the Head of Tourism stated that they were in consultation with town centre forums and it was hoped to sign off Halloween events in September.

Proposed by Councillor Doris
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to approve the new creative formats of the Corporate Events for Halloween and Christmas 2020.

Councillor Molloy entered the meeting at 7.11 pm

D090/20 Economic Development Report

The Head of Economic Development presented previously circulated report to update members and sought approval for the following:

- (i) TRPSI Micro Business Development Scheme (DAERA Funded Initiative)**
Delegated authority to Senior Council Officials as outlined in Section 5.1 (a), (b) and (c) of the report

Councillor Wilson acknowledged challenging times and thanked the economic development team and officers across Council for their efforts to rejuvenate town centers. He referred to a recent town centre forum meeting at which it had been hoped that Department of Agriculture, Environment and Rural Affairs (DAERA) would have indicated their intention on funding delivery.

Councillor Kearney also acknowledged the efforts of the economic development team and stated that Northern Ireland Local Government Association were also using Council ideas.

Councillor Molloy also concurred with regard to thanks to the economic development team.

- (ii) Mid Ulster Covid-19 Towns Recovery Plan**
Mid Ulster Covid-19 Towns Recovery Plan and associated delegated authority approvals to progress the scheme as outlined in Section 5.2 (a), (b), (c) and (d) of the report

The Head of Economic Development drew attention to the Mid Ulster COVID-19 Towns Recovery Plan and highlighted proposals outlined in the report. In respect of proposed funding from both DEARA and Department for Communities (DfC) she advised that Council was not yet in receipt of any formal contracts/letters of offer for the scheme.

Councillor Kerr expressed disappointment in lack of progress with the DAERA grant scheme as rural communities needed to be afforded every opportunity.

Councillor Doris expressed disappointment in relation to lack of response from DAERA stating that she had been speaking to representatives from DfC with regard to boundary lines which was prohibiting businesses applying for grants as they sit just outside the predefined boundary. She advised many of these business owners would be looking to Council for direction.

Councillor Elattar thanked the economic development team for their hard work in marketing town centers especially during the current recovery period highlighting that the video messaging and good news stories being issued inspired confidence.

Councillor Molloy stated he would propose the recommendations outlined in the report to give delegated authority given that there would be no committee meetings until September and it is urgent that once funding is confirmed it can be distributed.

Councillor Molloy acknowledged that the matter had been raised at Environment Committee with regard to enforcement letters being sent out to businesses in Moy village with regard to business signage situated in grass areas which was not affecting sight lines or disability access thus Council was seen to be encouraging with one hand and inhibiting with the other.

Councillor Monteith concurred with aforementioned comments with regard to Moy and stated Council needed to be more pragmatic in its approach as to the public it was one Council not separate departments. With regard to town centre recovery plans Councillor Monteith commended the work of officers and spoke of the significant investment which would be required to deliver. He stated there was a job of work to be completed with regard to lobbying that local businesses would be afforded the same opportunities as those in England and Republic of Ireland. He stated he had no issue with the proposal but that a clear message needed to be communicated that Council would not facilitate any grant scheme that businesses are excluded from due to boundary issues. He proposed that flexibility is afforded to Council officers to indicate Council would not facilitate an urban grant which splits the community and ensure it is communicated to relevant departments. He also stated that monies had been identified within economic development budgets in June to be moved to a fund to assist businesses and this could be directed to bridge the gap.

Proposed by Councillor Monteith
Seconded by Councillor Kerr

Consider and provide support to applicants who may have been excluded from these grant programmes based upon existing Departmental directives reference urban and rural boundaries, utilizing any available economic development budgets to bridge the gaps.

Councillor Wilson concurred that businesses were suffering and asked that since DfC had stated their funding was ready to distribute could Council proceed with this and await DAERA funding.

Councillor Ashton welcomed the work done to date and echoed the comments of Councillor Monteith in that Council look to support people who 'fall through the gaps' in relation to funding criteria.

Councillor Doris advised that Francie Molloy MP in conversations with local newspaper had advised they would sponsor a Shop Front Window Scheme.

The Director of Business and Communities concurred with Members with regard to comments in relation to boundaries and stated that Council had made it clear to the relevant departments that Council must be afforded the flexibility to discern between urban and rural and it was hoped this would be reflected in the letter of offer.

In relation to comments regarding rolling out separate urban and rural programmes he advised it could be done but it was better for Council to work in tandem as it would be difficult for officers to differentiate and many officers had not had leave for almost a year. With regard to the flexibility in allocating grants he advised if it was not granted Council could identify the gaps and such a proposal would give officers a degree of authority to move forward.

In response to comments regarding shop front window schemes, the Director advised that Traders would be made aware of the possible newspaper sponsorship opportunities should they wish to progress a Shop Front Window Scheme independent of Council.

The Director of Business and Communities concluded referencing that issues in relation to the enforcement letters in Moy village had been brought to senior management team for discussion.

Councillor Cuddy asked if the funding would be in retrospect as although there was speculation with regard to a second wave many large businesses had already opened and Council did not want to put its name to something which was too late referencing that already there was a new normal. In relation to enforcement letters issued in Moy Councillor Cuddy expressed disappointment stating that many shops and businesses were looking for a new income stream and needed to be encouraged.

In response the Director of Business and Communities stated that central government did not permit retrospective funding but already businesses in contact with Council were being advised of this and further advised that the funding would be a rolling grant for a number of months. He further clarified that Council was lobbying the relevant departments daily insisting that the grant is paid in one tranche as the demand is there but that the department is indicating 50% until end of October and remaining 50 % post October.

Councillor Corry concurred with previous comments made by Councillors Monteith and Molloy.

Proposed by Councillor Wilson
Seconded by Councillor Kearney

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

TRPSI Micro Business Development Scheme (DAERA Funded Initiative)

- (a) Delegated authority to the Chief Executive and Director of Business and Communities to sign and accept the contract for 2020/21 TPRS micro business scheme, subject to review by Council's solicitor.
- (b) Promotion and marketing of this scheme to commence immediately following acceptance of the contract and before the full Council on 23rd July in light of the anticipated call opening of the first week of August 2020.
- (c) Delegated authority be granted to the Director of Business and Communities to sign off on letters of offer to successful participants up to a maximum grant of £4,999 with a full list of approved projects to be brought to Committee for noting.

Proposed by Councillor Molloy
Seconded by Councillor Monteith and

Resolved That it be recommended to Council that

Mid Ulster Covid-19 Towns Recovery Plan

- (a) Mid Ulster Covid-19 Towns Recovery Plan as detailed at appendix one of the report.
- (b) Delegated authority be granted to Chief Executive and/or Director of Business and Communities to sign and accept any letters of offer/contracts received by Council offering funding for Covid19 Towns Recovery Plan actions, in response to funding bids made by Council, subject to review by Council's solicitor.
- (c) Delegated authority be granted to the Director of Business and Communities to develop and roll out a business grants scheme to urban and rural businesses, if funding is made available to Council by the Department for Communities (for urban businesses) and DAERA (for rural businesses). Also that authority be granted to the Director of Business and Communities to sign off on letters of offer to successful participants on a business grants scheme, with the list of approved projects to be brought to Committee for noting.
- (d) Existing budgets in Economic Development (which weren't required due to activities not happening as a result of the pandemic), be reassigned to assist with other Covid19 business supports as identified in the Towns Recovery Plan (on Appendix 1 of the report), and undertake appropriate procurement of schemes, as far as budgets extend.

Noted that not all the schemes may be able to be progressed in the current year (2020/21) due to budget limitations, unless further external funding is obtained.

- (e) That flexibility is afforded to Council to officers to consider and provide support to applicants who may have been excluded from these grant programmes based upon existing Departmental directives ref urban and rural boundaries, utilizing any available economic development budgets..

D091/20 Play Park Annual Audit 2020/21

The Head of Parks presented previously circulated report and sought approval for the commissioning of suitable qualified independent Play Inspectorate Services to conduct annual play equipment inspection audit and report.

Proposed by Councillor Wilson
Seconded by Councillor Milne

Resolved That it be recommended to Council to approve the commissioning the services of suitable qualified independent Play Inspectorate to conduct an annual play equipment inspection audit and report.

In response to Councillor Cuddy's enquiry as to whether the audit could be carried out inhouse the Head of Parks advised that it was best practice to have an independent inspectorate.

The Chair, Councillor McNamee drew attention to the recent incident at lands adjacent to Council play park at Orritor Street, Cookstown where a child suffered burns from an invasive species. He stated whilst Council did not own the lands the play park was scheduled to open on 10 July 2020 and caution needed to be exercised. The Head of Parks advised that staff had inspected the play park on 30 June and there had been no visual evidence of hog weed and speaking in relation to access to the adjacent lands he stated there was a 1.2 meter perimeter fence in existence. Parks and Property Services sections were looking at further options but it would be impossible to have in place for the park opening.

The Chair, Councillor McNamee stated that some preventative measure needed to be in place.

Councillor Milne suggested that signage could be erected.

The Head of Parks stated that the property owner had been informed of the incident and Council was awaiting response.

The Director of Leisure and Outdoor Recreation stated that Council would erect signage as a matter of urgency at play park off Orritor Street regarding possible vegetation issue.

Councillor Kerr raised the matter of hogweed at Coalisland Canal which would need to be eradicated before anyone else received injuries.

In response the Chair, Councillor McNamee advised that the matter would be referred to the Environment Committee to deal with as appropriate hogweed at Coalisland Canal.

In response to Councillor Kearney's enquiry the Head of Parks advised that the park where the silage trailer had broken the exterior fence had now been repaired.

D092/20 Review of Leisure and Outdoor Recreation Service Level Agreements 2020/21

The Head of Parks presented previously circulated report to view current Service Level Agreements (SLAs) for the financial year 2020/21 impacted upon as a result of Covid-19 lockdown restrictions. MUDC have current Service Level Agreement commitments with nine community based organisations (within report) in support of leisure and outdoor recreations services. The value of these Service Level Agreements range from £50,000 to £2,000 dependent on the scope of the services provided.

The Council have allocated £96,916 in this financial year for the payment of Service Level Agreements associated to Leisure and Outdoor Recreation.

Two available options for consideration:

- Option 1 -** Subject to Council approval, current Service Level Agreement payments can be adjusted on a pro rata basis to reflect the level of services provided. This approach will effect some identified service partners where services have not been possible due to the impacts of Covid-19 restrictions. Payments schedule for the period 1st April to 30th June (Qtr 1) would indicate a maximum reduction on SLA payments of £18,782 across the Leisure and Parks Service. This figure may be reduced due to evidenced claims associated to overheads and utility costs incurred by some partner organisations.
- Option 2 -** Subject to Council approval, Service Level Agreements impacted upon by Covid-19 restrictions would be paid as per current terms and conditions, without pro rata reductions. This approach will reflect a nil saving to Council for the period 1st April to 30th June.

The Head of Parks recommended option one.

Councillor Elattar stated that although some organisations had not been able to deliver it was through no fault of their own but due to the pandemic and in her opinion it would be an indictment on Council to restrict the service level agreement at this time and stated Council needed to be mindful of future costs such as personal protective equipment.

Councillor Elattar proposed option two,

Councillor Burton seconded option two.

Councillor Kerr concurred with the proposal of option two and stated that during recent conversations with Muintor na Mointeach Ltd he had been advised they were unaware of the evidence to be submitted in relation to performance indicators and stated that officers had not raised them at a recent onsite meeting with the group.

Councillor Burton stated that Council needed to support the community who through no fault of their own were unable to honor elements of the agreement. Speaking in relation to Fivemiletown in particular she stated that health and well being going forward was of paramount importance and community groups needed the support and partnership of Council and were desperately awaiting confirmation of the service level agreement. Councillor Burton concluded that to go forward with option one would attract bad press.

In response to Councillor Cuddy's query in relation to Fivemiletown College Youth and Community Department the Head of Parks advised that the pro rata would be applied to a quarter.

Councillor Cuddy reminded Members that they had been advised at the Council meeting that water temperature in swimming pools had to be managed carefully or tiles would come off thus it was important to treat the swimming pool in Fivemiletown the same.

Councillor Milne concurred with option two stating that there would be hard decisions in the future but asked if really a short fireworks event costing thousands was really required.

Councillor Wilson expressed uneasiness stating that it was a service level agreement and work had not been carried out. He highlighted that community groups had helped Council and expressed concerns in relation to equality.

Councillor Ashton supported option two stating that it was an exceptional time and groups would incur costs to get up and running again. With regard to Councillor Kerr's comments in relation to required information on performance indicators Councillor Ashton sought clarity on how this information was communicated to groups.

The Head of Parks advised that each service level provider signs an annual agreement of which performance indicators are stipulated. He confirmed that it is signed by two members of the group. He suggested that the information has not been conveyed to the full membership of the group if they are not aware of the requirements of the SLA.

Councillor Kerr stressed the importance of communication in relation to the matter.

Proposed by Councillor Elattar
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to agree to the implementation of Option 2 and to note the content of the report in relation to the variation of services provided due to the impact of COVID 19 restrictions.

Option 2 -Subject to Council approval, Service Level Agreements impacted upon by Covid-19 restrictions would be paid as per current terms and conditions, without pro rata reductions. This approach will reflect a nil saving to Council for the period 1st April to 30th June.

Councillor Wilson requested that it be formally noted his opposition to the aforementioned decision.

D093/20 Continuation of Northern Ireland Forest Schools within Council Area

The Head of Parks presented previously circulated report to update on the growing success of the Forest Schools programme within the Mid Ulster District Council area and to confirm continuation of the programme from September 2020 to June 2021.

Councillor Molloy proposed the continuation of the programme and asked why it is limited to areas listed in the report.

In response the Head of Parks stated that they were actively seeking other sites for example Lissan House in Cookstown and possible sites in Clogher Valley. He advised that it was based on resources and officers needed to be trained to deliver the project but within resources it would be rolled out as much as possible.

Councillor Doris seconded the proposal and sought an update on license transfers in relation to Altmore and Drumcairn forests.

In response the Head of Parks stated that the NI Forestry Service were in receipt of the requests and Council was awaiting response.

Councillor Corry referred to forests listed but stated there were others within her area.

The Head of Service advised that consideration would be given to rotating the projects annually as resources was limited.

Councillor Burton asked if Council linked in with Castlecaulfield group which works with Ulster in Bloom.

In response the Head of Parks stated that currently Council did not link with them but in looking for opportunities could explore Parkanaur and link with the Horticultural Society. He also advised that schools were waiting to participate.

Councillor Kerr concurred with Councillor Doris' comments with regard to Altmore and Drumcairn Forest Licenses and proposed that Council seek an update and report to committee on the progress of the license transfers.

Councillor Monteith seconded the proposal stating that the transfer was too timely and further suggested that Council link with the Speedwell Trust at Parkanaur.

The Chair, Councillor McNamee asked if Council should go back to the Forest Service.

The Head of Service stated that Council would follow up.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That it be recommended to the Council to seek an update and report to committee on the progress development of Altmore and Drumcain Forests.

Proposed by Councillor Molloy
Seconded by Councillor Doris

Resolved That it be recommended to Council to agree to the commitment to continuation with the Forest School programme within Mid Ulster for 2020-21 subject to meeting requirements of COVID restrictions.

D094/20 Walk NI Consortium 2020/21

The Head of Parks presented previously circulated report and sought approval to commit to Walk NI Marketing Consortium Campaigns for 2020-21.

Councillor Doris stated she was happy to proceed with the proposal and spoke of the need for continuation of the footpath at Clonoe as there was a great stretch of road for walking but an extended footpath was essential.

The Head of Parks stated that the stretch of road and footpath was a matter for the Department for Infrastructure and advised that the Walk Ni Consortium referenced footpaths in the Sperrins.

Councillor Doris stated she would like the matter of the footpath raised.

Councillor Monteith stated that Council would need to promote walking within the district and concurred with Councillor Doris that some would need improvements. He stated that Council needed to promote and build upon walks which were a great means of attracting visitors as people would travel for a good walk. He used the example of Sligo County Council who promoted walks and had attracted over 1000 visitors across three days. He emphasized that it was a growing market and now was the time to rebrand and establish a campaign stating that Council must lead and not always wait to copy other areas. Councillor Monteith spoke of Knockmany, the Hill of The O'Neill and the possibility of grouping walks and market as for example the 'Trail of the Chieftains'. He stressed the importance of a strategy to promote walks as short trip experiences and requested that the Tourism section investigate possibilities.

Proposed by Councillor Doris
Seconded by Councillor Monteith

Resolved That it be recommended to Council to agree to the participation as a Regional Partner with the Walk NI Marketing Consortium and contribute £2,583.75* to 2020/2021 campaign.

*This is a reduction of 25% from previous years; the campaign to run from July 2020 – March 2021.

The Chair, Councillor McNamee spoke of the Sperrin Trekkers and concurred that Council must exploit what they have.

Councillor Corry stated that many visit Carntogher to walk the Sperrins and concurred that it does bring in day trippers.

The Head of Tourism stated that a proposal was being explored and a report would be brought to a future meeting.

Councillor Monteith requested that the Councils Communications department along with Parks and Tourism develop and promote a walking marketing plan within the district.

The Head of Parks stated that both Parks and Tourism had been liaising with regard to good quality walks and were investing through forest schemes also and confirmed there was projects in the pipeline.

Councillor Doris spoke of a community group in Derrytresk promoting walks and proposed that DEA meetings be accommodated to explore local walks.

Councillor Elattar sought an update on a forest area in Sperrins near Ballinascreen and also asked if work had been done to clear paths at the river walk.

The Head of Parks stated there was a conflict of interest with equestrian users and advised there had been discussions with property services in relation to outstanding maintenance issues.

Councillor Elattar stated that with the current pandemic people were utilizing the walkways more and asked if the walk beside the river could be cleared as soon as possible.

The Head of Parks stated he would update the Member on progress and would liaise with colleagues in property services as a matter of urgency.

Councillor Ashton stated that the walking strategy was a good idea and highlighted that over 20 walks were detailed on the website across the district but concurred this could be added to.

Councillor Kerr seconded Councillor Doris' proposal for DEA meetings highlighting that Coalisland Canal is a prime example of walking attached to historical local industries and that there was great potential within Newmills.

Councillor Burton highlighted that safety was paramount and spoke of walks such as Roundlake, Knockmany, Riverside Walk in Caledon and emphasized that flyers promoting walks should be available in local businesses. She also asked if the Ulster Way signage was completed corroded in the district.

In response the Head of Parks stated that the Ulster Way as a continuous walk no longer existed and that quality sections had been identified but the district had not met the criteria. He also advised that Council had not experienced any reduction in footfall but part of the problem was the walks were on roads which was a weakness. He highlighted that many circular routes and community trails had been established such as Augher

Riverside Walk and Council continued to work with communities to establish for example 3k walks. The Head of Parks concluded that whilst currently there was established walks a report would be brought back to committee to incorporate all.

Resolved That it be recommended to Council that

- (i) DEA meetings be facilitated to explore promotion of walking routes throughout the district;
- (ii) A report be presented to future committee of strategy to develop and promote walking routes throughout the district.
- (iii) Promotion campaign on existing walks be commenced.

D095/20 Community Development

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

Ashton good relations grant 2021/22 it is usually February and agreed by march

- **Council Good Relations Plan**

Proposed by Councillor Elattar
Seconded by Councillor Milne and

Resolved That it be recommended to Council to note the alternative delivery for the agreed Good Relations Plan as per Appendix 1 of the report..

- **Community Grants – Rolling Good Relations**

Proposed by Councillor Elattar
Seconded by Councillor Milne and

Resolved That it be recommended to Council to agree the grant award recommendations for Good Relations as per Appendix 2 of the report.

- **Community Development Update**

Members noted update report.

Matters for Information

D096/20 Minutes of Development Committee held on 11 June 2020

Members noted minutes of Development Committee held on 11 June 2020.

Councillor Monteith drew attention to *D079/20 Tourism Department Update – Davagh Dark Skies Project* and stated that Council must speak with one voice in relation to the public enquiry into Dalradian Gold Mines proposal. He spoke of the significant investment Council was making to the Davagh Dark Skies Project and stated that

Council must prepare robust opposition to present to the enquiry, that the senior management team needed to discuss and fight on behalf of the communities and protect the investment being made on behalf of the ratepayers. He also stated that the risk posed by the proposed gold mine be added to the Corporate Risk Register. Councillor Monteith stated that Council were opposed to the gold mine and that the lighting alone would destroy the Dark Skies Project.

Councillor Kerr seconded Councillor Monteith's proposal and stated there was over 40,000 objections and was emphatic that the residents of Greencastle deserve better and this was on Mid Ulster Council's doorstep. He stated that the light pollution would be equivalent to that of Belfast City Airport lighting if it was to proceed.

Councillor Elattar concurred with previous comments stating that the impacts on health, wellbeing and community spirit of Ballinascreen would be major. She stated that the objections was not on economic grounds but on community grounds and if it were to proceed it would have a negative impact.

Councillor Ashton asked if this could revert back regarding the Dark Sky Project as Council had been informed.

The Director of Business and Communities stated that the corporate position was abundantly clear and had been robustly reflected to colleagues in planning. He stated Council had a defined position which it would vigorously communicate in the response.

Councillor Kearney stated that the Planning Committee had communicated a strong message.

Councillor Corry stated that Councillor Clarke had highlighted at planning committee that the river from Greencastle runs into the Mid Ulster district.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved: *That it be recommended to Council that in relation to Public Enquiry Dalraidan Gold Mines:*

- (i) Council prepare robust opposition to present to public enquiry;
- (ii) That recommendation be referred to Audit Committee that Council add the risk posed by proposed Goldmine to Corporate Risk Register.

Councillor Doris raised the issue of complications within Coalisland Public Realm Scheme in relation to parking spaces at Barrack Street and requested that Council write the Department for Infrastructure in relation to this.

In response the Director of Business and Communities stated this was a matter for the Environment Committee and would be referred to them.

In response to Councillor Doris' query with regard to the walkway at Washingbay the Head of Parks stated that there had been a site meeting the previous week at which a

number of issues had been raised and Council was seeking to pursue improvements with local land owners and also would be speaking to the DfI in relation to signage.

Councillor Doris asked who had called the meeting and the Head of Parks confirmed he had attended at a Councillor's request.

In response to Councillor Corry's request for an update on the launch of the Davagh Dark Skies project the Director of Leisure and Outdoor Recreation advised that plans were being put in place for the Autumn and it was hoped the venue would be open to the public by early October. The Director advised a report would be brought to the committee in September.

D097/20 Economic Development Report

Members noted letter issued by the Chair of Mid Ulster District Council, dated 15 June 2020, to Minister Poots, seeking urgent financial assistance from DAERA to fund a Covid-19 Rural Business Support Programme in Mid Ulster and also Response from Department for the Economy, dated 22 June 2020 regarding Project Stratum.

D099/20 EBA 2020 Strand 4 Small Grants Programme

Members noted update on the 19/20 EBA 2020 Strand 4 Small Grants Programme, in the form of an End of Year Report required by Sport NI so as to authorize the final payment to MUDC. Funding received from Sport NI 19/20 - £32k.

Councillor Milne left the meeting at 8.32 pm

In response to Councillor Wilson's query as to why all case studies related to the GAA and no other sport in Mid Ulster the Head of Leisure stated he would enquire from Sport NI on the selection of groups for case studies and report back.

D100/20 Leisure Services – Service Improvement Plan 2020/21

Members noted update on Leisure Services – Service Improvement Plan 2020/21.

Councillor Kerr proposed that Council consult with special needs groups especially in relation to Autism in order that they can be included in more events especially given the closure of schools.

The Director of Leisure and Outdoor Recreation reminded Members of the Everybody Active programme at MUSA and coaches working specifically in the area of special needs. She further advised that prior to the pandemic there had been engagement with special needs schools.

Councillor Monteith seconded Councillor Kerr's proposal and stated that it was very much to do with families accessing leisure facilities and that many with special needs had their routines and these had been destroyed and parents really needed support as they struggled to redefine routines and this would need to be incorporated in recovery plans.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved: That it be recommended to Council that Officers investigate further incorporation of those with special needs in recovery plan for leisure facilities use and activities.

D101/20 Sport NI Sports Club Survey

Members noted update on the Sports NI Sports Club Survey 2019.

D102/20 Parks Service Improvement Plan 2020/21

Members noted update on Parks Service Improvement Plan 2020/21.

D103/20 Culture & Arts Service Improvement Plan 2020/21

Members noted update on Culture & Arts Service Improvement Plan 2020/21.

Councillor Cuddy referred to the success of the bursary scheme for the Gaeltacht which supported many in their experience of language, sport and music and asked if this could be extended in relation to the 100 anniversary of the Battle of the Somme to support people making trips from the area to the historic site. He spoke of how the Somme had been a lesson for all and proposed that within the Culture and Arts a plan for a bursary for people to experience trips to the Somme be explored.

Councillor Burton seconded the proposal.

The Head of Culture and Arts stated that the current bursary scheme was a language based one and a budget would need to be identified to look at any proposed new schemes.

Councillor Cuddy stated that his proposal had been seconded and acknowledged that the Gaeltacht was a great scheme but he thought that Council should explore options and spoke of how the Belgium and French governments had invested much to expand the experience of a visit to the Somme and it would be good to support young people from all walks of life to make the visit and stressed it would strengthen the Culture and Arts Programme.

The Chair, Councillor McNamee stated that officers could explore and equality check the suggestion.

Councillor Molloy stated he had no problem with the concept but sought clarity as to whether within culture and arts or good relations currently there was a grant programme for such ventures.

The Director of Business and Communities reiterated the Head of Culture and Arts in that the bursary was a language scheme but stated that officers would explore possibilities and report back.

Councillor Cuddy stated that the bursary was a great success story and it would be good to expand it and have something in the structure for other young people.

Councillor Black concurred with Councillor Cuddy and stated that a proposal should tie in with the forthcoming anniversary.

Councillor Monteith said it was his understanding that good relations funding had supported the decade of anniversaries programme and stated that if the proposal was to fund individuals just for the Somme experience he could not support just one element of history as there had been massive investment in Dublin with regard to events in 1916 and also Croke Park anniversary to which many local GAA clubs were intending to make trips. He stated any scheme must encompass all.

The Chair, Councillor McNamee stated that any scheme would be equality checked.

Proposed by Councillor Cuddy
Seconded by Councillor Burton and

Resolved: That it be recommended to Council that a report be presented to future committee on the development of a support programme to accommodate historical visitor experiences.

D104/20 Tourism Service Improvement Plan 2020/21

Members noted update on Tourism Service Improvement Plan 2020/21.

Councillor Cuddy reiterated earlier comments in relation to the promotion of walking and stated that Tourism improvement plan should make mention of this.

D105/20 Community Development Service Improvement Plan 2020/21

Members noted update on Community Development Service Improvement Plan 2020/21.

The Live broadcast ended.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Black
Seconded by Councillor Doris and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items D106/20 to D108/20.

Matters for Information

- D107/20 Confidential Minutes of Development Committee held on 11 June 2020
- D108/20 Economic Development Report – Information
- D109/20 Community Planning – Poverty Paper – ‘Towards Alleviating Poverty in Mid Ulster’

D110/20 Duration of Meeting

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

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 23 July 2020
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

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

	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition
	Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition
2.3	<p><u>Processing the Request</u></p> <ul style="list-style-type: none"> • Reviewed against the policy/criteria • Reviewed to identify if recognition provided for similar achievement within 3 years prior to this • Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception • Requests not meeting criteria will be recommended to receive letter from Council Chair
2.4	Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.
3.0	Main Report
3.1	Implementation of the policy allows the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members. Recognition requests received from Members since the meeting of Council in February 2020 have been categorised, details of which are set out within appendix A to this report.
3.2	Due to the outbreak of COVID-19, Council has been transacting essential business only and reports/requests for same have not been brought to Council since the outbreak. It is proposed that requests as detailed in Appendix A, where agreed, should be dealt with as previously resolved by April Council that is, recipients will receive a letter together with award as appropriate.
3.3	Members will be aware it has been agreed to review the existing Policy and associated arrangements. A meeting of the Working Group is being scheduled for August 2020.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Members give consideration to approving civic recognition requests as presented and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate.
6.0	Documents Attached & References
	Appendix A: Civic Recognitions Recommended for Approval

Appendix A: March-July 2020 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
None				

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
St Patricks Academy Dungannon Under 19s Basket Ball	Winners of All Ireland Under 19 League Basketball (Girls)	Cllr Kerr Cllr Monteith Cllr Molloy	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: Senior Camogie Team Different team/different sport Date: February 2020
Patrick Rogers	Ulster Elite Boxing Championship	Cllr S McPeake Cllr B McGuigan	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
St Colm's U16 Camogie (C)	Junior C All Ireland Champions	Cllr Elattar Cllr Clarke Cllr Corry Cllr B McGuigan	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Glen Scullion	Irish Masters Indoor Championships 100m Champion and new record of 7:31s	Cllr Kerr	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A

Ben Mulligan	IBA WBN World Lightweight	Cllr S McAleer	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Derry GAA Minor Camogs	Ulster Champions	Cllr Elattar Cllr Corry Cllr B McGuigan Cllr D McPeake Cllr S McPeake Cllr Milan Cllr Clarke Cllr Totten	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A
Iarlaith Donaghy	Danske Bank Ulster Schools Footballer of year	Cllr Clarke	<ul style="list-style-type: none"> Won first place at a competition level in their relevant field 	For: N/A Date: N/A

Other: Letter from Council Chair

Where it is deemed that conditions/criteria have not been met for a civic reception, civic award or chair & deputy chair reception a letter from the Council Chair is recommended. This may also be in instances where recipients have previously received a reception or award for the same or similar achievement.

Proposed Recipient	Achievement	Submitted by
St Patricks Academy	Winners of Tesco All Ireland Camogie Senior C	Cllr Kerr, Monteith and Molloy Senior Camogie Team received recognition in February 2020 for winning the Father Davies Cup
Galbally GAA	Runners Up in the Ulster Final	Cllr Kerr

Cáfe 47 (Proprietor Rachel Molloy)	THE IRISH RESTAURANT AWARDS 2020 (Ulster) Category: Best Café In Tyrone	Cllr Kerr Received Civic Award in October 2019 for Ulster Tatler Award.
Brian McGonagle Gables Bar & Restaurant	THE IRISH RESTAURANT AWARDS 2020 (Ulster)(Co Tyrone) Category: Best Chef	Cllr Kerr
The Brewers House	THE IRISH RESTAURANT AWARDS 2020 (Ulster) (Co Tyrone) Category: Best Gastro Pub	Cllr Kerr
Lillie Crooks	Selected for Northern Ireland squad for Pinatar Cup 2020	Cllr Wilson
Jackie Burns	Selected for Northern Ireland squad for Pinatar Cup 2020	Cllr Wilson
Ardboe GAA Scór Team	Scór Sinsear Tyrone Champions 2020	Cllr Kerr
Aisling McCourt	Scór Sinsear Tyrone Champion 2020 – Solo Singing	Cllr Kerr
Raymond O’Hagan	Scór Sinsear Tyrone Champion 2020 - Recitation	Cllr Kerr
Tiernan Quinn	Player with Tyrone Under 20s	Cllr Kerr

	(Team won the Ulster Championship)	
Newell Stores – Keep Her Lit	Spirit of Running Awards 2020	Cllr Kerr Received Civic Award November 2018 re Neighbourhood Retailer Awards Bakery of the Year

Report on	Correspondence to Council – July 2020
Date of Meeting	Thurs 23 rd July 2020
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from United Nations Association, Northern Ireland</p> <p>The Secretary to the United Nations (UN) Association, Northern Ireland has corresponded with the Council giving notification of the 75th Anniversary of the UN, requesting that it join it in marking its anniversary.</p> <p>Appendix A refers to correspondence from the United Nations Assoc., Northern Ireland</p>
3.2	<p>Correspondence from Youth Work Policy Team, Department for Education</p> <p>As an outworking from council's Development Committee the Department for Education has responded to correspondence concerning funding for youth clubs, with specific reference Coalisland and Dunagannon</p> <p>Appendix B refers to response received from Youth Work Policy Team, DfE</p>
3.3	<p>Correspondence from Minister for Infrastructure, Dept. for Infrastructure</p> <p>The Minister for Infrastructure has responded to the council's request for a meeting to discuss progression and planning on the A29 Cookstown Bypass. Officers are now liaising with the Departmental officials to schedule a meeting with the Project Team as offered by the Minister.</p> <p>Appendix C refers to response received from the Minister for Infrastructure</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: United Nations Association, Northern Ireland Appendix B: Department of Education Appendix C: Department for Infrastructure

APPENDIX A



Website: unani.weebly.com

Mr Anthony Tohill
Chief Executive
Mid Ulster Council

25 June 2020

Dear Mr Tohill

UNITED NATIONS – 75th ANNIVERSARY

We would like to invite you and your Council to join us in marking the 75th anniversary year of the founding of the United Nations (UN) organisation, starting on 24 October 2020.

The United Nations Association of Northern Ireland (UNA-NI), a branch and region of UNA-UK, is a non-governmental, voluntary organisation. We exist to encourage public and governmental support for the goals of the UN, to seek a safer, fairer and more sustainable world.

We are in the process of organising ways to mark this incoming year and invite your Council to consider lighting up your civic buildings in UN blue on Saturday 24 October 2020.

In 2015 when we marked the UN's 70th anniversary, we invited each of the newly created local councils to hold a reception for local schools and to accept a commemorative copy of the UN Charter. All 11 Councils participated in this way, and while we would have wished to carry out similar and new activities this year, this will not be possible presently. We are, however, still keen to mark the 75th anniversary at a local level.

The UN Charter declared that 'We the Peoples of the United Nations determined:

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

APPENDIX A

- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom.'

We are inviting all 11 local Councils to mark the UN's 75th anniversary in this way, and we hope that you will agree to participate. We will raise awareness through local and social media. If you consider other ways in which you may be willing to promote this historic year, we would be pleased to hear from you. For more information, please contact me via UNA-NI's e-mail address: unassocni@gmail.com

Yours sincerely



Carol Conlin
Membership Secretary
UNA-Northern Ireland

APPENDIX B

Andrew Bell
Youth Work Policy Team



Rathgael House
43 Balloo Road
Rathgill
BANGOR
BT19 7PR

Councillor Cathal Mallaghan
Chair
Mid Ulster District Council

Tel: 028 91279245
Email: andrew.bell@education-ni.gov.uk

Our Ref: TOF 1595

Date: 9 July 2020

Via email: Jennifer.Hobson@midulstercouncil.org

Thank you for your letter of 29 June 2020 to Minister Weir in relation to extended funding provision for youth clubs and in particular clubs within Coalisland and Dungannon. Your letter has been passed to me for response.

With regard the Extended Provision funding scheme, I can confirm that this ended on 31 March 2020. However, in recognition of the current situation due to the Covid 19 pandemic, the Education Authority (EA) Youth Service offered a limited extension up to 30 June 2020 to allow key issues to be addressed and for staff to be placed on notice where required.

I understand the EA held an information session regarding this with groups on 11 March 2020 which was attended by staff from Youth Clubs in Coalisland and Dungannon, and at which they were offered the opportunity to contact their Senior Youth Officer to discuss essential delivery including weekend provision. Should the Management Committees from either centre wish to discuss this further, they should contact Ryan McGee by emailing Ryan.McGee@eani.org.uk or by telephoning 0780 813 4038.

Although generic youth services were stood down in response to the Covid-19 pandemic, as directed by Minister Weir, groups have received funding for core staff salaries up to the end of June and a further 3 month cash allocation letter has been issued to guarantee staff salaries and inescapable costs in line with the agreed essential services plan, up to the end of September 2020.

Over the next month, the EA will notify groups of their full budget allocation for 2020-21, based on essential costs of delivery during the time of Covid-19 (April – September 2020) and historical patterns of Youth Service delivery from October 2020 to March 2021 based on a Service Level Agreement.

APPENDIX B

I can assure you that the EA has continued to provide statutory support to those young people most at need during this time through initiatives including the START programme (supporting young people at risk from paramilitaries); FLARE (supporting young people experiencing mental health issues) and the Youth Online service (including Stay Connected which allows young people to self-refer for a range of support from youth workers).

Minister Weir has also agreed the EA undertake small group work, with targeted young people identified as at risk to themselves and/or to others; targeted outreach and detached work informed and supported by the PSNI to respond to youth at risk, with a focus on de-escalation of tensions, individual and small group work, and summer activities to be delivered by voluntary, community, private and uniform organisations.

Going forward and to ensure young people continue to be supported, the EA Youth Service are completing a survey with young people on the effects of Covid-19 which can be found at the attached link <https://bit.ly/3hscPA1>. They have commissioned research into this which will inform future needs based provision as Youth Services restart in September 2020. It is anticipated that funding will be made available to youth groups to support delivery of services based on the needs identified in this research and through stakeholder engagement. Groups will be informed of this in due course.

Finally, the EA's new funding scheme for regional and local youth services is currently being implemented. The Local Area Based specifications for Mid Ulster have been established through the development of a robust assessment of need and the local youth development plan for the area. This assessment of need was completed using desk based research and local and regional consultations, through surveys and focus groups and can be found at the following link <https://eanifunding.org.uk/local-assessment-of-need/>, with the 3 year development plan for the Mid Ulster found at <https://eanifunding.org.uk/local-youth-development-plans/>.

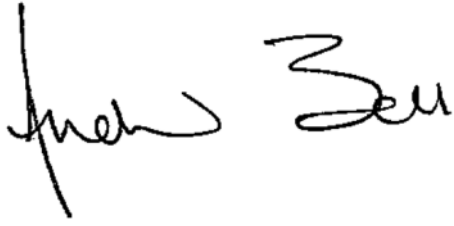
Specifications are in place for the Dungannon Town area and the Coalisland area and for further information on these specifications, groups can contact the Senior Youth Officer, Ryan McGee.

Should you have any further queries, or wish to discuss this matter further, please do not hesitate to contact Lynsey Branniff, EA Head of Local Youth Services by emailing Lynsey.Branniff@eani.org.uk or by telephoning 0777 544 6836.

I trust you will find this information helpful.

Yours sincerely,

APPENDIX B

A handwritten signature in black ink, appearing to read 'Andrew Bell', with a stylized, cursive script.

Andrew Bell
Youth Work Policy Team

**From the office of the Minister for Infrastructure
Nichola Mallon MLA**

Councillor Martin Kearney
Mid Ulster Council
Burn Road
Cookstown
BT80 8TD

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0105
Email: Private.office@infrastructure-ni.gov.uk

Your reference: C100/20
Our reference: INV-1329-2020
15th July 2020

Cllr Kearney

A29 COOKSTOWN BYPASS

Thank you for your letter dated 28th May requesting a meeting to discuss the A29 Cookstown Bypass.

While I am currently faced with serious and challenging budget constraints, I am committed to working to find solutions that deliver better for our communities and improve lives across Northern Ireland. In this respect, I recognise that many in the local community support the provision of a bypass of Cookstown. I am also fully aware of the benefits it would bring to the local area.

On 10 June 2020 I announced to the Assembly my intention to progress a number of strategic infrastructure and flagship projects as part of my plan to aid economic recovery and community transformation. I have now asked officials to push forward on the development of these important schemes, one of which is the A29 Cookstown Bypass. I have asked my officials to work at pace on the development of the scheme and to bring forward draft statutory orders for my consideration in the next financial year.

Given that scheme development is continuing, officials would be happy to facilitate a meeting to discuss the scheme.

Should you wish to meet with members of the project team, please contact David McKinley on 02882 254169 or email david.mckinley@infrastructure-ni.gov.uk if you would like to arrange a meeting.

I trust you find this response helpful

A handwritten signature in black ink, appearing to read 'N. Mallon', is positioned above the printed name.

NICHOLA MALLON MLA
Minister for Infrastructure

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	Thursday 23 rd July 2020
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Justice	Adult Restorative Justice Strategy	Consultation considers how a strategic, co-ordinated approach to restorative practices at all stages of the criminal justice system, from early intervention in the community, formal diversion by statutory agencies, court-ordered disposals, custody and reintegration, may be developed.	11 th September 2020	
	Link to Consultation	https://www.justice-ni.gov.uk/consultations/development-adult-restorative-justice-strategy-ni		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No (can be considered by August 2020 Council, if required)	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Agriculture Environment & Rural Affairs	Discussion on the "Future Recycling and Separate Collection of Waste of a Household Nature in Northern Ireland"	This document seeks views on steps towards improving the quality and quantity of household and non-household recycle in Northern Ireland and cut landfill rates whilst having minimal impact on businesses and householders. It seeks views on proposals for what our recycling environment could look like, and suggestions on possible ways to improve the quality and quantity of municipal waste recycled.	4 th October 2020	

	Link to Consultation	https://www.daera-ni.gov.uk/consultations/discussion-future-recycling-and-separate-collection-waste-household-nature-northern-ireland		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Justice	A consultation on proposals to amend the legislation governing the retention of DNA and fingerprints in Northern Ireland	The purpose of this consultation is to seek the views of key stakeholders and other interested parties regarding proposals to amend the provisions within the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI) relating to the retention of DNA and fingerprints in Northern Ireland. All of the proposals will involve changes to the yet to be commenced biometric provisions set out in Schedule 2 of the Criminal Justice Act (Northern Ireland) 2013.	28 th August 2020	
	Link to Consultation	https://consultations.nidirect.gov.uk/doj-policing-community-safety-partnerships/retention-of-dna-and-fingerprints-ni/		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No (can be considered by August 2020 Council, if required)		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern Ireland Housing Executive	Irish Travellers Accommodation Strategy 2020-25	Irish Travellers Accommodation Strategy 2020-2025 sets out how NIHE plan to provide Irish Travellers with access to	23 rd September 2020	

		<p>good quality, culturally appropriate housing accommodation which fosters a sustainable, vibrant Traveller community and promotes inclusion, a sense of belonging and security.</p> <p>In 2003, the strategic role and responsibility for the provision of accommodation for Irish Travellers was transferred from Councils to NIHE under the Housing (NI) Order 2003. The Strategy aims are:</p> <ul style="list-style-type: none"> •Address the range of accommodation needs of Irish Travellers; •Ensure provision of adequate and suitable accommodation for Irish Travellers 		
	Link to Consultation	https://www.nihe.gov.uk/Working-With-Us/Partners/Consultations		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed

Department of Justice (DoJ)	Organised Crime Strategy for Northern Ireland	DoJ is consulting on a new multi-agency draft strategy to protect individuals, communities and businesses in Northern Ireland from organised crime. This seeks to build on and enhance the considerable body of work and structures already in place to support multi-agency collaboration in response to organised criminality. The draft strategy has been developed and informed through significant engagement with other partners across Government and law enforcement, and in particular, by close engagement with partner organisations represented on the Organised Crime Task Force (OCTF).	2 nd October 2020	
	Link to Consultation	https://consultations.nidirect.gov.uk/doj-corporate-secretariat/department-of-justice-doj-draft-organised-crime-st/		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No (can be considered by August 2020 Council, if required)	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Justice (DoJ)	Policy proposals for new provisions to tackle organised crime in Northern Ireland	Consultation seeks views on a range of proposals to reinforce response to organised crime through introduction of specific legislative provisions, including a statutory definition of serious	2 nd October 2020	

		organised crime and new offences of 'directing' organised crime; 'participating' in organised crime and provision for relevant offences to be 'aggravated' by a connection with organised crime.		
	Link to Consultation	https://consultations.nidirect.gov.uk/doj-corporate-secretariat/organised-crime-offences		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for the Economy	Priority Dispatch Provisions of the EU Electricity (Recast) Regulation 2019	On 1 st January 2020, the EU Electricity Regulation 2019 came into force to update requirements on certain types of renewable power-generating facilities and priority dispatch. For Northern Ireland to comply, some legislative amendments will be required in relation to Article 12 of the Regulation, which outlines the new rules for priority dispatch.	8 th September 2020	
	Link to Consultation	https://www.economy-ni.gov.uk/consultations/priority-dispatch-provisions-2019-electricity-recast-regulation-eu-2019943		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No (can be considered by August 2020 Council, if required)	

Report on	Mid South West Region Growth Deal Report
Date of Meeting	23 July 2020
Reporting Officer	Adrian McCreesh, Director of Business & Communities

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

1.0	Purpose of Report
1.1	To note progress on the ongoing work in relation to the Mid South West region.
2.0	Background
2.1	<p>The most recent MSW Region Update was presented to Council on 27th February 2020 at which Council approved the 'final draft' Mid South West Regional Economic Strategy and the endorsement of ongoing engagement with central government in Whitehall and Stormont.</p> <p>The Mid South West Regional Economic Strategy was approved by the respective Council of Armagh, Banbridge and Craigavon on 24th February 2020. The strategy was also approved by the Council of Fermanagh and Omagh District Council on 3rd March 2020.</p> <p><u>MP and MLA Information and Engagement Event</u></p> <p>A successful Information and Engagement Event was held with MPs and MLAs on 28 February 2020. Professor Gordon Matheson CBE inputted on political leadership in City/Growth Deals before those in attendance received a high level overview of the Strategy. The event concluded with a 'Question and Answer' session facilitated by the three Council Chief Executives and Professor Matheson.</p> <p><u>Strategy Launch Event Postponed</u></p> <p>Plans to launch the Mid South West Regional Economic Strategy were at an advanced stage with an event scheduled to take place on 27 March 2020, however, as a result of Covid-19 the launch event had to be postponed. With the oversight of the MSW Governance Steering Group, it is hoped that it will be possible to launch the RES in an appropriate manner later this year.</p>
3.0	Main Report

3.1	<p><u>Mid South West Regional Economic Strategy (RES) – Impact of Covid-19</u></p> <p>Prior to launching the RES (later this year) the content is currently being reviewed to take account of the impact of Covid-19.</p> <p><u>Forward Work Plan</u></p> <p><u>Prioritisation of Interventions</u></p> <p>Alongside reviewing the RES to take account of the impact of Covid-19, the MSW Region Executive Officer Team is progressing an exercise to identify and prioritise interventions under the four intervention areas as follows:-</p> <ul style="list-style-type: none"> • Future-proofing the Skills Base • Enabling Infrastructure • Boosting Innovation and Digital Capacity • Building a high-performing visitor/tourist economy <p>The outcome of this exercise will identify which interventions could be taken forward through a Growth Deal proposition and will be considered in the first instance by the Governance Steering Group at their next meeting on 21 July 2020. The outcome from the Steering Group meeting will then be reported through the respective Councils in July/August 2020 following which the business planning process can commence.</p> <p><u>Growth Deal Match Funding & Executive Complementary Fund</u></p> <p>Match funding for the Mid South West Region Growth Deal was confirmed by the Executive on 4 May 2020. The Executive will match fund the contribution from the Treasury in the amount of £126 million. Total funding to date is £252 million.</p> <p>At this time, the Executive also announced a Complementary Fund of £100 million which can be accessed through a bidding process by three of the four City/Growth deals i.e. Belfast Region City Deal, Causeway Coast and Glens and Mid South West. The MSW Region Executive Officer Team is working to identify interventions that could be accelerated through this Fund to support the recovery from Covid-19. Interventions to be prioritised through this Fund will also be considered by the Governance Steering Group at their meeting on 21 July 2020.</p> <p>Further information on the Fund, including in relation to the bidding process, has not yet been made available by the Department of Finance (DoF) however in order to be in a state of readiness, relevant Officers from across the three Councils are working to develop the interventions in parallel with pursuing the relevant approvals.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: Financial contributions from the three respective Councils have been allocated to develop the growth deal proposition.
	Human: Officer Time
	Risk Management:
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: The RES has been equality screened and it has been screened out. The Equality Impact Assessment was presented to the Council on 27 February 2020.
	Rural Needs Implications: The Rural Needs Impact Assessment was also presented to the Council on the same date.
5.0	Recommendation(s)
5.1	It is recommended that Members note: 1. Ongoing work in relation to the Mid South West Region. 2. Allocation of match funding of £126 million from the Executive resulting in a £252 million allocation to the Growth Deal. 3. Further information on the Complementary Fund will be provided at a future Committee meeting.
6.0	Documents Attached & References
	None

