



23 March 2023

Dear Councillor

You are invited to attend a meeting of the Council to be held in
The Chamber, Dungannon and by virtual means Council Offices, Circular Road,
Dungannon, BT71 6DT on Thursday, 23 March 2023 at 19:00 to transact the
business noted below.

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

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | |
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| 5. Council minutes of meeting held on 23 February 2023 | 5 - 26 |
| 6. Special Council minutes of meeting held on 2 March 2023 | 27 - 36 |
| 7. Planning Committee minutes of meeting held on 7 March 2023 | 37 - 64 |
| 8. Policy & Resources Committee minutes of meeting held on 9 March 2023 | 65 - 72 |
| 9. Environment Committee minutes of meeting held on 14 March 2023 | 73 - 82 |

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Matters for Information

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Notice of Motions

- 15 Councillor S McPeake to move -
That this Council recognises the vital role that 'Out and About Community Transport' and 'Shop Mobility' organisations provide in our towns and rural areas of Mid-Ulster for various user groups including the elderly, people with disabilities, the unemployed and our young people and that this Council is shocked to learn that these much valued, not-for profit, Charitable organisations have been put on notice that no departmental funding is guaranteed for them beyond April 2023 and that this Council seeks an urgent meeting with DFI Permanent Secretary seeking the securing and ring fencing of the budget necessary to sustain this vital service to our rural communities.
- 16 Councillor McFlynn to move -
This Council recognises the vital role played by Community Pharmacies, particularly in rural areas, in providing access to healthcare during the Covid-19 pandemic and that the network made a huge contribution to the public health response through new and enhanced roles developed in conjunction with the Department of Health and the Health and Social Care Board. Notes the finding of a recent KPMG report that estimates the cost of providing community pharmacy services for 2022/23 to be around £200million compared to indicative community pharmacy funding of £133.2million. Agrees to write to the Permanent Secretary at the Department for Health highlighting this funding deficit, and calls on any incoming Executive to secure the significant investment needed to implement the agreed 2021 Community Pharmacy Commissioning Plan.
- 17 Councillor Quinn to move -
"That this Council notes with concern the massive reduction to ESF funding which will have major implications in both the voluntary and community sector right across Mid-Ulster which will many vulnerable people at risk.
That the Council calls for an emergency meeting with the permanent secretaries to Department for Communities, Department for the Economy, Department of Finance and Department of Health to discuss."

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

18. Council Confidential minutes of meeting held on 23 February 2023
19. Planning Committee confidential minutes of meeting held on 7 March 2023
20. Policy & Resources Committee confidential minutes of meeting held on 9 March 2023
21. Environment Committee confidential minutes of meeting held on 14 March 2023
22. Development Committee confidential minutes of meeting held on 16 March 2023
23. Council Insurances 2023/24
24. Document for Sealing - Grant of Easement/Wayleave Land Registry CLC001-0004

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 February 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor Corry

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

Officers in Attendance Mr McCreesh, Chief Executive
Mr Black, Strategic Director of Communities and Place (SD: C&P)
Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD:ODSP)
Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP)
Mr Tohill, Strategic Director of Corporate Service and Finance (SD:CSF)
Ms Kate Keys, Marketing and Communications Manager**
Mrs Forde, Committee & Members Services Manager

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor Corry 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.

C031/23 Notice of Recording

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

C032/23 Apologies

Councillor Burton, Graham

C033/23 Declarations of Interest

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

C034/23 Chair's Business

The Chair, Councillor Cora Corry said that all had heard the awful news of the attempted murder of DCI John Caldwell which took place on 22 February in Omagh in front of his child and other young people. The Chair extended her solidarity to John and his family and wished him a full recovery. The Chair proposed to send a letter condemning the attack and wishing John a full recovery. She sought unanimous support from all for the proposal.

Councillor Bell seconded the proposal.

Councillor Robinson speaking of the attack stated, "I played football against John Caldwell when we were children. The last time I was talking to him was in the swimming pool. I was there with my children and he was there with his. He's an ordinary man the same as anyone else living and working in County Tyrone. Some of us chose to be farmers, builders, councillors, council staff, nurses, doctors, firefighters or care workers but he chose to serve his community as a police officer. The fact he wears that police uniform gives no one the right to shoot him. Indeed our jobs would all be a lot easier if DCI Caldwell was sitting at his desk this evening helping put drug dealers behind bars rather than lying in a hospital bed fighting for his life. As a council we should send our prayerful support to DCI Caldwell and his wider family as well as his colleagues. As a council we should condemn those who planned and shot DCI Caldwell. Police officers are hampered in doing their job because of the terrorist threat. How many times in this council chamber do we talk about anti-social behaviour. How many times do we talk about rural crime. How many times do we talk about substance abuse and organised crime. Yet here we have a man who was taking the fight to the criminals and removing them from our streets and a few cowards skulk around in dark and shoot him in the name of Ireland. I don't even know how you put logic to that. But council I couldn't put logic to it 30 years ago either. It was criminal then and it is criminal now. It was terrorism then and it is terrorism now. There was no justification for shooting police officers in 1973 or 1983 and there was no justification last night in 2023. Finally, last night DCI Caldwell was shot in front of children indeed his 12 year old son saw it all. They will never get over that trauma. This was not the first time a Republican shot a policeman in front of a child but Council let's make sure it's the last time."

Councillor Glasgow said the event was a stark reminder of what all had thought was passed. He reflected on the fact that in 1998 91% of people voted for peace yet the small minority would try to bring a campaign of terror back. Councillor Glasgow said that John was a husband and a father who was fighting for his life, a life in which he had made a career of protecting people. He stated that perpetrators must be found and put before the courts and there should be no hiding place for those who carried out the attack on an innocent man who was carrying out his duty as a father. Councillor Glasgow said that the law is the law and murder is wrong. He on behalf of

the UUP passed prayerful thoughts to the Caldwell family and hoped that John had a full recovery.

Councillor Quinn said that his thoughts and those of the SDLP were with DCI Caldwell and his family together with those who witnessed and looked after him at the time of the attack. He said that the people behind the attack represented no one in the chamber. He said that the fact that John was shot in front of his son added additional horror. Councillor Quinn recalled a conversation he had with his father when he had asked if he could join the police and told how his father had said 'son, we cannot have a country without law and order.' He said people should not be in fear of being shot whilst training children. He concluded that the message had to reach those who carried out the attack to 'wise up' and stop such activity and do something decent for society.

Proposed by Chair, Councillor Corry
Seconded by Councillor Bell

Resolved That the Chair send a letter to the family of DCI John Caldwell condemning the attack on his life and sending well wishes and solidarity to them.

The Chair, Councillor Corry welcomed the funding secured for the Derrynoid and Drumcaine Forest upgrade project through the latest round of Shared Prosperity Funding together with the recent announcement of the £9M for the regeneration of Maghera. She said that the award of just over one hundred and four thousand pounds will make up part of the matched funding elements for the Derrynoid and Drumcaine projects, and will enable Council to unlock additional investment to further support the development of outdoor spaces under Outdoor Recreation Strategy, currently in its third year, across the district. The Chair, said that projects like these can also have benefits in a wider sense, encouraging those from outside the district to visit. She said that in the current month, a significant cross-border tourism project has been set in motion and as part of the Sliabh Beagh Partnership, Outdoor Recreation NI have been appointed as consultants for a feasibility study to look at developing walking, cycling and equestrian activity in the area. She said it was a significant project in an area that has great conservation and heritage value, welcomed the initiative, which would help to develop tourism and recreation across all three partnership councils involved.

The Chair, Councillor Corry drew attention to events and encouraged people to participate. She said that the proportion of older people in Mid Ulster is growing and by developing a new Age Friendly Strategy and Action Plan, Council is making an important commitment to older people now and throughout future generations by outlining how the district can become more age friendly. She said that consultation for the plan is open, and encouraged all to have their say emphasizing the importance of getting it right from the get-go, and by ensuring that older residents' voice is heard clearly in the planning stages and plan to do the right things and deliver them at the right time for to meet residents' needs.

The Chair, Councillor Corry drew attention to events to mark International Women's Day on Wednesday the eighth of March with the supporting the theme of 'embrace

equity'. The Chair highlighted the the two events aimed to celebrate the achievements of inspirational local women who are making a major impact in the world of business, community and all areas of society. It was noted that all money raised will go to Causeway and Mid Ulster Women's Aid, a worthy cause I'm sure you'll agree.

The Chair, Councillor Corry extended an invitation to a seisiún mór – a big session in aid of the Chair's charities: STEPS Mental Health, Causeway & Mid Ulster Women's Aid and Tourette's Support, she advised that the session was scheduled for the third of March at Seamus Heaney HomePlace. Local traditional musicians and dancers from the Groogan School of Irish Dancing will entertain as the story is told of Ballinascreen Harpist and Harp maker, Cormac Ó Ceallaigh, maker of the famous Downhill Harp in the 17th century, which now resides in the Guinness Storehouse Museum.

The Chair, Councillor Corry stated that the arts were to the fore in the coming month, as the Council is showcasing the local arts scene through the first ever Mid Ulster Arts Festival which would put on the record all the upcoming opportunities for residents to connect through creativity. She said it was fantastic to have this festival as a platform, showcasing and celebrating the work that is being produced across the district. The Chair concluded that she hoped everyone can find something that they enjoy, and in doing so show their support for the organisations that work so hard to bring our district to life through the arts.

Councillor S McGuigan drew attention to St Mary's Primary School, Fivemiletown which had been discussed previously regarding discussions in relation to closure. He said staff, governors, parents and many sections of the Fivemiletown community had lobbied to have the school retained as pupil numbers were increasing, new housing developments were under construction which would contribute to an upward flow in attendance and the school also provided a much needed community hub. He reiterated previous requests to support the school.

Councillor S McAleer said that the matter was now approaching final stages in consultation and the decision would be taken in the near future as to whether the school would be closed from 31 August 2023. She reiterated the upward trend in attendance, the difficulties with students travelling to the nearest maintained school. that was up to six miles away, the reality that transport is often promised but not delivered, which led to members being lobbied regarding same and the fact that this would eliminate students ability to attend after schools clubs. She said the proposed closure showed no appreciation for the Rural Needs Act and supported Councillor S McGuigan.

Councillor Gildernew concurred with previous comments adding his support to the need to retain the school in Fivemiletown.

Proposed by Councillor S McGuigan
Seconded by Councillor S McAleer and

Resolved That Council liaise with School and Board of Governors and respond to the final consultation regarding the proposed closure of St Mary's Primary School, Fivemiletown. Closing Date: 8 April 2023

Matters for Decision

C035/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 26 January 2023

Councillor Monteith drew attention to C006/23 in relation to cuts in youth funding regarding Dungannon Youth Centre and Ogras Centre Coalisland. He said Members had received a letter today from an officer to say that the Education Authority were keen to meet to discuss funding. He said the Youth Alliance had demonstrated that there are cuts, it was noted that whilst the amount of funding remained the same for Mid Ulster there had been extra youth providers thus the money had to be spread further. Councillor Monteith spoke of a letter penned by Josh Boyle a user of a local youth club, he said that Josh had eloquently communicated the real need as he used the youth club for his social interaction and development. Councillor Monteith said that organisations should not be victims of their own success and Council could not sit back and permit the cuts to take place given the volume of young people availing of the services.

Councillor Monteith proposed that Council progress a meeting as soon as possible with EA Officials and representatives of Dungannon Youth Resource Centre and Ogras Coalisland.

Councillor Molloy seconded the proposal and said that the centres provide young people with a place to go and if the services are cut they will be left roaming the streets. He said if the proposed cuts go ahead who decides which 40 young people get priority and which 40 is turned away. He said that Members have engaged with centres concerned.

Councillor Kerr concurred with previous comments and spoke of the sterling work delivered by Ogras in his DEA including their provision of weekend activities, summer schemes and evening events. He was emphatic that Council ‘fight their corner.’

Councillor Quinn stated that the SDLP had met with the Education Authority during the week and the outlook had been bleak. He said Ogras was in line to lose some 30% of funding whilst some outside Mid Ulster were losing all of their funding. He said the facts are a disgrace, people jobs were at risk as well as the impact on the young people who use the clubs. He echoed support for the proposal.

The Chair, Councillor Corry concurred.

Proposed by Councillor Monteith
Seconded by Councillor Molloy and

Resolved That Council progress a meeting as soon as possible with EA Officials and representatives of Dungannon Youth Resource Centre and Ogras Coalisland.

Proposed by Councillor Mallaghan
Seconded by Councillor N McAleer and

Resolved That the Minutes of Council meeting held on Thursday 26 January 2023 (C001/23 – C016/23 and C030/23) transacted in Open Business having been printed and circulated were considered and adopted.

C036/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Special Council Meeting held on 6 February 2023

Proposed by Councillor Mallaghan
Seconded by Councillor N McAleer and

Resolved That the Minutes of Special Council meeting held on Monday 6 February 2023 (SC001/23 – SC010/22) transacted in Open Business having been printed and circulated were considered and adopted.

C037/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 7 February 2023

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved That the Minutes of Planning Committee held on Tuesday 7 February 2023 (P012/23 – P017/23 and P022/23) transacted in Open Business having been printed and circulated were considered and adopted.

C038/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee held on 9 February 2023

Proposed by Councillor Gildernew
Seconded by Councillor Molloy and

Resolved That the Minutes of Policy & Resources Committee held on Thursday 9 February 2023 (PR021/23 – PR031/23 and PR039/23) transacted in Open Business having been printed and circulated were considered and adopted.

C039/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee held on 14 February 2023

Councillor Kerr drew attention to E031/23 Chair’s Business: Rates Estimates Rationalisation of Waste Recycling Centres and expressed concern that as an

Independent Member he was excluded from the proposed working group. He also stated that it was ironic that the membership of the working group would be mostly made up by the parties who voted for the rates including the rationalisation of the recycling centres. He said such matters should not take place behind closed doors and proposed that Council facilitate a public meeting and consultation to allow the public to have their say. He concluded that a working group was not the way forward as Council needed to be open and transparent.

Councillor Brown asked for the remit of the working group to be clarified.

The Chief Executive stated that working groups were established as part of council's governance procedures and had been tried and tested. He reminded Members that they are set up by the parent committee and their membership is derived by d'hondt. He clarified that the remit of the working group was to look at the recycling centres across Mid Ulster.

Councillor Brown asked if the working group would be implementing a plan to close the centres or was the implementation to work towards saving them. He said his understanding was that the decision had been taken by Council to rationalise the centres as detailed in the rates report and how could this now be reversed?

The Chief Executive reiterated his comments regarding governance procedures and said the outworking of the group would be brought back to committee for consideration and agreement.

Councillor Monteith seconded Councillor Kerr's proposal for public meetings/consultation and said that it was imperative to consult with those impacted. He said Council repeatedly complain about meaningless consultation and constituents need to have a say over services and it was the only way to be open and transparent. He said that a working group would only, 'kick the decision down the road' past the elections. He also was emphatic that working groups were anti-democratic as they exclude the three independents. He said numerous other councils allows smaller parties to form a group in order that they are included. He concluded that the Council needs to speak to its constituents.

The Chair, Councillor Corry stated the Chief Executive had explained working group remit.

Councillor Mallaghan proposed to proceed with the working group as recommended by the environment committee. He said that at the special council meeting the rates had been struck on budget estimates, no paper had been presented to detail the way forward on the suggestions and the working group was the most effective way to discuss moving forward. He said the current debate was unnecessary as consultation takes place at elections when the people elect members to represent them. He said the fact is that the budget is agreed but the decision in terms of services wasn't taken and sought clarity on same.

The SD: CSF said that the Council had struck a rate and the budget proposals reflected the process required to achieve the rate but he would not prejudge the

outcome of the working group. He concluded that Councillors through democratic mandate make the decisions.

Councillor Mallaghan acknowledged the clarification and said that in any 12 month period the finances could go up or down and decisions can be made in response. He said it was time to stop sensationalising the matter and stated any member had the democratic right to attend committee.

The Chair, Councillor Corry concurred that there have been various outworkings of budget and that any Member could attend a committee.

Councillor S McAleer said that the Clogher Valley councillors had been invited to a meeting of Fivemiletown Chamber of Commerce to discuss the matter and she felt it was a good place to start.

Councillor N McAleer seconded the minutes and Councillor Mallaghan's proposal to proceed with the working group.

Councillor Glasgow said he had highlighted at the Environment Committee and would reiterate that this debate would take place. He said he knew how the UUP had voted! Councillor Glasgow said people were furious in seeing a rise on the rates yet services cut but in fairness to officers they had advised the party leaders and had incorporated the outline plans in the rates paper. He said he had shared all information with his party group but had felt that the process was rushed. He said that he fully respected the democracy of the working group but emphasised that more was mentioned than rationalisation of recycling centres and highlighted that car parks and grass cutting should be included in the group remit. He also shared that the NI Retailer Consortium had mentioned the Mid Ulster rates rise. Councillor stated that all contributing factors needed to be discussed. He said his group had voted against car parking charges in Cookstown especially since people were under pressure. He said Mid Ulster was in uproar and everything needs to be discussed and a logical solution found.

The Chair, Councillor Corry reminded Members that Department for Infrastructure was responsible for grass cutting and Council should be lobbying them to carry out their functions. She also reminded Members that there was an ongoing carparking pilot scheme in Magherafelt.

Councillor Ashton reiterated Councillor Glasgow and said that directors had been up front in saying how they would make the books balance with rationalisation of recycling centres, carparking charges and grass cutting all highlighted. She said if some in the room did not understand, or had not participated in discussion the DUP proposal on the night made it clear they did not support the aforementioned.

Councillor McNamee said that in relation to carparking charges in Cookstown the outcome of the pilot in Magherafelt was awaited to see if charges would be viable.

Councillor Wilson said that the closure of recycling centres had been included from the first paper was produced to every party leaders. He said the officers are tasked to produce a budget on some facts and if these were to be revisited was there going

to be a further increase on the rates or is the additional monies coming from somewhere else. He concluded that 7.3% rise was far too high.

The Chief Executive said that he had made it clear that senior management team had to operate within funds given and if Members determine something else the envelope of funding does not change. He said that the senior management team work with the Members through the committee structures and that members have the political mandate and officers carry out their decisions.

Councillor Cuthbertson said like others he had disagreed with the decision taken on the night but it had been clear as he had personally sought clarification on the rationalisation of recycling centres and grass cutting. He reminded Members that at the Environment Committee the SD: Env had reiterated the facts and said that whilst he welcomed the matters to be revisited he said that the grass cutting is not a 'black and white' issue especially in villages that Council has flower planting schemes. He said in the villages the grass cutting is one of the few services delivered and the flowers planted will not be able to be seen beyond the grass. He said Sinn Féin had blocked all of the matters and now the party was under pressure from the public and reminded them that the grass cutting season hadn't commenced and that was when the complaints would start. He proposed that grass cutting is added to the remit of the working group but said that he would be happier if a paper was brought back to the environment committee as it should be it not a working group making the call.

The Chief Executive stated there was two proposals on the floor, the first the recommendation to adopt the minutes with the working group to address the issues raised at committee, the second for a public consultation.

Councillor Monteith raised a point of order. He said corporate governance had been mentioned but it did not include party leaders and he would have extreme concerns that the rates setting was being discussed at council with a group which has no statutory function.

In response to Councillor Colvin's request to speak the Chair, Councillor Corry said Members were rehashing what had been discussed.

Councillor Cuddy said his colleague had indicated to speak several times without success.

The Chair, Councillor Corry called for a vote on public consultation proposal.

Councillor Mallaghan on a point of order said it did not make sense to consult on a decision not taken.

Councillor Monteith on a point of order stated what is the point on consultation if a decision has been made.

Councillor Glasgow requested that Councillor Colvin be given opportunity to express his view point.

The Chief Executive sought clarity on the wording of the proposal in relation to public consultation

Proposed by Councillor Kerr
Seconded by Councillor Monteith

That Council facilitates public consultation in relation to rationalisation regarding recycling centres and grass cutting.

The Chair, Councillor Corry put the proposal to vote.

For	20
Against	17

The Chair Councillor Corry declared the proposal carried.

The Chief Executive said in determination of the decision Members will understand it will have to be progressed in line with working group and committee.

Proposed by Councillor S McGuigan
Seconded by Councillor N McAleer

Resolved That the Minutes of Environment Committee held on Tuesday 14 February 2023 (E028/23 – E046/23 and E056/23) transacted in Open Business having been printed and circulated were considered and adopted.

Declaration of Interest

Councillor S McAleer declared an interest in D030/23 in relation to the Clogher proposal.

C040/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee held on 16 February 2023

Councillor Cuthbertson drew attention to provision of sports pitches and said it was disappointing that there still would be no council owned facility for hockey. He also drew attention to issues in bringing facilities up to standard, some of which had been detailed in year 5, and requested that it be put on record that where possible Council owned facilities should be brought up to standard prior to embarking to green field sites mentioned in the strategy.

Councillor Kerr drew attention to D030/23 and sought clarity on the proposal. He said Councillor McNamee had seconded the proposal which to his understanding had included that Council to engage with local collages and Trade Unions regarding the cut to funding provided by the European Social Fund and for council to contact the National Association of Drainage Contractors to help alleviate labour's shortage and engaging with local education providers to see if courses can be provided.

Councillor McNamee said he had seconded the proposal.

Councillor Kerr said the recommendation did not include the aforementioned.

The Chief Executive said if it was the mind of the members the proposal would be amended.

Resolved That minute be amended at D30/23 to read
(ii) to engage with local collages and Trade Unions regarding the cut to funding provided by the European Social Fund and for council to contact the National Association of Drainage Contractors to help alleviate labour's shortage and engaging with local education providers to see if courses can be provided.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved That the Minutes of Development Committee held on Thursday 16 February 2023 (D020/23 - D034/23 and D040/23) transacted in Open Business having been printed and circulated were considered and adopted.

C041/23 Conferences, Seminars and Training

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

Proposed by Councillor Mallaghan
Seconded by Councillor Glasgow

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

C042/23 Civic Recognition Requests

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

Proposed by Councillor N McAleer
Seconded by Councillor Kerr and

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

Matters for Information

C043/23 Consultations

Members noted consultations received for attention of Council.

Councillor Molloy proposed that Council respond to SHSCT: Consultation on Reforming Emergency General Surgery Provision Across Southern Trust. Closing Date 21 April 2023. He referred to the relocation of some services at Daisy Hill site, and said that with the current capacity at the Craigavon site, the waiting lists and times for Accident & Emergency as well as other services were dreadful as the people of South Tyrone knew too well.

Councillor S McGuigan concurred with Councillor Molloy and posed the question how would services be populated and would senior staff move.

Proposed by Councillor Molloy
Seconded by Councillor S McGuigan and

Resolved That Council respond to SHSCT: Consultation on Reforming Emergency General Surgery Provision Across Southern Trust. Closing Date 21 April 2023

Councillor Doris drew attention to DoH: Consultation on New Domestic and Sexual Abuse Strategy. Be referred to committee for response. Closing Date: 2 May 2023. Members concurred.

Resolved That DoH: Consultation on New Domestic and Sexual Abuse Strategy. Be referred to committee for response. Closing Date: 2 May 2023

C044/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Monteith referred to correspondence from NI Water regarding Castlehill and said it was worth noting that they deliberately choose to misunderstand Councils ask regarding the reservoir and stated that the face to face meeting should be progressed.

Councillor Monteith drew attention to correspondence from Derry & Strabane and proposed that Council support them in the motion regarding the railways.

Councillor McFlynn seconded the proposal in relation to Derry & Strabane District Council request regarding railways.

Resolved That Council support Derry & Strabane District Council motion in relation to funding of a feasibility study into re-opening the former Great Northern Railway line.

Councillor Kearney acknowledge the response from the BBC regarding Foyle Radio and said that he welcomed the job security he would also like the morning show to continue.

Councillor Molloy concurred with Councillor Monteith's comments regarding the reservoir and mast at Castlehill. He said whilst the meeting was later than wished it

was hoped a resolution would be established in the near future. He too concurred with the proposal in relation to Derry & Strabane District Council re the former Great Northern Railway line and said that Council should be starting to look to see what track beds remain in the district and look towards protecting same.

Councillor Cuthbertson welcomed the response from Department for Infrastructure regarding the gritting of roads. He stated that it is not clear to the general public as to whether they are allowed to collect grit or salt mix when they are gritting the roads themselves. Councillor Cuthbertson proposed to seek clarity.

Proposed by Councillor Cuthbertson
Seconded by Councillor Corry and

Resolved That Council write to DfI Roads to seek clarity as to whether the public who are gritting rural roads not covered in the schedule have access to grit or the salt mix; and how it is made available.

Councillor Kerr supported Councillor Monteith's proposal and referred to presentation previously made to committee and said People should be able to travel from Derry to Cork if the line was reinstated.

The Chief Executive advised that the date had been confirmed for meeting with NI Water regarding Castlehill.

Councillor Quinn concurred with Councillor Molloy and said whilst he did not think a train would run through Coalisland in the near future he would hope that it would be returned and every effort should be made to retain track beds.

Councillor Quinn referring to the gritting of Roads said that the schedule was outdated highlighting the example of the Annaghmore Road where one end was gritted and the other not when in fact there was a primary school at each end. He stated that cars going off the road was frightening and people struggled to travel in heavy frost.

Councillor Glasgow concurred with Cuthbertson and said that the policy was outdated and in his DEA dairy farmers in particular had to come down the mountain to get grit. He said staff in local DfI offices did their best but it was the decision makers who needed lobbied.

C045/23 Notice of Motion

Councillor Wilson moving the motion stated: "As we approach European Victims day it is important that we as a Council show our support to victims especially to the people of Ukraine. We have all witnessed the harrowing scenes from Ukraine where innocent victims have been brutally killed or maimed by the invading Russian Army. We have all seen the affect this has had on the people of Ukraine especially the women and children. Here in Northern Ireland we have also witnessed acts of atrocity where innocent men, women and children were targeted by the IRA and loyalist groups. The Provisional IRA ran amok across this District for three decades

and more, slaughtering men, women and children including; eight innocent civilian men at Teebane who were travelling home from their place of work, terrorists lay in wait to carry out premediated murder. What threat did these men pose to anyone? And then we had the regular targeting of members of the security forces, primarily when they were off duty. I think of Jimmy Speer who was a part-time UDR soldier who when off duty and working in his own garage was brutally murdered. Three children were left behind aged 10, 14 and 16 years. We think tonight of the words of Deirdre, Jimmy's eldest child and I quote, *"He was in the office in the garage, talking across the desk to the secretary. She phoned across; I think she tried phoning the police when the gunman was still there. She phoned across to my mother and we all ran out and we saw him taking his last breathe. "It is not something that ever leaves you. It is something you never forget - the site of his dead body lying there covered in blood."*

In Maghera, they placed a bomb underneath the car of William Gordon knowing that he transported his children to School, the Bomb murdered William and his 10-year-old daughter Lesley and seriously injured his son, who mercifully survived. In Ballygawley the Provisional IRA attempted to murder a former Dungannon Councillor Sammy Brush and they have continued their campaign of intimidation upon him and his family for the years that have followed. They also murdered the Headmaster of Aughnacloy High School, Cormac McCabe on 20 January 1974 almost 50 years ago. Mr McCabe was stolen away from his wife and disabled daughter whilst enjoying a family meal in a hotel located in County Monaghan. Their trail of destruction is there for all to see and no corner of this District survived their fascist actions. Last night we have seen once again gunmen back on our streets as they shot a serving police officer in front of his son and other children and I am sure we all wish DCI John Cardwell a full and speedy recovery from what we know are very serious injuries. I am also conscious that in this chamber Councillor Mullen whose father Dennis was murdered by loyalists, her experiences were not the experiences any child of this Country should ever have gone through. Councillor Black also lost his father, one of the nicest people you could meet, who was murdered on his way to work as a Prison Officer. I have absolutely no doubt that Kyle and Denise are still affected to this day by the callous murders of their much loved fathers. All victims are entitled to justice and I feel that it is important that they do. However the Governments ill-conceived Legacy and Reconciliation Bill will not afford them this opportunity. This bill has been opposed by all the political parties and victims groups at every stage but it appears to be have fallen on deaf ears."

Madam Chair I move this motion.

"That this council light up Council buildings red on the evening of 11th March to recognise European Victims Day.

This would be an important act of symbolism by our Council in showing solidarity with victims/survivors as they face down the UK Government's ill-conceived Legacy and Reconciliation Bill.

Furthermore as we approach the 25th Anniversary of The Belfast/Good Friday Agreement it is incumbent on us all to recognise the constituency of people who sacrificed most over the years of violence, and whose dignity and

generosity of spirit has meant that wider Society has enjoyed a level of Peace (however imperfect it may be).

Let us stand with Troubles victims/survivors from across our community.”

Councillor Cuddy seconded the motion.

Councillor Cuthbertson stated, “The ruthless campaign of terror waged on our streets and in country lanes, and in particular here in our Border County, has left a legacy of pain and suffering across Northern Ireland. It is not just appropriate but essential that we set time aside to remember those whose lives were unjustifiably and callously cut short. The personal stories of those left behind could break even a heart of stone. To hear of the deep void left by the loss of mothers, fathers, grandfathers, sisters and brothers to acts of terrorism is a timely reminder of why all proposals that make an equivalence between perpetrators and victims must be roundly rejected. Let’s be clear, there is a clear difference between an innocent victim and those “would be victim makers”. Those terrorists who set out armed to the teeth in the dark of night, or hiding behind hedges were not innocent victims. There are those who have called to draw a line under the past. However, for loved ones impacted by terrorism there is no option to hit reset. These experiences have shaped their lives and the lives of their children. They have to deal with the impact of this trauma every day. Innocent victims should not be left on the fringes or simply forgotten out of convenience. Instead, they must be central to Northern Ireland’s future. Through their powerful testimony, victims have an important role to play in warning and educating the next generation. Although vital support is now in the process of being provided through the Troubles Permanent Disablement Payment Scheme - which excludes terrorists - there is much more to be done. We need to prioritise the health and wellbeing needs of victims and their families across our Province. The DUP is also clear that they must also retain routes to pursue and obtain justice. That’s why the Government’s plan for a de facto amnesty must be rebuffed. . If we are to move forward in Northern Ireland, those innocent victims, who suffered the most through no fault of their own, must be remembered and respected. This Council should do its part and recognise the many innocent victims of terrorism in our District by lighting up our buildings.”

Councillor Mallaghan said that other victims not mentioned by the two previous speakers had been those who were victims of the British state which too had been acts of terrorism.

Councillor Quinn said he had not dealt with the horrors of the troubles but had attended a debate, on which he had been a panel member together with Tom Elliot, Jim Allister and had met with victims of republican terrorism. He said the entire event had been an eye opener to him. He spoke also of meeting Ann Cadwallader together with Councillor Mullen and had been on a reading panel regarding the Glenanne gang which to him had been an eye opener. He said that everyone in the country had suffered and some in the Chamber tonight had suffered more than others. He said victims need help and he had no problem opposing the Tory bill but said people had to move forward and victims need all the help they can get.

Councillor Monteith stated that he had read the motion and had been mindful to support it but the debate had embarked on a one sided narrative about the country. He concurred with Councillor Mallaghan's comments and highlighted that there had been those who had suffered at the hands of the British state, he said everyone's grief must be respected. He drew on references made about people wearing masks and hiding and named the four men shot at the Chapel in Clonoe Kevin Barry O'Donnell, Sean O'Farrell, Peter Clancy, and Daniel Vincent and said that one person's terrorist is another's freedom fighter. He spoke of John Pat Cunningham shot in the back, Aiden McAnespie shot in the back and still in the British Court system there was no justice for Irish people. He said the wording of the motion was fair but the aforementioned had to be said.

Councillor S McPeake said one could speak at length but to follow on from Councillors Monteith and Mallaghan the fact that two sitting councillors had been murdered through collusion had to be said. He spoke of Bernard O'Hagan and John Davey personal friends and council colleagues who were murdered through collusion.

The Chair, Councillor Corry declared the motion carried.

C046/23 Notice of Motion

Councillor Corry moving the motion stated, "As a young person the importance of education was always instilled in me. My parents didn't have the opportunity to go into the careers they had wanted to, as their families couldn't afford it, being from poor rural backgrounds in the 50's and early 60's. My mother had wanted to be a hairdresser and my father had been encouraged to go on to teaching but their families didn't have the money to send them for training. So they went straight into work, in the jobs they could get at the time, to help their families and to support themselves. My father was always hungry for knowledge and was an avid reader and always encouraged us to learn, as they say knowledge is power. I took that to heart and recognised the importance of education and that I had opportunities that they didn't, although we didn't have money at home, times had changed and I was lucky to be able to go to university, which was something they could only dream of. Once again financial barriers are becoming an impediment to people wishing to go on to their chosen paths, heavily impacting on those from disadvantaged communities. Others facing barriers include women often due to caring responsibilities, those with disabilities and those from ethnic minority backgrounds. As Chair of council I have met the Open University on a number of occasions and when they told me of their work on lifelong learning I was very excited. I believe everyone should have the opportunity to learn and to go on their chosen path whatever that may be without barriers. The Open University are part of The Life Long Learning Alliance which includes the forum for adult learning, the open college network, aontas and chief officers third sector co3. They also work with the Trade Unions and throughout the various sectors. They believe their vision must recognise the intrinsic and holistic value of learning for all to transform lives, economies and communities - its fundamental relationship not just to widening participation in learning, but supporting an inclusive and resilient workforce, better jobs and pay. The Open University's manifesto 'The Future is Flexible'. Recognises the value of

accessible part-time, flexible higher education and prioritising its growth is key to addressing skills shortages, economic productivity, regional imbalances, and social inclusion. Creating a culture of lifelong learning is crucial to ensure that individuals participate in learning after leaving compulsory education. 34% of adults in the north haven't taken part in learning since leaving school, the lowest on these islands.

People who have left school for whatever the reason, be it for caring reasons, financial or maybe just not having the confidence or belief in themselves, should have the opportunity to then go on to further learning if that is something they wish to do and it should be encouraged. Education should be flexible, with suitable hours for those currently working or with caring responsibilities and I know that the open university already provide a credits system where learners can build up towards their chosen level of education, they also provide apprentice programmes and work with those trying to address skills shortages such as in health. The alliance want education to be affordable so needs to see funding and flexibility for learners, the open university also provides hundreds of free courses. They aim to support those on UC who wish to engage in education and ensure benefits are not penalised. To eradicate digital poverty and exclusion and remove barriers of age, barriers to women, those with caring responsibilities, those with a disability, disadvantaged communities and refugees, asylum seekers and BAME communities.

To conclude and as already stated Lifelong learning results in a wide range of benefits in recognising the value of learning for all to transform lives, economies and communities - its fundamental relationship not just to widening participation in learning, but supporting an inclusive and resilient workforce, better jobs and pay. I hope you will support this motion."

The Chair, Councillor Corry moved the motion.

This Council believes:

- education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.
- part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy.
- part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring responsibilities; such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.
- lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.
- recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

This Council therefore resolves to:

- To work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities.
- Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed.
- Encourage MLAs to form an All-Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

Councillor Mallaghan seconded the motion and said he had attended events with the Chair and had found them informative and interesting. He said he would have liked to have attended university but at the time had decided to travel. He said the open university provided people with great opportunity to build up credits toward a degree which also give people a second chance at education. He said it should be considered 'in the mix' with apprenticeships. Councillor Mallaghan said Council should play a positive role and help demonstrate that it is not insurmountable to attain education credits. He said he would welcome opportunity to learn more.

Councillor Black stated, "As a party we are generally supportive of the motion. We agree that education should be accessible to all who seek it for both the benefit of the individual and wider society. Indeed the ten skills strategy developed by the DUP Economy Minister includes a commitment to creating a culture of life-long learning, recognising that individuals of all ages will need to engage in education and training, to ensure their skills and qualifications keep pace with changes in technology and other areas. It also sets out a plan to deliver growth in qualifications relating to technical and professional skills.

There is particular need to address these issues in Northern Ireland as participation in adult learning is low, 18.2% compared to the United Kingdom average at 25.3 % based on the working age of the population. This needs to change. As well as minority groups raised by the Chair, it is also important to note that research shows that women, lone parents with dependents and carers are more likely to be in part time employment, therefore it is also vital to ensure that these people can participate in life long learning. However this will require the current systems constraints in relation to childcare and social care to be addressed. This will be pivotal part of transforming access to life long learning for the hardest to reach in our society. We also need to tackling inequality by supporting people with low or no qualifications to overcome the barriers to employment and make the most their capabilities.

Councillor Kearney referred to the 2017 Community Plan in relation to educational skills and drew on statistics outlined in the document. He spoke of how the plan outlined objectives to give children and young people better opportunities. Councillor Kearney also referred to shared education and skills programmes and part time education courses. He said there were 15 objectives in numeracy and literacy and that throughout the life of the plan there would be opportunities to assess and measure progress. He also spoke of partnerships such as MEGA (Manufacturing Engineering Growth Advancement) the LMP (Labour Market Partnership both means of improving skills and opportunities. He concluded that the SDLP would support the motion.

Councillor Colvin said the UUP would support the motion and told how he had availed of life long learning opportunities. He also highlighted the importance of apprenticeships and the need for sound educational advice to young people. He stated that often education moves people to university which was important but there were other means of achievement. He shared how an uncle had the desire and capability to be a doctor but had been a farm labourer due to educational constraints.

The Chair, councillor Corry thanked Members for their support and said that the Open University programmes include apprenticeships and was a great means to continuous learning. She declared the motion carried unanimously.

The live broadcast concluded at 8.38 pm.

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

Proposed by Councillor Kerr
Seconded by Councillor S McAleer and

Resolved That items C047/23 to C055/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 26 January 2023
- (ii) Planning Confidential minutes of meeting held on 7 February 2023
- (iii) Policy & Resources Confidential minutes of meeting held on 9 February 2023
- (iv) Environment Confidential minutes of meeting held on 14 February 2023
- (v) Development Confidential minutes of meeting held on 16 February 2023
- (vi) Land acquisition at Desertcreat
- (vii) Document for Sealing – Local Authority Deed Agreement for Ballymacombs Landfill Site
- (viii) Document for Sealing – Local Authority Deed Agreement for Magheraglass Landfill Site
- (ix) Document for Sealing – Local Authority Deed Agreement for Tullyvar Landfill Site

C056/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.00 pm.

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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

Minutes of Meeting of Mid Ulster District Council held on Thursday 2 March 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Corry
Members Present	Councillors Ashton*, Black*, Brown*, Clarke*, Colvin*, Cuddy, Doris*, Glasgow*, Hughes, Kerr*, Martin*, N McAleer*, S McAleer, McFlynn, S McGuigan, McKinney*, D McPeake*, S McPeake*, Milne*, Quinn* (7.10pm), Robinson*, and Wilson*
Officers in Attendance	Mr McCreesh, Chief Executive Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E) Mrs Forde, Committee & Members Services Manager
Others in Attendance	NI Water - Representatives Dr Steve Blockwell Dr Gary Curran Mr Roy Mooney

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor Corry 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.

C057/23 Notice of Recording

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

C058/23 Apologies

Councillor Burton, Graham, Kearney and Mullen

C059/23 Declarations of Interest

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

C060/23 Chair's Business

None

C061/23 Deputation – NI Wastewater Infrastructure Investment in Mid Ulster

The Chair Councillor Corry welcomed representatives of NI Water to the meeting.

Dr Blockwell delivered presentation (appendix a) outlining NI Water infrastructure, key challenges and available resources for the current year. He outlined the capital expenditure overview and detailed the investment plans across the district. Dr Curran outlined the ongoing development constraints, NI water response to planning applications. He outlined how NI Water were addressing the capacity issues and the associated economic constraints. Dr Curran outlined the two level approach both tactical and development and advised a development constraints project team had been established and encouraged early two way dialogue and engagement with regards to development and updated members on the launch of a digital service to increase online functionality.

Dr Curran outlined solution engineering options but the main solution currently was blue/green infrastructure intercepting storm water. He outlined particular developments in Magherafelt and Cookstown that were currently being discussed which would allow 130 houses to progress in Magherafelt and 15 in development in Cookstown.

Dr Curran drew attention to difficulties at semi detached properties in Dungannon and outlined a planning application which had been approved, which NI Water had advised against and it was believed NIEA had not been contacted. The planning approval appears to have no conditions in place. He advised they the

Dr Blockwell concluded the presentation.

The Chair, Councillor Corry thanked NI Water representatives for the presentation stating that it was somewhat sobering, she advised that Council had lobbied with regard to funding for infrastructure, welcomed the points raised in relation to innovation and technical solutions but expressed concerns about some of the areas outlined. The Chair invited Members questions.

Councillor Milne thanked NI Water representatives for the presentation and spoke of the proposed upgrade for waste water treatment planned for Bellaghy. He said he had wrote to NI Water as people's plans were being turned down in relation to lack of sewage. He highlighted that plans had been passed for 200 houses and these together with other economic plans were on hold due to planned upgrades. He asked where these planned works were on the timeline for delivery.

Dr Blockwell said that the PC21 programme covered a six year period whilst he did not have an exact date it would be delivered within the programme.

Council Colvin thanked NI Water representatives for their presentation and stated he had been encouraged by some of the plans but had however a number of issues. He sought clarity as to who sorts out difficulties such as foul odours in relation to temporary treatment plants.

In response Dr Curran advised that if the temporary treatment plant was privately owned it was an issue for the developer and or residents to resolve and foul odours was often a consequence if the plant was close to buildings whereas NI Water would have an exclusion zone surrounding treatment plants.

Councillor Colvin referred to the robust responses to planning consultations and asked when they would commence.

In response Dr Curran said they are already in play and further rational is another step in the process. He said that if they are recommending that plans are not approved due to lack of infrastructure they would also name the watercourses likely to be impacted if there is overflow.

Councillor Colvin referred to the water pumping station at Newmills which is inhibiting development on a linear path and asked if there was any possibility in having it moved to another location.

In response Dr Curran stated that infrastructure would not be moved to accommodate a linear park/path but they would provide costings on the works and if these were met it would be considered.

Mr Mooney concurred and requested Councillor Colvin provide details of the request following which he would give an update.

Councillor N McAleer requested that Dr Blockwell and or Dr Curran make direct contact with him as he had specific queries regarding Killygonlon.

Dr Curran stated he would be happy to do so.

Councillor S McPeake thanked NI Water representatives for the presentation and extended his thanks to Mr Mooney who had assisted a specific developer with an issue in his DEA. He said that the lack of capacity was alarming and asked if a developer builds temporary treatment works to a certain specification would NI Water adopt. He referred to area projected graphs which NI Water had included in a presentation to council in the past which outlined capacity and potential gaps and asked if an update on these could be circulated to Members. Councillor McPeake also asked how NI Water prioritise works in the district and asked if to prioritise the three main towns would be to the detriment of smaller towns and villages.

Mr Mooney said in relation to temporary treatment plants NI Water had developed a criteria and if plants are built to the specified standard which would include sustaining testing, proximity to other properties in terms of odour and noise they would be adopted. He said that NI Water had a specialised team who had this remit and adoption of such works enables developments to proceed.

Dr Blockwell said that the maps which formed part of the PC21 plans were coded red, amber and green and that they also provide a list of areas where there are capacity problems. He said they encourage developers to use the processes in place and conduct impact assessments. He said that sometimes treatment works

can be fixed but there may still be capacity issues. He said they also communicate the capacity problems in smaller hubs and that going forward with new technology and development such issues could be dealt with.

With regard to prioritising investment Dr Blockwell said NI Water are regulated by price control process, environmental impact and priority is also given to what works would benefit the most number of people. He said the process is worked out with partners such as NIEA and the Consumer council. He said there is a matrix which includes criteria and analysis such as growth pressures. He concluded that there are over 200 large treatment works which need priority, 45 of which are in current block but unfortunately there would be more capacity issues down the line.

Councillor S McAleer thanked NI Water representatives for the presentation and welcomed the developer constraints project team. She said that the lack of sewage capacity in rural areas was stifling housing development as given that developments tended to be a small number of houses to install a treatment plant was not cost effective. She sought a way forward.

Dr Curran said that the difficulty in the Clogher DEA was that were population is light the network would not extend but there were means of overcoming issues but it was at the developers expense. He said there was little opportunity for NI Water to expand into such areas as trying to move small amounts of sewage around is impractical but for a single house a septic tank was a practical solution.

Councillor S McAleer said that the area in question was in Cabragh and the development would be four houses.

Dr Curran said that he was familiar with the area and that there is a sewer network which links to a small NI Waste Water Treatment works but the area in question may be just beyond the network but said if the Councillor forwarded him the specifics he would follow up.

Councillor S McGuigan said that developer led initiatives had already been addressed but asked if that type of initiative, temporary treatment works, was taking over NI Water responsibility. He said in places where there is a small network of private development and temporary treatment works go wrong it will ultimately pose bigger problems in the future.

Dr Curran said that since the initiation of the pre planning team there had been over 4300 applications the vast majority of which had been approved, 2300 approved, 800 approved with constraints and the remainder had been refused. He said outright refusal numbers were small and the figures were based across the province. He indicated that refusals sometimes could be turned around and approval with mitigations issued. He said in terms of sites where there were difficulties if they were not adopted NI Water did not get directly involved thus the emphasis on installing to specific standard for adoption. He said that applications were not refused for the sake of it but to protect the environment and thus it was paramount for developers to meet the standard specifications to have plants adopted.

Councillor McGuigan said there were some developments that the developer was now out of business, the temporary treatment works was not fit for purpose and what was happening in such instances.

Dr Curran said it is not pleasant for householders to be in these circumstances but if the works was not up to standard NI Water would not adopt and it was not their responsibility.

Councillor Martin thanked NI Water representatives for the presentation thanked Mr Mooney to whom she had regular contact with over issues. She sought clarity as to whether the £12.5 m outlined in the presentation was to enhance the existing and would it create more capacity.

Dr Blockwell said it was to carry out repairs but often improvements allows more capacity especially if storm water is diverted. He said there would be works on pumping stations and screens to prevent overflowing which is limited to adverse weather

Councillor Martin welcomed the increased capacity and said her generation were endeavouring to purchase homes but could not get them in Cookstown area. She concluded by welcoming the communication with developers and NI Water prior to applications being submitted.

Councillor Wilson thanked NI Water representatives for the presentation and also thanked Mr Mooney for his continual assistance. He referred to the upgrading of the system in Cookstown and asked if the predicted time frame of 2024 was still in place. He referred to communications with planners and said he was not aware of the situation in Dungannon which had been referred to. He sought clarity as to whether NI Water could prohibit planning and spoke of the development in Cookstown that people had bought houses but could not move in because the developer could not get the connection to the main sewer.

Dr Blockwell said in relation to the situation in Cookstown that there was engagement with NIEA and regarding the upgrade of the system he would provide future clarity regarding the 2024 timeframe but assured Members there was progress. With regard to query regarding planning he said NI Water provide the information to the planners and it is up to them how they use it.

Mr Mooney concurred that NI Water provide robust responses to planning and recommend refusal if there are capacity issues unless the developer agrees to implement a solution. He reiterated that NI Water provide a response to applications but do not have the remit to stop construction. He highlighted that discussion needs to take place prior to planning applications and planners need to outline restrictions. He emphasised that only planning have the authority to stop the developer proceeding and advised in relation to the Dungannon application highlighted in the presentation there were no restrictions in place.

Dr Curran further advised that NI Water were engaging with the Law Society to ensure that when people are purchasing houses they are aware that the proper

processes are in place and said that the number of unadopted sites were reducing and currently there was a more efficient approach.

Councillor McKinney thanked NI Water representatives for the presentation and said some of the information was not what Members wanted to hear and asked if budget was in place for the investment outlined or if it was based on hope. He referred to the capacity in Moyola DEA and said since he had come into Council the situation had not changed and the forecast appeared to be that it could be 15-18 years before the infrastructure was up to standard. He said when he had built his home storm water was channelled in one direction and waste in another and this should always be the case. He said currently what seemed to be happening was the same as it had been in the 1970s and surely clean water should be channelled separately. He said that with lack of capacity new ideas needed to be investigated.

Dr Curran said that their funding allocation is on annualised basis but that the utility regulator had signed off on the recommended amount and thus it should be forthcoming. With regard to storm water he said that legislation had changed and in new developments going forward water had to be separated, and also that when storm water was entering the network they were strategically endeavouring to separate to free up capacity. He concluded that in urban systems methods was being looked at to allow water to filter into ground rather than enter the network.

Councillor Clarke said he had been in communication with NI Water regarding villages in his DEA but had not had a response on a development matter and requested that the representatives revert to him directly to discuss.

Dr Blockwell confirmed they would.

Councillor Clarke said that he was a Member of the planning committee and that it had targets to meet and was NI Water indication that they should halt applications or leave them pending. He said applications in rural areas and small settlements should not be left out of investment and water treatment should not be more expensive for them. He said both rural and urban centres deserved a fair crack of the investment. Councillor Clarke reflected that construction costs had risen considerably and it reminded him of a story of a man complaining about a few extra pence being added to the pint, and the publican saying that enough hadn't been drunk when it was cheap. In comparison he said was enough infrastructure not put in place when it was cheaper to do so.

Dr Curran said he accepted planning committee had targets to reach but reiterated that NI Water provide the guidance and it is up to the planning committee to decide if applications can proceed. He further reiterated that NI Water were encouraging developers to engage prior to submitting applications then mitigations could be outlined to both planners and the developers.

Dr Curran emphasised that the applications alluded to in the presentation developers had not come to NI Water. He said his ask was that developers and planners engage early with NI Water in order to eliminate problems going forward.

Councillor Clarke said he did not want to see rural areas disadvantaged any further.

Dr Blockwell said that the issues had not arisen overnight but materials had become more expensive and there is underfunding which is down to political position. He said that protecting the environment is not an option and that NI Water are held to account. He said they had ambitious plans but they had to be funded and with no NI Assembly in place it was difficult but ultimately politicians had to put the funding in place.

Councillor Cuddy asked if in relation to the planning application in Dungannon if NI Water had put a submission into planning committee. He also sought clarity if the £48.8m in the presentation would bring improvements to Moygashel as there was a development ready to commence if water issues were sorted. In conclusion he asked if NI Water had any plans in place to generate their own electricity.

Dr Blockwell said NI Water had some hydro in place and were looking at growing the wind resource and said there was opportunities for renewables. With regard to Dungannon he said the business case was approved but it would take several years to implement works and currently there were network restrictions. Again it was reiterated for developers to work with the development constraints project team.

Mr Mooney said that in relation to the planning application in Dungannon NI Water had been very robust in the response and had been clear there was no capacity and it should be refused. He clarified that the works in Dungannon would be upgraded going forward but there would still be restrictions but again the constraints development team would endeavour to identify solutions.

Dr Curran in relation to the Dungannon application referred to said that NI Water had been consulted but NIEA had not been.

Councillor McFlynn thanked representatives for the presentation and welcomed future investment. She said she was delighted that the works at Ballyronan had commenced and asked when they would be completed. She said young people were finding it difficult to get homes but also there was great industry in the district and Council was endeavouring to attract companies to come to the district. She said this would lead to job creation and people following education returning to the district to take up careers and have families.

In response to Councillor McFlynn Dr Blockwell advised that he would revert back regarding the date for Ballyronan.

The Chair, Councillor Corry thanked NI Water for the presentation and requested that they follow up with the proposed dates for planned works outlined in the presentation. She concluded that there appeared to be light at the end of the tunnel to resume the NI Assembly and that Council would do all it could to lobby for investment in the district.

C062/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.37 pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 7 March 2023 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Mallaghan, Chair

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

Officers in Attendance

Dr Boomer, Service Director of Planning (SD: PI)
Ms Doyle, Head of Local Planning (HLP)
Ms Donnelly, Council Solicitor
Mr Marrion, Senior Planning Officer (SPO)
Ms McKinless, Senior Planning Officer (SPO)
Mr McClean, Senior Planning Officer (SPO)**
Mrs Grogan, Committee and Member Services Officer

Others in Attendance

Councillor Gildernew***
Councillor S McGuigan****

LA09/2020/0771/F Liam Currie***
LA09/2020/1372/F Kevin Loughran***
LA09/2020/1529/F Kevin Loughran***
LA09/2021/0233/F Oonagh Given***
LA09/2021/0233/F Chris Tinsley***
LA09/2022/0476/F Helen Hamill
LA09/2022/0689/O Nicholson Boyd***
LA09/2022/1451/O Ryan Dougan
LA09/2022/1625/F Ryan Dougan
LA09/2020/1380/F Toirlach Gourley
LA09/2021/1547/F Chris Tinsley

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

P023/23 Notice of Recording

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

P024/23 Apologies

None.

P025/23 Declarations of Interest

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

P026/23 Chair's Business

The Service Director of Planning (SD: PI) wished to bring to members attention matters which were raised in the press across Northern Ireland and all the local papers regarding the new planning portal causing a lot of problems and complaints. The SD: PI stated that he noticed that quite a lot of the Councils had indicated that they were building up quite a large backlog because they were unable to process applications. He sympathised with the other Councils as this Council also went through the same process launching our own new planning system which also included quite a backlog. The committee may recall earlier in the year where it was stated that it may be difficult to meet performance targets this incoming year in terms of the time it took to process planning applications as the priority needed to be keeping planning applications moving forward and cases which are being held so Officers can become more efficient.

The SD: PI thought it would be useful to bring members attention up until September, planning was still increasing the number of applications which were being held, but could see from October onwards, Officers were not able to get out the door more applications than what was being received. However, we can see that this is now changing i.e. January 73 applications received with 135 decisions being sent out; December 85 applications received and 118 decisions issued. We received 973 applications to date but have made and got out the door 1043 decisions. If this momentum is kept going and come the new financial year, would envisage being back to our best again. He referred to the timeframe for local applications being processed and advised that this was now approximately 21 weeks.

The SD: PI advised that in terms of major applications it was very interesting as Mid Ulster continues to buck the trend and what was supposed to be a downturn, we have received a huge number of major applications and from the year to date we have received 16. To date 10 major applications have been out the door which is good as it shows there is still investment taking place and this Council is responding to this investment. He stated that there were issues relating to enforcement, primarily due to the fact that there was only one Officer working on these at the time, which caused delays and quite a backlog of enforcement cases. With all these things it was down to resources which needed to be sorted out and was pleased to inform members that there has been an increase of 3 new members of staff which was RJ McAleer, Ellen Gilbert and Daniel O'Neill. These members of staff have been brought in as it was part of Mid Ulster Council's strategy to bring in people straight from college or school and train them up the Mid Ulster way of doing things and obviously these are all graduate trainees which were at the start of their career and

moved around and hoped over the years, they prove to be an excellent asset for Mid Ulster.

The SD: PI in referring to an excellent asset, was pleased to announce that Roisin McAllister which is an officer within Development Plan has received a doctorate which demonstrated the expertise within planning department.

The Chair passed on his congratulations on behalf of the Planning Committee to Ms McAllister on her recent achievement.

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

Agenda Item 5.1 – LA09/2020/0771/F – Retention of spray workshop, mobile office building, generator, concrete retaining wall and extension of curtilage at 73 Derryvale Road, Coalisland

Agenda Item 5.2 – LA09/2020/1313/F – Change of use from disused Convent and National School of 15 apartments at St Brigid's Convent & National School, Convent Road, Cookstown

Agenda Item 5.3 – LA09/2020/1318/LBC – Change of use from disused Convent & National School to apartments. Existing structures to be retained & restored at St Brigid's Convent & National School, Convent Road, Cookstown

Agenda Item 5.9 – LA09/2022/0126/O - Industrial Unit at 20m N of Unit 5K Shivers Business Park, 21 Hillhead Road, Toomebridge

Agenda Item 5.10 – LA09/2022/0476/F – Agricultural building above existing tank/slatted floor (to be retained) and associated site works at lands approx. 15m NW of 29 Thornhill Road, Dungannon

Agenda Item 5.12 – LA09/2022/0654/O – Dwelling and garage at lands 40m SW of 50 Battery Road, Coagh

Agenda Item 5.13 – LA09/2022/0670/F – Dwelling and garage on a farm at 151m N of 36 Keady Road, Swatragh

Agenda Item 5.15 – LA09/2022/0687/O - Dwelling on a farm adjacent to 28 Syerla Road, Dungannon (*Withdrawn*)

Agenda Item 5.16 – LA09/2022/0689/O – Dwelling on a farm at 350m W of 5 Corick Road, Clogher

Agenda Item 5.17 – LA09/2022/0714/O – Dwelling and domestic garage at 120m SW of 119 Mullaghboy Road, Bellaghy

Agenda Item 5.18 – LA09/2022/1065/O – Dwelling and garage at 50m S of 37 Moor Road, Coalisland

Agenda Item 5.19 – LA09/2022/1095/F – Relocation of previously approved dwelling and domestic double garage at approx. 75m NW of 42 Drummurrer Lane, Coalisland

Agenda Item 5.24 – LA09/2022/1571/F – Dwelling on a farm with detached domestic garage at site 150m NW of 10 Fallylea Lane, Maghera

Agenda Item 5.25 – LA09/2022/1582/O – Dwelling and garage on a farm at 60m NE of 28 Cloughfin Road, Killeenan, Cookstown

Agenda Item 5.27 – Dwelling at lands approx. 30m W of 1 Tobin Drive, Moortown
(*Withdrawn*)

The Chair brought to members attention two deferrals below which were received late and advised that there did seem to be some sort of confusion regarding the submission of the forms. He said that the benefit of the doubt would be given on this occasion, but would liaise with Agent to make sure that the proper process was followed in the future:

Agenda Item 5.14 – LA09/2022/0681/O – Dwelling on infill site at lands between 31 and 35 Reclain Road, Galbally Dungannon

Agenda Item 5.20 – LA09/2022/1288/O – Dwelling (infill gap site) at 15 Finulagh Road, Castlecaulfield

Proposed by Councillor Bell
Seconded by Councillor Corry and

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

Matters for Decision

P027/23 Planning Applications for Determination

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

LA09/2020/0771/F Retention of spray workshop, mobile office building, generator, concrete retaining wall and extension of curtilage at 73 Derryvale Road, Coalisland for Stephen Halligan and Sons

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

LA09/2020/1313/F Change of use from disused convent and national school to 15 apartments at St Brigid's Convent & National School, Convent Road, Cookstown for Fr. L Boyle

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

LA09/2020/1318/LBC Change of use from disused convent & national school to apartments. Existing structures to be retained & restored at St Brigid's Convent & National School, Convent Road, Cookstown for Fr. L Boyle

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

LA09/2020/1372/F Stockpile storage of aggregate on a temporary basis at 25 Crancussy Road, Evishacrancussy Road, Cookstown for Core Aggregates

Members considered previously circulated report on planning application LA09/2020/1372/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor Bell and

Resolved That planning application LA09/2020/1372/F be approved subject to conditions as per the officer's reports.

LA09/2020/1529/F Application to vary condition No 11. of approval I/1977/0072 at Core Aggregates, 25 Crancussy Road, Cookstown for Core Aggregates

Members considered previously circulated report on planning application LA09/2020/1529/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor Bell and

Resolved That planning application LA09/2020/1529/F be approved subject to conditions as per the officer's reports.

LA09/2021/0233/F Winning and working of minerals (Psammite and overlaying sand and gravel) to include a North Easterly lateral extension and deepening from existing, permitted floor level with restoration to biodiverse habitats at lands at Corvanaghan Quarry, 29 Corvanaghan Road, Cookstown for P Keenan Quarries

The Service Director of Planning (SD: PI) said that before Mr Bowman (SPO) provided his summary of the application, he wished to provide an update to committee which would save a lot of debate going backwards and forwards between both parties.

The SD: PI advised that there was an issue which centred around the address where it reads 29 Corvanaghan Road, there is also a residential property which is also 29 Corvanaghan Road and a claim being made that this is wrongly advertised. The Quarry has also an address of 29 Corvanaghan Road and Officers has carried out a series of checks on the website and also with Building Control who also have both

recorded as No. 29 and would be his understanding that it would be reasonable for this application to move forward as it stands. If it was proven that one was No. 27 or No.29, in this case it would not prejudice the determination of the application due to the fact of objector at No. 29 raising these issues and clearly aware of the application. The SD: PI felt that rather than rehearsing this debate as legal advice has already been taken on other things in the past, although would appreciate that there was a dispute, also felt that if the committee were minded, they could determine this application tonight.

Mr Bowman presented previously circulated report on planning application LA09/2021/0233/F which had a recommendation for approval. He wished to clarify that 8 letters of objection had been received and also referred to circulated addendum where a late letter of objection had been received from Mr Oliver McKenna regarding late night noise coming from the quarry.

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

Ms Given thanked members for allowing her the opportunity to address the committee tonight. She advised that she was in attendance tonight to represent Mr Oliver McKenna and his concerns regarding the impact this proposal would have on his farm and on the recently approved replacement dwelling. She felt that the application was invalid and could be subject to judicial review if the committee proceeds with the Planner's recommendation.

Ms Given advised that the proposal included screening bunds up to the boundary of Mr McKenna's farmlands and was difficult to see how these bunds could be constructed and maintained without trespass on his land. If there was no prospect of the applicant accessing third party lands in order to maintain or build those bunds, then condition 3 cannot be complied with and believed that the solution would be for the red line to be pulled back, therefore allowing access by the developer and no interference with Mr McKenna's farming operations. As for the replacement dwelling, planning permission was granted subject to a siting condition in order to protect it against the existing quarry and if this was the case, surely it would allow to extend the quarry towards the replacement dwelling would equally undermine residential amenity. Ms Given referred to blasting guidelines where it states that a separation distance would not be less than 100m between blasting operations and neighbouring properties is acceptable. She advised that the neighbouring dwelling is within 100m with an area identified where removal of Psammite, removed via drill and blast was an attempt to limit where blasting may occur in use by a planning condition, in her view was unreasonable and the most appropriate solution would be to amend the scheme.

Ms Given referred to the validity of the application and advised that the site location was given as 29 Corvanaghan Road and if the committee looked at the overhead map there was a property labelled as No. 29 which was clearly not part of the land to be developed and in fact was 200m away. No. 29 is owned and occupied as a domestic dwelling and not related to the quarry and is identified by a sign on the ground as No. 29 in directing members of the public and not just the owner of the property, to an address which is well outside the application boundary, resulting in

the description the proposal as misleading. The pre application consultation process was also invalid for the same reasons and rather to defend the inaccurate description of the location, felt that Council should return it to the applicant and if Council proceeds to approve the decision it could be open to judicial review. Ms Given said that she would be happy to take any questions that the committee may have.

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

Mr Tinsley advised that he was a planning consultant with Quarryplan who were the planning agents for P Keenan. In terms of the issues in which Ms Given has raised especially the number of validity issues, felt that a number of these had been covered and addressed in terms of the PAN process by Mr Bowman (SPO) and Dr Boomer (SD: PI). He referred to the screening bunds as previously discussed by Mr Bowman (SPO) and stated that this was a private issue and that the bunds had been designed by Quarry Design Ltd who had assessed whether they were technically viable to build and agreed that they were technically viable.

Mr Tinsley stated that P Keenan were the main contractor for DfI Roads for asphalt resurfacing in Mid Ulster and recently carried out a major resurfacing scheme on the Cookstown dual carriageway. The proposed development would sustain secure employment for staff employed at the quarry and for the road surfacing teams. It would also ensure that the existing asphalt quarry would continue to serve the needs of DfI Roads by having a central location within Mid Ulster. He felt that all of the procedural and planning matters has been fully covered within the committee report but would be happy to answer any queries in which committee may have.

The Service Director of Planning (SD: PI) wished to clarify some points and felt that members were well aware of his points in relation to No. 29.

Mr Tinsley confirmed to SD: PI that his client's address was No. 29.

The SD: PI said from the outset there seemed to be two addresses being No. 29 and that Building Control which administers addresses seemed to verify this.

Mr Bowman (SPO) said that the advice that he had within his report was that Building Control did come back after some contact with the occupant of No. 29 (dwelling) and having investigated the issue it would appear that this may be correct with the quarry being No. 27 not No. 29. In referring to a Building Control application being made in 1998 for a replacement roof, the address of the dwelling was given as No. 29 and this is also the number that Land & Property Services hold for the dwelling and refer to No. 27 as the quarry. He said that this is depending on where you seek the information and if you look at Royal Mail's website today it stated the postal address of the quarry, which is the legislative requirement and at the time of him writing his report, was given as No. 29 Corvanaghan Road. He advised that different sources provided different messages.

In response to query from SD: PI, Ms Given advised that she was not representing the resident at No. 29 and was only representing Mr Oliver McKenna which lived at No. 15 Corvanaghan Road.

The SD: PI enquired if Ms Given's client had the opportunity to make representation.

Ms Given advised that her client previously made representation and that was why she was in attendance tonight.

The SD: PI said he wanted to make sure that the client was able to make representation. He said that he was also aware that the person at No. 29 is also aware of the application and felt that there was no prejudice.

The SD: PI referred to Condition 3 which was raised by the objector and enquired if the bunds could be built on the site without going on his land.

Mr Tinsley agreed that this could be accommodated.

The SD: PI enquired if Condition 3 was negative and whether this required this to be done before the extension of blasting takes place.

Mr Bowman (SPO) advised that Condition 3 in its entirety reads:

All works as shown and referred to on Drawing No 03/2 date stamped 27th Aug 2021 shall be completed in accordance with this plan including the erection of all advanced screening bunds where identified along the perimeter of the proposed extraction.

Reason: In the interests of visual and neighbouring amenity.

The SD: PI said his feeling on the reasons from all parties is that the objector is saying that they have to come on his land and obviously it would be an onus on the committee to take this into account. He stated that the developer is saying that they did not need to go on the objector's land, and it was not his job to verify one way or another. The Director agreed that the Condition was negative and even if the developer needed to go on the objector's land during construction, then the objector would hold the right to refuse access, the result of that because of the negative Condition would be that the expansion of the quarry could not take place as it was negative by nature.

The SD: PI referred to the blasting in the 100m zone where it was alleged that there was a permission and taking into account Health & Safety concerns being adhered to during planning approval.

Mr Bowman (SPO) referred to his presentation and advised that HSENI was specifically consulted with on his application and also the replacement dwelling. He wished to make it clear again in relation to the quarry, HSENI's opening comment is that they had no objections to the application. HSENI was asked to comment on the replacement dwelling and was aware of the location, they indicated that if the application was approved by Mid Ulster District Council i.e. replacement dwelling

application, then they would request that a Condition was applied to the approval for application LA09/2021/0233/F that no blasting takes places within 100m of the replacement dwelling once it has been constructed and occupied. Mr Bowman (SPO) said that in his view he would see the Condition as reasonable and enforceable.

The SD: PI said that continuing on from Mr Bowman's comments, it would suggest that the Condition comes into play on occupation of the dwelling.

Mr Bowman (SPO) confirmed that it finishes by stating "*within 100m of the dwelling once it has been constructed and is occupied*".

The SD: PI stated that the last time the debate related to this house on whether it was replaceable, where discussions ensued, and different views aired. The view which was put to the applicant was had the existing dwelling been abandoned i.e. was there anything to stop the person actually moving into the house and the answer to that concluded that someone could move into that house with works carried out internally. The SD: PI felt that it would be very important that the Condition is absolute, that there be no blasting within 100m of the dwelling site or the existing dwelling.

The SD: PI suggested that the Condition be changed to make it absolute in itself and not relate to occupation.

Councillor Martin wanted to clarify that she had been contacted in relation to the No. 29 issue and asked if this was something she would need to declare an interest in to keep herself right.

The SD: PI said that members face this all the time and was certain that members had been contacted at some time by an applicant or an objector. Whether a member has an interest depends on what has been done while they were contacted, for instance if someone makes contact and the member states that they will raise at planning committee on their behalf, then it is perceived that representation is being made on the applicant's/objector's behalf which would indicate the best way forward would be to declare an interest and not to get involved in voting. If a member is a member of the planning committee it may be suggested that it be referred to a different member to raise the issue, this then results in the planning member having no interest. He advised that it was up to each individual member to decide for themselves whether they have an interest or not.

Councillor Martin advised that she had sent an email on behalf of the complainant but did not go into specifics or anything but felt that in the interest of transparency would be better to declare it.

Councillor Martin declared an interest in LA09/2021/0233/F.

Councillor McKinney said that he would be happy to propose the officer's recommendation of approval, but to include the extra Condition suggested by Dr Boomer.

Councillor Clarke agreed with the additional Condition suggested by Dr Boomer as it was worthwhile and was his understanding that the house is there and could be renovated.

Councillor Clarke referred to the two No. 29's and felt that this confusion needed to be cleared up and stated that there were two dwellings within in district beside each other with no house numbers for them, Land & Property unaware of any information about them even though they pay rates. Building Control has no records and in this instance, we have the same number for two different sites – one a dwelling and the other a quarry. He felt that this issue needed to be resolved as a matter of urgency and enquired if you head North of No. 29 the numbers increase i.e. No. 31 etc. and when you head South the numbers decrease, which would suggest that the quarry has a lower site number. The member felt that this needed to be investigated as there seemed to be not good will between the parties involved and not a good outcome.

The SD: PI stated that advice from Building Control was to involve both parties and they would sort it out, but it could be the case that both parties could be fighting over the same number i.e. No. 29. He said that it struck him that it would be in the best interest of both parties to have separate numbers, particularly if you were running a business as controversial financial information could go elsewhere to the other address of the same number. The SD: PI would be confident that Building Control would assist in accommodating the situation if both parties were willing to come to some sort of agreement.

Councillor Clarke enquired who would have the authority to decide the site number.

Ms Doyle (SPO) advised that she received a complaint that she was currently dealing with at the moment which she had researched. The complainant has indicated that they have went to Land & Property Services, postal address of dwelling is No. 27 and postal address of the quarry is No. 29, but the rates for No. 27 are the rates for No. 29 and vice-versa, so Land & Property Services have indicated that their hands were tied. The complainant went to Royal Mail and they have indicated that their hands were tied also as they cannot change the address. The complainant has contacted Building Control and it was her understanding that the applicant has been approached by a member of the Building Control team enquiring whether they would be willing to change their business address from No. 29 to No. 27 and the applicant has come back to say that they were unwilling to do that as there was a financial consideration. Ms Doyle (SPO) advised for the number to change, the Council does have the authority to rename a road and renumber the properties, but it was her understanding for that to happen 50% of the residents along the road has to make the request to Council and 100% of the residents has to agree on the renaming of the road and what that name would be. She said that this was not straight forward and a long-drawn-out process and if it was a requirement to have 100% of the residents to rename the road, she felt that this would be very tricky.

Councillor Clarke stated that there would be no requirement to change the road name.

The SD: PI said as a Planning Officer he was not going to resolve whose address was what as he did not have that authority. He felt that the key question in his mind was the identification of the address, in terms of advertising it was referred to Corvanaghan Quarry.

Councillor Brown seconded the recommendation to include the amendment.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2021/0233/F be approved subject to conditions as per the officer's reports.

LA09/2021/1758/O Extension of existing sporting, social and educational facilities to create an enhanced recreational hub and lifelong centre of learning to include new vehicular access, additional car-parking, extended green space and associated ancillary works at lands adjacent and E of Galbally Pearses GAA grounds and community centre 36 Lurgylea Road, Galbally, Dungannon for Galbally Pearses GAC and Galbally Youth

Members considered previously circulated report on planning application LA09/2021/1758/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/1758/F be approved subject to conditions as per the officer's reports.

LA09/2021/1791/F Retrospective application for the retention of 4 containers for storage purposes, a covered area and the retention of the extended site curtilage at 20m SW of 137 Lissaclare Road, Stewartstown for Mr Sean Campbell

Members considered previously circulated report on planning application LA09/2021/1791/F which had a recommendation for approval.

Proposed by Councillor Quinn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/1791/F be approved subject to conditions as per the officer's reports.

Councillor Glasgow left the meeting at 7.53 pm.

LA09/2022/0126/O Industrial Unit at 20m N of Unit 5K Shivers Business Park, 21 Hillhead Road, Toomebridge for James Alexander

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

LA09/2022/0476/F Agricultural building above existing tank/ slatted floor (to be retained) and associated site works at lands approx. 15m NW of 29 Thornhill Road, Dungannon for Cyril Montgomery

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

LA09/2022/0612/F Erection of 32 business/storage units, required car parking and commercial spaces and associated site works at Kilcronagh Business Park, Cookstown, for Coleman Construction

Members considered previously circulated report on planning application LA09/2022/0612/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/0612/F be approved subject to conditions as per the officer's reports.

LA09/2022/0654/O Dwelling and garage at lands 40m SW of 50 Battery Road, Coagh for Joanne Devlin

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

LA09/2022/0670/F Dwelling and garage on a farm at 151m N of 36 Keady Road, Swatragh, for Declan McNicholl

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

LA09/2022/0681/O Dwelling on infill site at lands between 31 and 35 Reclain Road, Galbally, Dungannon for Plunkett McCrory

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

LA09/2022/0687/O Dwelling on a farm adjacent to 28 Syerla Road, Dungannon, for Andrew Haydock

Withdrawn.

LA09/2022/0689/O Dwelling on a farm at 350m W of 5 Corick Road, Clogher, for Mr Edwin Boyd

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

LA09/2022/0714/O Dwelling and domestic garage at 120m SW of 119 Mullaghboy Road, Bellaghy, for Mr Peter Doherty

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

LA09/2022/1065/O Dwelling and garage at 50m S of 37 Moor Road, Coalisland for Niall and Mary Kilpatrick

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

LA09/2022/1095/F Relocation of previously approved dwelling and domestic double garage at approx. 75m NW of 42 Drummurrer Lane, Coalisland, for Mr Declan McShane

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

LA09/2022/1288/O Dwelling (infill gap site) at 15 Finulagh Road, Castlecaulfield for Ryan McGurk

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

LA09/2022/1340/O Site for dwelling and garage between 65 & 67 (adjacent and NE of 67) Killygullib Road, Swatragh for Mr Damien McAtamney

Members considered previously circulated report on planning application LA09/2022/1340/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2022/1340/O be approved subject to conditions as per the officer's reports.

LA09/2022/1451/O Dwelling & garage at 1 Sycamore Drive, Maghera, for Mrs Claire Patterson

Members considered previously circulated report on planning application LA09/2022/1451/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2022/1451/O be approved subject to conditions as per the officer's reports.

Councillor Glasgow returned to the meeting at 7.55 pm.

LA09/2022/1513/O Portal framed storage facility for Agricultural and Engineering Machinery at land 80m SE of 100 Trewmount Road, Killyman, Dungannon for Mrs Briege O'Donnell

Mr Marrion (SPO) presented a report on planning application LA09/2022/1513/O advising that it was recommended for refusal.

Proposed by Councillor Cuthbertson
Seconded by Councillor Brown and

Resolved That planning application LA09/2022/1513/O be refused.

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

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

LA09/2022/1582/O Dwelling and garage on a farm. at 60m NE of 28 Cloughfin Road, Killeenan, Cookstown for Mr Patrick Hegarty

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

LA09/2022/1625/F Alteration to previously approved egress point (LA09/2018/0777/F) to include for access to existing factory. at 116 Deerpark Road, Toomebridge, for Neil Savage

Ms McKinless (SPO) presented previously circulated report on planning application LA09/2022/1625/F which had a recommendation for approval.

The Chair referred to the previously circulated addendum where a letter of concern has been submitted from Mr Danny Quinn, Principal of Anahorish Primary School.

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

Mr Dougan said that he welcomed the recommendation and summary by the Officer and said that he was mindful not to labour the relevant matters and keen to set out the following points.

The recommendation before committee this evening was for the alteration to previously approved egress point for SDC Trailers Ltd, who were a major employer in the area and currently employ approximately 400 people on the Deerpark Road site. The application presented was to alterations to 2018 permission which is still valid, access was previously approved in 2018 as an exit only but the proposal before committee tonight is also used to enter the site, the access is for HGV traffic only, retaining the original site access for cars. As stated by the Officer, the driver for this change is the relocation of the A6, changing the approach to the site along Deerpark Road where previously the dominate direction was "right in – left out" which is now vice-versa "right out – left in". DfI the sole consultee responded on 14 February with no objections to the proposals. Objections have been noted from the school adjacent to the site and would comment as follows: The proposal will effectively reduce the HGV traffic passing by the school as the dominant routes for the HGV will be via the A6 bypass. He said that no representation was submitted from the school to the 2018 application and the objection states that the school has

plans for a new entrance. Any proposal by the school in this nature will require planning permission and will be subject to a separate assessment independent of this application. The objections states that the proposed layout intends to use splays which encroach upon the school's entrance, this is factually incorrect and misleading as the splays were in the 2018 permission which is consistent and wholly contained on the roadside verge. In conclusion the key consultee of DfI Roads have no objection to the proposal and would respectfully request that members support the recommendation in front of them this evening.

Councillor McFlynn stated that this was a very busy road and enquired if Anahorish school entrance was opposite to SDC.

Mr Dougan advised that the proposed entrance was on the same side as Anahorish school. He said that the key driver here is that traffic from the new A6 bypass when it approaches the current entrance, it has to pull out to the far side of the carriageway to turn in and the proposal is 12m wide which allows HGV vehicles to turn into the site without opposing onto the carriageway, there has been quite a few near misses to the entrance to the site and this is obviously where the applicant wishes to apply a much safer entrance. Mr Dougan said that it was their view that this will promote HGV's not passing by the school and understands that although the A6 bypass has been in existence for some time, the HGV's continue to pass by the school because they are entering the existing access from the opposing carriageway making it easier to turn right, whereas if they were coming into the new entrance, it would be clearly much wider and make it much easier to turn in and that is the rationale for the proposal.

Councillor McFlynn sought clarification on whether the exit and entrance enters through the same site in and out.

Mr Dougan confirmed that this would be the case.

Councillor McFlynn enquired if this application merited a site visit.

The SD: PI said he understood the concerns around the safety of school children as this is the key issue but was conscious and would agree that there were things that appear obvious, but expert advice has been taken in relation to this matter from the Roads authority.

Ms McKinless drew members attention to the initial consultation where DfI Roads had come back and asked for a Transport Assessment Form to be submitted which was submitted by the applicant. Their concluding comment was that they do not offer an objection to the proposal.

The SD: PI stated that a lot more consideration has been given to the proposal in what some members may think and does not really think a site visit would be beneficial. He was conscious that the school has raised their concerns which has been outlined on their letter of concern within circulated addendum.

Councillor McFlynn said that her main concern would be the safety of the children and if access was deemed safe that she would be happy to support the recommendation.

The Chair said that it may be beneficial at this stage to defer the application for an office meeting with DfI Roads, Agent and representatives of Anahorish Primary School to try and reach a positive outcome.

The SD: PI agreed that an office meeting would be best way forward to avoid conflict between the parties.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/1625/F be deferred for an office meeting with deferred for an office meeting with DfI Roads Rep, Applicant, Agent and Principal from Anahorish Primary School.

LA09/2022/1690/O Dwelling at lands approx. 30m W of 1 Tobin Drive, Moortown for Smallwood Contracts Ltd

Withdrawn.

LA09/2022/1760/F Beechland Drive:- an upgrade pf existing access paths to the existing playpark and carpark and adjoining housing developments. The creation of a pocket park coupled with new seating and picnic areas will enhance the area. Small decrease in parking spaces in order to enhance the green area, existing parking areas will be resurfaced and whitelining. Beechland Park: - extension of carparking and upgrade of existing parking to include for whitelining. Existing grass area will be upgraded with improved drainage and creation of a new walking trail with seating and planters for community use at The Sites in Clady at Beechland Drive & Beechland Park, for Mr Johnny McNeill

All members present declared an interest in planning application LA09/2022/1760/F as it was related to Mid Ulster District Council.

Members considered previously circulated report on planning application LA09/2022/1760/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/1760/F be approved subject to conditions as per the officer's reports.

LA09/2022/1771/O Site for dwelling and garage in a cluster at 50m N of 146A Killycolpy Road, Stewartstown, for Sean Muldoon

Members considered previously circulated report on planning application LA09/2022/1771/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Corry and

Resolved That planning application LA09/2022/1771/O be approved subject to conditions as per the officer's reports.

LA09/2023/0037/F Single storey rear extension to dwelling. at 32 Claggan Lane, Cookstown, for Mr Niall Convery

Members considered previously circulated report on planning application LA09/2023/0037/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2023/0037/F be approved subject to conditions as per the officer's reports.

LA09/2017/1333/O Trout hatchery farm managers dwelling and domestic garage at site adjacent to 91 Glengomna Road, Draperstown for Mr Alan McKeown

Members considered previously circulated report on planning application LA09/2017/1333/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2017/1333/O be approved subject to conditions as per the officer's reports.

LA09/2020/1380/F Retention of dwelling adjacent & 100m E of 18 Shantavny Road, Garvaghy for Ciaran Owens

Mr Marrion (SPO) presented a report on planning application LA09/2020/1380/F advising that it was recommended for refusal.

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

Mr Gourley advised that there has been delay caused by legal issues relating to probate and registration of the farm in the applicant's name which was beyond the applicant's control. The applicant has been trying to progress the matter as best he can. However, he has encountered delays in relation to the registration of the farm in his name and that he wished to update committee on the current situation.

The applicant has relayed that the solicitor has advised that the completion of the registration of the farm into his name is imminent. There has been considerable delay in processing this application as the applicant's grandfather (Francis) had bequeathed the farm in his will to the applicant's father (James) and it passed to James upon the death of Francis approximately sixty years ago. However, James did not register the lands in his name, although he did bequeath the farm in his will to his son, the applicant and it passed to the applicant upon the death of his father approximately forty years ago. The terms of James' will was that the applicant's mother would continue to enjoy and benefit from occupancy of the property until her death. Although the applicant's mother passed away approximately 25 years ago the applicant did not register the farm into his name. When the issue was highlighted by Planning Department, he immediately set about rectifying the situation, but has encountered a number of difficulties to date.

Firstly, the solicitor his grandfather and father had been dealing with had passed away and the business had been passed to another solicitor. This created difficulties in establishing the whereabouts of the records relating to the farm ownership and it took considerable time to collate these records due the passage of time since the applicant's grandfather had passed away.

Secondly, not all of the records relating to the ownership of the farm could be traced, specifically the applicant's father's will. As a result, an application had to be made to get a copy of the will from the Public Records Office NI which took some time to obtain.

Thirdly, it was realised upon obtaining the will of applicant's father that it stipulated that the applicant's mother would enjoy and benefit from occupancy of the property until her death. Before the farm could be registered in the applicant's name it had to be demonstrated that the applicant's mother had passed away. As a result, a copy of the death certificate for the applicant's mother had to be obtained from the General Register Office NI which also took time to obtain.

As a result of the difficulties encountered above, it has taken considerable time to progress the application to have the lands registered in the applicant's name.

In relation to justification for the dwelling under Policy CTY 10 I had collated additional invoices in relation to the farming activities in relation to the applicant's active farm business to substantiate the work carried out in relation to the farming activities. It was hoped to submit all of this information at one time in an up-to-date format with a comprehensive supporting statement addressing all of the issues arising together, including the resolution of farm ownership concerns. Therefore, was awaiting confirmation from the applicant's solicitor that the registration of the farm had been completed. Unfortunately for the reasons set out above, this has taken much longer than expected.

Mr Gourley advised that he had contacted the applicant's solicitor and requested that they send you a letter detailing the situation and the delays that have arisen. That letter should be with officers today. All supporting information can be submitted which has been collated to date if that would assist in the request for deferral of the application.

The SD: PI said that when a presentation is made by the Agent, there is a degree of complexity which provides him with no comfort what-so-ever that this would be resolved quickly. He said that it struck him that there was land brought through complexity, inheritance, probate and Land Registry is not going to resolve this because the bottom line is that Land Registry is not needed as it would be registered land and considered on that basis. He said that this was a debate that Mid Ulster District Council needed to have around June time as planning was coming down with deferred applications. Applications are coming in and all the relevant information is not there, resulting in deferrals after deferrals and at the moment there is approx. 270 deferred applications sitting. The SD: PI suggested a different approach and to withdraw the application, get it all sorted it out then resubmit an application again.

Mr Gourley said that he could fully understand the frustration here and fully agreed with Dr Boomer about deferrals and that the last thing Officers needed to see was files keeping emerging time and time again but felt that this was almost at the point of getting this issue resolved as all the relevant information has been submitted and possibly with an extension of another few months to get it resolved.

Councillor McKinney left the meeting at 8.20 pm.

Councillor Brown agreed with Mr Gourley that it would be beneficial to defer the application for a further 2 months and if all the relevant information has not been received by the deadline that a hard decision must be made then.

Councillor S McPeake enquired if the refusal reasons were solely down to the ownership of the application or was there other outstanding issues that would make it a recommendation for refusal anyhow. He felt if it all hinged on getting to the process where Mr Gourley wanted to then he would have some sympathy with that, but if there were other mitigating factors which was going to hold it up, then that would be a different matter and made it more complex.

The SD: PI said that the reality was that Officers could not acquire the information to make an assessment on the planning application, so there is no way of telling whether it would be approved or refused.

The SD: PI enquired from Mr Gourley if the application has been made with Land Registry.

Mr Gourley confirmed that the application has been made and it was his understanding that it was made approximately six months ago.

The SD: PI suspected that there was a backlog with Land Registry and could be working up to a year behind schedule. He said that he did not object to holding the application but was not content with the notion on what was occurring here where Agents are repeatedly making applications and expect Planners to hold on their books indefinitely. The SD: PI said that he would agree in this instance to hold the application but would suggest that when come June and elections are out of the way, that a workshop be set up for members on a way forward in relation to applications otherwise the process is going to jam up and would mean that those applications

which were relatively straight forward never got seen to as Officers were continually going around in circles.

Councillor McKinney returned to the meeting at 8.24 pm.

Councillor Corry said that it is stated within the report that Historic Environmental Division (HED) is concerned as this application is contrary to Policy BH 1 of PPS6 – Planning, Archaeology and the Built Heritage as it would have an unacceptable adverse impact upon the integrity of the setting of the adjacent Scheduled Monument.

In response to a query Mr Gourley had advised that there has been consultation with HED to relocating the modular dwelling.

The SD: PI advised that this would be a different planning application.

Mr Gourley said that he had submitted a layout previously regarding this. He confirmed that they were proposing to relocate the dwelling some distance away.

The SD: PI enquired how long the building had been up and what the application was for.

Mr Gourley advised that the building had been up 7 to 8 years at this stage.

Mr Marrion (SPO) advised the application was for a retention of the dwelling.

Councillor Cuthbertson enquired if this application was on the back of an enforcement notice on the Live Case List in front of members tonight.

The SD: PI said that this was his thinking also and was wondering what the real story was here.

The Chair advised that there has been already a proposal which was seconded put forward to hold the application for 2 months until all the relevant information was forthcoming and if the deadline is not met then a definite decision be made.

The SD: PI said that Mid Ulster Council always wanted to give everyone an opportunity to do things properly and it's clear that the applicant in this had not done this but would be happy to defer the application to try and join up the pieces in this instance.

Proposed by Councillor Brown
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/1380/F be deferred for 2 months for submission of additional information.

LA09/2021/0800/F Conversion of 2 existing terrace houses to 4 apartments with existing Boyne Row streetscape being unaltered 2 existing on street parking spaces to be reused with an

**additional 3 private parking spaces to the rear along with
shared private amenity space at 8-9 Boyne Row,
Castledawson for John Donnelly**

Members considered previously circulated report on planning application LA09/2021/0800/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2021/0800/F be approved subject to conditions as per the officer's reports.

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

Mr Marrion (SPO) presented a report on planning application LA09/2021/0910/O advising that it was recommended for refusal.

The Chair said that it was his understanding that whilst looking at this before that footings of foundations do not count as infill.

Mr Marrion (SPO) agreed that infill policy stipulates that it must be buildings.

Councillor S McPeake said that he was a bit confused regarding settlement limits and it was his understanding that anything within the green line was the settlement limits which could not be used as an infill opportunity. Then, the SPO laboured on the fact there was footings and although took on the point it had to be buildings, referred to the fact if a building was there and another building beside it within the settlement limits, does this exclude it.

The SD: PI said that it was his understanding that there was a statement to the effect that you would not include it where it is taking the settlement limit.

Councillor S McPeake advised that this has been used before as an exception.

Mr Marrion updated members on the policy which indicated:

This Planning Policy Statement, PPS21 sets out planning policies for development in the countryside. For the purpose of this document the countryside is defined as land lying outside of settlement limits as identified in development plans. The provisions of this document will apply to all areas of Northern Ireland's countryside.

Councillor McFlynn enquired if there was any merit on arranging a site visit.

The SD: PI would take the view that if someone is disputing this that they always have an opportunity to go to planning appeal. He said that it was important that a decision be made.

Proposed by Councillor Mallaghan
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2021/0910/O be refused.

LA09/2021/1547/F Winning & Working of Minerals (sand & gravel) across phases 1 to 3 only and over a temporary period of 7 years and 6 months. A new access to Knockmany Road, Internal Haul Road and landscaped earth berms, with progressive restoration to agriculture at a lower level (re-advertisement) at lands E & W of 53 Knockmany Road, Augher for Campbell Contracts Ltd

Members considered previously circulated report on planning application LA09/2021/1547/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/1547/F be approved subject to conditions as per the officer's reports.

LA09/2021/1615/F Replacement storage shed at rear of 245 Washingbay Road, Aughamullan, Coalisland for Mr Colin McCluskey

Members considered previously circulated report on planning application LA09/2021/1615/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1615/F be approved subject to conditions as per the officer's reports.

LA09/2022/0285/O Dwelling on a farm adjacent and W of 81 Drumflugh Rd, Benburb, Dungannon for Stephen McKenna

Members considered previously circulated report on planning application LA09/2022/0285/O which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/0285/O be approved subject to conditions as per the officer's reports.

LA09/2022/0414/F Dwelling and domestic garage at 65m NE of 37 Liskittle Road, Tullagh Beg, Stewartstown for Mr Stephen Rodgers

Members considered previously circulated report on planning application LA09/2022/0414/F which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/0414/F be approved subject to conditions as per the officer's reports.

LA09/2022/0686/O Dwelling at lands immediately W and adjacent to 115 Clonavaddy Road, Galbally, Dungannon for Blaine Nugent

Members considered previously circulated report on planning application LA09/2022/0686/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Corry and

Resolved That planning application LA09/2022/0686/O be approved subject to conditions as per the officer's reports.

LA09/2022/1112/F Replacement dwelling with attached garage and carport at 39 Drumaspil Road, Drumaspil, Dungannon, for Mr Lee McFarland

Members considered previously circulated report on planning application LA09/2022/1112/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/1112/F be approved subject to conditions as per the officer's reports.

Matters for Information

P028/23 Minutes of Planning Committee held on 7 February 2023

Members noted minutes of Planning Committee held on 7 February 2023.

Councillor D McPeake left at 8.40 pm.

P029/23 Receive Report on Northern Ireland Heritage Stakeholder Group Membership

Members noted update on Department for Communities, Historic Environment Division's request to reaffirm membership to the Historic Environment Stakeholder Group.

Live broadcast ended 8.41 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items P030/23 to P033/23.

Matters for Information

P030/23	Confidential Minutes of Planning Committee held on 7 February 2023
P031/23	Enforcement Cases Opened
P032/23	Enforcement Cases Closed
P033/23	Enforcement Live Case List

P034/23 Duration of Meeting

The meeting was called for 7 pm and concluded at 9.15 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

proceedings (whether now or later), or making a contemporaneous oral report of any of the proceedings are all prohibited acts.

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

ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 7 March 2023

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

Chairs Business –

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ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.6	Late objection from O McKenna	Members to note
5.15	Item has been withdrawn	Members to note
5.20	Item has been withdrawn	Members to note
5.26	Letter of concern from Danny Quinn, Principal of Anahorish P.S.	Members to note

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 9 March 2023 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor S McAleer, Chair

Councillors Ashton*, Buchanan, Cuddy*, Doris*, Forde, Kearney*, S McGuigan*, McKinney, S McPeake, Molloy*, Quinn*, Totten*

Officers in Attendance

Mr McCreesh, Chief Executive**
Mr Black, Strategic Director of Communities & Place (SD: C&P)**
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP)
Mrs Dyson, Head of Human Resources (HoHR)**
Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)
Ms McNally, Assistant Director of Corporate Service and Finance (AD: CS&F)**
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP)
Mr Scullion, Assistant Director of Property Services (AD:PS)
Mr Tohill, Strategic Director of Corporate Service and Finance (SD: CS&F)
Mr O'Hagan, Head of ICT (HoICT)
Miss Thompson, Committee and Member Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

PR040/23 Notice of Recording

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

PR041/23 Apologies

Councillors Elattar, Gildernew and McLean.

PR042/23 Declarations of Interest

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

PR043/23 Chairs Business

Councillor Doris asked that officers engage with DfI Roads in relation to the planting of wildflower seeds along suitable grass verges. The Councillor referred to the Climate Change Bill to which DfI Roads committed to planting wildflower seeds and asked for an update as to how these plans are progressing. Councillor Doris also spoke in relation to the Derrylaughan and Derrytresk areas and asked that officers explore the option of planting wildflowers to assist with the biodiversity and wildlife in these areas.

The Strategic Director of Corporate Service and Finance (SD: CS&F) advised that the Strategic Director of Environment is the lead officer in relation to climate change, grass cutting and also biodiversity and wildlife and that Councillor Doris' comments would be brought to her attention.

Matters for Decision

PR044/23 Review of Equal Opportunities Policy

The Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP) presented previously circulated report which sought approval for the noted revisions to Mid Ulster District Council's Equal Opportunities Policy.

Councillor Cuddy stated that Members used to receive an annual report which outlined the make up of staff etc and that it would be interesting to see this again given the changes to the local population in recent years.

The SD: ODSP advised that an employment return was submitted last week and that a report would be brought forward for Members attention on this matter in June.

Proposed by Councillor S McGuigan
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to approve the revised Equal Opportunities Policy as set out at appendix to report.

PR045/23 Response to Consultation on DoH Autism Strategy 2023-2028

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval for Councils draft response to the Department of Health's Autism Strategy 2023-2028 consultation.

Councillor Quinn proposed the response as outlined. Councillor Quinn referred to presentation made previously in relation autistic children bringing their own food to restaurants and asked if there is opportunity to tie this in with the Autism Strategy or if it will be carried forward separately.

The HoSS&E stated he would come back to the Councillor on the matter.

Councillor Molloy stated he attended the consultation meeting and that it had been enlightening to see some of the challenges faced by autistic children and their families. The Councillor stated he felt the response captures what was said at the meeting. Councillor Molloy stated he raised the bring your own food initiative with some groups to make them aware that the concept is being rolled out. Councillor Molloy seconded Councillor Quinn's proposal.

The Chair, Councillor S McAleer stated she welcomed the Council response.

Resolved That it be recommended to Council to approve the draft response to DoH Autism Strategy 2023-2028 as set out at appendix to report.

PR046/23 Request to Illuminate Council Properties

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval to illuminate and light up the Council's three designated properties to raise awareness for the following:

- Marie Curie Memory Stones of Love
- Compassionate Communities NI
- International Nurses Day
- Alzheimers Society
- Tourette's Support NI
- Mid Ulster Loneliness
- Deafblind UK
- Leukaemia & Lymphoma NI

The HoSS&E advised of an additional request which had been received since the report was published to mark World Parkinson's Day on 11 April.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to illuminate the three designated Council properties as follows –

- Marie Curie Memory Stones of Love - 3rd Annual Day of Reflection – 23 March 2023 - Yellow

- Compassionate Communities NI – Advance Care Planning – 3 April 2023 - Blue
- Compassionate Communities NI – Dying Matters – 8 May 2023 - Yellow
- International Nurses Day – 12 May 2023 – Blue
- Alzheimers Society – Dementia Action Week – 15 May 2023 - Blue
- Tourette’s Support NI – Tourette’s Awareness Month – 22 May 2023 – Teal
- Mid Ulster Loneliness Network – Raise Loneliness Awareness – 13 June 2023 – Blue
- Deafblind UK – Deafblind Awareness Week – 27 June 2023 – Purple & Green
- Leukaemia & Lymphoma NI – Blood Cancer Awareness Month – Red
- Spires Magherafelt Branch for Parkinson’s UK - World Parkinson’s Day – 11 April 2023 – Blue

PR047/23 Member Services

None.

Matters for Information

PR048/23 Minutes of Policy & Resources Committee held on 9 February 2023

Members noted Minutes of Policy & Resources Committee held on 9 February 2023.

PR049/23 Autism Training – Virtual Experience Bus

Members noted previously circulated report which provided update on plans for the Council to host the Autism Virtual Experience Bus on Wednesday 26th April 2023 at Cookstown Leisure Centre. This visit forms part of the bus’s week long tour of Council facilitates in the NH&SCT area.

PR050/23 Local Government Staff Commission & National Association of Councillors NI - Annual Subscription 2023-24

Members noted previously circulated report which advised of correspondence received from the Local Government Staff Commission and the National Association for Councillors (NAC) on annual contributions payable for 2023-24.

Councillor S McGuigan questioned Council’s funding of the Local Government Staff Commission (LGSC) year on year and asked if Council is legally obliged to continue with its annual contribution to the Commission.

Councillor Kearney advised that NILGA recently met with the Permanent Secretary and the question had been raised as to why the LGSC had not been wound up. Councillor Kearney stated that the response from the Permanent Secretary was that

DfC was not confident it had the powers to progress the winding up of LGSC in the absence of a Minister. The Councillor stated that the winding up of LGSC seemed to be caught up in the Stormont situation in that it needs a Minister in place to progress the matter.

The Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP) confirmed Councillor Kearney's comments and advised that the LGSC is to be wound up but that Council still has an obligation under the 1972 Act to pay a contribution until such times as it is wound up.

The Chief Executive stated that Members queries were valid and legitimate and that his understanding is that as soon as a Minister is in place then LGSC will be wound up. The Chief Executive stated that the LGSC plays a useful role in relation to recruitment exercises for senior staff and that they have also been working with NILGA and others in relation to cross council representation with trade unions. The Chief Executive stated that as LGSC is still in place Council is still obliged to make its contribution until such times as LGSC is formally wound up.

Councillor S McGuigan stated he accepted what had been said and the advice given but felt that this was a situation that could go on indefinitely if Stormont did not return and no one challenged the payment of the contribution.

PR051/23 Implementation of Online Registration Services Booking System

Members noted previously circulated report which provided update on the introduction of a new online booking system for the Registration service in Council.

Councillor Cuddy stated that the implementation of the online booking system for registration services is good to see and is another step in relation to transformation.

Live broadcast ended at 7.18 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Buchanan
Seconded by Councillor Forde 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 PR052/23 to PR065/23

Matters for Decision

PR052/23	Mobile Network Choice for Contract 2023-2025
PR053/23	Procurement Policy – Review
PR054/23	Insurances – 2023/24
PR055/23	Lands at Feeney's Lane, Dungannon
PR056/23	Staffing Matters for Decision

- PR057/23 Local Election Count Arrangements: Appointment of
Count Centre Staff and Rates of Pay
- PR058/23 Thomas Street Gardens Acquisition
- PR059/23 Gortgonis Health and Wellbeing Hub – Phase 1 Enabling
Works
- PR060/23 Capital Planning Governance and Capital Programme
2023-2027

Matters for Information

- PR061/23 Confidential Minutes of Policy and Resources
Committee held on 9 February 2023
- PR062/23 Customer Service Alignment and Developments – For
Information
- PR063/23 Staff Matters for Information
- PR064/23 Contracts and DAC Registers – Update
- PR065/23 Financial report for 10 months ended 31 January 2023

PR066/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.52 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 14 March 2023 in Council Offices, Ballyronan Road,
Magherafelt and by virtual means**

Members Present

Councillor S McGuigan, Chair

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

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment (SD:
Env)
Mr Lowry, Head of Technical Services (HoTS)**
Mr McAdoo, Assistant Director of Environmental Services
(AD: ES)**
Mr Scullion, Assistant Director of Property Services (AD:
PS)
Miss Thompson, Committee and Member Services
Officer

**Others in
Attendance**

Councillor McFlynn***

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

E057/23 Notice of Recording

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

E058/23 Apologies

None.

E059/23 Declarations of Interest

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

E060/23 Chair's Business

None.

Matters for Decision

E061/23 DfI Roads proposed 8 Metre Length Restriction – Lisnawery Road, Augher (Mullaghmore Bridge)

Members considered previously circulated report which sought agreement in relation to proposal to introduce an 8 metre length restriction on Lisnawery Road, Augher (Mullaghmore Bridge).

Proposed by Councillor Brown
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposal to introduce an 8 metre length restriction on Lisnawery Road, Augher (Mullaghmore Bridge).

E062/23 DfI Roads proposed Introduction of No Waiting At Any Time, Loading And Unloading Permitted – Molesworth Road, Cookstown

Members considered previously circulated report which sought agreement in relation to proposal to introduce No Waiting At Any Time, Loading And Unloading Permitted – Molesworth Road, Cookstown.

Proposed by Councillor Brown
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposal to introduce No Waiting At Any Time, Loading And Unloading Permitted – Molesworth Road, Cookstown.

E063/23 DfI Roads proposed Speed Limit Reduction To 20mph – Ballygittle Road, Killen, Stewartstown

Members considered previously circulated report which sought agreement in relation to proposal to reduce an existing stretch of 30mph to 20mph on Ballygittle Road, Killen, Stewartstown.

Proposed by Councillor Brown
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposal to reduce an existing stretch of 30mph to 20mph on Ballygittle Road, Killen, Stewartstown.

E064/23 Street Naming and Property Numbering

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

Site off Mullagh Road, Maghera

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to name development off Mullagh Road, Maghera as Oakfield View.

Site off Mill Road, Aughnacloy

Proposed by Councillor Burton
Seconded by Councillor Graham and

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

Site off Orritor Road, Orritor, Cookstown

Proposed by Councillor McNamee
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to name development off Orritor Road, Orritor, Cookstown as School Garden.

E065/23 Street Renaming

The Assistant Director of Property Services (AD: PS) presented previously circulated report which considered the renaming of a street in a new residential Housing Development within Mid Ulster District Council.

Councillor Milne advised that the contractor had been in contact with him and requested that the development be named Hillside Manor.

Councillor Brown seconded Councillor Milne's proposal.

The AD: PS highlighted that the three names put forward for consideration are Hillside, Hillside Way and Hillside Hall.

Councillor Milne referred to previous disagreement with the contractor relating to the name of the development and that they had been in contact with him to request the name Hillside Manor.

The AD: PS advised that the development was previously named as Hillside Drive in July 2022 and that the developer had now put forward the three options as outlined.

Councillor Brown stated that if the developer had been in contact with Councillor Milne to request Hillside Manor then he felt the proposal should be taken and that officers then go back to the developer.

Councillor Wilson stated that the developer had submitted the three options and was now putting forward a fourth and questioned why there was a need to submit the three options in the first place.

The AD: PS advised that up to three names are sought from the developer to ensure that Council policy is met and that the options being put forward link with the locality of the development.

Councillor Milne stated that he had received an email from the developer outlining their request for Hillside Manor.

The Chair, Councillor S McGuigan stated that the proposal to name the development as Hillside Manor would be accepted.

Councillor Wilson stated he did not have an issue with the name now being requested but that he did have an issue with the process being followed tonight.

The Strategic Director of Environment stated she appreciated the Member's frustration and that Council does have a policy in place in relation to street naming. The SD: Env stated that officers will need to ensure that the name now being put forward meets the policy and criteria therein in case there is another development of the same name and there is no conflict. The SD: Env asked for some time to review the request for Hillside Manor and that the matter would be brought back to April Committee.

Councillors Milne and Brown were agreeable to the suggestion put forward by the Strategic Director of Environment.

Councillor B McGuigan suggested that the developer also submit their request for Hillside Manor in the interim.

The AD: Env asked that the developer would confirm their request for Hillside Manor and that this can then be considered under the normal criteria.

Resolved That it be recommended to Council that officers consider the request for naming of development off Killyfaddy Road, Magherafelt as Hillside Manor in line with Council policy.

E066/23 Consultation on the Draft Circular Economy Strategy for NI

The Assistant Director of Environmental Services (AD: ES) presented previously circulated report which advised on a public consultation for a draft Circular Economy Strategy for NI.

Councillor B McGuigan stated that the report and consultation was something to be welcomed. The Councillor referred to the amount of waste generated and the dependence on raw materials and that products end up being disposed of often within a very short time. Councillor B McGuigan stated that the world's resources will end up not being sustainable and that waste materials will have to be reused. The Councillor stated that the plan needs to be deliverable and that Council has its part to play along with the private sector. Councillor B McGuigan stated that Council should support the strategy going forward and that he felt there was scope to progress this matter through Community Wealth Building and the Climate Change Working Group. The Councillor stated that the biggest test will be the delivery of the plan and that Slovenia had good examples of circular economy delivery plans which could be learned from. Councillor B McGuigan stated that his party would also be feeding into the consultation.

Councillor Kearney stated that some of our European neighbours are well ahead and that a lot could be learned from them in terms of circular economies.

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney and

Resolved That it be recommended to Council to approve the consultation response as outlined at appendix to report.

E067/23 Bus Shelters Update

The Head of Technical Services (HoTS) presented previously circulated report which provided update on current bus shelter status.

Councillor Kearney asked if the bus shelters on order had arrived yet.

The Assistant Director of Property Services (AD: PS) advised that approval was obtained from the P&R Committee for a bulk order of bus shelters and that there is a lead in time for these to be delivered. The AD: PS stated he would come back in relation to a timeframe.

Proposed by Councillor Kearney
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council that application for Annaghmore Road, Cookstown proceed to stage 6 of the process.

Matters for Information

E068/23 Environment Committee minutes of meeting held on 14 February 2023

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

E069/23 Public/bank holiday working arrangements for 2023/24

Members noted previously circulated report which outlined the proposed public/bank holiday working arrangements for Environmental Services department for the period 1st April 2023 to 31st March 2024.

E070/23 Town and Village Award Competition Entries for 2023

Members noted previously circulated report which advised of entries to the Best Kept and Ulster in Bloom Competitions for 2023.

Councillor Cuthbertson referred to the striking of the rate meeting and the proposal adopted by Sinn Féin and SDLP in relation to ceasing to cut grass inside 30mph limits. The Councillor asked if there has been any engagement with the towns and villages entering competitions on whether this decision will affect their chances to be as successful as they have been in recent years in those competitions.

The Assistant Director of Environmental Services advised that there has been some discussion and drew attention to the report to be considered later in the meeting in relation to the working group.

E071/23 Building Control Workload

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

E072/23 Entertainment Licensing Applications

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

E073/23 Dual Language Signage Surveys

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

E074/23 Dual Language Signage Requests

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

Cuthbertson referred to appendix 2 and 3 of report in relation to request from resident of Bush Road and request from resident of Coalpit Road. The Councillor stated that whilst he was not an expert, anyone could see that the handwriting is identical in both requests and asked how this would be the case. Councillor Cuthbertson asked for more information in relation to the request for Bush Road, he stated this is a long road and enquired if the request is for Bush Road, Dungannon or Bush Road, Coalisland. The Councillor asked if those developments whose front doors open out onto the Bush Road will be consulted.

The Assistant Director of Property Services advised that the request would be for the entire length of the Bush Road based on the postal addresses along the road.

Councillor Cuthbertson again referred to the identical writing for the two requests for two different areas and asked how this would be and also if there is someone with an extra line in their address before Bush Road if they will be consulted. The Councillor referred to Lisnaclin Terrace, Bush Road, Dungannon and that these houses face on to the Bush Road.

The AD: PS advised that it would be addressable properties with an address on Bush Road who will be consulted based on Pointer data and electoral register.

Councillor Cuthbertson advised that there are up to ten developments with an address on Bush Road and stated that it will be a significant piece of work to consult with all properties at significant expense to Council. The Councillor stated that Council cannot afford to keep the recycling centre open in Coalisland but is going to go to the expense of consultation when there is up to 1000 houses to be consulted. Councillor Cuthbertson proposed that the request in relation to Bush Road does not proceed until there is more clarity on how many houses this will affect.

Councillor McNamee stated that there is a policy in place and proposed that officers continue to progress the requests in line with policy.

Councillor B McGuigan referred to the mention of several developments along the Bush Road and that he would be sure that these developments would all have their own separate names and are not named Bush Road. The Councillor stated that Council is not at the point of forensically testing writing or who submitted a request. Councillor B McGuigan seconded Councillor McNamee's proposal.

Councillor Cuthbertson stated that his proposal was that the request in relation to Bush Road does not proceed until there is clarity in relation to the number of developments that are facing on to the Bush Road and there is an extra line in their address. The Councillor stated that this could work into up to 1000 houses and that there is a cost issue. Councillor Cuthbertson stated that budgets are tight and that

there is no budget to keep the recycling centre open in Coalisland and further to this there is no budget for dual language signage that he was aware of.

Councillor Buchanan seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against – 9

The Chair, Councillor S McGuigan declared the proposal lost and that the matter would proceed.

Live broadcast ended at 7.28 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Burton

Seconded by Councillor Wilson 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 E075/23 to E088/23.

Matters for Decision

E075/23	Greenvale Hotel Entertainment License Renewal
E076/23	Gribbens Bar Entertainment License Application
E077/23	Fire and Security Tender report
E078/23	Public Procurement Frameworks
E079/23	Levelling Up Fund Round 2 – Successful Bid
E080/23	Application for Memorial Tree on Council Property
E081/23	Contract for Landscaping Works at Coolhill Cemetery
E082/23	Extension to contracts for processing of dry recyclables
E083/23	Working Group Terms of Reference

Matters for Information

E084/23	Environment Committee Confidential Minutes of meeting held on 14 February 2023
E085/23	Innovate UK Net Zero Living Programme – Funding Application
E086/23	Capital Framework – ICT Contracts Update
E087/23	Capital Framework – IST Contracts Update
E088/23	Capital Projects – Scoping Contracts Update

E089/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.58 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.

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

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

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

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 16 March 2023 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor Clarke, Chair

Councillors Ashton, Black, Burton, Corry, Cuddy*, Doris*, Kerr*, McNamee*, Martin*, Milne*, Molloy*, Quinn*, Wilson

Officers in Attendance

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

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

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

Mr Tohill, Strategic Director of Corporate Services & Finance (SD: CS&F)

Mr Clarke, Neighbourhood Development Manager, Community Development

Mr O'Hagan, Head of ICT**

Mrs Grogan, Committee and Member Services Officer

Others in Attendance

Councillor S McGuigan

Agenda Item 4 – Deputation ICBAN

Mr Shane Campbell***

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D041/23 Notice of Recording

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

D042/23 Apologies

Councillor Elattar.

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

D043/23 Declaration of Interests

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

Councillor Clarke declared an interest in Agenda Item 8 Sean item 8 – SLA – Broughderg.

D044/23 Chair's Business

No items.

D045/23 Deputation – ICBAN

The Chair, Councillor Clarke welcomed Mr Shane Campbell from ICBAN to the meeting and invited them to make their presentation.

Mr Campbell updated the committee on the workings and progress of ICBAN (appendix 1).

Mr Campbell took members through the outputs of the organisation as follows:

- 1) 'The Framework of Regional Priorities, 2021-2027' strategy programme
- 2) Broadband Infrastructure
 - Utilise reports for continued Advocacy
 - Complete implementation of 'Digi2Market' project with SMEs in Agri, Engineering and Tourism sectors
- 3) Regional Literary Tourism – Complete implementation of 'Spot-lit' / BLITZ' Project
- 4) Brexit – Making representations on Regional Data; Exploring the Opportunities and Challenges of Brexit

The Chair thanked Mr Campbell for his excellent presentation and invited any comments in which members may have.

Councillor Molloy thanked Mr Campbell for his very indepth presentation on the sterling work in which ICBAN has carried on for a long period of time. The Councillor referred to comment made in relation to the Ulster Canal and the intention for a feasibility study and hoped that this was not a duplication as Mid Ulster District Council and ABC also carried this study out along with Lough Neagh Partnership, presented by Mr Gerry Darby last Autumn with costings for the lower Blackwater as part of the Ulster Canal, the Blackwater navigatable from Benburb down to Lough Neagh. The member felt if this could be incorporated into Mr Campbell's study as it

was very indepth and came back with good recommendations as to how to access the river and how it can be used at the significant part that is already navigatable.

Mr Campbell thanked the member for his kind remarks and said that he had read the study which had been completed by Mr Gerry Darby from Lough Neagh Partnership and confirmed that there would not be a duplication between the terms of reference proposed for this feasibility study. He said that this was taken into account when papers were being developed as the basis for the study and no doubt wants to link in with Lough Neagh Partnership and their findings as a key constituent and stakeholder organisation as the group develop these plans.

Councillor Burton felt that this was a very important point as she recalled one of the former Council's programmes where there were people in a business situation had a shelf ready project to go forward to the bank which was not acceptable. The Councillor felt that when working with these feasibility studies people do not want to be doing the exact same thing all over again and was important that this was not lost and took on board. The member referred to the slide where it alluded to cross-border education programme and asked if Mr Campbell could elaborate on and who was involved in either training or benefitting from it.

Mr Campbell advised that these were proposals at this stage between further education, higher education institutions of the regions which includes South West College, Southern Regional College, three educational training boards which were in the south of the area and also Atlantic Technological University. ICBAN were looking towards developing three priority project areas in learning of education skills and training which includes cross border apprenticeships, particularly focusing on the areas of sustainable construction. The second area relates to digital citizens and coding for secondary schools, with one element looking towards augmented reality, virtual reality opportunities for the tourism sector. The third area relates to supporting SMEs in directing capital investments through an advanced manufacturer initiative, which is at quite an early stage and it is anticipated that the Peace Plus programme will open quite soon, possibly in May or June and would anticipate that the efforts of the six educational bodies with ICBAN would probably accelerate. Mr Campbell advised that efforts of the organisation strive to make sure there is a communication linkage between the work of the FE and HE sectors on this with the ambitions of the Mid South West Councils Group as well to ensure that all those efforts can be joined up in this region.

Councillor Burton enquired if ICBAN would be engaging with the regions within the border areas i.e. Aughnacloy which was a border town and Fivemiletown also close to the border. She enquired if there was a possibility with a linkage if the schools were interested as she was aware of the schools very recently taking their young people out to different events for future career paths and was wondering if this was something that could be tapped into, either by the schools or by ICBAN.

Mr Campbell advised that this would be something that he would pass on the Southern Regional College i.e. the project in which they were looking at is coding in secondary schools which is most relevant to those skills beyond schools and FE/HE. He said that he could certainly pass on to Southern Regional College for schools within the border regions of Aughnacloy and Fivemiletown. Mr Campbell advised

that there was also a different project called vertical transition which is looking at supporting communities along the border in developing their own climate action responses, one of these projects has already been completed in a united block which is Cavan, Leitrim and Fermanagh borders and looking at securing funding to roll this out into other areas. There was a significant element of that project in Lough Neagh areas which included local schools and children within the area about their futures and what climate actions they would like to be involved in and how they could promote that with their parents and this would be something that the organisation would be keen to deliver to other areas. Mr Campbell stated that this would be something that he would be keen to engage with Council Officers on to open out to other areas.

Councillor Kerr declared an interest in ICBAN as he was employed by the company involved with Project Stratem.

Councillor Kerr congratulated Mr Campbell on his excellent presentation and alluded to comments made regarding the massive investment by the 26 County Government in the Ulster Canal. The member said that a huge issue within the Torrent area is the Coalisland Canal, with one of the main objectives being trying to get it reopened as there was a linkage from the Ulster Canal to Coalisland Canal. The member said that although the investment was very much welcomed, he hoped that there could be further projects lobbied by the 26 County Government for the smaller waterways and hopefully further down the line it could be a joint effort between Mid Ulster Council and all the other Councils to link to Ulster Canal to try and get the Coalisland Canal back to its original status.

Mr Campbell advised that the work which will be completed on the feasibility study, the costings on the route would have to be considered on the linkage to the Coalisland Canal. He advised that he appreciated that Mid Ulster Council were very keen to see the development on the Ulster Canal with the element of the Coalisland Canal also and this would be certainly considered and would be mindful of that in the future.

Councillor Quinn concurred with previous comments about the excellent presentation and said it would be a remiss of him not to join in and shout about the Coalisland Canal as it was something that the community would like to see established. He was aware of the sterling work which the organisation has been doing through Councillor Kearney and could certainly see physically what ICBAN were doing around the country with a lot of exciting plans for the future.

Councillor Corry thanked Mr Campbell for the presentation and referred to Ringforts Feasibility Study and advised that Mid Ulster were developing a Heritage Strategy and part of that study was to investigate Ring Forts and different tins etc. which may be an idea to tie into together. The Councillor referred to Climate Friendly Farming/ Biodiversity, particularly the hedgerows and said that it was disappointing to see over the last number of years the number of hedgerows and trees which were being taken away as she had witnessed this for herself locally with flooding and half a mountain sliding down on to the road.

Mr Campbell advised that the Peace Plus programme was a £1.144 billion package that was going to be rolled out, but has to be launched yet and due to be agreed by the end of April and early May. He stated that an element of the programme was going to be for large scale regional projects and wants to ensure that all the Councils in the partnership can secure as much of that funding into the region as possible and whilst certain funding will be for these large regional scale projects, there will be elements of the Peace Plus programme which will be for smaller projects for communities up to £100K which is the level of funding being talked about on Peace Plus element 6.2 which was community initiatives on cross-border basis. Mr Campbell advised that discussions had been taking place on how some of that information could be shared on what could be coming up on Shared Island and Peace programmes and what opportunities could be taken advantage off for the area. He hoped that there could be opportunities for Heritage improvements and Biodiversity in the Peace Plus programme as these smaller scheme levels up to £100k schemes which could still make a significant difference. Mr Campbell advised that the Shared Island programme continues to open up new areas and opportunities and at the moment there is a programme looking into Climate Action Plans which will be raised with the Council within the coming days. Mr Campbell said that it was important to see what was out there and how best to sieze upon such opportunities as ICBAN listen to what plans Mid Ulster Council may have or other adjacent District Councils may have in trying to create links i.e. linkage between Carrigallen and Tullyhogue Ringforts. There is large amount of funding being made available for cross-border initiatives over the next number of years and would be important to seize every opportunity to try and secure that.

The Chair, Councillor Clarke advised that a lot of good work is being done in every area by ICBAN i.e. canals, schools/colleges, boardband etc. and concurred with Councillor Corry's comment about this Council being very upfront about development of our heritage and especially our environment which was absolutely essential. The Chair, stated that there has been a lot of protections in place but our environment is deteriorating at a rapid pace. The member referred to the Sperrin Partnership of the four Councils within the Sperrins area which have come together and are working upon a good project but there is still so far to go, 55 years since the Sperrins was declared an AONB, but in that time the landscape has been obliterated so there is a huge job to be done to try and restore it the way it was in 1968, never mind enhancing it. The Chair stated that there was a lot of work being done and was confident that there would be a massive amount of work to be done in the future and thanked Mr Campbell for attending the committee tonight to provide members with an update and also the organisations ongoing work alongside the Council.

Mr Campbell left the meeting at 7.35 pm.

Matters for Decision

D046/23 Facilities Room Hire Chares at Arts, Leisure and Tourism 2023/24

The Strategic Director of Communities and Place (SD: C&P) presented previously circulated report to update Members on Room hire charges in Arts, Leisure and Tourism venues/ facilities and to seek approval to implement from 1st April 2023.

Councillor Ashton said that whilst scanning through the breakdowns she noticed that some of the figures seemed to be different from what would have been passed as a similar kind of space. The member referred to the Hill of The O'Neill for non-commercial for Sunday, hourly rate £105 and full day £262 and felt that this was totally out of sync with all the other hourly and daily rates. The member also referred to the Helicon and Square Box and enquired if these would not be of similar size in space and felt that the hourly/daily rates seemed to be totally out of sync right across the board.

The SD: C&P in referring to Ranfurly advised that as noted within the report, a further review of the Ranfurly was required in the context of the strategic review currently being progressed and that a further report may need to be considered around pricing, once that review was completed. In terms of the Square Box and Helicon he advised that the Helicon does have a greater capacity than the Square Box.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve the Proposed Room Hire Charges at Arts, Leisure and Tourism venues/facilities 2023/2024 as outlined in appendix A of this report.

D047/23 Community Wealth Building

The Strategic Director of Communities and Place (SD: C&P) presented previously circulated report and sought approval on Community Wealth Building.

Councillor Corry said that she would be happy to propose the recommendation as she attended the working group which was a very exciting project going forward and great to secure funding to support that.

Proposed by Councillor Corry
Seconded by Councillor Clarke and

Resolved That it be recommended to Council to note the Community Wealth Building Update and accept the offer of funding from DfC (£29,000) to support the development of our CWB work and 'test and learn' plan.

D048/23 Development Report

The Strategic Director of Communities & Place (SD: C&P) presented previously circulated report and sought approval for the following:

- Rolling Community Grants
- Grant Funding Allocation 2023-2024 Update
- DfC Advice Salary & Cost of Living Uplift Payment
- Good Relations – Additional Funding
- Community Arts Plan 2023 – 2024

- Community Arts – King’s Coronation 2023
- Seachtain na Gaeilge Grant 2023
- Cross Border Arts and Climate Change Project
- Development Update

Councillor Kerr proposed the recommendation.

Councillor Wilson said that he would be happy to second the recommendation but wished to raise a few points.

Councillor Wilson advised that there were a number of programmes within the report which has been an absolute success for this Council and felt that our Council did not promote them enough. The member referred especially to the programme for Traditional Music in Schools run by Mr Donald Canavan which is run by all schools which wanted to be involved, this was brilliant and this Council should be taking credit for this. The member advised that this was the initiative of the legacy Cookstown Council and now it has expanded out and felt that this should be linked in with the promotion and also credit for the Piping School also. Councillor Wilson said that it was encouraging to see Mid Ulster Arts Festival being run again, which was a good idea, as in previous Cookstown Council there was a Comedy Festival which run over a few days and attracted people to the area and welcomed that development. The member stated that although it was a very full report, felt that Council should be taking credit for some of the tremendous projects that Officers and teams were delivering.

Councillor Quinn concurred with Councillor Wilson’s comments regarding the Arts Festival as it was an excellent idea and was happy to push it forward himself. The member congratulated the Council on getting it implemented and said that whilst it may be small this year, he anticipated it escalating over the next decade. The member referred to the Comedy Festival and stated last year he had suggested trying to reignite it and attach it along with the Arts Festival and may be something that Officers could look into for next year. When it comes to the Arts, Mid Ulster is the envy of every other Council and referred to Fra Fee’s appearance in the Lyric Theatre celebrating his career, he’s from Killyman and started with the Bardic Theatre and Craic Theatre and this was the talent Mid Ulster was producing which was being celebrated all over the world for its success.

Proposed by Councillor Kerr
Seconded by Councillor Wilson and

- Resolved** That it be recommended to Council –
- To approve Local Community Festivals and Good Relations grants
 - To note the updated Grant Funding Allocation 2023-2024
 - To approve DfC Advice Salary & Overhead Allocations
 - To approve receipt of Good Relations Additional Funding
 - To agree the Community Arts Plan 2023 – 2024
 - To approve the Community Arts King’s Coronation activity 2023
 - To approve the Seachtain na Gaeilge Grants
 - To support the Cross Border Arts and Climate Change Project
 - To note update the Development Department

The SD: C&P sought permission to raise a verbal item which was linked to the Development Report, he apologised for not raising the item verbally, however indicated that the matter had only recently come to Officers attention.

The SD: C&P advised that this week correspondence had been received from the Northern Ireland Office (NIO) offering Council a share of funding to facilitate the local screening of the King's Coronation and the Coronation Concert with additional funding being made available to facilitate the screening of the Eurovision Song Contest the following weekend. Confirmation of our intention to accept or decline this funding is required to be confirmed with the NIO tomorrow therefore the committee is being asked to consider the request.

Councillor Ashton said that she would be happy to propose the recommendation, but would add previously in these incidents with NIO that we actually partner with a community organisation that has been able to roll out a wider programme on behalf of the Council and would ask that Officers be given that space to have those discussions if it's linking in with a strategic partner.

Proposed by Councillor Ashton
Seconded by Councillor Burton and

Resolved That it be recommended to Council that approval be given to accept NIO's offer of funding to facilitate the local screening of the King's Coronation and Coronation Concert and Eurovision. It was further agreed that Officers are to liaise with the NIO to explore the opportunities to progress this funding with community organisation(s) in supporting and enhancing relevant events which may already be being planned.

D049/23 Health, Leisure & Wellbeing Service Level Agreements 2023/24

The Assistant Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report and sought approval to agree proposals on Community Service Level Agreements (SLA's) for the financial year 2023/24 only.

Councillor Doris said that she would be happy to propose the recommendation, but referred to the work which was being carried out at Drumcairne Forest at the moment where there had been talk of an SLA with a community group for closing of the gates which wasn't included within this report. The member also referred to Coalisland Mens Shed carrying out good work litter picking down at Coalisland Canal and was wondering if the AD: HL&W could explore these two requests to see if anything could be accomplished.

Councillor Kerr said that he would be happy to second the report. The member referred to the Washingbay Walkway and said that he wished to raise a few issues regarding Washingbay Walkway.

- Fencing to the entrance – Member had met with Mr Nigel Hill a few years ago and still this has not been painted which was promised 2 to 3 years ago.

- Reed Bed for central sewage system, still not fixed after Council workers entered 2 years ago, reeds have not been replaced and causing a smell within the public park area
- Trees recently cut down and branches left shrewn throughout the local nature reserve

Councillor Kerr proposed that a report be brought back to next month's Development committee meeting on a proposed timescale as to when the fencing would be painted, the reed issue sorted and shrewn branches to be removed and sorted.

Councillor Quinn concurred with comments from Councillor Kerr and said that he had the same issues and would also second his proposal for a report to be brought back next month. In referring to the Washingbay Waterway advised that there was still a lot of issues relating to sight coming out of the facility which can be quite dangerous, especially at night time. He was aware of Council Officers on previous occasions trying to find a solution with the landowner on either side and asked if this could be relooked at again to see if there could be some kind of compromise in regards to better sightlines coming out of the entrance.

The AD: HL&W in referring to Councillor Doris' issues stated that intensive discussions have been taking place regarding Drumcairne Forest which hasn't come to fruition as yet and this was why it wasn't included within this report.

The AD: HL&W advised that he would note the point around the Coalisland Mens Shed and if anything does materialise similar to the Slieve Gallion report a few months ago, then a report would be brought back to this committee, but this would need considered in line with the available budgets within the incoming year if there is capacity.

The AD: HL&W in response to Councillors Kerr and Quinn's point in relation to Washingbay advised that this would be inspected to see what can be accomplished. The Assistant Director advised that it may not be possible to bring a report back to next month's committee due to meetings being moved forward to the first week of April to accommodate the Easter period, with reports having to be in next week, but would try and put one together, but if this was not possible, including the absence of committee meetings in May, then an email will be issued to the two Councillors by way of an update if they were agreeable.

Councillor Kerr said that he would be happy to incorporate Councillor Quinn's comments into his proposal. The member said that he realised that it might be a tight timescale to have report brought back to committee next month but would appreciate an update on progress in the interim.

Proposed by Councillor Doris
Seconded by Councillor Kerr and

Resolved That it be recommended to Council note the contents of this report and give approval for the Health, Leisure & Wellbeing Service Level Agreements for the period 2023/24 financial year only.

Proposed by Councillor Kerr
Seconded by Councillor Quinn and

Resolved That it be recommended to Council that an update on progress be provided to members on concerns related to Washingbay Walkway.

D050/23 Affordable Warmth Scheme SLA 2023-2024

The Assistant Director of Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to update Members on communications received from the Department for Communities (DfC) on the Affordable Warmth Scheme 2023-2024 and the consideration of the Service Level Agreement (SLA) for the April 2023 – March 2024 year.

Councillor Burton said that she would be happy to support the proposal. The member said that she was aware of this being very well oversubscribed and enquired if there was a waiting list or were the Council able to deal with the people who were in the current system as this was a very valuable service due to the current economic climate and people being on the breadline.

The AD: HL&W advised Council was making use of the current threshold with a maximum of 20 referrals each month which normally were sent off to the department within the first two weeks of every month. For any other enquiries which come in during that same calendar month, officers still work through the criteria, screening and ready to submit the next month and maybe just a time lapse due to the targets. The Assistant Director said that these were all being tracked and anyone which meets the eligibility criteria are kept in chronological order and once the new month is started then they are sent off to the department.

Councillor Corry said that she was happy to second the recommendation. The member was aware of the oversubscription of the programme and was disappointed at the number of referrals being reduced but hoped that a better increase can be met in the future. She also hoped that the Assembly could be up and running shortly and that the Minister can track more funds to the likes of Affordable Warmth to help people which are struggling.

Proposed by Councillor Burton
Seconded by Councillor Corry and

Resolved That it be recommended to Council to note the content of this report and to approve the Service Level Agreement between the Department for Communities and Mid Ulster District Council for the Affordable Warmth Scheme for the April 2023 – March 2024 year.

D051/23 Catering Provision at Arts and Leisure Venues

The Assistant Director of Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to update members on current catering provision at arts and leisure venues and to seek approval for Cafe and refreshment contract for arts, leisure and recreation venues.

Councillor McNamee proposed to accept the officer's recommendation. The member enquired where the tenders would appear; papers or online tender.

The AD: HL&W said that it was envisaged to put these through eTendersNI but would also be seeking to promote it once it goes live on our social media. The Assistant Director stated that there was a requirement to change our procurement stance at the moment in terms of advertising within the printed media, but would investigate and come back to the member.

Councillor Molloy said that he had a similar kind of thought and if it was advertised necessarily as a procurement exercise, suggested it can be advertised by Comms through print media and to direct people to the eTender way of approaching it, possibly having much experience of leisure or tourism facilities outside of Mid Ulster, felt that the offerings within our centres are poor and this is recognised. The Member stated that in the past we have been much too restrictive in either awarding tenders or the way we do things and has been prohibitive to people hiring also and hoped that this could be looked at in a fresh light and looked forward to it coming back to committee on a decision on a final awarding.

Councillor Wilson said that his concern would be around Cookstown Leisure Centre and childrens parties that take place there. The member stated that at present it allows for people to take their own food in and was vitually important that this stays as we do not provide the food the kids want for a childrens party. He felt it was very important that the option was given to parents rather than using vending machines.

The AD: HL&W stated that this could be taken under consideration as under the proposal for Cookstown Leisure Centre there is a commercial kitchen space which is not being utilised at present, but there is a hope that Council can attract a caterer to come in and run the space and be able to provide options for hot and cold food for snacks for a range of functions including birthday parties. The Assistant Director said that this can be taken on board around the current operations to see what flexibility that we can have within any specification, but there is an intention to make this as attractive as possible as a viable business opportunity as it would be good to see it up and running again.

Councillor McNamee advised that there was a good Café facility at Cookstown Leisure Centre previously and would be good to see it back to something similar again in the future.

Proposed by Councillor McNamee
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to give approval for Council to:
Proceed to seek to procure cafe and refreshment contract(s) for arts, leisure and recreation venues as outlined in section 3.8 of this report.

D052/23 Draft Mid Ulster LMP Action Plan 2023-24

The Assistant Director of Economy, Tourism & Strategic Programmes (AD: ET&SP) presented circulated report to update Members on the development of Mid Ulster Labour Market Partnership - Draft Action Plan 2023-2024.

Councillor Wilson declared and interest in the above item as he sits on the Partnership and withdrew from the meeting at 8.03 pm.

Proposed by Councillor Corry
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to:

- Approve the Draft Mid Ulster LMP Action Plan 2023-2024 subject to any final adjustments required by the Department for Communities (DfC) following assessment. A copy of the final Mid Ulster LMP Action Plan 2023-2024 to be brought back to the Development Committee for Members information once DfC has approved the Plan.
- Approve that delegated authority be granted to the Chief Executive to;
 - (a) Sign and return the letter of offer from the Department for Communities;
 - (b) Make appointments to the successful organisations following the completion of all relevant procurement exercises. This will allow work on the Mid Ulster LMP Action Plan 2023-24 to commence as soon as possible.

Matters for Information

D053/23 Minutes of Development Committee held on 16 February 2023

Members noted Minutes of Development Committee held on 16 February 2023.

Councillor Kerr referred to D027/23 and enquired if there was any update on the correspondence from the Southern Trust regarding Cervical testing or was it going to be brought on the Correspondence list to full Council meeting at the end of the month.

The Strategic Director of Communities & Place (SD: C&P) advised that no update was available at present, but would investigate and come back to the member.

D054/23 Lands at Altmore/ Cappagh Update

Members noted update on the current position regarding the proposed development of publically owned lands at Altmore/Cappagh.

Councillor Kerr welcomed the report and said that he was aware that there was a scheduled meeting next week but emphasised the importance of getting progress on this project as soon as possible.

D055/23 Economic Development Report – OBFI

Members noted update on key activities as listed below:

- Coalisland Town Centre Forum Minutes – 16.11.22
- Tourism Development Group Minutes 11.11.22

Councillor Kerr referred to item 2.1 and enquired if there was any update on the local section of DfI regarding the flooding at Kings Row, Coalisland. The member stated that he had raised this issue a few times at Development committee and there was still no concrete date.

Councillor Kerr said that he has been in contact with Council Officers regarding this issue but felt there was a need to provide some kind of pedestrian safe crossing from Mamies Corner to Washingbay Road to give pedestrians priority for a right of way and asked if this could be also incorporated into the meeting with DfI as both areas are beside each other. The member would appreciate if this meeting with Roads Service could be scheduled as soon as possible.

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) advised that she would need to liaise with the other Department involved with the project in terms of the technical side, in terms of flooding. The Assistant Director advised that an update would need to be sought in relation to that and an update provided to the member after the meeting.

Live broadcast ended at 8.09 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Corry

Seconded by Councillor Molloy and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D056/23 to D059/23.

Matters for Decision

D056/23	SHHP - Bellaghy Bawn Literary Residential Proposal
D057/23	Environmental Health Management System
D058/23	Feeney's Lane

Matters for Information

D059/23	Confidential Minutes of Development Committee held on 16 February 2023
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D060/23 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.30 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

ICBAN Progress Report Presentation

for year to 31/03/2023


By Shane Campbell, ICBAN



1. **'The Framework of Regional Priorities, 2021-2027' strategy programme**
2. **Broadband Infrastructure**
 1. Utilise reports for continued Advocacy
 2. Complete implementation of 'Digi2Market' project with SMEs in agri, engineering and tourism sectors
3. **Regional Literary Tourism** - Complete implementation of 'Spot-lit' / BLITZ' Project
4. **Brexit** - Making representations on regional data; exploring the opportunities and challenges of Brexit

Outputs

2. Broadband Representations

- 
- ▶ Drawing on 'Fibre at a Crossroads' reports' evidence
 - ▶ Monitoring for clawback of c.£14m funds to enhance delivery into rural areas
 - ▶ Monitoring delivery of Project Stratum and potential clawbacks
 - ▶ Best practice and oversight of National Broadband Ireland programme



Digi2Market Immersive Technologies Project

Designed for SMEs to take advantage of new digital marketing opportunities, through Augmented and Virtual Reality technologies

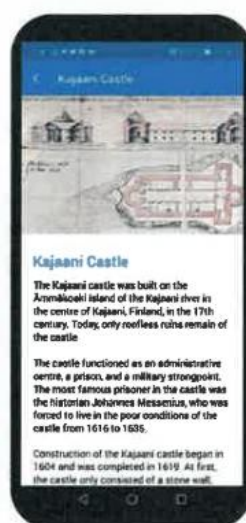
Digital City - a gated business community portal where SMEs can interact internationally on solutions, product collaboration and accessing new overseas markets is to be released.



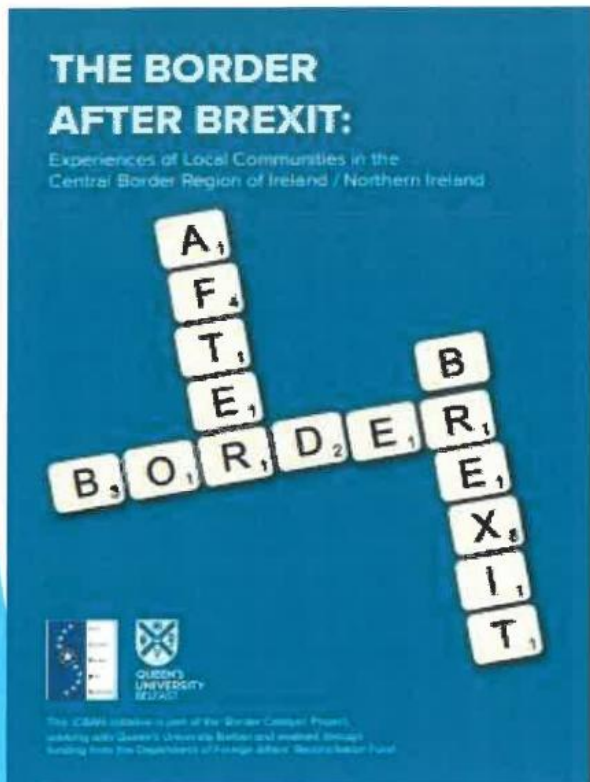
3. Spot-lit Project



Digital Apps for 4 Regions including NI



4. Brexit



- ▶ Submitting evidence to committees and consultations, drawing on evidence from 4 research exercises / reports, and 2100 responses gathered, including:
 - ▶ House of Lords Call for Evidence
 - ▶ EU Parliament Regional Development research programme
- ▶ New research bid: Impacts from Brexit and Protocol / Windsor Framework on cooperation, within NI, North-South and island of Ireland / GB

Report on	Conferences, Seminars & Training
Date of Meeting	23 March 2023
Reporting Officer	Joseph McGuckin, Head of Strategic Services & Engagement
Contact Officer	Eileen Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2022-23 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	<p>Approval for Consideration of Attendance by Elected Members</p> <p>There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix 1 to this report is sought.</p>
3.2	<p>Officer Approvals</p> <p>There are no conferences to report.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Costs to be set against Members 2022/2023 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member</p>

	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix 1 Elected Member Conferences, Seminars & Training

APPENDIX A

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
National Association of Councillors – Leadership and Change in Local Enterprise- A participative Workshop	Thursday 23 March 2023 9.30 am – 3.30pm	Craigavon Civic Centre	Conference fee – nil Travel	Cllr Burton Cllr Kearney
National Association of Councillors – UK Conference Theme: Mental Health & Wellbeing	Friday 14 th - Sunday 16th April 2023	The Royal Hotel, Scarborough	Conference fee - £350 plus travel & subsistence	



**National Association of Councillors (NAC)
Northern Ireland Region Presents**

**“Leadership and Change in Local
Enterprise” – A Participative Workshop**

On Thursday 23rd March 2023 – 9.30am – 3.30pm

in the Lakewood Suite, Craigavon Civic Centre, Craigavon BT64 1AL

Introducing Local Enterprise Training Solutions (LETS)

Facilitated by Derek McCallan – Local Government Specialist

Speakers Include:

Steve Pollard – Ulster University Business School, published Business Start Up and Entrepreneurship Specialist

Maeve Monaghan - CEO Now Group / Chair of the Community Foundation NI

Leah Millthorne - Head of Local Economies at The Centre for Local Economic Strategies (CLES)

Adrian McCreesh – Chief Executive of Mid Ulster District Council

Alison Allen – Chief Executive of NILGA

Alderman Alan McDowell – Former Chair of Regeneration and Development Committee on Ards and North Down Borough Council and Social Enterprise director

Who Should Attend?

Councillors and senior officers who have a strong passion to improve their understanding of future new local enterprise, jobs and sustainable growth. The workshop will gather, present and report on insights from speakers, panellists and attendees which will enable new enterprise opportunities in policy & practice, aligned to the newly elected councils in May 2023.

The Workshop is **FREE** to attend but must be booked in advance as places are limited.

To book please Email Kate at office@nac-ni.org and you will receive confirmation of your place.

Or complete below:

Name:

Council:

Email:

Any Dietary Requirements:

Return to: National Association of Councillors Northern Ireland Region, Sketrick House, Jubilee Road, Newtownards, Co. Down, BT23 4YH or (per above) Email office@nac-ni.org

If you later find you are unable to attend, please contact Kate at office@nac-ni.org, to cancel your booking to enable someone else on the waiting list to attend.



05/03/2023

National Association of Councillors Learning Weekend

@The Royal Hotel, Scarborough 14th – 16th April 2023

Mental Health & Wellbeing

Dear Colleagues,

In recent years there has been an increasing awareness of mental health problems in our society. This affects people in all walks of life and can have a major effect in our communities.

Our mental health influences our physical health, as well as our capability to lead a healthy lifestyle and to manage and recover from physical health conditions.

People with physical health problems, especially long-term conditions, are at increased risk of poor mental health - particularly depression and anxiety. Around 30% of people with any long-term physical health condition also have a mental health problem. Poor mental health, in turn, exacerbates some long-term conditions, such as chronic pain.

This conference will look at ways local authorities can help their own staff, councillors, individuals and groups to combat the effects of poor mental health.

This event will provide opportunities to hear quality speakers, participate in Q&A sessions and contribute to conference workshops. The conference will benefit elected members from every tier of local government.

Please complete the Booking Form to attend.

Yours Faithfully

B. Nelson

Councillor Brian Nelson
National Secretary
National Association of Councillors
0191 3789947 office

NATIONAL ASSOCIATION OF COUNCILLORS

Learning Weekend

Mental Health and Wellbeing

The Royal Hotel, Scarborough

14th-16th April 2023

Delegate Booking Form

Name of
Delegate.....

Organisation
.....

Delegate's Email
.....

Telephone Number.....

Authorising Signature.....Order No if reqd.....

Printed
Name.....

Position.....Organisation.....

INVOICE, email address for invoice.....

To Register – Complete the delegate details above, and either: -Email a copy of this form to
Generalsecretary@nationalassociationofcouncillors.org

or Post form to NAC Bookings, Council Offices, 6 Goatbeck Terrace, Langley Moor, Co. Durham
DH7 6JJ

Delegate Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils

£295 plus VAT - Town, Parish and Community Councils

Accommodation is available for delegates at the Conference Hotel at the special NAC Conference
Delegate rate of £85 plus VAT per night. The accommodation fee is payable by delegate on arrival at
the hotel unless otherwise indicated on the booking form.

Delegate Accommodation Friday & Saturdays nights YES / NO

Local Authority to be billed direct for accommodation YES / NO

Please note that double and family rooms are also available (prices available on request)

Booking Condition: Please note that a charge is payable on any bookings cancelled. These charges will be kept to a minimum and will be in accordance with cost incurred by the NAC.

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 23 March 2023
Reporting Officer	J McGuckin, Head of Strategic Services & Engagement
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> .					
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:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr><tr><td>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</td></tr></table>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition	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
Have won first place at a competition in their relevant field at the highest level of competition						
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition						
Representing their country at International, European, All-Ireland or National level at the highest level						
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition						
Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition						
Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the current 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 have been categorised, details of which are set out within appendix A to this report.
3.2	Members are asked to note with the forthcoming election that there will be no civic recognition report in April.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Members give consideration to approving civic recognition requests as presented and be dealt with as appropriate.
5.2	Members note with the forthcoming election that there will be no civic recognition report in April.
6.0	Documents Attached & References
	Appendix A: Civic Recognitions Recommended for Approval

Appendix A: March 2023 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 Macartan's Church, Augher	Church of the Year 2022 Won Top UK-Wide Title of Church of the Year at the inaugural National Church Awards	Cllr S McAleer	<ul style="list-style-type: none"> Won Competition at National Level 	For: Not Applicable Date:
Orla Mulgrew	Team Member with Ulster University Giles Cup 2023 Winners	Cllr Kerr Cllr Monteith Cllr S McGuigan	<ul style="list-style-type: none"> Team won Competition at National Level 	For: Not Applicable Date:
Blake Smyth & Peter Armour (Joint Managers Stewartstown GFC)	Ulster Club Football Manager of the Year	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:

Appendix A: March 2023 Requests for Civic Recognition Submitted: For Approval

Lough Neagh Fishermen's Co-Operative Society	Irish Food Writers' Guild Food Award for Lough Neagh Smoked Eel.	Cllr N McAleer Cllr D McPeake Cllr Bell	<ul style="list-style-type: none"> Won National Competition/Award 	For: Not Applicable Date:
Friel's Bar Swatragh	Translink Ulster in Bloom Special Award Winner 2022	Cllr S McPeake Cllr B McGuigan Cllr C Corry	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:
Ryan McCallan Sean Kennedy	Ulster Championship 2023 Handball Doubles	Cllr Mallaghan	<ul style="list-style-type: none"> Won National Competition/Award 	For: Not Applicable Date:
Laura Delaney	Ulster Championship 2023 Under 17 Champion	Cllr Mallaghan	<ul style="list-style-type: none"> Won National Competition/Award 	For: Not Applicable Date:
Glenageeragh Pipe Band	Grand Orange Lodge of Ireland Band of the Year 2023	Cllr Robinson	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	23 rd March 2023
Reporting Officer	Joe McGuckin, Head of Strategic Services & Engagement
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.
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 for Energy Security and Net Zero	Managing Radioactive Substances and Nuclear Decommissioning	This consultation seeks views on proposals to update and consolidate the policies of the UK government and devolved administrations on managing radioactive substances and nuclear decommissioning into a single UK-wide policy framework. The proposals focus on 3 areas: 1. Managing solid radioactive waste 2. Updating the policy for nuclear decommissioning 3. Managing nuclear materials and spent nuclear fuel	11:45pm on 24 May 2023	No
	Link to Consultation	https://www.gov.uk/government/consultations/managing-radioactive-substances-and-nuclear-decommissioning		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Communities	Consultation - A proposal to change the Date of the Annual Revaluation in the Local Government Pension Scheme (Northern Ireland)	The Department for Communities has commenced a consultation on a proposal to change the date of the annual revaluation in the Local Government Pension Scheme (NI) from 1 April to 6 April.	24 March 2023	No

	Link to Consultation	https://www.communities-ni.gov.uk/consultations
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	Yes

Report on	Correspondence to Council
Date of Meeting	Thursday 23 March 2023
Reporting Officer	J McGuckin Head of Strategic Services & Engagement
Contact Officer	E Forde, Members Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Fermanagh & Omagh District Council</p> <p>The Chief Executive has received correspondence from Fermanagh and Omagh District Council in relation to the WHSCT Public Consultation on the South West Acute Hospital (SWAH). Refer to appendix A</p>
3.2	<p>Correspondence from HM Treasury</p> <p>The Chair has received a response from HM Treasury to letter sent from Council regarding the removal of VAT on energy. Refer to appendix B</p>
3.3	<p>Correspondence from Newry, Mourne & Down District Council</p> <p>The Chief Executive has received correspondence from Newry, Mourne & Down District Council regarding a motion carried the age to vote. Refer to appendix C</p>
3.4	<p>Correspondence from Department of Health</p> <p>The Chair has received a response from the Department of Health regarding Women's Health Strategy. Refer to appendix D.</p>
3.5	<p>Correspondence from Armagh City, Banbridge and Craigavon Borough Council</p>

	The Chief Executive has received correspondence from Armagh City, Banbridge and Craigavon Borough Council regarding a motion carried in relation to Energy Company Profits. Refer to appendix E.
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: Fermanagh & Omagh District Council Appendix B: H M Treasury Appendix C: Newry, Mourne & Down District Council Appendix D: Department of Health Appendix E: Armagh City, Banbridge and Craigavon Borough Council

Alison McCullagh
Chief Executive



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Our Ref: Democratic Services

Date: 28 February 2023

Email: democratic.services@fermanaghomagh.com

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Dungannon Office, Circular Road
Dungannon
BT71 6DT

Dear Chief Executive,

Re: South West Acute Hospital

At the Policy and Resources Committee meeting held on 15 February 2023, Members asked that I write to you with regard to the WHSCT Public Consultation on the South West Acute Hospital (SWAH) and ask that your Council respond to the consultation in a positive manner and argue for the retention of the full suite of services at the Hospital.

The Council trusts you will give this issue due consideration and looks forward to receiving your response.

Yours sincerely

A handwritten signature in blue ink that reads "Alison McCullagh".

Alison McCullagh
Chief Executive

POA2023/02232



HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ

Cllr Cora Corry
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Your ref: C016/23
10 March 2023

Dear Councillor Corry,

Thank you for your letter of 30 January to the Chancellor of the Exchequer about energy bills support in Northern Ireland, specifically pressing for the removal of VAT on energy. I am replying as the Minister responsible for the UK tax system.

The Government has provided substantial energy support, including in Northern Ireland, with the Energy Price Guarantee (EPG) expected to save consumers who use both gas and electricity around £900 this winter; this is in addition to the £400 Energy Bills Support Scheme (EBSS). The EPG in Northern Ireland works very similarly to the scheme in Great Britain. The scheme provides households with equivalent financial support with their electricity and gas bills. All households in Northern Ireland receive an additional payment of £200 Alternative Fuels Payment, in recognition of the prevalence of alternative fuel usage in Northern Ireland.

Northern Ireland customers should receive the single payment of £600 or voucher, made up of the EBSS (£400) and the Alternative Fuel Payment (£200), by 28 February. This is a doubling of the £200 of support announced in February and is now a grant with no repayments.

Turning to energy support for businesses, on 9 January the Government announced that it would be launching a new energy support scheme for businesses, charities and the public sector. The new Energy Bills Discount Scheme will provide all eligible businesses and other non-domestic energy users across the UK with a discount on high energy bills until 31 March 2024, following the end of the current Energy Bill Relief Scheme. It will also provide businesses in sectors with particularly high levels of energy use and trade intensity with a higher level of support.

Through the current scheme, the Government provided an unprecedented package of support for non-domestic users through this winter. The new scheme strikes a balance between supporting businesses for a further 12 months, from April 2023 to March 2024, and limiting taxpayers' exposure to volatile energy markets, with a cap set at £5.5 billion based on estimated volumes.

The Government already recognises that families should not have to bear all of the VAT costs they incur to meet their needs, with domestic fuels such as gas, electricity and heating oil already subject to the reduced rate of VAT at 5 per cent of VAT. The Government's package of support to help households with their energy bills is far more generous than an additional VAT cut on domestic fuel and power, and there would be no guarantee that suppliers would pass on the discounts from this relief to all customers.

Businesses generally operate as part of the VAT collection process, paying VAT on their sales but recovering VAT on their purchases. This means that VAT registered businesses can normally reclaim any VAT incurred on energy costs, so they would not need a VAT reduction. Businesses with a VAT taxable turnover below £85,000 – so that is below the level at which they must register for VAT - can still choose to register for VAT, which would (subject to normal VAT rules) allow them to also recover VAT on their purchases, including energy costs. In addition, businesses that use gas or electricity below a de minimis level, which is set at around four times the average household consumption, are deemed to be in receipt of 'domestic supplies' and therefore can already benefit from a 5 per cent rate of VAT.

Thank you for making me aware of Mid Ulster District Council's concerns and suggestions.

Yours sincerely,

A handwritten signature in blue ink, reading "Victoria Atkins". The signature is fluid and cursive, with the first name "Victoria" written in a larger, more prominent script than the surname "Atkins".

VICTORIA ATKINS MP

Marie Ward
Chief Executive



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**
**Newry, Mourne
and Down**
District Council

Our ref: C/075/2023

15 March 2023

Dear Chief Executive

Re: Notice of Motion – Reduction in Voting Age

At a Meeting of Newry, Mourne and Down District Council held on 6 March 2023 the following motion was agreed:

"Newry Mourne and Down District Council calls for the voting age of 18 to be reduced to 16 and if this motion is adopted seeks the support of the remaining councils in Northern Ireland to write to the Secretary of State calling him to amend the necessary legislation to enable 16 year old and upwards to vote."

On speaking to the motion, many Members agreed this would be a positive way forward and would encourage young people, who are the future, to engage more fully in political life.

The proposer of the motion asked that the motion be circulated to the other 10 Council Chief Executives asking them to table at a future meeting of their Council.

Yours faithfully

Marie Ward
Chief Executive

**From the Permanent Secretary
and HSC Chief Executive**



Councillor Córa Corry
Chair – Mid Ulster District Council

celene.oneill@midulstercouncil.org

Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Tel: 02890520559

Fax: 02890520573

Email: peter.may@health-ni.gov.uk

Your ref:

Our ref: SINV-0058-2023

Date: 15 March 2023

Dear Córa

Thank you for your email of 22 February 2023 inviting me to meet in relation to a Women's Health Strategy for Northern Ireland.

The Department is currently going through a business planning and prioritisation process in the context of a very constrained financial outlook for the period ahead. While it will be difficult for us to progress every area we would like, and while there is currently no Minister in place to set overall policy priorities, the Department recognises that some coordinated action on improving women's health would be beneficial. Subject to capacity and other pressures facing the Department and HSC system, the approach would involve relevant policy and professional leads from across the Department engaging with health providers, clinicians and other stakeholders to identify and agree the priority actions that could be taken forward on women's health within our current resources.

This would combine much of the good work that is already ongoing across many women's health services (eg fertility, sexual and reproductive health services) with wider system reform (eg elective and cancer care), and would also aim to accelerate the necessary service developments in important areas such as gynae surgery and cervical screening, to name but a few. Progressing these issues fully is of course likely to require some investment, but in the meantime the Department's focus will be on maximising delivery within our current financial and staff resources.

In light of this, I am declining your invitation to meet at this time as my officials will engage with all key stakeholders as and when this work progresses.

Yours sincerely



Peter May

Roger Wilson
Chief Executive

16 MAR 2023
CHIEF EXECUTIVE



**Armagh City
Banbridge
& Craigavon**
Borough Council

13 March 2023

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Circular Road
DUNGANNON
BT71 6DT

Dear Adrian

NOTICE OF MOTION – ENERGY COMPANY PROFITS

The Council at its meeting held on 27 February 2023 agreed the following Notice of Motion –

“That this Council notes the obscene profits recently announced by energy companies such as BP who have announced profits for 2022 of £22bn. At a time when families are facing the worst cost of living crisis in living memory these profits and the resultant increasing dividends for wealthy investors are an affront.

That this Council writes to the Chancellor of the Exchequer, Jeremy Hunt MP, requesting that he look as a matter of urgency at a meaningful windfall tax on the profits of energy companies so that the money can be diverted to help workers and families during the challenging times we all face.

Also, that this Council writes to the Chief Executives of the other Councils asking them to also write to the Chancellor in similar terms.”

The Council would ask that your Council would send a letter to the Chancellor of the Exchequer in similar terms.

Yours sincerely

Roger Wilson
Chief Executive

Armagh Office
The Palace Demesne
Friary Road
Armagh
BT60 4EL

Banbridge Office
Civic Building
Downshire Road
Banbridge
BT32 3JY

Craigavon Office
Craigavon Civic &
Conference Centre
Lakeview Road
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0300 0300 900

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