



17 December 2020

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, 17 December 2020 at 19:00 to transact the business noted below.

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

Yours faithfully

Adrian McCreesh  
Chief Executive

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## AGENDA

### OPEN BUSINESS

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

### Matters for Decision

- |     |   |           |
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| 4.  | Council minutes of meeting held on 26 November 2020                       | 7 - 34    |
| 5.  | Planning Committee minutes of meeting held on 1 December 2020             | 35 - 64   |
| 6.  | Policy and Resources Committee minutes of meeting held on 3 December 2020 | 65 - 68   |
| 7.  | Environment Committee minutes of meeting held on 8 December 2020          | 69 - 82   |
| 8.  | Development Committee minutes of meeting held on 10 December 2020         | 83 - 102  |
| 9.  | Civic Recognition Nominations   | 103 - 108 |
| 10. | Conferences   | 109 - 116 |
| 11. | Draft Consultation Response on Draft Modern Slavery Strategy 2021/22      | 117 - 122 |

### Matters for Information

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Notice of Motions

## 14 Councillor Elattar to move

This Council condemns the British Secretary of State's failure to order a full Public Inquiry into the assassination of Pat Finucane.

This Council believes that it is now time for the Finucane family to be told all the facts behind the assassination of their beloved husband and father and calls on the British government to immediately order a full Public Inquiry.

This Council believes that the Finucane family should be told the truth about the extent of collusion in Pat's assassination and the cover up that followed and calls on the British government to immediately order a full Public Inquiry.

This Council demands that any Public Inquiry must be truly meaningful and not restricted under the terms of the Inquiries Act 2005 which Judge Cory criticised as making 'a meaningful inquiry impossible'.

The failure to order a full public inquiry is no longer simply about one man but rather about the wider issue of truth and justice and so this Council calls on the British government to fully implement the Stormont House Agreement's legacy mechanism so as everyone who lost a loved one can get the truth of what happened to them.

## 15 Councillor S McPeake to move

This Council notes the centenary anniversary of the Westminster parliament's Government of Ireland Act.

We note that the Good Friday Agreement caused this act to be revoked. [we welcome this]

We note the deep and wide divisions this has sustained and entrenched both within Irish society and in the relationships between the islands of Ireland and Britain, not least of those consequences has been the multi-layered generational conflict our society has endured.

We welcome and support the agreed framework provided by the peace process to address and deal with all of this by

peaceful and democratic methods.

We recognise that the outworking of this – the full implementation of the Good Friday Agreement in all its aspects – remains a work in progress.

This includes – its core requirements for equality of treatment, parity of esteem and mutual respect and the provision for a referendum to give full effect to the exercise by the people of Ireland to the right to self determine our future destiny and the centrality to this of both the British and Irish governments.

In the first instance in respect of rights throughout the island.

and in the second the particular responsibility on the British government to set a date for the referendum.

This Council further recognises that a stark choice is opening up between the narrow, inward-looking vision of Brexit Britain and the open inclusive vision of a new Ireland.

Therefore we call upon this council to encourage space for debate to present experiences and perspectives, big ideas and a public discourse on our constitutional future which threatens no one. and; this council call on both governments to expedite the delivery of their respective responsibilities contained within the Good Friday Agreement.

16 Councillor Kearney to move

“This Council notes with concern figures showing that over a quarter (27.5%) of those who died from Covid-19 were people living with dementia and this is the most common underlying health condition associated with deaths from the virus. This Council welcomes the Minister for Health’s stated commitment to reforming Adult Social Care and urges his Department to heed Alzheimer’s Society’s “The Fog of Support: An inquiry into the provision of respite care and carers assessments for people affected by dementia” to ensure those living with dementia are better protected now and into the future, specifically allowing loved ones of care home residents to be given key worker status. This Council will commit to build on the work of Alzheimer’s Society of creating Dementia Friendly Communities by hosting a virtual ‘Dementia Friendly Workshop’ which will

increase the awareness and confidence of our staff to better relate to, support and communicate with people with dementia to help tackle stigma, establish best practice and reduce barriers for our ageing population within our Council area.

- 17 Cllr Mallaghan to move  
That this Council notes at Mid Ulster Council Meeting 30<sup>th</sup> June 2016 we unanimously endorsed a motion moved by Ronan McGinley which asked the Minister for Communities to give consideration to putting in place arrangements that would assist councillors who required extended periods of leave due to maternity, paternity or sickness.

The current arrangements put unnecessary pressure particularly on women and those who are vulnerable due to illness.

This Council resolves to write to the current Communities Minister, Nilga and the NAC to restart the conversation on this issue so that our citizens continue to receive full representation and ensure that the health and wellbeing of Members is given due regard.

**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. Audit Committee confidential minutes of meeting held on 24 November 2020
19. Council confidential minutes of meeting held on 26 November 2020
20. Planning Committee confidential minutes of meeting held on 1 December 2020
21. Policy and Resources Committee confidential minutes of meeting held on 3 December 2020
22. Environment Committee confidential minutes of meeting held on 8 December 2020
23. Development Committee confidential minutes of meeting held on 10 December 2020
24. Receive a verbal update from the Director of Finance on Legal Issues
25. Document for Sealing: Contract Award between Mid Ulster District Council and FIBRUS NETWORKS (FFNI) LTD
26. Document for Sealing:  
Deed of Indemnity In Relation To Design, Support and Hosting of E-Tourism Related Website Platform

27. Document for Sealing: "Deed of Surrender; Lease of December 2013 between Mid Ulster District Council (as successor to Magherafelt District Council) and the Representative Church Body of the Church of Ireland with respect to Maghera Walled Garden"

Matters for Information



**Minutes of Meeting of Mid Ulster District Council held on Thursday 26 November 2020 in the Council Offices, Circular Road, Dungannon and by virtual means**

**Chair** Councillor Mallaghan

**Members Present** Councillors Ashton\*, Bell\*, Black, Brown, Buchanan, Burton\*, Clarke\*, Colvin\*, Corry\*, Cuddy\*, Cuthbertson\*, Doris, Elattar\*, Forde\*, Gildernew\*, Glasgow\*, Graham, Hughes\*, Kearney, Kerr, N 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, Director of Business and Communities  
Ms Canavan, Director of Organisational Development  
Ms Campbell\*\*, Director of Leisure and Outdoor Recreation  
Mr Cassells\*\*, Director of Environment & Property  
Mr Kelso\*\*, Director of Public Health & Infrastructure  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr JJ Tohill\*\*, Director of Finance  
Mr O'Hagan, Head of ICT  
Mrs Forde, Member Support Officer

**In Attendance** **Representatives of NI Water**

Mr Stephen Blockwell  
Mr David McCullough

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

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

The meeting commenced at 7 pm

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

**C218/20 Apologies**

None

**C219/20 Declarations of Interest**

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

## **C220/20 Deputation – NI Water**

The Chair, Councillor Mallaghan welcomed representatives of NI Water, who had joined the meeting virtually. Mr Blockwell drew attention to the previously circulated report and highlighted issues in relation to Infrastructure plans and funding in the Mid Ulster area.

The Chair, Councillor Mallaghan thanked Messrs Blockwell and McCullough for the presentation and invited Members questions.

Cllr McKinney stated that year on year NI Water came along and advised there was no money and it was well known that the sewage system was not fit for purpose. He highlighted that he was a member of the planning committee and asked when was there likely to be collaboration which would lead to a much needed sewage system that was fit for purpose. He said the report was always the same and change was required the facts needed to go to Ministerial level and as a Council Mid Ulster must also stand up to the plate.

Councillor Kerr highlighted rural areas in particular Torrent DEA which regularly experienced low water pressure a fact which panicked people at the start of the pandemic. He stated that improved infrastructure was much needed in rural areas. Councillor Kerr also called for NI Water to have DEA meetings with Members in order that local issues can be raised such as floods which again the Torrent area had experienced. He stressed the need for encounter between NI Water and Members in relation to maintenance giving an example of works being carried out and a road not replaced up to required standard leading to craters.

Councillor Quinn stated that areas such as Clonoe had poor water pressure were pipes originally in place to serve two houses were now serving many more and asked in such circumstances how could water pressure standard be met.

Councillor Doris thanked the representatives for the presentation and stated that she fully appreciated it was a strategic overview and not about local issues but she would highlight that £3.4 million was being spent in Coalisland but there was continuing flooding at Kings Road and outside Gervin's Bar. She advised that Sinn Féin had had an onsite meeting last week and highlighted that there had been no follow up from the Department for Infrastructure scoping study. She concurred with Councillor McKinney that it was the same year on year, that people on the ground did not hear these strategic presentations and requested that NI Water talk to the relevant stakeholders to get needs addressed.

Councillor Glasgow said he would concur with the rural message that rural areas need investment urgently as water systems were not fit for purpose.

The Chair, Councillor Mallaghan stated that following the comments of Councillors Doris, Quinn and Kerr a DEA meeting should be convened with NI Water.



**Resolved** A meeting to be arranged with NI Water representatives and Torrent DEA regarding recurring issues in the Torrent area.

In response Mr Blockwell stated that there was ongoing programmes to reinforce current systems, carry out capacity checks and endeavour to improve however, if for example, a house was at the top of a hill a specific solution is required. He stated that there was a strategy to cover elements of need in PC21 which would include reinforcing network and treatment works and it was unfortunate that NI Water could not address everything but they were doing their utmost to deliver the optimum they could.

In conclusion the Chair Councillor Mallaghan stated that it would be his hope that NI Water receive adequate investment in the near future.

*Representatives from NI Water left the meeting at 7.30pm*

### **C221/20 Chair's Business**

The Chair, Councillor Mallaghan reflected, in terms of COVID 19, over 3000 people had died across the island of Ireland and that the healthcare system was under huge stress. He referred to a meeting he had attended earlier in the day with the Northern Trust when in looking at strategic objectives they were repeatedly told, the person who previously carried out a job was no longer engaged in it as they were either working with COVID 19 wards or off ill themselves. He stated that the toll on services was increasing and vital intervention was being missed. The Chair also reflected that the economy was being hammered and intervention monies was slow in reaching the point of need. Concluding the comments the Chair extended solidarity to healthcare and front line workers.

The Chair, Councillor Mallaghan drew attention to the opening of the last section of the A6, Randalstown to Castledawson and extended congratulations to Department for Infrastructure. He said that this would have great impact on reducing journey times in particular for people in Newbridge and Moneynick who took the brunt of the through traffic. The Chair advised that DfI Roads had not extended invitations to the Council, Members of Parliament nor MLA's but an SDLP constituency meeting had taken place on the same bridge at the same time. He said that the Council had sought meetings with the DfI Minister Nicola Mallon on many occasions all of which she persistently refused to meet.

Councillor McKinney commended the planning and development of the route which was a great asset to the Council and his own DEA of Moyola. He also expressed disappointment at all local representatives not being invited other than those from the SDLP. He stated all should have had the opportunity to celebrate albeit with social distancing in place. He concluded this had been a once in a life time opportunity but it had been one rule for one and a different for another.

Councillor Ashton referred back to the impact of the economy and stated that it was very concerning to be contacted by businesses who have received no financial support for the last period of restrictions and were now entering new restrictions. She said she had been in touch with both the Department for the Economy and the

Department of Finance and payments were to be issued but it was not about apportioning blame as they were all doing their best but Council could not sit back while the business community bore the brunt. Councillor Ashton proposed that Council should write to the Ministers of both Departments and offer local government assistance in 'getting the money out the door'. She stated that the economic development team had worked tirelessly and if the NI Executive needed to lean on Councils it should, she stated she was not into the politics but rather wanted to ensure that High Streets don't collapse. Councillor Ashton also told how one retailer had been turned down for funding as the Department had felt they had not been impacted enough and said that the NI Executive needed to work with local government and proposed that Council write and offer support in the delivery of funding to businesses who were in dire need.

The Chair, Councillor Mallaghan asked the Acting Chief Executive if he was comfortable with this offer. In response the Acting Chief Executive indicated he was and the Chair reminded Members with previous funding Council had £1.2m issued in letters of offer before other Councils had decided what to do.

Proposed by Councillor Ashton  
Seconded by Councillor Black and

**Resolved** That Council to write to Ministers for the Economy and Department of Finance to offer Council assistance in administering funding to local businesses.

Councillor Wilson advised that when he had been chair of Council he had been invited to the opening of the Magherafelt bypass at which Ministers, Councillors, MLAs and MPs had all been in attendance and shared the disappointment expressed that all parties had not been afforded the opportunity to be in attendance. He stated all could point score but Councils had led the way through the pandemic and that local businesses recognised that the problems lies with those at Stormont whose faffing about had reduced politics to the gutter. He commended Councillor Ashton on her proposal and stated that although prior to the current restrictions there had been a slight rush it was minimal as many people are afraid to go out the door. He said many businesses were falling through the cracks and he commended the Acting Chief Executive and the staff in bringing Council to the fore.

Councillor Kerr commenting on the Chair's early comments regarding COVID 19 stated that a vaccine appeared to be close and if approved the roll out date was 10 December 2020 and into the new year. He suggested it would be wise that officers give the matter some thought to identify steps to support rather than be overwhelmed at the time it would be good to have a strategy in place.

The Chair, Councillor Mallaghan said that Council had offered its infrastructure both in relation to testing and were ready to support vaccination roll out.

Councillor Monteith concurred with Councillor Kerr emphasising that Council did have infrastructure together with contacts on the ground. He also echoed the comments of Councillor Ashton and stated that he too had had phone calls speaking of one from a sole trader who had been turned down for funding as they had not

been instructed to close. He said the person was waiting some five weeks on an answer, they could get to speak to no one on the phone, had ensured they had adequate controls in place to stay open yet had had to close. He said at the very least Council should be able to answer people and that economic development team should be able to speak to these people in relation to future grants and he was fully supportive of Council being involved as if they were to fire fight they needed the hose and water. He said departments often drew up the drawbridge leaving people distraught and their mental health shattered. He reflected that the lowest paid would now receive a 19 p increase as opposed to a 49p increase that big chain stores were open and whilst people were buying local it was not in local businesses. He said that some emails had been insulting and current practise was a disgrace.

Councillor Brown stated that some earlier comments about the Department of the Economy had been a cheap shot as the Department of Finance administered it. He also referred to comments by Councillor Monteith and stated whilst the money comes from the British Government it is the Department of Finance who distributes it in Northern Ireland.

Councillor Milne referred to earlier discussion about the opening of part of the A6 and stated it was a disgrace all had not been invited. He said he was offended as he had represented the area for many years and proposed Council write a letter to ask why they had been excluded.

Proposed by Councillor Milne  
Seconded by Councillor D McPeake and

**Resolved** That Council to write to Minister for Infrastructure to seek clarification as to why invitation protocol was not followed in relation to the opening/photocall at stretch of the A6 from Randalstown to Castledawson and express disappointment that the Chair of Council and local elected representatives of all parties were not afforded the opportunity to be in attendance

Councillor McKinney reiterated thanks to the Acting Chief Executive on the work undertaken to get funding out and stated that he wished Council had more control. He reminded Members that Mid Ulster is the heart of the country representing the agri food industry, had large manufacturing base, building trade and stated that if those on the Hill could not deliver Mid Ulster Council could. He stated Mid Ulster had the best workforce and needed to focus on what we had and encouraged Members to focus on the problems that lies ahead. Councillor McKinney stated that we were at war with an invisible enemy that is COVID and the focus should be to bring people together. He highlighted that many families would not have a Christmas due to the impact of the pandemic and whilst it was easy to stoop low we needed to rise up, move forward and make progress.

Councillor Kearney stated that the SDLP had chosen the Department for Infrastructure portfolio and whilst he had limited knowledge of the A6 photocall aforementioned he was aware that an official opening is to be scheduled in the new year and that the real winners are the 25k people who can use that road in the next

few weeks. He assured that invitations would be extended to the official opening in the new year.

Councillor Clarke referred to the Broadband working group who had worked in unison with Fermanagh and Omagh. *Councillor Clarke's connection terminated.*

Councillor Glasgow referring to broadband spoke of project Stratum and said the main concern of Members on the working group was there had been no Minister in place and whilst the Department for Economy said the project was value for money quite a few catchments would be left behind. He said it was a matter of urgency that the working group be reconvened and he would support Councillor Clarke highlighting that many areas would not be supported in the project.

Councillor Clarke, *now reconnected*, stated that there are indications that there will be sections not covered and asked if this was just within Mid Ulster and Fermanagh and Omagh or was it throughout the province. He spoke of telephone exchanges serving townlands and asked was this a platform or will it be another, he spoke of comments in relation to a contribution centre made at tendering stage and asked how the gaps were going to be filled. He highlighted that as local elected Members they would be at the cold face of when and how it would be delivered. Councillor Clarke said he had pages of questions and proposed that an urgent meeting be sought with the delivery agent and the department prior to the tender being awarded as once it was awarded that would be that.

The Chair, Councillor Mallaghan said Council was aware from previous experience the region could be hard hit. He said that an invitation had been received to meet the Minister together with Fermanagh and Omagh Council. He stated that conversations had taken place with the Department for Communities and it was hoped the aforementioned meeting would be mid December.

Councillor Brown said he did not have an issue with the Broadband working group but Council had to look at the £160m coming into Northern Ireland and the vast number of properties to be addressed under project STRATUM. He said it was a good news story and 94% of the area would be covered over the lifetime of the award.

The Chair, Councillor Mallaghan concurred and welcomed further the fact that it was a local company had been awarded the contract but at this it did not mean Council would not ask the difficult questions.

Councillor Burton stated this was great news and it was her hopes that rural areas would be raised at the meeting with Fermanagh and Omagh, she reflected that many had went to great lengths to gather data and spoke of businesses in the Caledon area who had to do online work at 3am in order to get sufficient coverage. Councillor Burton stressed that Council had done the donkey work in collating data and businesses were tired of filling out forms which reflected little change and she hoped their plight would be pursued.

*Councillor Black left the meeting at 8.02pm*

The Acting Chief Executive concurred with Councillor Brown that the investment was fantastic news but emphasised that Council needed to identify the areas such as Councillor Burton spoke of and all needed to work out the detail of who will be missed and how this will be addressed. He intimated that the Chief Executive of Fibrus had indicated that a package would be brought to the table to address such issues.

Councillor Gildernew seconded Councillor Clarke's proposal

Councillor Graham reiterated comments about people in rural areas being left behind whilst the built up areas are improved.

Proposed by Councillor Clarke  
Seconded by Councillor Gildernew and

**Resolved** That the Broadband Working Group

- (i) Reconvene meetings; and
- (ii) Progress joint meeting with Fermanagh & Omagh Council with the Minister for the Economy and the delivery agent for Project Stratum;

Councillor Kerr spoke of the charity work carried out by Pearce Whitehouse for the Boom Foundation following the loss of his young sister Shannon earlier in the year. He stated they had raised substantial funds and asked that the Chair forward a letter commending him for this.

Councillor Kerr advised that Noel Sweeney who had lost LIFE his in a tragic road accident last year had received a National Credit Union award posthumously in recognition for his contribution to the Coalisland Community and requested the Chair send a letter.

Councillor Doris stated she would be happy to second the proposals of Councillor Kerr stating that Pearce Whitehouse was to be commended in how he had turned his pain into activity to help others. Speaking of Noel she shared how she had worked with him in Halloween festivals and acknowledged his commitment to the community of Coalisland.

Proposed by Councillor Kerr  
Seconded by Councillor Doris and

**Resolved** That the Chair write to

- (i) Pierce Whitehouse commending him on substantial funds raised for the Boom Foundation in response to his sister Shannon's diagnosis of Sarcoma and subsequent loss of life to same; and
- (ii) to the family of Noel Sweeney who has received a National Credit Union Award posthumously in recognition of his contribution to the Coalisland community

Councillor Doris highlighted that Craic Theatre Coalisland and Derrytresk Theatre had been Credit Union Member Initiative Survey Winners and also that Stewartstown Primary School had been the Mathletic World Champion for third time in past four years. Councillor Doris proposed the Chair forward letters to the aforementioned.

Councillor Quinn seconded Councillor Doris' proposal

Proposed by Councillor Doris  
Seconded by Councillor Quinn and

**Resolved** That the Chair write to

- (i) Craic Theatre and Derrytresk Theatre on receiving Member Initiative Survey Winners
- (ii) Stewartstown Primary School on winning the Mathletic World Champion for third time in past four years;

*Councillor Black returned to the meeting at 8.10pm*

Councillor D McPeake advised that Mid Ulster resident Jonny Brookes had been runner up in the Voice competition and Brooke Scullion had been a finalist. He stated that both were included on the report for civic recognition and commended them for welcoming their family, friends and parish with distinction and brought distraction during the COVID period.

Councillor Milne concurred.

The Chair, Councillor Mallaghan said he had heard interviews with both contestants who had been great representatives for the district on the Voice.

Councillor Milan advised that Seamus O'Neill a former councillor had passed away and asked that the Chair write to express condolences to the family.

Councillor Kearney said that Seamus O'Neill had served his local community with great distinction on the former Magherafelt District Council and seconded the request to write to express condolences to the family.

Councillor Monteith advised that the widow of former councillor John Donaghy had passed away. He spoke of the way John had been instrumental in the civil rights movement and how his widow had donated many of his papers to local history groups. He requested that the Donaghy family receive a letter of condolence.

**Resolved** That the Chair write to

- (i) The family of former Magherafelt Council, Councillor Seamus O'Neill expressing sympathy on his recent death; and

- (ii) the Donaghy family on the passing of the widow of former Dungannon Councillor John Donaghy, tribute was paid to Mrs Donaghy who donated many of her late husband's papers to local historical societies

The Chair, Councillor Mallaghan advised that he had received a request from the Samaritans requesting that Council lights up buildings in recognition of the campaign highlighting the loneliness many experience at Christmas time.

Proposed by Chair, Councillor Mallaghan  
Seconded by Councillor Monteith and

**Resolved** In response to request from Samaritans recognizing loneliness - Council illuminate the designated properties (Ranfurly House & Visitor Centre, Dungannon; the Burnavon Arts & Cultural Centre, Cookstown and the Bridewell, Magherafelt)

The Chair Councillor Mallaghan proposed that Council host a civic reception for Mickey Harte who had retired after long service to Tyrone GAA during which time he had led the team to three All Ireland wins together with numerous Ulster Championship wins. He stated that as well as being an exceptional manager he was a really good guy and there was countless stories of how he has helped individuals. The Chair stated whilst some who are exceptional develop an ego Mickey Harte was not such a man he just done what was within him to do.

Proposed by Chair, Councillor Mallaghan  
Seconded by Councillor Doris and

**Resolved** That Council host Civic Reception for Mickey Harte in recognition of his service to Tyrone GAA.

The Chair, Councillor Mallaghan highlighted Enterprise Week which had provided great opportunity to highlight what is available to help and assist start up businesses and local business. He said it was a fantastic event with 500 participants across different platforms. The Chair expressed thanks to the Department of Business and Communities for making it happen.

Councillor Quinn said he was aware that poverty has been top of the agenda across the UK and spoke of campaigns such as Marcus Rashford shaming government to ensure children are fed. He highlighted how poverty has effects from growth in the womb, birth, school and throughout life. He said that during the COVID period poverty had been highlighted and spoke of the great work carried out across communities particularly mentioning the Coalisland food bank and the work done by many including Councillor Kerr to ensure children did not go to bed hungry. He told how he worked with St Vincent de Paul and the Samaritans and the stories told were harrowing. He said he had penned a motion but had been too late to submit but asked that like Belfast City Council agreement be given to donate money to the Salvation Army, St Vincent de Paul and food banks across the district. He

suggested a paper be brought to Policy and Resources to show what could be donated that would go a long way to help the most vulnerable in the district, he acknowledged that there was Department for Communities (DfC) and Neighbourhood Renewal funding but Council too should 'put its hand in its pocket'.

The Chair, Councillor Mallaghan stated that Council had shown its strength in its support to foodbanks and that DfC were coming forward with a package and without a figure it would be difficult to make a decision.

The Acting Chief Executive acknowledged that the sentiments were passionate and constructive but would advise caution in Council selecting groups. He also advised that Council had brought £100k to the first table and must be mindful that it was incurring £600k losses. He outlined funding to date and the support of DfC. He said the most recent tranche of funding was £156k which had been distributed to foodbanks and had funded PPE. He also stated that £100k had been uplifted for advice services. He said that Development Committee Members would be aware of the out workings and advised that a tranche of £166k was anticipated and discussion at the recent development meeting had detailed that £80k would go directly to foodbanks, some to counselling and debt management and acknowledged that the Members had wanted to spread the help for maximum impact. He said once ratified the business and community team would move to action. The Acting Chief Executive concluded that it was his understanding that tranche 3 may draw down £100k plus and once approved officers would not be found wanting in ensuring it has maximum impact on the ground. He reminded Members that people still need to eat in January and February and this money would be rolled out in assurance that Council was in tune with its citizens.

Councillor Quinn thanked the Acting Chief Executive for his comprehensive outlining of assistance being given and stated with virtual attendance it was good that people heard what Council was doing. He concluded he was happy with the approach.

In response to Councillor Brown's query the Acting Chief Executive advised that the Director of Finance was in discussions with regard to the amount which would be awarded to Council of the £20m promised to Councils. He stated that Council should have indicators in the coming week.

Councillor Colvin supported Councillor Quinn in principle.

Councillor Burton stated that at the Development Committee she had spoken of Hope for You in Clogher who carried out sterling work in the community supporting people in crisis. She also mentioned a group in Fivemiletown and requested that officers make contact with them.

Councillor Cuthbertson in relation to businesses said he too had dealt with many traders and spoke of the rates relief scheme of which many were excluded such as insurance companies, small garages, reflexologists all falling through the net. Councillor Cuthbertson proposed that Council write to the Minister of Finance requesting that Rates Relief criteria be extended to include those businesses who are excluded such as insurance offices, reflexologists, small garages.



Proposed by Councillor Cuthbertson  
Seconded by Councillor Brown and

**Resolved** That Council write to the Minister of Finance requesting that Rates Relief criteria be extended to include those businesses who are excluded such as insurance offices, reflexologists, small garages

### **Matters for Decision**

**C222/20 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on Thursday 22 October 2020**

Councillor Cuthbertson drew attention to *C200/20 Development Committee Minutes* and the question he had posed in relation to D152/20 Decade of Anniversaries – Commemorations 2021/22. At the meeting no officer had been present to offer a response to his question and to date he had not received same. Councillor Cuthbertson stated that this was regrettable and sent out the message that Council was a cold house for the unionist minority, he said that their views were not taken into consideration and concluded that if Members could not get responses online meetings were not working and Council should consider going back the Burnavon.

The Chair, Councillor Mallaghan stated that the Directors are available at meetings.

The Acting Chief Executive stated that a very detailed report had been presented at the Development Committee on 15 October 2020 following a diligent process between officers and the parties in particular, the recommendations were then ratified at the full Council meeting. He outlined that the Decade of Anniversaries had been put together through various funding streams including Heritage Lottery funding and support funding. He stated that the principles of the events were based on historical facts and outlined the principles that Council have to embrace. He advised that discussion occurred over several months and all of council had opportunity to feed back. He emphasised that the paper was a reflection of the discussion and the resulting wide range of projects that the officer team would roll out. He reminded Members that there would be historical talks, lectures, exhibitions and community support grants would also be available and open for all to apply, criteria would be applied in a fair and equitable way and that it would be remiss of officers to identify any one group at this stage as such inconsistency would cause trouble. He stated that the group Councillor Cuthbertson was speaking of would have opportunity like all others to apply should they wish to do so.

The Acting Chief Executive concluded that the officer team would deliver equally and for clarity stated that the approach was consistent with previous years.

Councillor S McPeake said the statement ‘it is a cold house for unionism’ was somewhat rich just because Council had not jumped to the beck and call of one community group. He said to do so would be a dangerous precedent and emphasised that Council was going down the route of best practice and education, taking all sides into perspective, which is the way it should be. He concluded the

statement was both hypocritical and rich but not surprising and highlighted that notice had been given for an all member workshop scheduled to take place.

Councillor Cuthbertson stated he would not take lectures of being hypocritical from a Sinn Féin member and reiterated that he had stated community feedback should have been included in the report and that it was not for an officer to decide to exclude it as it indicates community feedback means nothing.

The Chair, Councillor Mallaghan said this was rubbish and not the experience of any Member of the Council as all views were taken into consideration and closed discussion stating that the report had been both presented and approved and thus the matter was dealt with.

Councillor Cuddy drew attention to *C208/20 Confidential Business at Policy and Resources committee* and asked if once the decision was made confidential business became public.

The Chair, Councillor Mallaghan said it may be wiser to discuss whatever it was in confidential business.

Proposed by Councillor S McPeake  
Seconded by Councillor Brown and

**Resolved** That the Minutes of the Council held on Thursday 22 October 2020 (C191/20 – 205/20 and C217/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C223/20 Receive and Consider Minutes of matters transacted in Open Business” at the Development Committee (Special) held on Thursday 29 October 2020**

Proposed by Councillor Black  
Seconded by Councillor Doris and

**Resolved** That minute D173/20 *All Ireland Health Campaign - Amendment to minute Page 8 final paragraph to read “....were lucky here in Northern Ireland to benefit from that system and although it wasn’t perfect there was a commitment from ....”*

Proposed by Councillor Kerr  
Seconded by Councillor Doris and

**Resolved** That the Minutes of the Development Committee (Special) held on Thursday 29 October 2020 (D168/20 – D175/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C224/20 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 6 October 2020**

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Councillor McKinney drew attention to the discussion regarding P101/20 Chair's Business discussion Maghera High School and sought assurance that the Chief Executive would be responding to the letter received from the Department for Infrastructure regarding calling in of an application.

In response the Acting Chief Executive advised that a response would be prepared by the Council Solicitor subsequent to the discussion aforementioned.

**Resolved** That the Chief Executive respond to letter received from the Department for Infrastructure letter advising that application LA09/3029/0024/0 and LA09/2019/0025/F were being 'called in' and seek clarity as required.

Proposed by Councillor McKinney  
Seconded by Councillor D McPeake and

**Resolved** That the Minutes of Planning Committee held on Tuesday 3 November 2020 (P099/20 – P104/20 and P110 /20) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

**C225/20 Receive and Consider Minutes of matters transacted in "Open Business" Policy and Resources Committee Minutes of Meeting held on Thursday 5 November 2020**

Proposed by Councillor Gildernew  
Seconded by Councillor Quinn and

**Resolved** That the minutes of Policy and Resources Committee held on Thursday 5 November 2020 (PR177/20 – PR183/20 and PR201/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C226/20 Receive and Consider Minutes of matters transacted in "Open Business" Environment Committee Minutes of Meeting held on Tuesday 10 November 2020**

Councillor Wilson drew attention to E241/20 EU Exit and sought clarity as to where the funding arises from. In response the Director of Public Health and Infrastructure advised that it came from London office and was a separate funding stream to that of NI Protocol.

*Councillor Doris left the meeting at 8.45 pm*

Proposed by Councillor S McGuigan  
Seconded by Councillor N McAleer and

**Resolved** That the Minutes of Environment Committee held on Tuesday 10 November 2020 (E232/20 – E253/20 and E263/20) transacted in Open

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Business having been printed and circulated, were considered and adopted.

**C227/20      Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 12 November 2020**

Councillor S McPeake drew attention to *D170/20 Chair’s Business* regarding the discussion in relation to social housing and proposed that the housing working group meet to respond to the consultation outlined. He stated that the working group had not met since March and it would be apt to reconvene meeting and respond to the consultation on the wider in relation to housing.

Councillor Monteith said he had no difficulty with the housing working group meeting but Independent Members were excluded and had no right to have a say. He emphasised as Elected Members they had as much right for a say in social housing and working groups should reflect all Members.

The Chair, Councillor Mallaghan stated that working groups did not have voting rights and all recommendations made had to come to relevant committee.

The Acting Chief Executive responded that the working group had done sterling work and officers were happy to reconvene meetings and would facilitate both.

**Resolved**      That:

- (i)      all Member workshop proceed to prepare consultation response;
- (ii)     That the Housing Working Group reconvene meetings

*Declaration of Interest*

*Councillors Kearney, S McPeake and Mallaghan declared an interest in ICBAN*

Councillor Kearney drew attention to *D177/20 Economic Development ICBAN* and proposed to invite the Chief Executive of ICBAN Mr Shane Campbell to address full Council.

Proposed by Councillor Kearney  
Seconded by Councillor S McPeake and

**Resolved**      That ICBAN be invited to make a presentation to Council.

Proposed by Councillor Doris  
Seconded by Councillor McNamee and

**Resolved**      That the Minutes of Development Committee held on Thursday 12 November 2020 (D168/20 – D185/20 and D193/20) transacted in Open

Business having been printed and circulated, were considered and adopted.

## **C228/20      Requests for Civic Recognition**

The Head of Democratic Services sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, as detailed within the report at appendix A.

Councillor Kearney highlighted that he had submitted nominations for Greenlough GAC and Slaughtneil GAC for recognition following their recent County successes and requested that given like Edendork GAC and Dungannon Clarkes GAC there was no progression to Ulster Club Championships that the Chair give consideration for similar recognition.

In response the Chair, Councillor Mallaghan advised he had had the patience to wait until the Derry championships had taken place and that he would include the two aforementioned clubs in the recognition being granted to the Tyrone clubs.

Proposed by Councillor Kerr  
Seconded by Councillor D McPeake

**Resolved**      That the Chair of Council consider recognition to Greenlough GAC and Slaughtneil GAC in line with earlier recommendations for Tyrone County winners Dungannon Clarkes and Edendork

That subject to the foregoing approval be given to remaining submitted requests for civic recognition as outlined in the report and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate

## **C229/20      Conferences, Seminars and Training**

Approval was sought for the undernoted for attendance of Councillors and Council Officers as outlined in the report, the payment of attendance fees and associated costs as incurred.

### **Member Training**

<b>Provider/Course</b>	<b>Date &amp; Time</b>	<b>Location</b>	<b>Costs</b>	<b>Attendee Requests</b>
NILGA Local Government Master Class Finance	Thursday 3 <sup>rd</sup> December 2020, 10.30-2.30pm on zoom	Via zoom	<i>Nil</i>	Clrs S McGuigan, Mallaghan, McFlynn and Kearney

### **Conferences**

Provider/Course	Date & Time	Location	Costs	Attendee Requests
The Northern Ireland Protocol, the Internal Markets Bill and an Australia-style Brexit	Thursday, 3rd December 2020 9.30 am – 1pm	On line	£99 (1 place alternatively more than 1 place £89 plus VAT)	

Proposed by Councillor Doris  
Seconded by Councillor McKinney and

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

### Matters for Information

#### C230/20 Correspondence

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

#### C231/20 Consultations Notified to Mid Ulster District Council

Members considered the previously circulated report.

Councillor Cuthbertson drew attention to the *Department of Justice: Draft Modern Slavery Strategy 2021-2022 Consultation* and stated that Council should respond as there had been a number of instances in the district. He also referred to Lord Morrow making history through a Private Members Bill in relation to Human Exploitation.

Councillor Burton reflected on engagement with the PCSP on such matters and highlighted that often issues goes underground because people don't realise what is happening under their noses. She further highlighted that human trafficking around border towns can be a real issue and such matters had also been raised at NILGA.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Brown and

**Resolved** That Council make a response to consultation: *Department of Justice: Draft Modern Slavery Strategy 2021-2022 Consultation*

#### C232/20 Notice of Motion

Councillor Monteith to move

"Mid Ulster Council calls on the Office of Public Works to carry out the necessary excavation works to recover the remains of Joe Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly, in what is commonly known as the Invincibles Yard at Kilmainham Gaol. The Council extend their support to the relatives of these men in their efforts to have the remains exhumed from Kilmainham Gaol and reinterred in consecrated ground at Glasnevin Cemetery"

Councillor Monteith stated he was not a great fan of bringing motions and the last one he had moved had been some 15 years ago. He spoke of the plight of the people named in the motion and their families. He outlined his association with them was that he was asked by the mother of Dr Shane Kenna a leading historian and the person responsible in bringing this story into the public domain, as he had worked as a tour guide in Kilmainham Gaol. He told how Shane had delivered many historical talks in Dungannon and had become a personal friend and a friend to the town. He spoke of the contribution Shane had made to history prior to his death at the age of 33. Councillor Monteith said Shane had brought the campaign for a burial for the four men 140 years after their death, how he had worked with families and dedicated much of his life to the campaign. Councillor Monteith advised how the men had been convicted on the word of an informer and how they were entitled to a proper burial. Councillor Monteith shared his desire in continuing Shanes work and felt that it was highly appropriate given the pursuit of Councillors Molloy and Mullen who were endeavouring to have mass graves which were for many years unmarked for example workhouse graves. He concluded that he felt it was right that council should do its best to offer assistance as outlined in the motion.

Councillor Kerr seconded the motion stating that this was an interesting part of Irish history and other councils such as Fermanagh and Omagh had lent their support.

Councillor McNamee said Council should support the relatives and the campaign to have these five men's bodies exhumed and granted a proper burial. He spoke of the great sense of relief spoken when the remains of Kevin Barry had great satisfaction in being in Dublin on the day Kevin Barry and his comrades were re-interred and given the proper ceremonial burial they were entitled to." He fully supported the motion.

Councillor Black said that given these men were buried in a different jurisdiction that this was not relevant to Council and was in conflict of standing order 16.1. He also stated that these men had been involved in a murder and Council should not glorify terrorism which was an attack on democracy. He stated that this course of history had resulted in the death of hundreds over the decades and the men should not be held up as role models. He concluded that the murder of fellow citizens in pursuit of political ideology is wrong and the DUP would not support the motion.

The Chair, Councillor Mallaghan referred to the USA Thanksgiving and thought Members should reflect on the founding fathers of America and view what they done.

Councillor Cuthbertson said that this was glorification of terrorism and that republicans would be better putting their time and effort into the search for the disappeared in Northern Ireland and this was another chapter of republicans

rewriting history. Councillor Cuthbertson proposed that the motion be overruled and rejected.

Councillor Quinn said as a student of history he had found this period of history fascinating and whilst he would not support their actions this instance had a major impact on the history of the country. He outlined that the murder had helped ruin the chances of home rule and that of the Liberals being re-elected but had assisted in Parnell coming to the fore. He said he understood Councillor Black but he felt everyone had the right to be buried and this was not a glorification of terrorism but a human right. I take strong exception to comments from Councillor Cuthbertson and him taking the moral high ground regarding the glorification of terrorism yet he remains silent when banners go up in his DEA in the summer time and I will not take a lecture from him. The SDLP will support the motion as every human being has the right to burial.

Councillor Graham stated that she could see no reason why Mid Ulster Council would have anything to do with the campaign as it had nothing to do with the district and Council should not support murderers. She concluded that people needed to look forward not back.

Councillor Doris stated that to them they were freedom fighters and for relevancy of the motion one of the men had come from county Tyrone and concurred with Councillor Quinn that they deserved a burial.

Councillor Cuddy stated that he had looked up Wikipedia and the men appeared to have represented a small radical group of the Irish Brotherhood who had picked out the two government ministers and killed them with 12 inch knives and said that the wider population had been aghast at the actions of the hideous group. He spoke of how Superintendent John Mallon from Armagh had been involved in the case which had found them guilty. He further outlined that their actions had delayed home rule. He said he understood that the families of the men would want their remains removed and given a proper burial but he did not accept the motion. Councillor Cuddy concluded that if Council continued on the current route it would need a foreign office.

The Chair, Councillor Mallaghan referred to the comment and said a motion had been brought for a passport office which would be a good start. He also thanked him for the respectful remarks made in his response.

Councillor Colvin called for a ruling in line with standing order 16.1 as Council should not be considering the motion.

The Chair, Councillor Mallaghan stated that he had decided to take the motion and there was a local interest to it thus the motion was valid.

Councillor Monteith thanked Members for their contribution and stated whilst everyone would not agree these people were lying in an unmarked grave, in relation to relevance we have all been fit to make linkages to the event which had a major



impact on the elections the following year and said in the words of the late Dan Breen if it had not been for them all there would be no 1916

The Chair, Councillor Mallaghan called for a vote.

For	24
Against	15

The Chair, Councillor Mallaghan declared the motion carried.

Councillor Monteith thanked Members for their support in the debate.

## **C233/20      Notice of Motion**

The Chair, Councillor Mallaghan advised that Councillor Gildernew had lost connection and thus Councillor Corry would move the motion on his behalf.

Councillor Corry moved the undernoted motion stating that

*“When I first looked at the area that the current applications PLA 1/16 and PLA 2/16 took in, I was shocked at the sheer size of the area proposed for exploration. It takes in a large section of Mid Ulster, areas of outstanding natural beauty including Lough Neagh, which also makes up 40% of our drinking supply, an area which takes in Seamus Heaney country, all of which we as a council have been promoting as staples to our tourism package. No one wants to visit an area of destruction caused by extraction.*

*In economic terms economies are shifting their emphasis towards renewable energy sources and redirecting investments towards climate friendly alternatives. All of our nearest neighbours the South, Wales, Scotland and England have a ban or moratorium on fracking as do many other places. We should be looking to the future, leading the way and not be left behind, we can do this by developing and promoting clean, renewable forms of energy. On top of all this and most importantly is the potential damage hydro carbon extraction, fracking and other methods and indeed the initial drilling of exploratory wells will do to the environment, our wildlife and to people’s health. Workers and communities are at risk of being exposed to toxic chemicals, soil and water contamination, all of which can lead to an increase in types of cancer, asthma, neurological problems, skin disorders and risks to pregnancies. I do not think that these are risks people should be forced to take.*

*The Assembly recently declared a Climate Emergency and indeed the majority of MLAs want to see a Climate Act legislated for in the North, to protect our environment, as do I believe the vast majority of political representatives and the public. We are running out of time to turn things around for our environment on the climate crisis, we must act now. So I would call on my colleagues here tonight to support the motion. Go raibh milé Maith agaibh”*

*"This Council recognises that we are in a climate emergency, notes that this motion builds on the 2015 Strategic Planning Policy Statement presumption against the exploitation of unconventional hydrocarbon extraction, acknowledges its responsibility to protect public health and the environment, and in light of the Assembly's unanimous motion on 13th October which called for a moratorium and legislative ban on petroleum licensing for all hydrocarbon exploration, drilling and extraction, this Council calls upon the Executive to enact an immediate ban on all such petroleum licensing and agrees to write to the Minister for the Economy requesting that the current applications (PLA1/16 and PLA2/16) for petroleum licences be immediately rejected."*

The Chair, Councillor Mallaghan seconded the motion advising that he had met with the campaign group 'Stop the Drill' and referred to a document shared with Members that detailed a map which highlighted that a large part of the area impacted was in Mid Ulster thus it was a concerning development.

Councillor Brown stated that in reading the motion it may have been better discussed on 13 October by the NI Executive and said it was not the place of Council to decide but that of the NI Executive. He highlighted that the motion mentions rejection of the application and this could lead to Council being open to legal challenge. He stated the Department of the Economy has a review on the matter results of which would be in the New Year and the DUP grouping would not support any thing that would damage Mid Ulster or endanger people.

Councillor McKinney said as a Member of the planning committee if Council make a rule tonight how does the planning committee view future applications and where does planning committee members stand with protocol should they receive such an application? He said he would stand to be corrected but felt Members could breach the protocol and cautioned that it was an important issue that Council must be careful and drew on highlighted that there was not facts to back up remarks with regard to pregnancies and cancers. He asked how planning Members stood on the issue.

The Chair, Councillor Mallaghan stated that this was an application for a licence which lies within the remit of the Department of the Economy but that Council could take a view on extraction.

The Acting Chief Executive stated that to speak on the matter he needed Council approval as the debate was within a motion.

Proposed by Councillor McKinney  
Seconded by Councillor Black and

**Resolved** That the Acting chief Executive be granted permission to speak on the matter.

The Acting Chief Executive advised that the matter had been discussed with the Planning Manager and direction had been sought and as the matter was national and strategic Council was entitled to make a view.

Councillor Kerr stated as the motion spoke of climate emergency he would state his opposition to the application in relation to the Lough as such practice proposed would wipe out fishing a vital resource and the livelihood of many in the area. He further stated that the area was classified as scientific interest and the practices the application would permit would destroy the Loughs eco system and impact many across the North. He stated that Council should send a clear message out to such large multinational companies. He endorsed the motion.

Councillor McFlynn said the SDLP would support the motion and referred to both the Sperrins and Lough Neagh and how residents would be impacted and the detriment to the environment if this was permitted to go ahead. She stated that Council should protect all resources for future generations.

Councillor Colvin stated that regarding procedure there were two types of Members those on the planning committee and those not and highlighted that Members must demonstrate an open mind. Councillor Colvin said they did not have all the evidence and said in planning if a Member expressed a view they could not participate in a vote. Councillor Colvin concluded that the UUP Members of planning committee would abstain and requested a recorded vote.

The Chair, Councillor Mallaghan stated that this was in relation to a licence which the Department of the Economy would rule on and emphasised it was not an application.

Councillor Quinn said the a report was brought to Planning on this matter last year, at which time it was discussed and the advice had been the decision would be made by the department. The Chair in response stated that the matter Councillor Quinn had referred to was a separate issue on fracking outside Cookstown and he should perhaps withdraw remarks.

Councillor Quinn said he was happy to withdraw remarks but he recalled the report had been to do with the Lough.

The Acting Chief Executive clarified that the Planning Manager had been of a similar opinion that a previous report had come to the Planning Committee.

Councillor Cuddy said that people were only thinking about their own back yard and should remember that the area has boasts industries such as agri food, stone crushing and that he was proud to have them in the district but if for example the fields along the Ballygawley Road had been left unspoiled for the yanks to admire occasionally that would not be the case. He said as a child the area would have been farms and green space but if you want industry it comes with change. He stated that the district doesn't all have the scenery of the Lough shore but other areas has industry that creates the wealth of which Council boasts. He concluded that UUP Members of the planning committee would abstain.

Councillor Glasgow concurred with Councillor Colvin and expressed serious concerns. He advised that he had completed the NILGA Planning Training Course for Members which highlighted the potential of Planning Committee Members being reprimanded under the code of conduct. He reiterated his concerns and said he would abstain from the vote as each application before planning committee had to be dealt with on its own merit.

In conclusion Councillor Corry reminded the meeting that the industry has a short shelf life that could result in health and climate crisis and that green industry would be preferred.

The Chair, Councillor Mallaghan called for a vote

For	Bell, Clarke, Corry, Doris, Elattar, Hughes, Kearney, Kerr, Mallaghan, N McAleer, S McAleer, McFlynn, B McGuigan, S McGuigan, McNamee, D McPeake, S McPeake, Milne, Molloy, Monteith, Mullen, Oneill, Quinn, Totten
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Against	Ashton, Burton, Cuddy, Forde, Graham, McLean and Wilson
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Abstained	Black
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The Chair, Councillor Mallaghan declared the motion carried.

Councillor Corry thanked Members for their support.

## **C234/20      Notice of Motion**

Councillor N McAleer in moving the motion stated,

“Since the beginning of the COVID 19 pandemic, I have been contacted by a large number of students and parents of students who are concerned with the impact this is having on their lives; as I am sure is the case with all other councillors present this evening. The complaints that are raised most often centre round the detriment faced in terms of both their educational needs and financial position. The resulting uncertainties caused by this has cast a shadow over what should have been a new and exciting chapter in the lives of a great number of young people. With closures in the hospitality and retail sectors there has been a loss of essential incomes, making rents unaffordable for many and placing mounting pressure on parents who may be on a reduced income or themselves lost their income to step in but in the current climate it is not possible. This has left some students in an impossible position where dropping out of their course seems like the only course of action. If a student does opt to defer or leave their course they should not have to face any financial penalties for taking this decision.

It is important that the government intervene to ensure that students in our third level educational facilities are supported for not only the remainder of the pandemic but also into the future. A clear strategy is required to ensure support is in place to combat against financial detriment brought on by the pandemic, support for mental health and wellbeing services and ensuring there is digital access for all students so they do not miss out on any essential learning is required and for that reason I would urge the Council to support the following motion."

"This Council recognises the detrimental impact that the Covid-19 pandemic is having on our local student population and supports the aims of the Students Deserve Better campaign. The Council calls on the Economy Minister to implement a clear strategy to assist students in dealing with issues related to housing and educational costs, provision of mental health services and digital access.

Further to this the Council calls for the Executive to liaise with the Dublin Government, Westminster and other devolved administrations to ensure adequate testing is in place to allow students to travel home safely over the Christmas recess to enjoy time with their families and that those who are unable to travel home are supported.

Councillor Doris seconded the proposal stating that the pandemic had had a huge impact on students, she reflected that university days had been the best of her life and she had struggled balancing study with a job in retail to help support her costs. She concluded that no student should be forced to drop out of university for financial reasons especially due to the pandemic.

Councillor Buchanan said that he wished to propose an amendment to the motion as undernoted:

*"This Council recognises the detrimental impact that the Covid-19 pandemic is having on our local student population and supports the aims of the Students Deserve Better Campaign.*

*This Council calls on the Northern Ireland Executive to work collaboratively and implement a strategy to assist students in dealing with the issues raised in this campaign.*

*Further to this, Council welcomes progress made towards a united position in relation to regulations over the Christmas period and encourages the UK Government to work with the Irish Government to ensure harmonisation across the UK and Ireland so students can travel home safely to enjoy time with their families and those who are unable to travel home are supported."*

Councillor Brown seconded the amendment.

Councillor Quinn said that university had been the best years of his life and he had been vice president of the Student Union. He said often the perception was of students

out partying when in fact many are single parents juggling education, with parenthood and part time work. He highlighted that many had to choose between education and feeding children and that during the pandemic students had been forgotten despite paying enormous tuition fees. He stated that the SDLP would support the motion.

Councillor Monteith commended the motion and concurred that students had been forgotten about, had been forced to pay rent and whilst some landlords were decent others even though publicly subsidised had not been. He also stated that students had been told they had to return to university and landlords together with universities had received rent for halls of residents. He said students have been blamed for many things but for decades had been impoverished with withdrawal of grants, loans, part time work to get through and there were many issues of poverty. He said the pandemic had laid these issues bare for all to see and Council needed to make a commitment to the issues of student poverty.

He spoke of the amendment and said he could sense of a collaborative approach but that the amendment did not name the issues and as such the motion lost impact. He also suggested that as a sentiment of the motion Sarah Laverty be invited to present to a Council committee as soon as possible.

Councillor McLean said that some of the issues noted in the Students Deserve Better Campaign such as internet access is something that also impacts rural communities many represent. He said the possibility of all of this happening in the short term is slim, he also reflected that mental health impacts a large portion of the community at all ages, he stated that whilst some issues could be addressed many were long term aspirations. Councillor McLean referred to a cross party delegation meeting with the Minister in relation to capital spend and when Council had requested funding the comments had been one department could not deliver alone on a wider executive issue and this too was the case. He commended Councillor N McAleer in bringing the motion but stated he felt it was better served through the amendment.

Councillor Corry concurred with Councillor Monteith and stated she was a former deputy President of the Student Union and the issues had indeed been around for a long time and in the last part of the motion if the UK government was to lead it would be lost.

Councillor Colvin stated that Westminster provides the money and even the Taoiseach recognises this. He said he felt the DUP amendment addressed the issues better as student fees were rising and it was unfair he also said that some students did not do their cause any favours by misbehaving. He concluded the UUP would support the amendment.

The Chair, Councillor Mallaghan stated that some of the scenes portrayed on media was but a small portion of the student population.

Councillor Black concurred with Councillors McLean and Colvin and stated the amendment although not naming the issues would serve to address them and that there was a collective responsibility with regard to mental health that could not be delivered by the Department for the Economy alone.

Councillor Cuddy stated that the UUP supported the causes raised but that the DUP amendment was more focused.

Councillor Molloy stated that if you want an email to go nowhere send it to numerous people but if it goes to one person in this instance the Minister for the Economy it was then up to her to get colleagues on board. He said the original motion directs to one department to get effect.

Councillor Quinn suggested that the issues be added to the DUP amendment together with Councillor Monteith's proposal which would allow for a united voice but as this would constitute an amendment he withdrew comments.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That as a sentiment to the motion that representatives of NI Students Union be invited to make a presentation to relevant committee of Council"

The Chair Councillor Mallaghan called for a vote on the amendment proposed by Councillor Buchanan.

For	15
Against	24

The Chair declared the amendment lost.

The Chair, Councillor Mallaghan called for a vote on the motion

For	24
Against	0
Abstained	15

The Chair Councillor Mallaghan declared the motion carried.

Councillor N McAleer thanked Members for supporting the motion and for the broad support for the campaign.

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

*The live broad cast concluded at 10 pm*

Proposed by Councillor Brown  
Seconded by Councillor Kerr

**Resolved** That items C235/20 – C244/20 be taken as confidential business.

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## **Matters for Decision**

- (i) Council Confidential minutes of meeting held on 22 October 2020
- (ii) Planning Committee Confidential minutes of meeting held on 3 November 2020
- (iii) Policy and Resources Committee Confidential minutes of meeting held on 5 November 2020
- (iv) Environment Committee Confidential minutes of meeting held on 10 November 2020
- (v) Development Committee Confidential minutes of meeting held on 12 November 2020
- (vi) Document for Sealing: Deed of Release between Mid Ulster District Council and Dungannon Enterprise Centre in relation to lands comprised in Land Registry Folios TY14451 and TY8821 County Tyrone
- (vii) Document for Sealing: Deed of Extinguishment relating to lands at Ann Street, Dungannon, between Mid Ulster District Council and Neighbouring Landowners
- (viii) Document for Sealing: Deed of Variation between Department of Agriculture Environment and Rural Affairs and Mid Ulster District Council in respect of the property situate at Davagh Forest
- (ix) Document for Sealing: "Lease with the Church of Ireland of Lands at Maghera Walled Garden and Surroundings"

## **C245/20 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 10.35 pm

**Chair** \_\_\_\_\_

**Date** \_\_\_\_\_



## Annex A Introductory Remarks from Chair

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 1 December 2020 in Council Offices, Ballyronan Road, Magherafelt and by virtual means**

<b>Members Present</b>	Councillor S McPeake, Chair	
	Councillors Bell, Black*, Brown, Clarke*, Colvin, Cuthbertson, Gildernew*, Glasgow, Kearney*, Mallaghan, McFlynn, McKinney, D McPeake, Quinn* (7.31 pm), Robinson*	
<b>Officers in Attendance</b>	Dr Boomer, Planning Manager Ms Doyle, Senior Planning Officer** Ms Donnelly, Solicitor Mr Marrion, Senior Planning Officer** Ms McAllister, Senior Planning Officer** Ms McCullagh, Senior Planning Officer** Ms McKearney, Senior Planning Officer** Ms McNally, Council Solicitor Miss Thompson, Democratic Services Officer	
<b>Others in Attendance</b>	<b>Applicant Speakers</b>	
	LA09/2019/0232/F	Mr Gourley
	LA09/2020/0677/F	Mr Lagan
		Councillor B McGuigan
	LA09/2020/1020/O	Mrs Donnelly
	LA09/2019/1373/O	Mr Finlay
		Councillor B McGuigan
	LA09/2020/0194/O	Mr Quinn
	LA09/2020/0499/O	Mr Cassidy

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

\*\* Denotes Officers present by remote means

The meeting commenced at 7.02 pm

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

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

Members joining remotely confirmed that they had seen the addendum and had time to read it.

**P111/20      Apologies**

None.

**P112/20      Declarations of Interest**

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

**P113/20      Chair's Business**

The Planning Manager presented previously circulated report which was circulated as part of the addendum and advised of the Department's agreement of the Council's Revised Timetable (August 2020) for the production of the new Local Development Plan (LDP) for Mid Ulster District Council Area.

Proposed by Councillor Clarke  
Seconded by Councillor Bell and

**Resolved**      That a copy of the revised timetable (August 2020) be made available for inspection in the three principal offices, that it is published on the Council website and that notice is given by local advertisement that the timetable is available for inspection along with the details as specified by Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

The Planning Manager referred to the number of planning applications received during the Autumn and stated that this number was consistent with what has been received in other years. The Planning Manager stated that Mid Ulster appears to be resilient in the construction and business sectors and that this hopefully bodes well for the future given the nature of industries situated within Mid Ulster. The Planning Manager stated that whilst the national climate is not healthy he felt that provided the government ensures there is commitment to provide mortgages with 5% deposit that the construction industry will remain healthy.

The Chair, Councillor S McPeake stated it was heartening to hear that a high level of applications were continuing to be received despite uncertainty and hoped that this would carry on being the case.

The Chair, Councillor S McPeake welcomed Kathryn Donnelly who would observe the meeting tonight and will be joining the legal team to cover the Council Solicitor's maternity leave.

**Matters for Decision**

**P114/20      Planning Applications for Determination**

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

**LA09/2017/1579/O                      Housing development with sewage treatment plant and associated works at lands immediately SW of 44 Dungannon Road, Moy for T G Troughton**

Members considered previously circulated report on planning application LA09/2017/1579/O which had a recommendation for approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell and

**Resolved**     That planning application LA09/2017/1579/O be approved subject to conditions as per the officer's report.

**LA09/2018/0954/F                      Housing development of 24 dwellings and associated site works at land adjacent to 11 Bawnmore, Mullaghboy Road, Bellaghy for Marald Prime Developments**

Members considered previously circulated report on planning application LA09/2018/0954/F which had a recommendation for approval.

Proposed by Councillor Bell  
Seconded by Councillor Kearney and

**Resolved**     That planning application LA09/2018/0954/F be approved subject to conditions as per the officer's report.

**LA09/2018/1694/F                      Repower existing wind turbine (permitted under H/2009/0501/F) to increase turbine blade lengths to 27m and increase hub height to 60m at approx 750m NW of Drumard Road/Cullion Road junction, Straw Mountain, Draperstown for PJT Power**

Members considered previously circulated report on planning application LA09/2018/1694/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

**Resolved**     That planning application LA09/2018/1694/F be approved subject to conditions as per the officer's report.

**LA09/2019/0135/F                      Retention of livestock holding unit/agricultural building at Terrywinny Lane approx. 400m S of 28 Legnacash Road Cookstown for Norman McConnell**

Members considered previously circulated report on planning application LA09/2019/0135/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2019/0135/F be approved subject to conditions as per the officer's report.

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

Agenda item 4.8 – LA09/2019/1375/O – Dwelling and garage on a farm at 60m SW of 35 Ardagh Road, Coagh for Francis Donnelly.

Agenda item 4.11 – LA09/2020/0399/O – Dwelling and domestic garage at 60m NW of 58 Annaghquinn Road, Rock, Dungannon for Patrick McGuire.

Agenda item 4.15 – LA09/2020/0862/F – Replacement dwelling and garage at site 400m E of Fairview, 221 Hillhead Road, Castledawson for Jason Thompson and Julie Espie.

Agenda item 4.16 – LA09/2020/0877/O – Site for dwelling at lands approx. 25m E of 22 Blackrock Road, Dunnamore, Cookstown for Mr M Mallon.

Agenda item 4.18 – LA09/2020/0935/O – Site for dwelling at approx. 60m SW of 90 Ballinderry Bridge Road, Coagh for Mr Pat McGuckin.

Agenda item 4.21 – LA09/2020/1027/F – Infill site for 2 dwellings and garages between 11B and 11E Hillside Road, Upperlands for Mr Danny McMaster.

Proposed by Councillor D McPeake  
Seconded by Councillor Brown and

**Resolved** That the planning applications listed above for deferral be deferred for an office meeting.

**LA09/2019/0232/F                      8 Semi detached dwellings at lands to the rear of 65-69 Oldtown Street, Cookstown for Mr Malcolm Thom**

Ms McCullagh (SPO) presented a report on planning application LA09/2019/0232/F advising that it was recommended for approval.

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

Mr Gourley advised that he was speaking on behalf of objectors (Greer family) and pointed out that there were some things on the report which were slightly out of date. Mr Gourley advised that works have been carried out to the frontage onto the street where buildings were there beforehand and that access has been altered. In terms of frontage which provides access to the archway Mr Gourley stated he had been

made aware of some issues of non compliance in relation to gradients of access and also the TAS approval in relation to the archway. Mr Gourley stated that the objectors are keen to point out that the access does not seem to be in compliance. Mr Gourley stated that the primary objection relates to the Right of Way which has not been resolved despite the objectors attempts to discuss the matter with the applicant. Mr Gourley stated that the Right of Way is accepted by both parties and that the developer has not formalised the relocation of the Right of Way which causes issues in relation to legal title.

Mr Gourley stated there were also issues in relation to visibility splays and although it was stated that no works are required in relation to these it was advised that there is a 1.2m high fence that is obstructing visibility to the south of the access which will require consent to remove before any works can take place with possible legal impediment in terms of this. Mr Gourley stated that a resident of 63 Oldtown Street is currently seeking consent through NIHE for a disabled access ramp and some car parking which will have implications for the visibility splays as well. Mr Gourley stated that discussions between both parties have not come to any fruition and that the objectors feel their objections are falling on deaf ears which they feel are fundamental in terms of providing safe access. Mr Goulrey stated that objectors feel the application should be deferred in order to get some resolution to the issues raised in order to try to avoid problems later on.

The Planning Manager asked if the dispute in relation to the Right of Way was between the two parties.

Mr Gourley stated that there is a Right of Way running through the middle of the row of houses, this Right of Way was to be relocated by legal agreement onto the proposed access road and this has not been done. Mr Gourley stated that the bigger issue was with the visibility splays, the fence in situ and the proposed works to the front of the property. Mr Gourley stated that the developer had indicated in the past that there is no works required in relation to visibility splays however Mr Gourley stated that there are works required and consent will be required in relation to this.

The Planning Manager asked if Roads Service had commented on the plans.

Ms McCullagh advised that Roads Service had commented that the part of the land affected by the access was not in Roads Service control.

Mr Gourley stated that the fence was in private ownership of 63 Oldtown Street and that there are plans for a disabled access ramp and parking.

The Planning Manager stated that if there are issues with land this is for the landowners to resolve not the Planning Committee.

Ms McCullagh advised that Roads Service have provided conditions in relation to the application and were content with movement.

The Planning Manager stated that in relation to the fence there appeared to be different parties claiming ownership but that again this is a civil matter and would not be a rational reason for refusing the application.

The Council Solicitor stated that private law issues, such as rights of way/access, between landowners are not a material consideration for the Committee and that the issues in relation to visibility splays could be conditioned by way of a pre commencement negative condition.

Councillor McKinney proposed the recommendation to approve the application as the committee cannot get involved in civil matters.

Councillor Colvin seconded Councillor McKinney's proposal.

**Resolved** That planning application LA09/2019/0232/F be approved subject to conditions as per the officer's report.

*Councillor Quinn joined the meeting at 7.31 pm*

**LA09/2019/0533/F**                      **Change of use and alteration of historic railway station building to form 2 apartments; demolition of existing dwelling and construction of 10 residential units including associated parking, landscaping and access at Station Road, Moneymore for Michael Nugent Ltd**

Members considered previously circulated report on planning application LA09/2019/0533/F which had a recommendation for approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2019/0533/F be approved subject to conditions as per the officer's report.

**LA09/2019/1165/F**                      **Retention of house and erection of 3 no. detached dwellings (reduction from 5 no. dwellings - M/2010/0522/F) and change adopted road to private road adjacent and 25m S of 54B Old Eglish Road Dungannon for Patrick Keogh**

Members considered previously circulated report on planning application LA09/2019/1165/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2019/1165/F be approved subject to conditions as per the officer's report.

**LA09/2019/1375/O**                      **Dwelling and garage on a farm at 60m SW of 35 Ardagh Road, Coagh for Francis Donnelly**

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



**LA09/2020/0156/F                      New access to dwelling at 50m S of 30 Loughdoo Road, Pomeroy, for Karl Heron**

Members considered previously circulated report on planning application LA09/2020/0156/F which had a recommendation for approval.

Proposed by Councillor Bell  
Seconded by Councillor McFlynn and

**Resolved**     That planning application LA09/2020/0156/F be approved subject to conditions as per the officer's report.

**LA09/2020/0307/O                      Erection of replacement dwelling within the curtilage of existing site at 12 Drumbolg Road, Upperlands, Maghera for Mr A Campbell**

Members considered previously circulated report on planning application LA09/2020/0307/O which had a recommendation for approval.

Proposed by Councillor Black  
Seconded by Councillor McKinney and

**Resolved**     That planning application LA09/2020/0307/O be approved subject to conditions as per the officer's report.

**LA09/2020/0399/O                      Dwelling and domestic garage at 60m NW of 58 Annaghquin Road, Rock, Dungannon for Patrick McGuire**

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

**LA09/2020/0448/F                      Extension of existing shed, addition of pasteurization plant (at the end of process) and European Waste Catalogue (EWC) codes associated with operational Anaerobic Digestion (AD) plant at lands approx. 210m NE of 14 Tullywiggan Cottages, Tullywiggan Road Cookstown for PAR Renewables**

Members considered previously circulated report on planning application LA09/2020/0448/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Colvin and

**Resolved**     That planning application LA09/2020/0448/F be approved subject to conditions as per the officer's report.

Ms McCullagh (SPO) presented a report on planning application LA09/2020/0677/F advising that it was recommended for approval.

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

Mr Lagan stated he was occupier of 9b Ballyhagan Road which is adjacent to the application site. Mr Lagan stated he also had full planning permission for a replacement dwelling which would also be adjacent to the proposed dwelling. Mr Lagan expressed his concerns in relation to overlooking from the proposal to his permission for replacement dwelling and that this had not been an issue with the original planning approval but that the changes to the siting of the proposal now meant that the two dwellings would be facing each other and that these changes could have a negative impact on the occupiers of both properties.

Mr Lagan also referred to recent correspondence from Rivers Agency following recent flooding in the area which indicated that they felt there would be little benefit in reconstructing the rampart but would continue to be available to provide assistance should future flooding occur. Mr Lagan advised that he had photographs of flooding in the area in 2008 and more recently this year and highlighted that the site is affected by flooding.

Councillor B McGuigan stated that this application is for a change of house type and that the original planning had commenced and was still live. Councillor B McGuigan stated that the application was deferred from the October planning committee due to a neighbour not being notified but that this has now been addressed. Councillor B McGuigan stated that the applicant is keen to start construction as soon as possible and asked for the Committee's approval of the application.

The Planning Manager asked if Rivers Agency had been contacted in relation to flooding.

Ms McCullagh advised that as the development is outside of the flood plain Rivers Agency were not consulted as it was not felt it was required.

The Planning Manager asked what the distance was between the dwellings.

Ms McCullagh stated that the site is 13m back from the edge of the road.

The Planning Manager confirmed with Ms McCullagh that the neighbours house is a two storey house.

Ms McCullagh stated that the neighbour also had a permission for no.11 to be replaced.

The Planning Manager stated that the objection related to overlooking and asked if windows would overlook into key habitable rooms.

Ms McCullagh provided pictures of site plan and design and layout of dwelling.

Councillor Clarke stated that Members have not seen the relationship between the two sites and design of dwelling prior to the meeting and that this information should be provided to the Committee in adequate time.

The Planning Manager stated that the dwelling was now facing the road and that the objection was to the front windows of the proposal which would be facing the other property. The Planning Manager stated that the distance between the two properties would not be unusual in an urban setting but indicated that it would not be difficult for the applicant to orientate the dwelling so that it was not facing the other property and asked if this would satisfy the objector.

Mr Lagan stated he would be satisfied with dwelling being orientated in a different direction.

The Planning Manager stated it would not be unreasonable to ask the developer if they would be prepared to orientate the dwelling to a more north easterly direction (which was the orientation of the original application).

Councillor McKinney stated he understood the orientation issues but that this did not resolve that flooding problems which affect the area. Councillor McKinney stated that he had seen the flooding on that road for himself and if Rivers Agency are not going to repair the rampart then he felt the area will be prone to flooding more quickly in the future.

The Planning Manager stated that there is already an approval for a dwelling on the site and that Rivers Agency did not identify the siting of the dwelling as being in a flood plain. The Planning Manager stated he could not see how the application can be refused unless the Council is prepared to compensate the applicant.

Councillor McKinney asked for a further opinion from Rivers Agency as there are pictures to show flooding in the area.

Councillor Colvin stated that everyone was aware of climate change and how it is impacting the environment and asked how old the data is that Rivers Agency are working with as information can quickly become out of date and he would have some concern with approving the application.

The Planning Manager highlighted that a dwelling had already been approved on the site and that this application was to change the type of dwelling. The Planning Manager stated that if the Committee were proposing that the previous permission be revoked on the basis of flood risk then there would be a compensation issue.

Councillor Colvin stated that his question had not been answered and asked how up to date the information is from Rivers Agency.

The Chair, Councillor S McPeake stated that there already was a permission for a dwelling on the site.

The Planning Manager advised that Rivers Agency regularly review flood plains.

Councillor Bell proposed to approve the application.

Councillor Mallaghan seconded Councillor Bell's proposal.

Councillor McKinney stated he was not in agreement with this as there was photographic evidence of flooding and asked if Rivers Agency would stand over this considering ramparts are not going to be repaired in the area. Councillor McKinney stated that a second opinion should be obtained from Rivers Agency.

Members voted on Councillor Bell's proposal –

For – 6

Against – 6

Abstained – 4

The Chair, Councillor S McPeake used his casting vote and therefore declared Councillor Bell's proposal carried.

**Resolved** That planning application LA09/2020/0677/F be approved subject to conditions as per the officer's report.

**LA09/2020/0824/O**                      **Gap site for dwelling and garage adjacent to 7a Killycurragh Road, Orritor, Cookstown, for Wesley Carson**

Councillor Glasgow declared an interest in the application and withdrew to the public gallery.

Councillor Cuthbertson also declared an interest in this application.

Members considered previously circulated report on planning application LA09/2020/0824/O which had a recommendation for approval.

Proposed by Councillor Colvin  
Seconded by Councillor Brown and

**Resolved** That planning application LA09/2020/0824/O be approved subject to conditions as per the officer's report.

Councillor Glasgow rejoined the meeting.

**LA09/2020/0862/F**                      **Replacement dwelling and garage at site 400m E of Fairview, 221 Hillhead Road, Castledawson, for Jason Thompson and Julie Espie**

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

**LA09/2020/0877/O**                      **Site for dwelling at lands approx. 25m E of 22 Blackrock Road, Dunnamore, Cookstown for Mr M Mallon**

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

**LA09/2020/0920/RM**                      **Dwelling and garage at land approx. 100m N of 17 Carricklongfield Road, Aughnacloy, for Mr John Burton**

Members considered previously circulated report on planning application LA09/2020/0920/RM which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Brown and

**Resolved**      That planning application LA09/2020/0920/RM be approved subject to conditions as per the officer's report.

**LA09/2020/0935/O**                      **Site for dwelling at approx. 60m SW of 90 Ballinderry Bridge Road, Coagh for Mr Pat McGuckin**

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

**LA09/2020/0954/F**                      **Renewal of planning permission for housing development approved under LA09/2015/1242/F at site adjacent to and rear of 260 Coalisland Road, Dungannon for Mr and Mrs E Watterson**

Members considered previously circulated report on planning application LA09/2020/0954/F which had a recommendation for approval.

Proposed by Councillor Colvin  
Seconded by Councillor Gildernew and

**Resolved**      That planning application LA09/2020/0954/F be approved subject to conditions as per the officer's report.

**LA09/2020/1020/O**                      **Two infill dwellings and associated garages at lands N of 53 Tullaghmore Road, Coalisland, for Mr Gerard O'Neill**

Mr Marrion (SPO) presented a report on planning application LA09/2020/1020/O advising that it was recommended for approval.

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

Mrs Donnelly stated that the new development will affect the privacy of householders as there will be overlooking, the new development will also affect the objectors enjoyment of the countryside and rural character. Mrs Donnelly stated that there is an existing cluster and the filling in of the site it was felt constitutes ribbon development. Mrs Donnelly stated that the road on which the development is to be sited is very narrow and is currently used by agricultural vehicles, vehicles of occupiers on the road and those vehicles using a nearby daycare nursery. Mrs Donnelly stated that it was felt the road will not support further traffic as there are already road safety issues.

Mrs Donnelly stated that it is felt there are pollution implications with the application and that at the moment there are problems with pollution from a farm at the top of the hill. Mrs Donnelly felt that there would be further pollution caused by run off from septic tanks from the proposed development and highlighted that run off drains into Roughan Lough. Mrs Donnelly asked Members to be mindful not to cause any further pollution to the Lough and the nearby countryside.

Councillor Colvin stated that the road did appear to be narrow and that the objectors point was pertinent and asked for a response in relation to this.

Mr Marrion advised that this is a public road and that Roads Service had been consulted on the application and raised no concerns with the application.

The Planning Manager stated that as Roads Service have been consulted and raised no objection there is no reason why two dwellings would make the road unsafe.

Councillor Bell stated that having listened to the debate tonight he would propose the officer recommendation to approve the application.

Councillor Gildernew seconded Councillor Bell's proposal.

Councillor Cuthbertson asked what the gradient of the hill is as the objector had raised concern in relation to overlooking.

The Planning Manager stated that there was an objection in relation to privacy but that he was conscious that this is an outline application and that a better judgement could be taken when full designs and levels have been received.

**Resolved** That planning application LA09/2020/1020/O be approved subject to conditions as per the officer's report.

**LA09/2020/1027/F                      Infill site for 2 dwellings and garages between 11B and 11E Hillside Road, Upperlands for Mr Danny McMaster**

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

**LA09/2020/1049/O**

**Dwelling and garage at lands to rear of 195 Coalisland Road Dungannon for Patrick Mallon**

Members considered previously circulated report on planning application LA09/2020/1049/O which had a recommendation for refusal.

Councillor Gildernew stated that having read the officer report Roads Service have an issue with the application. Councillor Gildernew proposed a deferral of the application to further discuss road safety issues with Roads Service.

Councillor Bell seconded Councillor Gildernew's proposal.

The Planning Manager asked if roads is the only issue relating to the application.

Mr Marrion advised that there was a further issue regarding no reason for the development in the countryside. Mr Marrion stated that Roads Service have raised an issue in relation to sightlines which may be able to be addressed but has not been discussed in detail.

The Planning Manager stated that the substantive issue is in relation to justification which has not been given. The Planning Manager stated he was content to defer for an office meeting to explore whether there is justification for the development, if there is no justification then the Planning Manager felt it was pointless getting involved with resolving the sightline issue.

**Resolved** That planning application LA09/2020/1049/O be deferred for an office meeting.

**LA09/2020/1071/O**

**Dwelling and domestic garage at land between 171 and 175 Pomeroy Road, Donaghmore for Sean McAleer**

Members considered previously circulated report on planning application LA09/2020/1071/O which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2020/1071/O be approved subject to conditions as per the officer's report.

**LA09/2020/1086/O**

**Infill dwelling and garden area at approx. 25m SW of 35 Cabragh Road, Dungannon for Mr and Mrs Noel Staunton**

Mr Marrion (SPO) presented a report on planning application LA09/2020/1086/O advising that it was recommended for refusal.

Proposed by Councillor Colvin  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2020/1086/O be refused on grounds stated in the officer's report.

**LA09/2017/0810/F Dwelling at Coltrim Lane, Moneymore (approx. 220m from junction with Cookstown Road) for Mr M Hamilton**

Ms Doyle (SPO) presented a report on planning application LA09/2017/0810/F advising that it was recommended for refusal.

Councillor Black stated that the applicant had recently changed their agent and in addition the person within the family who had been looking after the application has also been unwell recently and for those reasons he felt it would be advantageous to defer the application for a month. Councillor Black proposed that the application be deferred for one month to allow for outstanding issues to be resolved.

The Planning Manager urged the Committee not to defer the application any further. The Planning Manager advised that the application has been considered and there is a legal opinion which states there is no planning permission on the site and that this opinion has not been challenged. On that basis, the Planning Manager stated there is nothing further to consider.

The Chair, Councillor S McPeake stated that it is a complex situation.

The Planning Manager stated he did not think the situation was complex as it has been legally resolved. The Planning Manager stated that the position is that there is no planning permission on the site and that this has not been challenged. The Planning Manager stated that the applicant has the right to a planning appeal.

Councillor Black stated he took on board the Planning Manager's comments but that the application had been ongoing for three years and he did not feel a deferral for one month would make any significant difference given a new agent has come on board.

Councillor Brown seconded Councillor Black's proposal to defer the application for one month.

The Planning Manager stated that he found it perturbing that the applicant goes to another agent and another story is then put forward. The Planning Manager stated he was not prepared to meet again as he had already met and had heard the case. The Planning Manager stated that Members have all the information to make a decision.

Councillor Brown asked why the application had taken so long to come back to Committee.

The Planning Manager stated that the application was brought back to Committee and that it was further deferred. The Planning Manager stated that the applicant and agents have been afforded every opportunity and that a legal determination has been made. The Planning Manager stated that no case as to why a dwelling should



be approved has been made other than the claim a permission was once granted, Members were advised that a permission was once granted but it did not commence in accordance with the permission and therefore a certificate of lawful development was not issued.

Councillor Brown asked how many other applications were in the planning process that could have been resolved and were being held on the chance they could be changed.

The Chair, Councillor S McPeake stated he had used the word complex previously in so far as the application has been in the process for three years. The Chair referred to the change of agent and felt that the application should be deferred for one month and asked if it was correct that the agent wanted the application to be deferred.

Mr Cassidy stated he had requested a deferral as he had only recently come on board as agent for the application.

The Planning Manager stated that what was happening tonight was not the right image to give the public. The Planning Manager asked what the basis for the deferral was and what Members were to be asked to consider by permitting a deferral.

The Chair, Councillor S McPeake stated that the agent has new information which he wants time to collate and bring forward.

The Planning Manager stated the agent must have a basis for their request for deferral and asked that a reason for deferral be provided.

Mr Cassidy stated that there is a farm case for the application, that there is evidence that the previous permission was started within the time and that he had not been able to speak to the coach operators due to COVID19.

The Planning Manager stated that the issues in relation to the coach operator and whether a lawful start has been made have been considered and resolved. The Planning Manager stated that it was reasonable for the Committee to consider a farm case which has not been put forward before but it should not keep considering what has already been considered.

Councillor Gildernew asked if the deferral was to consider if there is a farming case.

The Planning Manager stated it was reasonable to defer the application to consider a farming case as the other two issues have been dealt with and resolved, if the applicant does not agree then they are free to make a planning appeal.

**Resolved** That planning application LA09/2017/0810/F be deferred for one month to allow for further information to be submitted regarding a farm case.

Councillor S McPeake declared an interest in the following application, vacated the Chair and withdrew from the meeting for the following application.

Councillor Glasgow took the Chair.

**LA09/2019/1373/O**

**Dwelling and Garage 55m E of 32a Mulnavoo Road, Moneyneany Road, Draperstown for Michael Bradley Esq**

Ms McCullagh (SPO) presented a report on planning application LA09/2019/1373/O advising that it was recommended for refusal.

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

Mr Finlay stated that the planning reasons for refusal of the application is that the application is contrary to policies CTY1, CTY8 and CTY14.

Mr Finlay stated that the foundation of the application lies within CTY8 – Infill and that the policy states that planning permission will be refused for a building which creates or adds to a ribbon of development however an exception will be permitted for the development of a small gap site sufficient to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage providing this respects existing development pattern along the frontage in terms of size, scale, siting and plot size. For the purposes of this policy, a substantial built up frontage will be a line of three buildings along a road frontage. Mr Finlay stated that maps show existing dwellings, frontages and the gap site.

Mr Finlay stated that CTY14 deals with rural character and prominence and that in this case, using the existing established building line as a reference then he felt the proposal could be situated to the rear of the existing ridge line which runs across the field parallel to the Mulnavoo Road and would make any dwelling on this site less prominent than that of no.32a.

CTY1 deals with justification and Mr Finlay stated that the applicant's father owns a small holding and that the applicant is the only one at home to help with repairs and maintenance.

Mr Finlay concluded that under policy CTY1 there was a need for the applicant to provide help with repairs and maintenance in relation to their father's small holding. Under policy CTY8 an easily integrated infill site is evident on the maps attached to the application and CTY14 a dwelling could be cradled on the site between the adjacent dwellings and the existing lie of the land. On this basis Mr Finlay stated that he felt the recommendation to refuse the application should be overturned.

Councillor B McGuigan stated that the applicant is the only son left at home to help his father on the farm and that he hopes to be able to build beside the family home. The Councillor stated that the issue related to whether no.32a has a frontage onto the Mulnavoo Road but that he did not believe a dwelling at the proposed site would impact rural character. Councillor B McGuigan asked Members to consider the location of the red line drawing to the Mulnavoo Road, the frontage of no.32a and its laneway onto the Mulnavoo Road.

The Planning Manager stated that the application as it stands does not meet policy but that Members can consider other material considerations. The Planning Manager referred to the previous comments that the dwelling is for a son and asked what the surrounding land is used for.

Mr Finlay stated that the applicant's father is a small holder and the surrounding land is used for a farm.

The Planning Manager asked why a farm case had not been made.

Mr Finlay stated that the land is not a registered farm.

The Planning Manager asked the size of the land and if it is used for farming.

Mr Finlay stated that the land covers about 10 acres and is used for farming.

The Planning Manager asked if the farm is used as a farm business.

Mr Finlay stated that it was not a registered farm business and there was no farm business id.

The Planning Manager asked if animals were kept.

Mr Finlay stated that the farm is currently let out.

The Planning Manager asked if the landowner keeps the land in good condition for agricultural purposes and if he takes money for letting the land out.

Mr Finlay stated that the land is well maintained and that he had not asked if the landowner takes money for letting out the land but he would assume he does.

The Planning Manager stated that he felt an assumption had been made in that because there is no farm business id a case for a farm dwelling has been ruled out. The Planning Manager stated that he felt there may be a farm case and that the applicant and agent should consider and explore this.

Councillor Bell stated that having looked at the maps and listened to the debate he felt that another house at the proposed location would be in keeping with rural character. Councillor Bell referred to a previous application on the Grange Road, Dungannon in which a house was passed which was to be sited amongst a number of other houses on the road and felt it was a similar case and was approved.

The Planning Manager stated that he had suggested that the application could be deferred to consider an agricultural case.

Councillor McKinney stated that the last time this application was brought before Committee he had proposed that it be approved and that he felt nothing had changed in the interim and was content to still propose the approval of the application.

The Chair, Councillor Glasgow stated there was the scope to defer the application.

The Planning Manager stated that this was not an infill application however he felt that the applicant has not appreciated that a farm case could be made and suggested that the applicant/agent work with the planning officer in putting forward a farm case.

Councillor Gildernew stated that as the applicant has thought they could not put forward a farm case it was only fair that the application be deferred to explore this option. Councillor Gildernew proposed that the application be deferred to consider a farm case.

Councillor Black stated he agreed with Councillor Gildernew's comments and would second his proposal to defer the application.

**Resolved** That planning application LA09/2019/1373/O be deferred for the applicant/agent to work with the planning officer to explore the option of a farm case.

Councillor S McPeake rejoined the meeting and took the Chair.

**LA09/2019/1387/O                      Infill site for dwelling and domestic garage at site approx. 10m S of 11 Reenaderry Road, Coalisland for Mr Sean Robinson**

Members considered previously circulated report on planning application LA09/2019/1387/O which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2019/1387/O be approved subject to conditions as per the officer's report.

**LA09/2020/0194/O                      Dwelling and Domestic Garage 100m SW of 4 Moboy Road, Pomeroy for Dean McNally**

Ms McCullagh (SPO) presented a report on planning application LA09/2020/0194/O advising that it was recommended for refusal.

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

Mr Quinn stated that although a more suitable site has been identified this is not an option available to the applicant. Mr Quinn referred to policy CTY10 which states that planning permission will be granted for a dwelling house on a farm where all of the criteria can be met and that there appeared to be some flexibility within this where one or more of the criteria cannot be met. In this case, the site does not cluster or visually link with the farm building group however it does occupy a site that was once a dwelling with a cluster of out house farm buildings which are visible and

date back to 1832. Mr Quinn stated that the remains of these buildings are still present with some walls being 6-8ft high. Mr Quinn stated that the rationale for visually linking a dwelling beside a farm cluster is to minimise impact on character and landscape. Mr Quinn stated that siting the dwelling in field no.1 would result in the dwelling being more exposed and highly visible from the Cavanoneill Road with additional hedgerow requiring to be planted and boundaries defined. Mr Quinn stated that the application site was picked as it is capable of integrating a dwelling into the landscape in accordance with policy CTY13 and will not undermine rural character. Mr Quinn stated that the site occupies a location that was once a dwelling with a defined curtilage and that it utilises existing vegetation.

Mr Quinn stated that part c of policy CTY10 states that where practical access to the dwelling should be obtained from an existing lane and in this case there is an existing tree lined lane which will be maintained to screen the development from any vantage points along Moboy Road. Given the flexibility within the wording of policy CTY10 Mr Quinn considered that the application site is suitable and that planning permission could be granted under policy CTY10.

Councillor Mallaghan stated that a farm case has been established for this application however he felt that the application could have been approached in a different way and could have fitted the case of a replacement dwelling. Councillor Mallaghan stated that in relation to this application two policies are being blended together – a farm case has been established and there is the potential of replacing an existing dwelling although it does not meet the criteria as it sits at the minute. Councillor Mallaghan stated that the site is well integrated, there are no objections and he did not feel there would be any harmful effect on the countryside. Under those circumstances Councillor Mallaghan stated he would propose that the application be approved.

The Planning Manager asked if officers have accepted that there is a farm case.

Ms McCullagh stated that a farm case has been accepted the only issue relates to visual linkage and clustering.

The Planning Manager stated given there is a farm case it is reasonable for the Committee to say there was once a dwelling there.

The Chair, Councillor S McPeake stated that it is clear there was a building there whether this was once a dwelling is unclear but it was a building within a farm.

The Planning Manager stated that the definition of a building within the Act is any structure. The Planning Manager stated he did not think it was unreasonable to state that the proposal will be sited at the location of an old farm building.

Councillor McKinney seconded Councillor Mallaghan's proposal.

Ms McCullagh asked what conditions should be attached to the approval.

The Council Solicitor suggested that the conditions be delegated to the Planning Manager.

**Resolved** That planning application LA09/2020/0194/O be approved and that conditions of approval be delegated to the Planning Manager.

**LA09/2020/0484/O**                      **Off-site replacement dwelling and garage at approx. 60m NE of 18 Ballynakilly Road Cookstown for Mr Seamus Nugent**

Members considered previously circulated report on planning application LA09/2020/0484/O which had a recommendation for approval.

Proposed by Councillor Bell  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2020/0484/O be approved subject to conditions as per the officer's report.

**LA09/2020/0499/O**                      **Site for a Dwelling and Domestic Garage at approx. 51m SE of No. 86 Iniscarn Road, Keenaght, Desertmartin for Emmet O'Hagan**

Ms McCullagh (SPO) presented a report on planning application LA09/2020/0499/O advising that it was recommended for refusal.

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

Mr Cassidy stated he believed the site meets with policy on two levels – cluster and infill. Mr Cassidy stated that infill is defined as a line of three or more buildings with a gap and that to the north of the site at no.86 there are three buildings all with frontage to the road, to the south of the site is no.82 which has a dwelling and detached garage and frontage to the road. Mr Cassidy stated that the applied site sits between these five buildings and that officers have accepted that a carefully designed dwelling would not significantly alter the character of the area.

Mr Cassidy stated he believed the site in general also meets the criteria of cluster and policy states that a cluster should lie outside a farm and consist of four or more buildings of which three are dwellings. In this case Mr Cassidy advised that the cluster is outside the farm, consists of six buildings however only two of these are dwellings. The site is bounded on two sides, is associated with a focal point, provides a suitable degree of enclosure and can be absorbed into the existing cluster. Mr Cassidy stated that in essence the application is being refused because there are only two dwellings and not three however he stated that in the past Council and PAC have taken a view that if an application meets the thrust of the policy it can be approved as an exception. In this case, Mr Cassidy stated he believed that the application was meeting the thrust of the policy.

Mr Cassidy advised that the site is located adjacent to a historic church and that historical buildings have been consulted. It was advised that HED have stated that on the basis of the information provided they are content and have requested further

detail on the design of the dwelling and its siting, Mr Cassidy advised this information will be supplied if an approval is granted, that this can be conditioned and the applicant is happy to accept this. Mr Cassidy stated there are no objections to the proposal and all consultees are content. Mr Cassidy asked that Members reconsider the application as being in the spirit of policy.

The Planning Manager stated that along a road frontage more than three buildings are required and that this appears to be met in this case. The Planning Manager stated that whilst the application does not read as an automatic infill he did not think it was a stretch to say there was an infill opportunity at that location. The Planning Manager stated that the Church is a dominant feature which gives a focal point and although there are only two dwellings he felt that all things considered the arguments were not unreasonable.

Councillor McFlynn stated that she felt this was a good site and a dwelling at this location would cluster well with the other dwellings and the Church. Councillor McFlynn proposed that the application be approved

Referring to the case officer's report, the Council Solicitor asked if HED needed to be consulted for a substantive response as this had not been requested previously as the application was being recommended for refusal and also asked whether the response from HED was required prior to approval by the Committee rather than conditioning it.

The Planning Manager stated that this is an outline application and HED have asked for the details of the design and siting of the proposal which are a design matter. The Planning Manager stated he did not think the application could be refused on this basis and that details of design can be requested at Reserved Matters.

Councillor Clarke stated that he felt it was appropriate to approve the application and seconded Councillor McFlynn's proposal.

The Council Solicitor stated that as this application had been recommended for refusal the Committee may wish to delegate the details of the conditions of an approval to the Planning Manager.

Proposed by Councillor Mallaghan  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2020/0499/O be approved and that conditions of approval be delegated to the Planning Manager.

**LA09/2020/0564/O                      Storey and a half dwelling and garage at lands between 121 and 127 Thornhill Road, Pomeroy for Cathal Hayden**

Members considered previously circulated report on planning application LA09/2020/0564/O which had a recommendation for refusal.

Councillor Mallaghan stated that he had been contacted by MP Francie Molloy today who had been in contact with the applicant to make them aware that their application was up for refusal. Councillor Mallaghan stated that this application had previously been deferred for an office meeting and the agent had previously requested speaking rights and had not used them. Councillor Mallaghan stated that the agent had missed the opportunity to request speaking rights for tonight's meeting.

Councillor Mallaghan stated that it was his understanding that discussion at the office meeting centred around presenting a farm case. Councillor Mallaghan requested that given the circumstances a deferral of one month be permitted for the agent to be able to use their speaking rights at the next planning Committee to present a farm case.

Councillor McKinney proposed that the application be deferred for one month.

The Planning Manager referred to the office meeting and Ms McCullagh stated that this meeting took place in August and that the agent was to check a farm case option but that this has not been provided in the interim.

The Planning Manager stated that given there may be a matter to be considered he had no issue with a deferral in this case.

The Council Solicitor referred to speaking rights being granted previously and not being exercised and that in the interests of fairness speaking rights for this application should be in place the next time this application is brought forward.

Councillor Gildernew seconded Councillor McKinney's proposal.

The Planning Manager stated it is up to the agent and applicant to request speaking rights for an application and no prompting is given by officers in that regard. The Planning Manager stated that the application is being deferred in order to allow the applicant/agent to make a farm case.

**Resolved** That planning application LA09/2020/0564/O be deferred for a farm case to be put forward.

**P115/20      Receive response to consultation from DfC on Draft Information Guide – Listed Buildings**

The Planning Manager presented previously circulated report which set out Council's proposed response to consultation from Department for Communities, Historic Environment Division regarding their proposed draft guidance for Councils in relation to the listed building process.

Proposed by Councillor Brown  
Seconded by Councillor Clarke and



**Resolved** That it be recommended to Council to agree that the response as set out at appendix to report regarding proposed draft guidance in relation to the listed building process be issued to Department for Communities, Historic Environment Division.

### **Matters for Information**

#### **P116/20 Minutes of Planning Committee held on 3 November 2020**

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

*Live broadcast ended at 9.22 pm.*

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

Proposed by Councillor Brown  
Seconded by Councillor McFlynn 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 P117/20 to P124/20.

#### **Matters for Decision**

- P117/20 Receive report on the Council's consideration of Fermanagh and Omagh LDP Draft Plan Strategy – Consultation on Proposed Changes
- P118/20 Receive response to SONI's consultation on the Transmission Development Plan for Northern Ireland (2020-29)
- P119/20 Receive Enforcement Report

#### **Matters for Information**

- P120/20 Confidential Minutes of Planning Committee held on 3 November 2020
- P121/20 Enforcement Cases Live Case List
- P122/20 Enforcement Cases Opened
- P123/20 Enforcement Cases Closed
- P124/20 Staffing Issues

#### **P125/20 Duration of Meeting**

The meeting was called for 7 pm and concluded at 9.43 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: 1<sup>st</sup> Dec 2020**

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

**Chairs Business ;**

- **Mid Ulster District Council - Local Development Plan 2030 - Revised LDP Timetable**

ITEM	INFORMATION RECEIVED	ACTION REQUIRED

<b>Report on</b>	<b>Mid Ulster District Council</b>
<b>Date of Meeting</b>	<b>1<sup>st</sup> December 2020</b>
<b>Reporting Officer</b>	<b>Chris Boomer - Planning Manager</b>
<b>Contact Officer</b>	<b>Roisin McAllister - Senior Planning Officer (Acting)</b>

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform members of the Department's agreement of our Revised Timetable (August 2020) for the production of the new Local Development Plan (LDP) for Mid Ulster District Council Area.
<b>2.0</b>	<b>Background</b>
2.1	Legislation, namely the Planning (NI) Act 2011, requires the council to produce and review such a timetable when preparing and adopting a LDP. Regulation 7 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 requires that the timetable is approved by resolution of the council prior to submission to the Department for its agreement and submitted to the Department. It also requires the Department to respond within four weeks of receipt of the timetable, unless it has, before the expiry of that period, notified the council that it requires more time to consider the timetable.
<b>3.0</b>	<b>Main Report</b>
3.1	The revised timetable (August 2020) was agreed by resolution of the council on 1 <sup>st</sup> September 2020. We wrote to the Department on 11 <sup>th</sup> September 2020 who responded on 18 <sup>th</sup> September 2020 confirming their agreement of our Revised LDP Timetable (August 2020).
3.2	It subsequently transpired that the Timetable submitted to the Department was not that which has been agreed by the Council but an earlier draft. The correct Revised Timetable (agreed by members on 1 <sup>st</sup> September 2020) was submitted to the Department on 5 <sup>th</sup> November 2020. The Department responded on 23 <sup>rd</sup> November confirming their agreement to the Revised Timetable 2020.
3.3	Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 requires that the where a timetable is agreed under regulation 7, the Council must make a copy of the agreed timetable available for inspection during normal offices hours at its principal offices, such other places within its district as it considers appropriate; and give notice by local advertisement that the timetable is available for inspection, the place and times at which it can be inspected; and publish the timetable on its website.

3.3	Consequently, the next step is to make the revised timetable available for inspection in the three principal offices, publish it on our website and give notice by local advertisement that the timetable is available for inspection along with the details as specified by Regulation 8 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial:
	Human:
	Risk Management:
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications:
	Rural Needs Implications:
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note the contents of this report.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<ul style="list-style-type: none"> <li>- Appendix A: Letter outlining the Department's agreement to Mid Ulster District Councils Revised LDP Timetable (August 2020) – Dated 23<sup>rd</sup> November 2020</li> </ul>

**Strategic Planning Directorate**



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

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Your Reference:  
Our Reference:

23 November 2020

Dear Chris

**Re: Mid Ulster District Council – Local Development Plan 2030 – Revised LDP  
Timetable**

Thank you for your correspondence received 5 November 2020 enclosing Mid Ulster District Council's revised Local Development Plan timetable for agreement.

In accordance with Section 7(2) of The Planning Act (Northern Ireland) 2011 and regulation 7 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015, the Department hereby agrees the Council's Local Development Plan timetable.

It is noted that the Council has acknowledged a number of factors that could impact upon the timescale for LDP delivery, particularly the impact of the COVID-19 pandemic upon LDP preparation and the Department would encourage the Council to continue to monitor the wider situation in respect of any impact on the LDP programme as a consequence of the current pandemic.


The Council must also be satisfied that any changes made to the timetable are, where necessary, reflected in the Statement of Community Involvement.

You are reminded of the publicity requirements regarding availability of the timetable under regulation 8 of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

E-mail: [planning@infrastructure-ni.gov.uk](mailto:planning@infrastructure-ni.gov.uk)  
Website: [www.planningni.gov.uk](http://www.planningni.gov.uk)

If you have any further queries regarding this matter please do not hesitate to contact myself, Suzanne Bagnall or Claire Patton.

Yours sincerely

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

**SUSAN WILKIN**  
Deputy Director



**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 3 December 2020 in the Council Offices, Circular Road, Dungannon and by Virtual Means**

**Members Present**

Councillor Quinn, Chair

Councillors Ashton (7.05 pm), Buchanan\*, Cuddy\*, Doris\*, Elattar\*, Forde\*, Gildernew\*, Hughes\*, McFlynn\*, S McGuigan, McKinney, McLean\*, S McPeake\*, Molloy, Totten\*

**Officers in Attendance**

Mr McCreesh, Acting Chief Executive  
Mrs Campbell\*\*, Director of Leisure and Outdoor Recreation  
Mrs Canavan\*\*, Director of Organisational Development  
Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Ms Mezza\*\*, Head of Marketing and Communications  
Mrs McNally\*\*, Council Solicitor  
Mr Moffett\*\*, Head of Democratic Services  
Mr O'Hagan, Head of IT  
Mr JJ Tohill, Director of Finance  
Mrs Grogan, Democratic 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 Quinn welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Quinn in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.*

**PR201/20 Apologies**

None.

**PR202/20 Declarations of Interest**

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

**PR203/20 Chair's Business**

None.

## **Matters for Decision**

### **PR204/20 Policy on Room Hire**

The Head of Democratic Services presented previously circulated report and asked for further consideration on the application and review of the Council's current general policy on Room Hire, with specific reference to Section 5.3 of existing arrangements – exclusions to hire.

Councillor Molloy referred to five points which were included to be considered and discussions around party leads stated that his party would be happy to take this away and include the five reference points into a new updated policy.

Councillor McLean felt there was enough information tabled and was a start to bring something together and would be happy to progress on that basis.

Councillor Cuddy stated that during discussions with his group on this issue, it was felt that when the original was previously presented they were content with that. He said that his party's position would be that they would be happy to progress on with the existing policy as it was fit for purpose moving forward

Councillor McFlynn said that the report was quite detailed and a good starting point with the five bullets points being very good and concurred with previous comments and proposed to progress ahead.

Councillor McKinney concurred with Councillor Cuddy and stated that banners, posters and paraphilia wouldn't be something that he would encourage behind closed doors and not something that should be encouraged within Council buildings. He felt that whatever domination or party a person adheres to, those sort of activities are not for Council property.

Councillor McLean advised that his party looked at this on the point of view based on the party which proposed the change that if it come to the full Council that there would be a very strong possibility that it would be approved. He said that his party looked at it on the point of view that whilst they were happy with the existing policy and if there was going to be a change, then they would like to be part of the influence in that change, so therefore on that basis he said what he did. He felt that it was inevitable based on the previous comments and those made tonight, that there was going to be some change and stated that his party would be reasonable happy with what was set out but would wait to see the final paper when it was brought forward.

Proposed by Councillor McFlynn

Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council to revise the Policy on Room Hire to incorporate issues referred to 3.3 of the officers report and be brought back to the next available Policy and Resources Committee meeting for final consideration.

**PR205/20    Members Services**

No issues.

**Matters for Information**

**PR206/20    Policy and Resources Committee Minutes of Meeting held on 5 November 2020**

Members noted Policy and Resources Committee Minutes of Meeting held on 5 November 2020.

**PR207/20    Rural Community Network Membership Subscription**

Members noted report on Rural Community Network Membership Subscription which provided members with an opportunity to consider if Mid Ulster District Council would nominate a Member to join RCN's Board.

**PR208/20    General Duty to Improve Update - Guidance from Department of Communities and NI Audit Office**

Members noted update on Council's General Duty to Improve in the context of Covid-19 and guidance received from the Department of Communities and Northern Ireland Audit Office.

*Live broadcast ended at 7.10 pm.*

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

Proposed by Councillor Molloy  
Seconded by Councillor McKinney and

**Resolved**    In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR209/20 to PR222/20.

**Matters for Decision**

- PR209/20    Village Extension Programme – Maghera Leisure Centre
- PR210/20    Staffing Matters for Decision
- PR211/20    Technical Services Staff Restructuring
- PR212/20    Off Street Car Parking: Debt Write Off
- PR213/20    Development of Ann Street – Update re Shared Access Agreement and Request for Phasing
- PR214/20    2021/22 Rate Estimates
- PR215/20    Proposed Council response to NIAO consultation in relation to the draft Code of Audit Practice
- PR216/20    Maghera Sports Pitch
- PR217/20    Coalisland Public Realm
- PR218/20    SEUPB Projects

**Matters for Information**

PR219/20 Confidential Minutes of Policy & Resources Committee  
Meeting held on 5 November 2020  
PR220/20 Staff Matters for Information  
PR221/20 Financial report for 7 months ended 31 October 2020  
PR222/20 Contracts and DAC

**PR223/20 Duration of Meeting**

The meeting commenced at 7 pm and concluded at 9.40 pm

Chair \_\_\_\_\_

Date \_\_\_\_\_

**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 8 December 2020 in Council Offices, Circular Road,  
Dungannon and by virtual means**

**Members Present**

Councillor S McGuigan, Chair

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

**Officers in  
Attendance**

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

**Others in  
Attendance**

**Agenda Item 4 – Tree Maintenance Campaign**  
Ms Sweeney\*\*\*

\* 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 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.*

**E264/20      Apologies**

Councillor Totten.

**E265/20      Declarations of Interest**

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

**E266/20      Chair's Business**

None.

**E267/20      Deputation – Tree Maintenance Campaign**

The Chair, Councillor S McGuigan welcomed Ms Sweeney to the meeting and stated that some Members would be aware of Helen's story and campaign and admire that

she is turning something tragic into something positive. The Chair invited Ms Sweeney to make her presentation (Appendix 1).

Ms Sweeney thanked Members for the opportunity to speak to the Committee and allowing her to share her story. Ms Sweeney stated that her father was well known and respected in Coalisland and surrounding areas. Ms Sweeney stated that her father not only provided for her family but others in need and spent all of his spare time volunteering for the local youth football where he trained and mentored many children. Ms Sweeney stated that her father raised money for local charities and every year dressed up as Santa visiting homes and bringing gifts and spreading Christmas joy and that her father brought happiness and laughter wherever he went.

Ms Sweeney stated that her father was her best friend and her absolute world but on 18 December 2019 she received the phonecall of nightmares and her own and her family's world came crashing down. Ms Sweeney advised that her father had been driving home after 3 days working in Kildare and was only 10 minutes from home when a tree branch broke off a tree on the Trewmount Road, Moy and crashed through the roof of the van instantly killing her father. In the week after Ms Sweeney stated that her family were informed of the detail of how the incident had occurred and told that it was a case of wrong place wrong time.

Ms Sweeney advised that 3 weeks after her father was killed and whilst still trying to understand what had happened a concerned member of the public sent her a photograph of another tree which had fallen on the Trewmount Road and could have easily killed someone else. Ms Sweeney stated that from that moment she knew she had to do something about the dangers of this road and commenced a plan of action for the Trewmount Road. Ms Sweeney stated she called the Police and was told it was not their problem, she also called DfI Roads and was advised that no one could help her.

Ms Sweeney advised she went on to contact Councillors, MLAs, newspapers and radio stations and following this eventually got an inspection of the road. Ms Sweeney went on to present numerous newspaper articles and pictures she had received of trees which had fallen over the last year in Northern Ireland on the roadsides and roads. Ms Sweeney stated these were near misses and horrifying to think what may have happened.

Ms Sweeney asked for the support and help of the Committee in relation to a problem which exists all over Northern Ireland and hoped Members could see the hurt and devastation her father's death had brought to her, her family and everyone who knew her father. Ms Sweeney stated that her family is now missing its rock and the community is missing a wonderful person who brought a lot of hope and love. Ms Sweeney stated that by pushing this issue no family will have to go through what her family has gone through in the last year and with the support of Council this can become possible. Ms Sweeney stated that everyone deserves to feel safe on the roads and thanked Members again for the opportunity to speak, Ms Sweeney hoped that the changes could become a reality for the better of everyone.

The Chair, Councillor S McGuigan thanked Ms Sweeney for the presentation which was very emotive and demonstrated how strongly and passionately she felt about the issue.

Councillor Cuthbertson stated that the death of Ms Sweeney's father had been tragic and that he also had some frustration when contacting DfI Roads in relation to trees, some which were dangerous and others which were blocking streetlights or footpaths. Councillor Cuthbertson stated that DfI Roads never seem to take the next step and force the landowner to remove trees and asked Ms Sweeney had she made her presentation to the Infrastructure Committee at Stormont.

Ms Sweeney stated that she had contacted local Councillors and MLAs and got their support. Ms Sweeney stated she had also contacted the Minister for Infrastructure, Nichola Mallon, on numerous occasions and received no response. Ms Sweeney stated that it appeared no one wants to take responsibility and that DfI Roads have a duty when it comes to removing trees on the roadside but when it comes to private land they have to inform the landowner and it is then up to the landowner to remove the tree. If the landowner does not remove the tree then DfI Roads can take steps to have it removed but during this period of time someone could have been killed. Ms Sweeney stated that it was neglect that killed her father and that the landowner had been served notice to remove the tree which caused his death, Ms Sweeney stated that DfI Roads did not do their job in this case either.

Councillor O'Neill stated that everyone was shocked at the tragic death of Ms Sweeney's father, that he had been a great community activist and touched a lot of people through his football and community work in the Coalisland area. Councillor O'Neill commended Ms Sweeney for bringing this issue to Council and stated that he hoped Council could assist in putting more pressure on DfI Roads. Councillor O'Neill stated he would do everything he could to help.

Councillor Milne sympathised with Ms Sweeney on the death of her father and her ongoing campaign and stated that in his own area there had been several instances of fallen trees. Councillor Milne referred to NIE who have trees cut to 10ft away from power lines and that he felt that on any stretch of roads where there are dangerous trees such trees should also be cut in such a way in that if they did fall they would fall they would not do damage to anyone who may be passing. Councillor Milne welcomed the campaign and stated he would support it and that this should be a campaign which is province wide.

Ms Sweeney stated that there didn't appear to be enough strictness and regulations with regard to landlords. Ms Sweeney stated that they can be served notices and are sent letters once a year but that this is not enough. Ms Sweeney stated that most trees fall due to the weather in the Autumn/Winter time and that she was aware of so many other cases where trees had fallen last year and that it was just lucky no one had been killed. Ms Sweeney stated she had been contacted by someone who ran a similar campaign 30 years ago but that they had given up because nobody cared enough to respond to them at that time.

Councillor Burton stated she joined with the rest of the Members on commending Ms Sweeney on her efforts and that her father would be so proud at her taking this on. Councillor Burton stated that she had spoken with Ms Sweeney at the start of the year and had promised to raise the issue at NILGA, Councillor Burton stated that she had raised the issue and had found out that DfI Roads have the powers to take down trees or branches which are overhanging the road if the landowner refuses to do so. The Councillor stated that DfI Roads can then seek payment from the landowner for

the removal but that it appeared they did not want to take this approach for fear they may not get paid for the job. Councillor Burton stated this was not good enough and referred to a young man who had been killed by a fallen tree a number of years ago in the Ballygawley area. Councillor Burton stated that if Ms Sweeney was agreeable then she would pass on tonight's presentation to officers at NILGA.

Councillor Burton stated she had also recently been informed of branches overhanging onto electricity wires on a bad corner of a road and had contacted DfI Roads on the matter. Councillor Burton stated she had been met with a similar response to Ms Sweeney and that she had advised the officer at DfI Roads that she would highlight the matter and that she was aware through NILGA that DfI Roads have the powers to cut trees. Councillor Burton stated that some work had now taken place to remove the branches and that this was still ongoing.

Councillor Burton stated that she had met Ms Sweeney's father through his work and that he was a gentleman. Councillor Burton stated she felt for Ms Sweeney and her family and that if Ms Sweeney was content then she would pass on her presentation and information to NILGA and will push the issue as best possible. Councillor Burton hoped the campaign is successful and that NIE and other governments departments should come together on the issue.

Ms Sweeney stated she was more than happy for her presentation and information to be passed on and was grateful for this. Ms Sweeney referred to the difficulties in trying to get responses and it is only when something goes wrong that people want to help. Ms Sweeney stated that she would rather have better regulations in place now because if something did happen again in the future she wanted to feel comfortable knowing that she had done all she could to prevent it.

Councillor S McAleer expressed sympathy with Ms Sweeney and that what had happened was tragic. Councillor S McAleer referred to a case involving a fallen tree that she had been involved with and the long journey it took to get anything done. Councillor S McAleer stated she was appreciative of this matter being brought forward as most Councillors could probably talk about similar experiences and that there is no one to take responsibility. Councillor S McAleer stated that Ms Sweeney would have her full support.

Ms Sweeney stated that social media had helped in reducing accidents as the message can be got out quickly so people are aware and can avoid the area where there are fallen trees. Ms Sweeney stated that it is not until it comes to your door that you can fully understand the devastation. Ms Sweeney stated that she appreciated all the support and was grateful to be given the opportunity to speak to the Committee and hoped that something can be done to change the situation.

The Chair, Councillor S McGuigan thanked Ms Sweeney again for her presentation which was heartfelt. The Chair stated that Members would now discuss the best way of assisting on the matter.

Councillor Cuthbertson referred to his earlier comment in which there may be an opportunity for Ms Sweeney to make her presentation to the Infrastructure Committee at Stormont as this is where regulations and changes to legislation can be reinforced. Councillor Cuthbertson proposed that Council write to the Minister for



Infrastructure in the first instance highlighting the campaign and the issues of trees falling on roads.

Councillor O'Neill seconded Councillor Cuthbertson's proposal.

Councillor Burton stated that NILGA had found out that DfI Roads do have the powers to get trees cut and that this issue should be taken a lot more seriously. Councillor Burton stated that when trees fall onto the road the issue ultimately becomes a problem for DfI roads. Councillor Burton stated that it takes that long to get legislation changed someone else could be killed in the interim period and that if DfI Roads already have the powers to cut trees then they should be asked why they are not doing so.

The Chair, Councillor S McGuigan stated that the letter should include that it is the Council's understanding that DfI Roads have the powers to remove trees and branches and that this should be confirmed. If the power is there then DfI Roads will have the power to act and will be able to move more quickly in the future.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved** That it be recommended to Council to write to the Minister for Infrastructure highlighting Ms Sweeney's tree maintenance campaign and asking for confirmation that DfI Roads have the power to remove trees and branches that are causing a danger along the roadside.

### **Matters for Decision**

#### **E268/20 DfI Roads Proposal to Mid Ulster District Council - Proposed Traffic Calming Measures for Washingbay Road, Coalisland**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed Traffic Calming Measures for Washingbay Road, Coalisland.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Traffic Calming Measures for Washingbay Road, Coalisland.

*Councillor O'Neill declared an interest in this item as he had met with DfI Roads on the above matter.*

**E269/20      DfI Roads Proposal to Mid Ulster District Council - Proposed Revocation of surplus Speed Limit Legislation at Ardboe Road, Moortown**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed Revocation of surplus Speed Limit Legislation at Ardboe Road, Moortown.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Revocation of surplus Speed Limit Legislation at Ardboe Road, Moortown.

**E270/20      DfI Roads Proposal to Mid Ulster District Council - Proposed Extension to 40MPH Speed Limit – Cookstown Road, Moneymore**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed extension to 40MPH Speed Limit – Cookstown Road, Moneymore.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed extension to 40MPH Speed Limit – Cookstown Road, Moneymore.

**E271/20      DfI Roads Proposal to Mid Ulster District Council - Proposed Extension to 40MPH Speed Limit – Tullywiggan Road, Cookstown**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed extension to 40MPH Speed Limit – Tullywiggan Road, Cookstown.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed extension to 40MPH Speed Limit – Tullywiggan Road, Cookstown.

**E272/20      DfI Roads Proposal to Mid Ulster District Council - Proposed Revocation of a Disabled Persons' Parking Bay at Hunters Park, Bellaghy**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed Revocation of a Disabled Persons' Parking Bay at Hunters Park, Bellaghy.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Revocation of a Disabled Persons' Parking Bay at Hunters Park, Bellaghy.

**E273/20 DfI Roads Proposal to Mid Ulster District Council - Proposed Revocation of a Disabled Persons' Parking Bay at Killymerron Park, Dungannon**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposed Revocation of a Disabled Persons' Parking Bay at Killymerron Park, Dungannon.

Proposed by Councillor Cuthbertson  
Seconded by Councillor O'Neill and

**Resolved** That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed Revocation of a Disabled Persons' Parking Bay at Killymerron Park, Dungannon.

**E274/20 Eco-Schools Programme Support 2021/22**

The Head of Environmental Services presented previously circulated report which sought approval to continue providing financial support to the Eco Schools Programme.

Proposed by Councillor B McGuigan  
Seconded by Councillor Wilson and

**Resolved** That it be recommended to Council to approve the continued financial support to Keep Northern Ireland Beautiful for the delivery of the Eco Schools Programme to the amount of £1,700 in 2021/22.

Councillor Burton asked if there are new schools invited to the Programme or is it only what is listed.

The Head of Environmental Services advised that the Programme is open to all schools and most are registered.

**E275/20 Street Naming and Property Numbering**

The Head of Building Control presented previously circulated report regarding the naming of new streets within residential housing developments within Mid Ulster.

Site off Dungannon Road, Cookstown

Proposed by Councillor Wilson  
Seconded by Councillor Cuthbertson and

**Resolved** That it be recommended to Council to name development off Dungannon Road, Cookstown as Brookmount Lodge.

**E276/20 Age Friendly Framework**

The Head of Environmental Health presented previously circulated report which advised of the ongoing work regarding Age Friendly Communities and Network across the Mid Ulster District Council area and of the appointment of an Age Friendly Co-Ordinator post for Council.

Councillor Burton asked if this was similar to Agewell or separate as she may have to declare an interest.

The Head of Environmental Health advised that within the Community Plan under the Health and Wellbeing subsection thematic group there are 2 main targets – one being the provision of the Agewell contract and initiative and the other being a much broader focus to have Mid Ulster providing a more age friendly service and to work with partners to encourage other statutory organisations to consider age friendly whenever they are designing services. The Head of Environmental Health advised that the Age Friendly Framework was a second prong to the Community Plan in conjunction with the Agewell contract.

Proposed by Councillor Wilson  
Seconded by Councillor Milne and

**Resolved** That it be recommended to Council to for the Age Friendly Co-ordinator to prepare an application to join the WHO Global Network for Age Friendly Cities and Communities.

**E277/20 Response to the Food Standards Agency's Consultation on the review of the Food Law Code of Practice, Food Law Practice Guidance and implementation of the Competency Framework - Northern Ireland**

The Head of Environmental Health presented previously circulated report which outlined the Food Standards Agency's consultation on the Review of the Food Law Code of Practice, Food Law Practice Guidance and implementation of the Competency Framework – Northern Ireland.

Proposed by Councillor B McGuigan  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to Council to respond to the Food Standards Agency's consultation on the review of the Food Law Code of Practice, Food Law Practice Guidance and implementation of the Competency Framework – Northern Ireland. Draft response to be submitted in advance of the deadline of 9 December 2020 and confirmed following ratification at December Council meeting.

## **E278/20      Bus Shelters Update**

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

Councillor Burton referred to the proposed bus shelter at Jordan Engineering and asked if this bus shelter is to be installed.

The Head of Technical Services advised that officers were waiting on a response from the Education Authority in respect of that bus shelter and that another meeting is scheduled with stakeholders. The officer advised that 3.11 of the report sets out an update on response times from stakeholders and highlighted that some are not adhering to the 30 days.

Councillor Burton stated that the requested bus shelter at this location is outside a busy engineering company where staff are trying to get to work, there are also houses in close proximity and the location is just beyond a bad corner. Councillor Burton stated that there is a safety issue and she would like this to be voiced at the upcoming meeting and that if stakeholders are not responding within the time limit they should be.

The Head of Technical Services advised he would raise Councillor Burton's concerns at the meeting.

Councillor McNamee asked if there was an update on the bus shelter at Stewartstown.

The Head of Technical Services advised that the bus shelter for Stewartstown has been approved and is awaiting installation by the Property Services team.

Proposed by Councillor B McGuigan  
Seconded by Councillor O'Neill and

- Resolved**      That it be recommended to Council –
- i. To move the following applications from stage 5 of the application process:
    - Main Street, Benburb. 25 passengers confirmed by Translink.
    - St Colmans Park, Moortown. 18 passengers confirmed by Translink and EA.
  - ii. To install the following bus shelters:
    - Brackaville, Four Corners Bar
    - Moygashel, Linen Green
  - iii. To put "On Hold" the following from the Bus Shelter Register as they have not met the criteria of the Bus Shelter Policy:
    - Innishrush village
    - Annaghnaboe Road, Clonoe
    - Bellaghy, Overends layby
    - Bellaghy, Seamus Heaney HomePlace
    - Knockloughrim Village
    - Meenagh Park, Coalisland
    - Eglish View, Ballinderry

## **Matters for Information**

### **E279/20      Minutes of Environment Committee held on 10 November 2020**

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

Councillor Cuthbertson asked for an update in relation to previous discussion and agreement on siting of defibrillators at civic amenity centres and the President Grant Homestead.

The Director of Public Health and Infrastructure advised of a recent meeting of the working group and a number of actions to be progressed over the next number of weeks. The Director stated it was hoped an update could be provided in the near future.

### **E280/20      NI Waste Management Statistics Annual Report for 2019/20**

Members noted previously circulated report which outlined the content of the Northern Ireland Local Authority Collected Municipal Waste Management Statistics 2019/20 as published by DAERA on 26 November 2020.

The Chair, Councillor S McGuigan stated this is a good news story and it is important that some publicity be done on this to highlight Council's performance.

### **E281/20      Environmental Services - Christmas Working Arrangements**

Members noted previously circulated report which set out the working arrangements in respect of refuse/recycling collection and operation of Recycling Centres during the Christmas and New Year holiday period.

### **E282/20      Building Control Service Update**

Members noted previously circulated report which advised on the Service Performance of the Building Control Department during Q1 and Q2 of 2020/21.

### **E283/20      Building Control Workload**

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

### **E284/20      Entertainment Licensing Applications**

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

### **E285/20      Dual Language Signage Requests**

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

## **E286/20      Dual Language Signage Surveys**

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

Councillor Cuthbertson stated that in the past couple of months there had been proposals seeking a review of the Dual Language Signage Policy and that these proposals had been voted against. Councillor Cuthbertson stated that it now looked like a review had been carried out and the wording had changed, the Councillor stated that in previous months the report advised the following -

*In accordance with the Dual Language Signage Nameplates Policy, where more than 51% of the completed replies returned by occupiers indicate that they are in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates will be erected.*

Councillor Cuthbertson stated that this had now been changed to read –

*In accordance with the Dual Language Signage Nameplates Policy, where 51% (rounded to the nearest whole number) of occupiers that responded, indicated that they were in favour of the erection of a dual language street nameplate, it is confirmed that the dual language nameplates will be erected.*

Councillor Cuthbertson asked when the review took place and why everyone was not invited to the review.

The Head of Building Control advised that the wording within the report was changed to reflect more closely what is in the policy.

Councillor Cuthbertson stated that this would lead you to believe that previous applications had been determined wrongly. Councillor Cuthbertson stated that this reinforced the need for a review of the policy and proposed that a review of the Dual Language Signage policy take place.

Councillor Wilson seconded Councillor Cuthbertson's proposal.

Councillor McNamee proposed to keep the policy as is and stated that in the past number of weeks signs had been damaged which he felt was happening because of the talk going on around them.

Councillor B McGuigan seconded Councillor McNamee's proposal.

Councillor Wilson asked if the policy is due to be reviewed next year.

The Director of Public Health and Infrastructure advised that policy was brought through Council in March 2019 and is subject to review after 2 years therefore the review date will be March 2021.

Councillor Cuthbertson stated that he would keep his proposal on the table.

Councillor Wilson seconded the proposal.

Members voted on Councillor McNamee's proposal to keep the Dual Language Signage policy as is –

For – 8

Against – 7

**Resolved** That it be recommended to Council that the policy in relation to Dual Language Signage remains as is.

## **E287/20 Environmental Health - Business Plan - 6 month review**

The Head of Environmental Health presented previously circulated report which advised of the work undertaken by the Environmental Health service during the first months of current business plan period.

Members noted the content of the report.

*Live broadcast ended at 20.06 pm.*

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

Proposed by Councillor Wilson

Seconded by Councillor S McGuigan and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E288/20 to E299/20.

### **Matters for Decision**

- E288/20 Council Strategic Waste Management Arrangements: Update
- E289/20 Arrangements for the collection and processing of garden waste
- E290/20 Appointment of Vehicle Suppliers
- E291/20 Extension to the current Agewell contract until 31st March 2021
- E292/20 Extension of Dog Kennelling Contract until 1st July 2024 with a possible 2 year extension
- E293/20 Regulatory Activity – Delegated Authority

### **Matters for Information**

- E294/20 Confidential Minutes of Environment Committee held on 10 November 2020
- E295/20 Cemeteries Administration and Burial Scale of Charges
- E296/20 Capital Framework – ICT Contracts Update
- E297/20 Capital Framework – IST Contracts Update
- E298/20 Capital Projects – Scoping Contracts Update
- E299/20 Dog Fouling and Littering



**E300/20      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.53 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 the Development Committee of Mid Ulster District Council  
held on Thursday 10 December 2020 in the Council Offices, Circular Road,  
Dungannon and by Virtual Means**

**Members Present**

Councillor McNamee

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

**Officers in  
Attendance**

Mr McCreesh, Chief Executive  
Ms Campbell, Director of Leisure & Outdoor Recreation  
Mr M Browne, Head of Tourism\*\*  
Mr Gordon, Head of Leisure\*\*  
Mr Hill, Head of Parks\*\*  
Ms Linney, Head of Community Development\*\*  
Mr McCance, Head of Culture and Arts\*\*  
Ms McKeown, Head of Economic Development \*\*  
Mr McKeown, ICT Support  
Ms Grogan, Democratic Services Officer

**Others in  
Attendance**

Deputation – Sharon Cassidy  
Raising Awareness of Homeless Issues

Councillor Gildernew\*  
Councillor S McGuigan\*

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

The meeting commenced at 7.00 pm.

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

**D194/20      Apologies**

None.

**D195/20      Declarations of Interest**

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

Councillor Kerr declared an interest in agenda item 6 - Coalisland Community Food Bank.

Councillor Cuddy declared an interest in agenda item 19 – COVID19 Business Grants – Tranche 2.

Councillor Wilson declared an interest in anything related to Enterprise Agencies as Chair of Cookstown Enterprise Centre.

Councillor Monteith declared an interest in agenda item 19 - COVID19 Business Grants – Tranche 2 as family member involved.

*Councillor Molloy entered the meeting at 7.03 pm.*

## **D196/20      Chair's Business**

The Chair congratulated Mr McCreesh on his recent appointment on becoming the new Chief Executive for Mid Ulster District Council. He said that he first worked with Mr McCreesh from he first became a Councillor in 1997 and that all members were aware of all the hard work he has put in the legacy Council and this Council and was held in the highest regard amongst members and staff and wished him well in his new role as Chief Executive and looked forward to working with him.

Councillor Kearney congratulated Mr McCreesh on his new appointment and wanted to say that along with Mr Anthony Tohill, former Chief Executive and other Senior Officers that they have guided Mid Ulster Council through the formative years and now it was an opportunity for the new Chief Executive to put his own stamp on the next phase especially now we were going into the recovery phase and wished him well.

Councillor Monteith congratulated Mr McCreesh on becoming the new Chief Executive and said that he looked forward to working with him.

Councillor Kerr also congratulated Mr McCreesh and said that he was passionate about trying to help the people of the Mid Ulster District area and wished him well in his new role.

Councillor Black concurred with everything that was said and passed on his congratulations to Mr McCreesh and said that he agreed with what Councillor Kerr said regarding his passion for helping the people of the Mid Ulster area and wished him every success for the future.

Councillor Cuddy concurred with all previous members comments and said that he had always found Mr McCreesh a very approachable Officer and hoped that all the good work continues and thanked him for all his efforts in the past and was confident that the place would be a lot better over the next 4 years.

The Chair referred to Agenda Item 17 – Seamus Heaney HomePlace and advised that the Head of Culture and Arts would be providing an update in relation to Seamus Heaney Open Ground Project.

Councillor Wilson said that he had been approached by a number of people regarding concerns relating to the state of the pathways around Lough Fea and felt that this site be given priority as it was the jewel in the crown within that area. He asked that this be done as a matter of urgency in the springtime or beforehand if the weather picks up.

The Chair concurred with member's comment and said as he regularly walked around Lough Fea he also witnessed the need for something to be done as the area was prone to flooding and asked that this be investigated at the first available opportunity.

#### **D197/20      Deputation - Raising Awareness of Homeless Issues**

The Chair welcomed to the committee Ms Sharon Cassidy, Raising Awareness of Homeless Issues to the meeting and invited her to address the committee.

Ms Cassidy advised members that she had started Help the Homeless campaign over two years ago which has grown immensely over that period of time. She said that approximately 30 people including Councillor Kerr slept out for 2 nights at the beginning of August at the front of Cookstown Courthouse to raise funds for sleeping bags for the homeless. The group raised over £16,000 and purchased over 1200 high quality, waterproof sleeping bags with the proceeds being allocated towards two charities in Northern Ireland – Newry Helping the Homeless and Helping Hands Belfast as well as Feed Our Homeless and Feed the People both based in Dublin.

She said that she had witnessed much underlying poverty with the COVID19 pandemic, with homeless in Ireland being an extension of poverty and there was a need to use every avenue to expose it as it was getting out of control. She advised that in Ireland statistics did not add up as it was indicated that 10,000 people were homeless, but in Dublin alone the charities were feeding between 600 and 700 people per night outside the GPO which included children, pregnant women, elderly and working men who go out to work each day on a building site and don't have a roof over their head and sleeping in a doorway with their boots beside them. During COVID so many people and families were in poverty and the problem was only going to escalate within the next 6 months.

She said the campaign started in her own kitchen and would really like some guidance as she really didn't know how to progress, but was aware that she would need to form a committee to bring this campaign to the next level. She advised that Councillor Kerr had put her in contact with a Good Relations Officer and had been in contact with her and hoped that if this committee was up and running that funding could be made available for premises within the Cookstown/Mid Ulster area. She said that she was aware that this was not to help the people of Mid Ulster area at present but hoped that going forward that this would change and help those in the area also as she was currently helping a local Charity in Cookstown called Halo Helping Hands who help families in the Mid Ulster area and she hoped to get them items of food and toys for their toy appeal also.

The Chair thanked Ms Cassidy for her impressive presentation and said that she was doing tremendous work and to raise funds for 1200 sleeping bags was unreal. He said that it was scary to hear that between 600 and 700 people had to be fed each night in Dublin and from the outside no-one realises that this kind of thing was going on. In referring to the Good Relations Officer which she was liaising with, he said that he was confident that this Officer would help Ms Cassidy progress in trying to achieve her aim of acquiring a premises and help form a committee.

Councillor Kerr thanked Ms Cassidy for her presentation and for all that she had achieved this last number of years on highlighting her ability to generate funding towards the homelessness which was something she was passionate about. He said in this given time there were thousands of people without a home or a roof over their head which was a

basic human right and the figure Ms Cassidy outlined was alarming. He said that people trying to emerge from COVID would bring additional hardships relating to mass redundancies and people losing out on income and uncertain futures which lay ahead for many people. He said that he was part of Ms Cassidy's successful campaign which she organised in August for a sleep out to raise funds and hoped that this could become an annual event and was glad to see discussions taking place between Ms Cassidy and Council Officers and hoped that this would progress in the New Year.

Councillor Doris thanked Ms Cassidy for her informative presentation and commended her work in trying to help others in desperate need. She said that there was no doubt that this year has been difficult for many people and have to say that there was a stigma around homelessness as this year she had seen literally people potentially losing their homes over COVID and agreed that it wasn't the peoples fault. She stated that she had previously lived in Dublin and found it hard to source accommodation and in the end shed had to move away from it as she couldn't afford the rent asked or a room in a shared house with 4 or 5 other people.

She said that from 2017 she had been lobbying for support for victims of domestic abuse as she had come across a horrific case and tried to get a woman and her child accommodation through the Housing Executive only to be told that she didn't have enough points. She felt annoyed that she couldn't get her a home and was unable to help the woman in which she deserved, but through Women's Aid temporary accommodation was sourced thankfully. She said that last year alone there was over 80 women and children turned away from Women's Aid because there was nowhere for them to go and found that everyone was quick to judge a woman and say why she hasn't left the abuser, but questions had to be asked where she could go or whether she could afford the rent, near her children's school or beside her job and felt that the stigma around homelessness was something that had to be changed. She advised that she was having meetings with Women's Aid and may be worthwhile for Ms Cassidy to touch base with them as meetings were taking place with Minister Carál Ní Chuilín to try and change the housing points system with the Housing Executive and was aware that there was going to be a huge overhaul on that.

Councillor Doris said if there was anything Ms Cassidy wished members to do or any suggestion to reach out to the Council and wished her well in her endeavors for the future as she was doing a tremendous job.

Councillor Corry also commended the work being carried out by Ms Cassidy and said that Councillor Doris had referred to some of the work being carried out by Minister Carál Ní Chuilín and today she had raised the issue of homelessness and for the rights of support, the rights of safety and the right to a home and hoped that the plight of homelessness would be addressed as a policy was being currently worked upon.

Ms Cassidy thanked the committee for allowing her the opportunity to speak and said that she just loved helping people and hoped to continue doing this in the years to come and would also like her 5 boys to carry on her legacy.

The Chair thanked Ms Cassidy for her tremendous work ethic and said there was total support for her campaign from members tonight. He told her if she needed any guidance or support to contact Officers or Councillors who would be only too willing to provide any assistance they could.

Ms Cassidy left the meeting at 7.19 pm.

## **Matters for Decision**

### **D198/20      Draft Response to the Department of Education – Consultation on Special Educational Needs (SEN) Regulations and SEN Code of Practice**

The Acting Chief Executive presented previously circulated report to agree the draft response to the Department of Education - Consultation on Special Educational Needs (SEN) Code of Practice.

Councillor Corry said she welcomed the consultation and thanked Officers for their input of work. She agreed with what the Chief Executive had said and the point made within the report that there needed to be Learning Support Coordinators (LSC), should be within senior management teams of the school and the need for support within that team, with all teachers being trained in Special Educational Needs (SEN). There was also the need to reflect the timeframes and the length of time for support needs to be correct also to compare to see if there was significant gaps there which still needs campaigning.

Councillor Monteith said he welcomed the report as it was an issue all members would be aware of on a continuous basis regarding many parents in the area having major concerns. He felt that this may be something that this Council could progress on behalf of our residents in the area, but not just respond on this consultation, as there was a need to be seen as being proactive on other issues like poverty etc. He suggested that it would be beneficial for the Council to take a lead role in as there was a good mix of urban and rural perspectives and this could be put into place. He felt the biggest issue would be the waiting game which goes on and as a board of governor he felt that one of the most frustrating things for him, but more importantly for families was the restrictions on children each school can refer to a psychology service and this was just a crazy scenario where a monetary figure was placed on each school on the amount of children that could be referred and felt that this was no reflection on real life for families and young people that need support.

He said that within the last few days, figures for the six counties revealed that there were 67,000 school children with SEN needs, which was one-fifth of the scoping population and only 19,000 children has statements which was stark figures. In referring to CCMS, he advised that although he wouldn't be a massive supporter, in fairness they had produced a report in the last week or so, but the most important thing within the report and quoted to the committee their statement as it was something that everyone was trying to come across and stated CCMS stated "*the need to move away from a culture where everything must be fought for to one which assumes service as a right*" and said that this should not be the case that parents of children with special needs have to torture, email, phone Councillors, phone schools and torture teachers in order to get the educational rights their child is entitled to. He said that this needs to be the mindset towards Special Needs provision and parents shouldn't have to fight for this as this should be a right and something that needs to be strived for. The referred to the umpteen reports produced and advised that even the Audit Office produced a report which outlined a very damning situation in September and said that the chamber could be filled with the amount of reports which have been produced on problems relating to SEN provision and there was a need for urgent action now. He concluded by saying that the quote by CCMS was very apt as

this was a right and not seen as a battle for families to get the correct provision for their child.

Councillor Kearney said as a former Principal it was a burden he carried for 33 years and many other of his colleagues also and commended Officers for the excellent report as it was very timely and very well researched. He said that it was time for this service to be overhauled as it was outdated for decades and there was a need to provide teachers with proper training and resources and less red tape as so much was sent to schools that it turned the teachers off. He said that people were waiting for the 5 stages now becoming 3 which would be a very positive step as there would be less red tape. He advised that he still kept in contact with teachers especially teachers in smaller schools and they have put their hand in their own pockets and paid for psychologists to move the thing forward, so this was where education was at the moment. This year children with Special Needs have had a very tough time during the period of lockdown and said that during his time he wished there was a Council which took a stand as we have to stand up for a community and commended that. He said that he would like to propose the recommendation.

Councillor Kerr seconded the recommendation and welcomed what Councillors Monteith and Kearney had said as it was extremely frustrating for parents and anything that the Council could be to assist moving this forward would be greatly welcomed.

Councillor Burton agreed with previous comments and said that in rural schools parents were fighting and arguing in trying to get their child the education they deserve. She said that 9 times out of 10 a child with special needs was sent miles away from their home to a specialist unit which can be very unsettling for a child with autism. She felt that there was a need to look at these concerns going forward.

Proposed by Councillor Kearney  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council to agree Draft Response to the Department of Education - Consultation on Special Educational Needs (SEN) Regulations and SEN Code of Practice.

The Chief Executive advised that as this issue was a critical part of the Community Plan that it would be beneficial for a meeting to be convened with Department of Education Officials on concerns raised tonight.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council to convene a meeting with Department of Education officials who are responsible for the designing these of regulations, implementation and resourcing and invite any interested member who wishes to attend.

## **D199/20 Community Development**

The Head of Community Development presented previously circulated report to update members on the following:



- Community Support – proposal for additional DFC Food Funding
- Peace IV – to note the Peace IV update
- Good Relations and support to the East Timorese Community
- Community Support Funding and Fivemiletown Community Annex
- Community Planning - Proposed Community Forum
- Community Development – To note the update

**(i) Community Support – proposal for additional DFC Food Funding**

Proposed by Councillor Kerr

Seconded by Councillor Cuddy and

**Resolved** That it be recommended to Council to approve the proposal for additional DFC Food Funding support (£90,000), pending confirmation and letter of offer.

**(ii) Peace IV – to note the Peace IV update**

Note update.

**(iii) Good Relations and support to the East Timorese Community**

Councillor Molloy said that he welcomed the report and that engagements have been very good to date, unfortunately he had missed the last one but there has been a number of issues which had been raised and these were being worked through. Issues around passports was becoming a critical issue due to possible renewal for some of the community. He has become aware of consul support in Manchester where residents can travel, unfortunately this remains difficult for local residents with out of date travel documentation and felt that some kind of letter of comfort being in place to support travel would be beneficial in those circumstances.

Councillor Monteith concurred with Councillor Molloy and stated that engagement was key at present. In referring to the letter of comfort advised that the situation of COVID pandemic meant that an agreement was implemented by government here that driving licenses would be valid until a certain point and felt that the quickest, easiest way at present would be the a representative on behalf of the East Timorese community approach these authorities who deal with these documents as this would take a lot of pressure of them and result in a good long lasting relationship between the Council and the East Timorese community.

Councillor Cuddy agreed with previous comments and said that the East Timorese was a large community in Dungannon which provided a large scale of energy to the town and was good to reach out to them and provide any help we can and agreed that it was good to continue the good relationship between Council and them.

**Resolved** That it be recommended to Council to agree the proposals of support to the East Timorese Community.

**(iv) Community Support Funding and Fivemiletown Community Annex**

Note update.

**(v) Community Planning - Proposed Community Forum**

Councillor Kerr advised that it is good to get as many groups involved as possible and to propose that this be advertised in our social media and other local outlets or the most appropriate way there was. He was aware of great groups in Coalisland like Friends 2 Talk and Mid Ulster Association for Counselling & Psychotherapy would may be very interested in an initiative like this. He asked that consideration be given to the appropriate advertising methods so other organisations were made aware of it and the consideration of it being on an annual basis.

The Head of Community Development advised that one of the things which was done was to have all the community groups on the community database and then any of the meetings which will take place will invite the groups from this to meet with the relevant DEA members.

Councillor Corry in referring to the DEA meetings enquired if this would involve the smaller community groups rather than the main ones which were mentioned.

The Head of Community Development advised that the larger strategic ones were the ones that would be brought together as strategic support agencies, but DEA meetings would be held for all the smaller groups who members would have regular interaction with.

Proposed by Councillor Corry  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council to agree the new community group engagement process.

Councillor Monteith advised that he had received an email regarding healthcare and its provision and the anticipated closure of the Valley Nursing Home in Clogher. He said that he had been approached by concerned family members of a resident of the Home regarding the issue and content of the email and felt it would be appropriate for Council to write to Southern Trust on their processes as there were significant concerns around this and would dispute that families have been kept informed on proceedings.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council to write to the Southern Trust in relation to concerns relating to the process re the Valley Nursing Home in Clogher and that all legal requirements and protocols have been adhered too.

Councillor Cuddy said that he would totally agree with Councillor Monteith's comments as he had also been approached by the same family and felt that a proper process should be followed.

Councillor Burton advised that she had been working behind the scenes on this issue also and there has been real concerns for some time. She said that this was a Home which served the community and the powers that be have to make sure that it was up to the mark to provide care for the vulnerable residents that should be cared for in the way they should be and wanted to make sure that this was the outcome here because we don't want to lose this provision from this rural area.

The Head of Community Development in relation to the earlier issue in terms of community support said if members were happy that Fivemiletown Food Bank would partner Hope for You for taking forward.

## **D200/20      Community Development – All Ireland Health Campaign**

The Head of Community Development presented previously circulated report and advised members that at the Special Meeting of Development Committee on the 29th October, it was recommended that Council agree, in principle, to support the campaign for an All-Ireland National Healthcare Service. The matter was to be brought to the next Development Committee meeting for consideration, once members had an opportunity to read the report.

Councillor Monteith said that he hoped that this would be here last month but was good to have the presentation in front of members tonight and may be something that officers could try and ensure that emailed copies of presentations be forwarded to members in advance of the meeting as it was sometimes difficult to see or hear the virtual presentations on the night. He said that the case was well made on the night where a good discussion ensued and felt that there should be no barrier and a sensible approach for the provision of adequate healthcare for all the people of Ireland and proposed to go forward with the recommendation.

Councillor Kerr seconded the proposal for an All Ireland NHS, which was an aspiration as there was a need for a new innovative system for all of the people on this island as this was clearly demonstrated through the pandemic this year. He said that in the 26 counties he often heard of people paying for health but as a socialist he believed that access to free healthcare should be from the point of entry to discharge and should be based as a human right. He said that universal healthcare should be what it was and no privatisation should be allowed and referred to the comments he raised at the last Development Committee regarding the documentary directed by John Pilger on "The Dirty War on the NHS" where Tory and New Labour governments were trying to dismantle NHS and treat people as a commodity.

Councillor Black said that he could understand why Republic of Ireland citizens would be keen to progress this campaign when they look to Northern Ireland and see the benefits we have in being able to access the NHS and whilst no perfect, it was important that people do not lose sight of the great organisation that the NHS is and when Mr Redding himself was delivering his presentation, he acknowledged that many in the Republic of Ireland would look onto our system with admiration. He advised that there were many incidents of cross border co-operation currently and recognise the benefit that this could bring and he would agree that co-operation with our nearest neighbour was in the best interest of all our people, however there was a difference between co-operation and full integrated health system and didn't think that reinventing the wheel for an All Ireland Healthcare system was the way forward or the best use of our energies. He believed that

such a step would undermine the NHS and the benefit that this brings to the citizens of Northern Ireland as being part of the United Kingdom and Northern Ireland parties has agreed to work together to address the recommendations of the Bengoa Report, so his party believes that the direction of travel should be for the Assembly and Executive to work together and build upon the great system that we have already have for the benefit of all of the citizens of Northern Ireland rather than pursue the path as outlined in the recent deputation and the subsequent report before members tonight.

Councillor Doris said she didn't know what Councillor Black was referring to in terms of the NHS and would agree it was a great model, but only a great model when it was properly funded. She said that there were two broken healthcare systems in Ireland and this was what the issue was and that an All Ireland Healthcare system just makes sense as during COVID a lot of lives were lost because the two healthcare systems were unable to share information on the two sides of this Island.

Councillor Wilson advised that committee that when Sinn Féin had the health ministry of healthcare they didn't pump the money into the system. He said that this Council needed to look at what their competences really were because the last time he looked healthcare was the responsibility of Stormont and the Ulster Unionist Party had long been in favor of cross border co-operation and being good neighbours, but these proposals do not take into account several very fundamental realities. He stated that there were two different countries on this Island and two very different health systems as a result as Northern Ireland was served by the United Kingdom's National Health Service and the Republic of Ireland had chosen a very different path in terms of healthcare and all political campaigning in the world cannot change these realities as one of the greatest benefits of the UK is the National Health Service and one of the least attractive benefits of the Republic was the lack of it. It is thanks to the fact that we are in a position to be part of the UK and Northern Ireland was able to benefit from the UK's position of the world's fifth strongest economy in addition to the huge economic benefits this brings and in health terms this allows people in Northern Ireland to share the access of UK's PPE stock and also this week the share of the vaccine for the COVID19 away ahead of our neighbours in the Republic of Ireland but hoped that everyone would get the opportunity to vaccinate within their own countries. He said that people were glad to see co-operation with the Republic which already takes place with regards to Cardiology, but this was very different calling for a single system from Cork to Coleraine and was not for us in Northern Ireland to dictate to the people of the Republic on what type of healthcare they should have or can afford as this was entirely a matter for them alone and has been since 1921. He advised that the Ulster Unionist Party was very clear that they would not be party to any efforts that risks the National Health Service as it was far too important to play politics with and therefore would be opposing it.

Councillor Cuddy said he completely agreed with Councillor Wilson as there never was enough money for any sector especially healthcare which was so important to us all. In referring to the healthcare systems advised that the NHS in Northern Ireland was certainly not perfect but was closer to where we all want to be. He felt that this should be more about the people of Republic of Ireland trying to change their direction regarding healthcare and investing more money into the system. He said that we are as close as we were currently going to be with the funding available and there was a need to realistic as nothing was perfect and the need to lobby for more funding to make the NHS a better system to meet the needs of the changing population as nothing stood still and new diseases arising like COVID this year. He said that the Republic of Ireland had a bigger

job to protect the people they represent, but there was a need for Councillors to look after the people they represent especially the people of Mid Ulster and he wouldn't be agreeing with the proposal either.

Councillor Kearney advised that the committee was only after having a discussion regarding crisis in Education and felt that this was only a worthy idea and consideration and surely if the pandemic had taught people something, that there was a need to work closely together for the better.

Councillor Molloy advised that there were two tiers regarding health on the Island, but was not North and South but more the case of who can afford healthcare and who cannot regardless of what system it was as this was evident on a daily basis due to the long, long waiting lists on both sides of the Island. A good example of this was Cardiology as this could indicate what an All Ireland Health Service could look like and eliminate some or all the costs to provide Centres of Excellence across the Island and made a lot more sense and his party would be supporting the recommendation.

Councillor Elattar agreed with Councillor Molloy and didn't see the report as something that was going to happen overnight and more of an aspiration that was there for an All Ireland Healthcare Service and as someone that works within the NHS, she didn't see this report or proposal demeaning or taking away from the NHS. She said that it was absurd that it was a fact that there were two health services running in a country of this size and population with a lot of money being wasted between the two healthcare services and it was evident already with other things done in co-operation that things were working well and sees this as an aspiration and something to move towards and she would definitely be supporting it in the fact that hopefully it would make health care better for the people on this Island and not just for the people who could afford it.

Councillor Clarke agreed with comments and referred to Councillor Elattar comment about needing a better healthcare system in the North and South and agreed that there was a two tier system in both areas. He enquired what the life expectancy was in each area and it was his understanding that it was much longer in the South and felt that this was the proof of the pudding.

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

For	10
Against	5

Councillor Monteith's proposal was carried.

**Resolved** That it be recommended to Council to agree to support the All Ireland Healthcare Campaign.

## **D201/20 Economic Development – OBFD**

The Head of Economic Development presented previously circulated report to provide an update on key activities and sought approval for the following:

- (i) Renewal of Membership with NI Chamber of Commerce (Jan-Dec 2021)**
- (ii) Collaborative Digital Transformation Business Programme**

Councillor Wilson enquired if Councils were approached to collaborate together.

The Head of Economic Development advised that through the European Regional Development Fund where Council's would normally all bid in for their Business Programmes in which Invest NI would normally be the administrative body and they would be willing to co-fund the programme if one could be found along with the Council's and European money. She said as Invest NI were the administrative body responsible for the European funds.

Councillor Wilson thanked the Head of Economic Development for her update but said he had a concerning issue that he wished to iron out and enquired if Invest NI were asking the Councils to collaborate and put in for a programme they were tendering for and running, then how does this square up with the Conflicts of Interest.

The Head of Economic Development advised that this would be a programme that an elite Council would take forward if consensus was agreed from collaborative Councils if members were in agreement that this would be delivered like the rest of the programmes and seek to find a lead Council for it with Invest NI having the same role as with the rest of the other programmes which they work on regularly.

Councillor Wilson said he appreciated what the Officer had said but his question was that if the Council was approached by Invest NI to collaborate with all the other Councils to collaborate for a programme they were running and delivering and seems to him that it looks like this Council going to another Council stating that they run the tender and then they would be successful and he just wanted clarity as it was unclear to him.

The Head of Economic Development advised that this would be run exactly the same as we would be tendering for it and if we put our bid in for potential programme and how we wished for it to be developed similar to the rest of the other programmes, then they would be asked to come forward with match funding. She said that this Council would also be bidding for the European funding and match funding from Invest NI and would not be done in any different kind of way than the other funding as each Council had been allocated indicative funding each Council get for each programme. She advised that there was still funding left over from the Regional Development Fund and this was a way for them to use the money to involve all the Councils and give them a benefit as there wouldn't been enough money for each of the Councils otherwise. She stated that there was £600k in the pot and Councils had been asked to collaborate to receive a share of the funding.

Councillor Wilson said that he would have concerns regarding a company approaching the Council to tender along with others for a programme they have received the money for delivering and asked what was to stop a challenge coming into the programme from the FE Colleges. He said that he had no issue as it was only for £820 but just wanted clarification on the governance.

The Chief Executive advised the member's query was very valid, but the difference was that there was no profitable rationale to Invest NI as they were coordinating a group of 11 Councils to come together to submit a bid for mutual benefit to the businesses who avail of the programme. He stated that this wasn't a commercial tender but more of a public sector collaboration of Councils and a Government Agency and whilst what Councillor Wilson had said was true, this was probably the sign of the future and working together across

Economic Development, Infrastructure and Health on these types of collaborative arrangements and had to be the way forward if and when the European Union goes in 18 months, there was a need to collaborate together to maximise resources in order to achieve any sort of an impact. He said that he could see where Councillor Wilson was coming from but couldn't see any Conflict of Interest or neither would Invest NI otherwise they wouldn't be invited the 11 Councils to get involved.

Proposed by Councillor Doris  
Seconded by Councillor Kearney and

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

- (i) Renewal of Membership with NI Chamber of Commerce**  
Mid Ulster Council's annual Corporate Membership Renewal with NI Chamber of Commerce, costing £2,500+Vat for the period of 1 January to 31 December 2021
- (ii) Collaborative Digital Transformation Business Programme**  
The development of the Collaborative Digital Transformation Business Programme and provide a contribution of £820 towards technical assistance costs to prepare a comprehensive bid to Invest NI.

**D202/20 Lease of Lands at Murley Road – MUDC – Blessingbourne Estate**

The Head of Parks presented previously circulated report and sought approval for the following:

- (i) To enter into an agreement with Blessingbourne Estate to lease lands on the Murley Road, Fivemiletown.
- (ii) To extend the current Mountain Bike Trails lease agreement with Blessingbourne Estate to include the walking trails.

Councillor Burton proposed to proceed with the recommendation due to the length of time that this footpath had been lobbied for by the residents of Fivemiletown and a real safety issue. She said that this concerns had been raised from 2005 at every opportunity with Road Service and was happy that funding and agreement was got from Blessingbourne and for us to maintain the walkway was a small price to pay for something that was really welcomed by the community.

Councillor Cuddy seconded the recommendation and stated that it was a good project but enquired if there was a requirement for the Council to go back to LPS to seek approval or was it a case of carrying on.

Blessingbourne Estate have indicated that they have enough lease agreements with the Council and the amount of money being suggested, they are not particularly interested in opening up new leases in relation of any new additional lands as they would see our products as partnerships on what was available in Fivemiletown in relation to Round Lake, Walking Trails and Mountain-bike trails as being galvanised by taking this approach to provide a viable tourist attraction.

The Director of Leisure and Outdoor Recreation advised that if the Council was going ahead with the actual lease of the lands in terms of the monetary value then we would

have to go back to LPS, but because it was now a maintenance issue being entered into and there is no call to go back to them on that matter.

Proposed by Councillor Burton  
Seconded by Councillor Cuddy and

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

- (i) Review current lease agreements with Blessingbourne Estate, Fivemiletown.
- (ii) The lease of lands on Murley Road from Estate to facilitate improved public access to the Round Lake.
- (iii) Amend current Mountain Bike Trail lease agreement to include the addition of walking trails including liability, management and maintenance.
- (iv) Cover all reasonable legal costs incurred by the other party.

## **D203/20 Mobile Catering Concessions**

The Head of Parks presented previously circulated report and sought approval to procure mobile concession Grab & Go catering services at selected council owned/managed venues and public Parks.

The council are proposing to offer mobile catering contracts across significant footfall venues, sample locations as listed, subject to amendments.

- Dungannon Park
- Ballyronan Marina
- Railway Park
- OM Dark Skies Park/ Davagh Forest
- Knockmany and Pomeroy Forest Parks
- Lough Fea
- Brantry Wood Trails
- Round Lake, Fivemiletown
- Coalisland Canal
- Glenone Riverside Trail
- Washingbay Wetlands Park
- Hill of The O'Neill, Dungannon
- Meadowbank, Magherafelt
- Fairhill, Cookstown
- Drum Manor
- Polepatrick
- Walled Garden, Maghera

Councillor Wilson advised that there were two carry out food establishments located at Fairhill, Cookstown and wouldn't be confident that a mobile catering unit would be wise choice at this location and also referred to Drum Manor and asked if the Council had the right to allow someone to operate at this location or was it still within the remit of Forestry Service.

The Head of Parks advised that the Council had a lease agreement in relation to the carpark and the footprint of the playpark at Drum Manor. In relation to Fairhill, he stated that these were sample sites with regards to identified footfalls to the site and where the



service might well be welcomed in relation to the facilities which were currently there as it was extensively used by families due to the play facilities.

The Chair said he would also have concerns about mobile catering units being located at places close to local traders in urban areas as it would cause competition to established businesses and would be more suited to rural areas like Davagh.

Councillor Monteith said that he would have similar concerns and appreciated that the list circulated to members tonight were only samples but felt there needed to be a lot of deliberation given to possible concerns before agreeing to this proposal i.e. timescales on hours of trading and the management around the sites. He felt that there was a need to look at the risk for the potential litter and the management of sites approved and asked where the responsibility lay and asked where the provider would be responsible or the Council. He referred to these sites and parks and said that there was the potential for anti-social behavior as people could congregate for the fast food element and not for the recreational aspect and asked that careful consideration be given around the management and timescales of the site before agreeing to the proposal. He asked that a report be brought back to the next committee on concerns raised before a decision was made.

The Head of Parks advised that consideration would be determined on the terms and conditions within the catering agreement and the successful applicant would have to sign up to terms which would be suitable to the park or location including trading hours. He said that it would be up to vendors to be responsible for their base and if other factors like litter would be part of that agreement to make sure that it wasn't a burden on the Council to clean up after them. He referred to the locations and if it was deemed that there was a Conflict of Interest in relation to a Vendor then these sites would not be made available.

He advised that there had been some general enquires received from the public regarding facilities at more rural forestry locations and at some locations where there were previous catering concessions, unfortunately not operational due to the restrictions in place and advised that these would be done with a timeframe to allow for the more established businesses to resume trading when the time arises. He said that he took on board member's comments and concerns raised.

Councillor Black sought clarity on a financial figure for the rental figure and what it was envisaged that it would generate and sought clarification on whether this was an annual income across all sites and asked where the figure had come from and what was it going to be benchmarked against.

The Head of Parks advised that these would be collective figures as in the past ice cream vendors in the legacy Council generated £1,000 plus to the rent offered which was quite achievable. He said that this wasn't about generating income but more about providing some of the services which are currently missing at present as an interim provision and this figure would depend on the site.

Councillor Kearney said he now understood that there was both urban and rural settings and referred to Glenone Riverside Trail which was very rural but has huge footfall. He advised that he had been approached by some people indicating that this would be worthwhile and a degree of interest shown as it was a very popular as it's along the River Bann.

Councillor Molloy advised that some good points had already been made but was wondering about sites on Council owned property as this would make it less attractive to get tenants and how was this achievable when we have our own facilities.

The Head of Parks advised that consideration would be given to a 12 month contract with this being reviewed thereafter. He stated that a clause could be incorporated into the contract advising of termination depending on when we wish to go ahead. He advised that there had been a number of queries received about potential rural sites.

Councillor Burton said that she would be supportive of this initiative and believed that many businesses were curtailed and this would be an opportunity for the Council to get it right. She said that Brantry Lough was a prime example where this type of mobile catering would be beneficial as there wasn't a shop within a 6 mile radius and a huge footfall and would be welcomed. She said that going forward that some of the events like the huge one that's annually held each August in Dungannon Park should be looked at due to the extortionate costs for food prices, which was unacceptable for families and our elderly people.

The Head of Parks advised that the nature of the proposed provision for mobile catering would be coffee and Grab and Go convenience options, not a food establishment.

The Chief Executive stated that there was enough clear direction for the Head of Parks to consider and agreed that the Council didn't want to cause direct competition by taking the business of established businesses. He said that this would be the case for Fairhill and Coalisland Canal and other locations as there were numerous shops nearby but this would be a benefit to rural areas for families and he would be happy for the Head of Parks to progress the rural aspect of the issue.

Councillor Monteith said that it was a good idea but would still be reluctant to put his name to something that may turn to mayhem after 6 weeks within a 12 month contract. He said that one size doesn't fit all and this would be the case here and would be more comfortable for a report to be brought to the next committee on the proposed sites and how they could be properly managed and timescales.

The Chair agreed that more work could be done around this matter.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council that a report be brought back to committee on concerns raised relating to the management before approval be given to procure mobile catering concessions for Grab & Go services across selected Council owned/managed venues.

## **Matters for Information**

### **D204/20      Minutes of Development Committee held on 12 November 2020**

Members noted Minutes of Development Committee held on 12 November 2020.

Councillor Doris sought an update on Drumcairn and Altmore Forest initiatives.

The Head of Parks advised that Drumcairn and Altmore were 2 of the 3 sites which were going out to quotation as previously agreed for the development of scoping studies and project plans. This documentation was almost complete with the quotation being issued before Christmas and a return date by 18 January 2021.

Councillor Monteith referred to item D176/20 Community Development Report regarding the issue of Medical Hubs, Oakridge and GP Provision and said that last week it was reported that the Trust were not in a position to provide answers. He suggested that a meeting be sought to raise issues as there were ongoing works around the bypass and driven along by committees of this Council and felt that issues around these needed to be given priority also.

Proposed by Councillor Monteith  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council that a meeting be sought with the Southern Trust on concerns relating to Medical Hubs, Oakridge, GP Provision and other strategic health issues in Mid Ulster area.

#### **D205/20      Business & Communities External Investment Leverage Report 2019/2020**

Member noted update on the external investment leveraged by the Business and Communities Department to support Council priorities in 2019-20.

#### **D206/20      Economic Development – OBFi**

Members noted updates on the following matters:

- Coalisland Town Centre Forum Minutes 12.10.20
- Mid Ulster MEGA (Manufacturing and Engineering Growth & Advancement) Network
- DAERA (TRPSI) Rural Business Development Grants Scheme 2020

#### **D207/20      Project Stratum Update**

Councillor Clarke advised that there had been a joint meeting between the working groups on Project Stratum during the week and felt that a number of figures need to be looked at within the report brought tonight. He said that in 2018 it was established that there were approximately 98,000 premises needing intervention and now it was down to 79,000 resulted in nearly 20,000 addressed. He said that when he thought about the discussions which had taken place he wasn't happy at all because at the time of the intervention and the proposal of £150m plus the £15m from DAERA making it £165m for this project, Fermanagh & Omagh and Mid Ulster were the two worst Councils for the percentage of people to connect to fast broadband. He said that this proposal says that they would improve it massively in these two areas and across the board, but there was still approximately 340 addresses in Mid Ulster which will not be serviced and 612 in Fermanagh and Omagh out of a total of 2,500 across the six counties, resulting in 40% of those which will not be serviced.

He said that given the figures that were given originally as 98,000 and now 79,000 and at that time and were given number something similar which was to be excluded, so he said he was concerned that the Council were not getting bang for the buck because this project was being delivered through Fibre and this company were already on the ground and they were proposing 1,600km per quarter which means that in the Spring quarter, they reckon that they would be passing 4386 customers who would be able to connect at that point and the cash flow already coming in. He said that on Tuesday night there was too many people congratulating on this great project but not a great project for those people who have missed out and wondered how these figures worked as £165m project based at that time on the 98,000 and now 79,000, felt that full coverage should be evident.

He said that one thing that drew his attention to it was one of the biggest investors was pension funds and it was his thought that these look to get guaranteed good returns in short periods of times and his feeling was that they must be getting from here. He said that we had enough examples over the recent period of where the public purse had been drained to put millions into individuals pockets and would not like to be ever associated with projects like Project Stratum if it delivered the same as there was no clarity on what sort of margins were in this and massive profits for this company but yet there was going to be substantive amount people left out of the circle and this needed investigating. He said if it was made known where these addresses weren't going to be covered could we discover how much it would cost to cover them and this would be absolutely wrong that this was the case, yet the company which was awarded the contract walks away with millions as a result.

He asked that a Broadband Working Group be arranged for the start of the year with proper information and this be investigated further as it wasn't as good as it looked and wouldn't be happy with the situation. He requested that maps be produced as there wasn't a clue with the knot spots were going to be and there was need for accurate maps and information because they can advise what they were currently doing and what they intended to do next but they cannot say what they were going to do at the finish. He concluded by saying that he would not be happy to leave people behind because if they weren't going to be covered now, then when were they going to be covered and if they were going to be covered by some sort of service like satellite or wireless, the costs and quality of service not there and felt that the people with a telephone would be the most disadvantaged as they would be the most remote and paying more costs for an inferior quality service.

The Chair agreed that there was a lot to think about and would be some work for the Broadband Working Group in January.

Councillor Kerr advised that Wi-Fi was very much needed as this was very evident this year during the pandemic and people having to adapt through working from home. He said that a lot of people had been in touch with him regarding issues relating to inadequate broadband and Wi-Fi provision for children and school work and many areas within the Torridge area which were affected. He asked that it be investigated that a mechanism be put in place for Councillors to enter address details into a database so they can provide any help they could to constituents as it indicated within the report that 2,500 people were in the white list and postcodes which were meant to be guaranteed under Project Stratum and he would be afraid to provide a commitment to his constituent when this was not the case. He asked that a mechanism was in place where a Councillor could add an address to get more clarity for constituents.

The Head of Economic Development agreed with Councillor Clarke's comments and said that there was no enough information provided on the breakdown on where these areas area, map was available but not clear at all and information being drip fed which was not good enough and was pointless sending it out. In relation to the 2,500 premises which were out of scope, they said that they would be trying to source additional funding for them but cannot confirm it would be Fibre and don't want to be in a position of having a phone line or satellite and if we don't press for Fibre then these households will never see it. She said that this was the responsibility of the Department but they were indicating that they would need between £10m - £15m to cover the 2,500 households and agreed that they should be held to account and the Council would continue to do that. She agreed that it would be beneficial to hold a Broadband Working Group in the New Year.

In response to Councillor Kerr's query in terms of the addresses, she advised that if there were addresses that still were not getting a service to the equivalent to 30mb superfast broadband then the Council would need to know about it. She advised members that there was a website address which was in the report <http://hyperfastni.com/> which was the new address for Stratum and as of January they would be putting a postcode checker on their website so anyone can tap in their postcode and can see if you were in a white area and when you would anticipate to get it, a timeline and whether a person was eligible to get it within the timeframe outlined within the report. Stratum were stating that the other households which were dropped off which Councillor Clarke alluded to of 20,000 being knocked off from the original study and when they were questioned on that, they indicated that those households would be now receiving it from other providers, so the question would be where the other providers were at and how many households would be affected within Mid Ulster of the 20,000. She advised that she had spoken to them in advance of this meeting on concerns and they advised that this was subject to confidentiality and confidential clauses that they couldn't release and said that she most definitely wouldn't be happy leaving the situation there.

In response to Councillor Kerr's suggestion about relaying the website address to Councillors, the Head of Economic Development advised that this would be emailed to members.

The Chief Executive concurred with Councillor Clarke and said that there was still a lot of work to be done and the meeting on Monday night was excellent because it made very clear to the Fibrus and the delegation that Fermanagh & Omagh were not accepting second best, but it has to be said on what was being proposed was a massive benefit to this part of the world. He said although there were limitations and concerns, the Head of Economic Development and himself had been fighting this cause along with members for the last 10 to 15 years and off the premises which were going to be impacted by the 30mb, 21% was in Mid Ulster, 27% were in Fermanagh & Omagh and nearest to that would be Newry & Mourne with 16%. He advised that Mid Ulster was second at the top of the list and we deserve to be as we had the worst broadband and we should be thanking Fibrus as it was greatly needed and welcomed with 94.4% of all our households being able to get a minimum of 30mb, but we will not rest until the other 300 houses by some mechanism are equally supplied. In referring to the Growth Deal discussions, members have already made it clear on the technology and picking up the gaps was what the Growth Deal was designed to do, so no house would be wanting in any shape or form and agreed there was a lot of work to be done but there has been a lot of progress made.

## **D208/20 Sports NI Corporate Plan Consultations.**

Members noted update on Sport Northern Ireland Draft Corporate Plan for 2020 to 2025 and associated consultations.

*Live broadcast ended at 8.41 pm.*

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

Proposed by Councillor Molloy  
Seconded by Councillor Doris and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items D209/20 to D215/20.

### **Matters for Decision**

- D209/20 Department for Communities Access and Inclusion Programme 2020/21 additional projects
- D210/20 Seamus Heaney HomePlace Library Refurbishment Tender Report
- D211/20 Seamus Heaney Trails Update
- D212/20 Drum Manor Play Park - Inclusive Play
- D213/20 Covid19 Business Grants – Tranche 2

### **Matters for Information**

- D214/20 Confidential Minutes of Development Committee held on 12 November 2020
- D215/20 Contract Performance Review: Transform Programme

## **D216/20 Christmas Greetings**

The Chair wished members a very Happy Christmas and New Year and said that he hoped that next year would be much better.

## **D217/20 Duration of Meeting**

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

Chair \_\_\_\_\_

Date \_\_\_\_\_

<b>Report on</b>	Consideration of Requests for Civic Recognition
<b>Date of Meeting</b>	Thursday 17 December 2020
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

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

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

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



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



## Appendix A: December 2020 Requests for Civic Recognition Submitted: For Approval

### Category: Civic Honour

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

### Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
None			•	Not Applicable
			•	Not Applicable
			•	Not Applicable

**Other: Letter from Council Chair**

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

Proposed Recipient	Achievement	Submitted by
St Colm's High School Draperstown	Winner of UK Tes Award Community & Collaboration Award	Cllr Elattar School received Civic Recognition in 2018 for Winners of Danske Bank Gerry Brown Cup 2019 for Winners of TES Award Sustainable School

<b>Report on</b>	Conferences, Seminars & Training
<b>Date of Meeting</b>	17 December 2020
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Eileen Forde, Member Support Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	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.
<b>2.0</b>	<b>Background</b>
2.1	Costs associated will be set against 2020-21 member Conference, Seminar and Training allocations.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Approval for Consideration of Attendance by Elected Members</b></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 A to this report is sought.</p>
3.2	<p><b>Officer Approvals</b></p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. There are currently no requests.</p>
<b>4.0</b>	<b>Other Considerations</b>
4.1	<p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p>Financial: Costs to be set against Members 2019/20 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member</p>

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

## Appendix A

### Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

### Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Northern Ireland Planning Conference	Thursday 11 February 2021	On line	£145+VAT	

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#### OVERVIEW

The Northern Ireland Economic Conference, now in its 25th year, is Northern Ireland's premier economic analysis event and is unique in being the only forum that takes a high level look at the performance of, and prospects for the local economy. It is firmly established as the annual autumn summit for Northern Ireland's economic community, including policy makers and business leaders. This year's conference will take place at a time of unprecedented change and is a not-to-be-missed event for all the latest information and perspectives on the local economy.

## Key issues to be examined by an expert panel of speakers include:

- Economic impact of **Covid-19** on Northern Ireland
- Economic **policy priorities** for Northern Ireland
- Northern Ireland **medium term** economic outlook
- Options for devolving **fiscal powers**
- Importance of **skills** in the local economy
- Impact of **Brexit** on Northern Ireland economy
- Promoting **innovation and boosting** productivity

## Conference format

agendaNi will be using an online platform that will allow speakers and delegates to follow the normal structure of a conference. This will include:

- Chair and speakers on screen during the session
- Speakers will be able to use PowerPoint slides
- A Q&A session with delegates being able to post questions, moderated by the chair
- A chat facility for delegates to make comments, moderated by agendaNi
- A twitter feed to be visible to all participants
- A 'handout' facility that will allow delegates to receive relevant documentation

Delegates will get a 'conference experience' that goes beyond the normal video conferencing meeting formats. Click undernoted link for further details.

<https://bmfbusinessservices.cmail19.com/t/ViewEmail/r/92B56E991B44F2F02540EF23F30FEDED/F011B5BF7E868EDC7C7E43DA369301C4>



# Northern Ireland Planning Conference

Thursday 11th February 2021  
Online Conference

*Sponsored by*



# Northern Ireland Planning Conference 2021

agendaNi's Northern Ireland Planning Conference is now firmly established as the major annual event for all those with an interest or role in planning and development in Northern Ireland. The 2021 conference comes at a time of great change. As of January 2020 we have a functioning Assembly in place with the New Decade, New Approach deal. A key priority of the restored Executive is 'Investing for our Future' – effective planning will be a key component to ensure Northern Ireland's economic and social potential can be realised.

With Minister for Infrastructure Nichola Mallon now in place, decisions on major projects of regional significance can be taken. Local authorities are also progressing Local Development Plans to shape local areas for the next decade and beyond.

However, no one could have guessed that the new decade would begin with the Covid-19 pandemic, affecting all areas of life across the globe and creating exceptional challenges and widespread disruption. The Department for Infrastructure introduced a number of measures to try to overcome some of the obstacles to planning and ensure no unnecessary delays. While these measures were temporary, as we move into the recovery phase of the pandemic, there may be the opportunity to rethink processes. Covid-19, while having a huge economic impact on Northern Ireland, may also give the chance to look again at town and city planning – the long term changes to our work and travel patterns may not be known for some time.

The conference will provide an opportunity for all those with a role or interest in planning locally to come together for discussion and debate. An expert speaker panel comprising local and visiting speakers will look at these issues in detail. Attendees will come from across all sectors and will include government policymakers and decision-takers, other government agencies and NDPBs, local government officials, planners, developers, waste companies, advisory organisations, community representative groups and political representatives. The conference aims to be as interactive as possible with delegates able to put questions directly to the expert panel.

## 2021 discussion topics

- ✓ Update on planning policy
- ✓ Local Development Plans to shape the next decade
- ✓ Covid-19 as an opportunity to rethink town and city planning
- ✓ Planning for major projects in infrastructure and housing
- ✓ Shaping places with transformative digital planning
- ✓ Community engagement in planning projects
- ✓ Putting climate at the heart of planning and development
- ✓ Planning Engagement Partnership to strengthen public participation
- ✓ The future of town centres post Covid-19
- ✓ A collaborative approach to placemaking
- ✓ Best practice case studies



## Sponsorship opportunities

There are a limited number of available sponsorship opportunities at this conference which will be of interest to companies and organisations with products or services they wish to promote. For further information on sponsorship and speaking opportunities and how your organisation can benefit, contact **Lynda Millar** on **028 9261 9933** or email **[Lynda.Millar@agendani.com](mailto:Lynda.Millar@agendani.com)**.

0900 Chairman's welcome and introduction: **Owen McQuade**, Managing Editor, agendaNi

***Planning for recovery and growth in Northern Ireland***

Angus Kerr, Chief Planner and Director of Regional Planning, **Department for Infrastructure**

***Planning case law update***

Presented by Carson McDowell

***Local Development Plan to shape the next decade and beyond***

Paul Duffy, Head of Planning, **Mid and East Antrim Borough Council**

***Building Ireland's future: Planning for major projects in infrastructure and housing***

Dave Walsh, Chairperson, **An Bord Pleanála**

Questions & answers / Panel discussion

1045 Comfort break

**1115 Placemaking and community**

***Community engagement in planning projects***

Petra Biberbach, Chief Executive, **Planning Aid Scotland**

***The future of town centres post-pandemic***

Helen Quigley, CEO, **Inner City Trust**

***The Planning Engagement Partnership to strengthen public participation in the planning process***

Dr Louise O'Kane, Planner and Engagement Officer, **Community Places**

***A collaborative approach to placemaking***

Professor Brian Evans, City Urbanist, **Glasgow City Council**

Questions & answers / Panel discussion

1300 Comfort break

**1400 Planning for the future**

***Covid-19 as an opportunity to rethink town and city planning***

Professor Geraint Ellis, School of Natural and Built Environment, **Queen's University Belfast**

***Climate Action Plan: Putting climate at the heart of planning and development***

James Orr, Director, **Friends of the Earth Northern Ireland**

***Shaping places with transformative digital planning***

Stefan Webb, Place Director, **FutureGov**

***The future of planning in Northern Ireland***

William Orbinson QC *(invited)*

1545 Chairman's summary and conference close

## Booking form

### I wish to:

- ☐ Reserve \_\_\_\_ places at the conference  
Conference fee £175 + VAT @ 20% = £210
- ☐ Discounted rate for local government sector (councils only)  
Conference fee £145 + VAT @ 20% = £174
- ☐ Discounted rate for voluntary/community sector  
Conference fee £145 + VAT @ 20% = £174
- ☐ Receive details on future agendaNi events and publications

Discounts available for group bookings -  
contact us for details

### Delegate details

Name (Mr/Mrs/Miss/Ms/Dr): \_\_\_\_\_

Job title: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

### Payment options

- ☐ I enclose a cheque for £\_\_\_\_\_
- Payable to 'bmf Business Services'
- ☐ Please invoice me
- ☐ Please debit my Visa / Mastercard / AMEX

Card number

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Expiry date \_\_\_\_\_

Security code \_\_\_\_\_

(Please provide card billing address if different from company address)

### Cancellations / substitutions

Please note that once purchased delegate places cannot be cancelled.

## Who should attend?

This conference will be of interest to all stakeholders involved in and affected by the planning system in Northern Ireland, including:

- Planning professionals;
- Senior policy makers;
- Elected representatives;
- Local government officers;
- Developers;
- Building companies;
- Housing sector managers;
- Senior managers in government agencies;
- Infrastructure developers;
- Quantity surveyors;
- Architects;
- Environmentalists;
- Lawyers;
- Planning consultants;
- Public affairs consultants.



## How to register



**By telephone**  
028 9261 9933



**Online**  
[www.agendaNi.com/events](http://www.agendaNi.com/events)



**By email**  
[registration@agendaNi.com](mailto:registration@agendaNi.com)



**By post**  
agendaNi  
19A Maghaberry Road  
Maghaberry, Co. Antrim, BT67 0JE

### Acknowledgement of registration

Confirmation of registration will be sent to all delegates, following receipt of registration details. If you have not received your acknowledgement within 48 hours, please email [registration@agendaNi.com](mailto:registration@agendaNi.com) to confirm your booking.

You can unsubscribe from receiving information at any time, please let us know by emailing [info@agendani.com](mailto:info@agendani.com) or phoning 028 9261 9933.

<b>Report on</b>	Draft Consultation Response on Draft Modern Slavery Strategy 2021/22
<b>Date of Meeting</b>	Thursday 17 December 2020
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform elected members of the consultation response developed on behalf of Mid Ulster District Council in response to the Draft Modern Slavery Strategy 2021/22.
<b>2.0</b>	<b>Background</b>
2.1	Members were informed of the above consultation at November Full Council. Members requested that consultation responses were developed on behalf of Council. The deadline for submission of a response is Thursday 7 January 2021.
<b>3.0</b>	<b>Main Report</b>
3.1	The aim of the Department of Justice's consultation was to seek and receive views from stakeholders from a range of sectors on the new modern slavery strategy.
3.2	The draft strategy is a multiagency collaboration, owned and delivered by members of Northern Ireland's Organised Crime Task Force and the agencies working to address modern slavery and human trafficking.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None

<b>5.0</b>	<b>Recommendation(s)</b>
5.1	It is recommended that Council approve the draft response for submission.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Mid Ulster District Council's draft response to the consultation on the Draft Modern Slavery Strategy 2021/22



17 December 2020

Draft Modern Slavery Strategy 2021/22

The Committee Clerk

Room 242, Parliament Buildings

Ballymiscaw

Stormont

Belfast

BT4 3XX

**Re: Consultation Response to the Draft Modern Slavery Strategy 2021/22**

To whom it may concern:

Mid Ulster District Council would like to take this opportunity to put forward its views and opinion on the draft Modern Slavery Strategy 2021/22.

It is important to note that this updated strategy is being developed as an outworking of The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. This piece of legislation has proved significant since its introduction and as such Council welcomes the development of this updated strategy for 2021/22.

It is particularly welcomed that an updated strategy will represent a multiagency collaborative approach. Mid Ulster District Council also welcomes the proposal for the development of a future longer term strategy which would include a comprehensive framework. This could provide opportunities for local authorities to play a more active role in relation to being able to identify and report possible case of modern slavery and strength the three strategic aims of; Pursue, Protect and Prevent. As such, Mid Ulster District Council would like to take this opportunity to express the ways in which local government could provide support to the achievement of the aims of the strategy.

Mid Ulster District Council notes and commends the following local government focused actions that were included in the 2019/20 Strategy. These actions included:

- Guidance for Local Councils to equip council personnel and their partners to identify, signpost and support victims of modern slavery (completed April 2020)
- PSNI collaborating with councils regarding awareness of signs of MS in terms of Houses of Multiple Occupation (HMOs)
- Collaborative working with PCSPs (although this was delayed due to the COVID-19 outbreak)

The outcome of these actions should be of significant value to the delivery of the strategy, particularly when statistical evidence in relation to modern slavery suggests that modern slavery offences are largely being hidden in plain sight across local communities in which local government have such a direct daily presence.



However, in order to build upon these activities Mid Ulster District Council would welcome further local authority focused actions being included within the updated strategy. These actions could include:

- The provision of additional learning and development support as well as the provision of relevant information for Council officers, in order for them to understand how modern slavery can be identified.
- Training and awareness raising could be focused towards council staff who work directly with members of the public in service areas where modern slavery could be identified e.g. Parks services, public convenience provision, refuse collection, Environmental Health provision, Houses of Multiple Occupation and town centre regeneration.
- Council could also benefit from further guidance on how to inform and/or take part in joint working with the relevant statutory bodies to achieve the overall strategy aim of Pursue, Protect and Prevent.
- Guidance for including modern slavery in Vulnerable Adult and Safeguarding policies would also be useful.
- The provision of training and awareness raising of modern slavery for Designated Safeguarding Officers. This could be similar to the inclusion in recent years of elder abuse, Child Sexual Exploitation (CSE) and Female Genital Mutilation (FGM).

As such, Mid Ulster District Council would support local government playing a more active role in relation to awareness raising of the signs of modern slavery and how The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 is actively being enforced. This is a role that Council officers already play in relation to reporting safeguarding issues and concerns to

Social Services Gateway Team and/or the Public Protection Unit of the PSNI. Therefore including and placing a focus on identifying and reporting suspected cases of modern slavery would be straight-forward to implement, if Councils were provided with the support and guidance outlined above. Council's social media platforms could also be used as an awareness raising tool amongst the public, highlighting how the public can identify and report suspected cases of modern slavery.

Mid Ulster District Council look forward to the implementation of a robust Modern Slavery Strategy for 2021/22. The Council hope that the strategy will achieve its aim of pursuing the perpetrators of modern slavery, protect our people from becoming victims of modern slavery and prevent further occurrences.

Yours sincerely

Cathal Mallaghan

Chairman, Mid Ulster District Council

<b>Report on</b>	Correspondence to Council – December 2020
<b>Date of Meeting</b>	Thurs 17 <sup>th</sup> December 2020
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	P Moffett, Head of Democratic Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on correspondence received for attention of Council.
<b>2.0</b>	<b>Background</b>
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Correspondence from NI Assembly Justice Committee</b></p> <p>The Council has received correspondence from the NI Assembly Justice Committee calling for evidence on its review and passage of the Criminal Justice (Committal Reform) Bill. On an initial review/consider of the Bill by officers it has been identified that it is not directly relevant to council/our service delivery. Refer to appendix A.</p>
3.2	<p><b>Correspondence from SOLACE (Northern Ireland)</b></p> <p>The Chair of SOLACE (NI) has corresponded with the Council on the publication of a Position Paper on EU Successor Funding in Northern Ireland. This has previously been circulated to Councillors and now included in correspondence to council. Refer to Appendix B.</p>
3.3	<p><b>Correspondence from Derry City &amp; Strabane District Council</b></p> <p>The Chief Executive of Derry City &amp; Strabane District Council has corresponded with Council to give notification of a motion carried regarding air quality. Refer to appendix C.</p>
3.4	<p><b>Correspondence from Fermanagh &amp; Omagh District Council</b></p> <p>The Chief Executive of Mid Ulster District Council has corresponded with the Council to give notification of a motion carried regarding the strain placed on students within the further and higher education sector emanating from the Coronavirus (COVID-19) pandemic. Refer to appendix D.</p>
3.5	<b>Correspondence from Department for the Economy</b>

	<p>The Chair of Council has received correspondence from the Minister for the Economy of the NI Executive in response to the motion carried at November Council to support the 'Students Deserve Better Campaign'. Refer to appendix E.</p>
<b>3.6</b>	<p><b>Correspondence from Department for the Economy</b></p> <p>The Chair of Council has received correspondence from the Minister for the Economy in response to Council's offer to assist in the local administration and processing of COVID-19 funding, specific to Mid Ulster District. Refer to appendix F.</p>
<b>3.7</b>	<p><b>Correspondence from Department for the Economy</b></p> <p>The Chair of council has received correspondence from the Minister for the Economy in response to a motion carried by Council at its November meeting calling for an immediate ban on petroleum licensing specific to hydrocarbon exploration. The Minister makes reference to a debate held in the NI Assembly on 13 October and the transcript on same is as follows: <a href="http://data.niassembly.gov.uk/HansardXml/plenary-13-10-2020.pdf">http://data.niassembly.gov.uk/HansardXml/plenary-13-10-2020.pdf</a> Refer to Appendix G.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
<b>5.1</b>	That Council notes and considers, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<p>Appendix A: NI Assembly</p> <p>Appendix B: SOLACE(NI)</p> <p>Appendix C: Derry City &amp; Strabane District Council</p> <p>Appendix D: Fermanagh &amp; Omagh District Council</p> <p>Appendix E: Department for the Economy, NI Executive</p> <p>Appendix F: Department for the Economy, NI Executive</p> <p>Appendix G: Department for the Economy, NI Executive</p>



**Northern Ireland  
Assembly**

Anthony Tohill  
Chief Executive  
Mid Ulster District Council - Dungannon  
Dungannon Office  
Circular Road  
Dungannon  
BT71 6DT

26 November 2020

Dear Mr Tohill,

**CRIMINAL JUSTICE (COMMITTAL REFORM) BILL**

The Criminal Justice (Committal Reform) Bill was introduced into the Assembly on 3 November 2020. The Bill passed Second Stage on 16 November 2020 and the Committee Stage commenced on 17 November 2020.

The Committee for Justice would welcome your views/comments on the content of the Bill.

Your written submission should be structured to address specific clauses or the Schedule of the Bill. If appropriate, it should include any amendments you wish to propose to the text of the Bill. Information regarding the Bill can be obtained from the Assembly's website <http://nia1.me/4b5> or can be provided on request by emailing the Committee at [committalreformbill@niassembly.gov.uk](mailto:committalreformbill@niassembly.gov.uk)

The closing date for written submissions is **Friday 15 January 2021**.

Written evidence should be submitted in Word format and preferably by email to [committalreformbill@niassembly.gov.uk](mailto:committalreformbill@niassembly.gov.uk) or, by post, to The Committee Clerk, Room 242, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX.

Unless indicated otherwise it will be assumed that those submitting written evidence have no objection to it being made public by the Committee.

If you have any queries or require any further information please contact the Committee Clerk, Christine Darrah, on 028 9052 1629.

Yours sincerely

*Christine Darrah*

**Christine Darrah**  
**Clerk to the Committee for Justice**



24th November 2020

Dear Stakeholder

**Re: EU Successor Funding in Northern Ireland: Position Paper for Society of Local Authority Chief Executives NI (SOLACE NI)**

I am pleased to provide you with a copy of the Executive Summary of SOLACE NI Position Paper in relation to EU successor funding in Northern Ireland, developed with the support of NILGA the Northern Ireland Local Government Association.

The full Position Paper can be accessed via the following link:

<https://www.nilga.org/media/2171/241120-final-ni-spf-position-paper-24-november-2020.pdf>

As you will be aware and as part of its plans for exiting the EU, the UK Government pledged to establish a Shared Prosperity Fund. In July 2018, James Brokenshire (Secretary of State for Housing, Communities and Local Government) made a Written Statement setting out more details about the Fund. The main points of this statement were:

- The purpose of the Fund is “to reduce inequalities between communities across our four nations”;
- The method for doing this is “strengthening the foundations of productivity as set out in our modern Industrial Strategy to support people to benefit from economic prosperity”;
- The Government will “respect the devolution settlements in Scotland, Wales and Northern Ireland” so that the Fund works across the UK;
- Consultation on the design of the Fund would take place later that year.

Although the UK Government has not yet published a consultation on the fund, the wider local government sector in Northern Ireland have had serious concerns that unlike our counterparts in Wales and Scotland, the co-design and regional consultation approach to this future funding, has not yet materialised in Northern Ireland.

Therefore, SOLACE NI took the decision to collectively consider its position and that of the local government sector on the future Shared Prosperity Fund. The outworking of this was the production of a set of principles and recommendations that we believe, will ensure that the SPF will have maximum impact on the challenges and opportunities that exist throughout Northern Ireland. In publishing this report, both organisations believe that it:

- provides definite opportunities to address the issues and historic limitations of the previous local approach to structural funding;
- demonstrates the need that the Shared Prosperity Fund in Northern Ireland must be developed and co-designed through structured collaboration and co-production with partners including Invest NI, local authorities, education, health, the voluntary sector, and industry. This approach can be used to produce more effective impacts, if co-designed in partnership with central government, for the future management and delivery of the Shared Prosperity Fund; and
- articulates strongly the position that through partnership, both central government departments and councils can work together, to align the priorities of the Programme for Government with local Community Plans, providing social cohesion, economic development and infrastructure development for our local areas, yielding enormous results from this package of funding.

We also strongly contend that the funding levels from all EU Funds into Northern Ireland should not be reduced. We appreciate that those levels are proportionately higher than other regions of the UK. However, it is clear that this was designed to address the unique needs of Northern Ireland (as a post conflict society) which are still significant and would deteriorate further if sustainable financial support was to be reduced.

We are hopeful that you find this report to be informative and trust that this work will generate some engagement across all tiers of government and among interested organisations around this crucial issue for Northern Ireland.

Yours sincerely,



**Jacqui Dixon**  
**Chair, SOLACE NI**



# EU Successor Funding in Northern Ireland: Position Paper for SOLACE NI Executive Summary





# Introduction

ekosgen were commissioned in early 2020 by the Society of Local Authority Chief Executives in Northern Ireland "SOLACE NI" to undertake a research study to explore the future of EU Successor Funding in Northern Ireland. This Executive Summary provides a brief overview of the findings and sets out the recommendations for Northern Ireland. This report has been developed with the support of NILGA, the Northern Ireland Local Government Association.



# Context

**Now that the UK has left the EU, the UK Government has begun the process of developing a replacement investment mechanism for the EU Structural Funds. The Shared Prosperity Fund (SPF) will address regional disparity and structural economic challenges, and drive innovation, productivity, and sustainable economic development.**

The Ministerial Statement of July 2018 strongly links the Shared Prosperity Fund to the UK Industrial Strategy, tackling inequalities between communities by raising productivity, and with an implied geographical focus on those economies which are furthest behind. In Northern Ireland, a refreshed economic strategy is underway, as well as a number of emerging strategies; for example skills and employability and rural development, all of which will align with the UK Industrial Strategy. A future SPF for Northern Ireland must take cognisance of and align to the priorities in these new strategies which will underpin the new Northern Ireland Programme for Government.

The UK SPF will be resourced within the context of the current spending review. At this stage we know the following from the UK Government:

- SPF is a successor to EU Structural Funds, not a continuation.
- There is no commitment to rolling forward current Structural Fund allocations by programme or area and no commitment to taking forward ERDF and ESF financial breakdown across priorities and themes.
- It will have a specific UK remit and be shaped by UK policy objectives, in particular, the Industrial Strategy, not EU Structural Funds heritage.

- It is not clear which Departmental budgets the UKSPF will be funded from.

The distribution and delivery of structural funds is overseen by government departments of the Northern Ireland Executive. Invest NI is the sole intermediate body for the entire Investment in Jobs Programme. Whilst local authorities also have a role in the management and delivery of programmes and initiatives and are match-funders for much of the activity, they do not act as accountable bodies. They do, however, have an important role to play going forward in co-designing (and managing aspects of) the SPF, and sharing their experiences and expertise with the Northern Ireland Executive as the SPF model emerges.

In addition to ensuring that the spending power provided by EU funding is preserved through the SPF, it is also essential that the UK Government respects Northern Ireland's previous status as a transition area for the purposes of EU funding in this new funding regime. This is significant as, although Northern Ireland accounts for only about 2.8% of the UK population, it receives 5% of the UK allocation of EU funds. This will ensure that funding will continue to be concentrated in areas to increase productivity and lessen economic inactivity. Such a commitment would also acknowledge and support Northern Ireland in moving forward as a post-conflict society.

It is also crucial that other funds should not be forgotten, in relation to this new funding regime, such as Peace funds (which may not be extended after this round), as well as ad hoc funds through the European Committee of the Regions.



# How Northern Ireland has successfully invested Structural Funds

Since 2000 over the last three EU programme periods Northern Ireland has received some €1,750 million of structural fund support. In the current 2014-2020 programme ERDF and ESF funding has amounted to €492.4 million. This investment is arguably more focused in Northern Ireland versus the rest of the UK - a strategic decision, to target structural funds at the areas or issues of greatest need, address evident market failure and structural economic disparity in Northern Ireland.

Achievements through the current programme (ERDF and ESF) include:

**900** Northern Ireland businesses are engaged in R&D.



There has been a 75% increase in the number of high-growth SMEs.



**46,704 participants** have been supported through access to employment interventions and **11,038 participants** through social inclusion interventions.



**30,719** Apprenticeship NI participants have received ESF support.



In particular, Local Economic Development (LED) delivery (through ERDF), and locally delivered employability (through ESF), have been a vital component of Northern Ireland's delivery. The 11 local authorities have demonstrated their capability in the management and disbursement of Structural Funds, from the point of view of procurement, audit, compliance, etc. and also in fulfilling the strategic role they hold in place-making.

They have managed the delivery of LED projects totalling over £14 million in eligible spend, in many cases in collaboration with partner Councils. The approach to delivering City and Growth Deal interventions is further demonstration of this capability and expertise.

Invest Northern Ireland has also utilised ERDF monies to help support innovation in business and assist job creation. It is crucial that Northern Ireland's enterprise agency can continue to provide such financial support.

Northern Ireland's Rural Development Programme (NIRDP) has supported rural economies over a number of years and is a significant source of funding; local authorities have delivered projects totalling £17.82 million to date. This type of investment will need to be supported by a similar fund if rural communities are to continue to thrive and grow. A successor to the NIRDP must be considered alongside discussions about the new SPF.

The SPF should be designed to unlock the potential, and improve the connectivity and accessibility of, Northern Ireland's rural areas, support rural businesses and close the gap between income levels in rural and urban areas.

Northern Ireland's local authorities are an important part of the delivery of Structural Funds. They act as a very effective link between the regional level operational programmes and the local level, providing important, geographically specific knowledge and interpretation so that local needs are met. They are also an important mechanism for establishing a growth pipeline of businesses for progression to intensive support through Invest NI.

EU Funding has also played an important investment role in supporting major capital projects that have been transformational to local economies. Examples include the Giant's Causeway visitor centre, which received nearly £6 million of ERDF funding. This visitor centre has acted as a magnet for tourism and a catalyst from which a range of people and industries have benefitted. The Waterfront Convention Centre also received significant EU funding investment, which has helped to create more business, attracting greater number of tourists, which has seen local investment in the development of hotels positively impacting the local economy.





# Limitations of the Structural Fund Approach

Although Northern Ireland's local authorities have achieved many successes in their use of Structural Funds, the approach adopted to managing, overseeing and using the funding has many limitations, and has become more bureaucratic and unwieldy over time. Particular issues include:

- A perceived lack of alignment between regional and local priorities, and priorities in urban and rural areas. Priorities need to be developed with the flexibility to respond to local need identified in Community Plans and outlined in the Executive's Programme for Government, and clusters of need, for example geographical clusters of local authorities, and/or thematic or sectoral clusters. A more place-based approach to planning and investment is required.
- The centralised approach adopted for decision making and managing EU funds has resulted in local authorities having less scope to deliver discretionary activity which is based on local priorities and need. This presents difficulties in delivering holistic packages of support that combine different structural and even other funds. Eligibility rules which exclude the funding of capital expenditure projects have also served to minimise the benefits which can be derived from other types of structural fund investment, for example, in business growth.
- Over-engineered application and administration processes, lengthy timescales for project approvals, and match-funding requirements have combined to reduce the overall impact and benefit derived from the Structural funds. These factors prevent some organisations from applying for funding and make others cautious of doing so; projects are designed to meet the funding criteria rather than being innovative and maximising benefits. Too much time and resource is spent on administration rather than those activities which will have an impact on the economy.
- A lack of robust and transparent monitoring of outcomes and impacts, as opposed to outputs, of structural fund investment at both regional and sub-regional level has worked against understanding where investment has made the most impact.





## Priorities for Northern Ireland

**The UK Government has stated that the SPF will tackle inequalities between communities and raise productivity in those parts of the country whose economies are furthest behind. This is key to the levelling up agenda and the aim for the Northern Ireland SPF will be to 'level up' within NI and between NI and other parts of the UK by taking a place-based approach to inclusive growth.**

The NI SPF is likely to focus on strengthening the foundations of productivity to ensure that people benefit from economic prosperity, i.e. it will both support economic growth and ensure that growth is inclusive. It is important that EU Successor funding continues to support rural development programmes. It is therefore incumbent on the UK Government and Northern Ireland Executive to ensure that rural funding is protected in the same manner as the arguably more urban-focused ERDF and ESF funds.

Addressing the potential impacts of COVID-19 in Northern Ireland will also be key. Research suggests

that productivity is down by 25-30%, GDP will reduce by 8.1% in 2020, the economy will contract by 7-10% and over 200,000 will be impacted. The SPF must recognise that the scale of the interventions will increase as a result of the pandemic and that many of the groups previously supported by European funds are likely to be adversely impacted by the economic consequences of the pandemic.

Protecting businesses from the potential negative impact of Brexit will also be a consideration, as is the opportunity that Brexit presents for Northern Ireland as an access to the single market. Priority areas for focus are likely to be skills and employment, business growth, innovation, places and infrastructure.

It is vital that the new UK SPF is properly resourced and Northern Ireland's future allocation must be at least equivalent to the current programme's level of funding, as well as being correctly targeted, and appropriately managed to secure the best possible outcomes for the whole country. This must then be reflected in the SPF for Northern Ireland.







# Developing a Shared Prosperity Fund to meet Northern Ireland's aspirations

**As the quantum of money available to Northern Ireland will be set at Westminster and provided as a block grant, it is vital that the money remains ring-fenced for the purposes set. It must be hypothecated so that it can be directed to activities that are additional and deliver value-added benefits for Northern Ireland and its sub-regions.**

The key factors which need to be considered in determining the SPF in Northern Ireland are as follows:

- Allocation should be built around the foundations of productivity, namely: ideas; people; infrastructure; business environment; innovation; and places.
- Community Planning, aligned to the Programme for Government, has a central role to play and should guide the shaping of SPF overarching priorities.
- SPF must demonstrate how the achievement of sub-regional priorities will contribute to regional objectives and how these then support UK level ambitions.
- SPF funding must align with, be able to support, and be supported by other strategic priorities and sources of finance.
- The SPF in Northern Ireland must be developed and co-designed through structured collaboration and co-production with partners including Invest NI, local authorities, education, health, the voluntary sector, and industry.
- Adopting a three-year funding period for projects with an annual review to enable issues to be identified, changes in context, and fine tuning to optimise performance.
- SPF nationally and regionally must have built in flexibility to respond to changing and unanticipated needs. This could be responding to COVID-19 recovery planning and the needs of particular groups such as young people, or of sectors, or of areas.
- There must be careful consideration of attitude and articulation to risk to encourage innovation and achieve the right balance between level of risk and potential returns.
- Supporting a business pipeline from new start to growth and high growth with a continuum of support that is integrated with other interventions and activities, such as skills development.
- SPF must recognise the importance of cross-border opportunities and initiatives including the opportunities of having a land-based 'border' with the single market, and have the flexibility to support these where appropriate.
- The level of management and administration should be commensurate with the spend and should recognise the existing mechanism and assurances in place with local government as a trusted partner.





# Allocation and management

**There is strong support in Northern Ireland to move to a transparent allocation system based on need and opportunity to support inclusive growth, achieve a balanced economy across all rural and urban areas, and close the productivity differences within the region, and between the region and other parts of the UK.**

Allocation of the SPF must be considered at three levels: national level e.g. for strategic infrastructure, regional level and local level for council and community interventions; without alignment to local priorities, rebalancing cannot be achieved and cannot reflect place-based development.

Relationships between the Managing Authority, local authorities, delivery partners and other relevant bodies should be based on partnership working, moving away from purely transactional relationships while maintaining clear lines of accountability. Devolution of SPF responsibilities such as project appraisal, management and delivery should be asset-based, recognising the strengths and capabilities of all organisations and where there may be a gap in capability and/or experience, addressing it through knowledge sharing and capacity building.

There is a need to recognise the value of community plans as multi-partner plans delivering Programme for Government priorities for local areas involving local, central and other relevant partners. SPF priorities and allocations need to link back to the

needs and issues outlined in these Plans and set regionally through the Programme for Government. There is a need for a true place-based policy co-produced between central and local government to inform allocations and investment on a broader scale.

Local authorities have an important role to play here as more than service providers, but hubs for local businesses and co-investors in local regeneration and business and community development programmes. Their role at the local level allows them to consider regional and local strategies to meet local need and opportunities working alongside and with local stakeholders and service providers and delivery agents.

There is a greater role for local government working with central government partners in the management and delivery of SPF moving forward. If approached in a spirit of co-design and complementarity new processes could be streamlined and better aligned without creating another layer of bureaucracy.

Whilst effective management and delivery are important, there is a need to measure performance too. A robust monitoring framework with indicators that assess actual outcomes and impacts, which can be compared and aggregated at different spatial levels and across types of activities, is needed with the aim of driving and managing performance and informing decision making.

# Opportunity and learning

**There is now the opportunity for all partners to use national and regional evidence to shape the new SPF so that it aligns with all strategies and funding streams and is directed at national and regional priorities. Use past experience to rethink and carefully design what the SPF will do, how it is managed, allocated, delivered, and monitored so that it is simple, fit for purpose, efficient and not unduly onerous.**

The real opportunity lies in addressing the inequalities in Northern Ireland and between Northern Ireland and other parts of the UK and as with other regions, to build on strengths, enhance productivity, and embrace green growth and the opportunity presented by its border with the EU single market.



## A new approach

The means by which the Shared Prosperity Fund will be managed and delivered is as important as the finance available. There is an opportunity to move away from the Structural Fund programme approach and its limitations, to more effective arrangements, which take account of how partnerships and policy have evolved over the last EU programme period in Northern Ireland.

The principles set out in the table below should be viewed as an integrated package of measures that work as a whole, rather than a menu of options.

### Principles and recommendations for a new approach in Northern Ireland

Principle	Commentary
<b>National Framework</b>	UKSPF should set a national framework defining high level strategic direction, objectives and priorities and alignment with UK strategies.
<b>Regional and sub-regional priority setting</b>	<p>There must be a commitment and processes at regional level to set strategic priorities. These should be developed in partnership and based on an evidence-based assessment of need.</p> <p>At a sub-regional level, there must be scope to identify and invest in activities that will address local priorities and reflect the local context. This must be an underpinning principle that all stakeholders sign up to. Ownership of sub-regional funded activities should rest with local partners.</p>
<b>Outcomes based</b>	Progress and achievements should be measured as outcomes and impacts, rather than activities and outputs. KPIs should be set that capture progress as well as final outcomes e.g. progress towards employment.
<b>Flexible, single pot</b>	<p>There must be an assumption of trust so that monies can be disbursed with as few restrictions as possible, balanced with the right degree of scrutiny.</p> <p>Monies should be provided in Northern Ireland with no restrictions on capital and revenue allocations or prescriptive allocations by theme. Spend should be based on identified need and a holistic approach covering, for example, investment in skills, business support, infrastructure, innovation and so forth.</p> <p>There should be a strategic approach to spend, combining all available funding sources to maximise value for money.</p> <p>Business support (including social enterprises) should be business-led and include support to invest in the workforce, in equipment, in processes, as well as advice, and specialist business development support.</p>
<b>Maximum devolution of management and delivery</b>	<p>Northern Ireland should work towards devolving management and delivery to sub-regions where there is sufficient capacity and capabilities.</p> <p>For some activities, there will be a rationale for clusters of areas and partnerships who could act as intermediate bodies, and a regional approach with flexibility for distinctive local need.</p> <p>Where appropriate, the approaches used successfully through the city and growth deals could be replicated.</p>
<b>Attitude to risk</b>	<p>Being overly risk averse can inhibit impacts and limits the opportunity to test and learn from new and innovative approaches.</p> <p>SPF at UK and regional levels should set an attitude to risk that allows for innovation and moves away from simply funding 'more of the same'.</p>
<b>Fit for purpose systems and processes that are actively used</b>	<p>Management, appraisal, monitoring and verification processes should be fit for purpose, not overly complex and proportionate to the level of funding and scale of activities. They should be used to review and drive performance.</p> <p>Additional layers and processes should not be added over time unless there is a clear rationale and demonstration of added value.</p> <p>Management and monitoring systems and processes should be, as far as possible, harmonised with those of other funds and their activities. This will make for a more efficient use of project management and administration time and generate consistent data.</p>





These recommendations are set within the context of the role that the SPF will play in Northern Ireland's economic development and the emerging strategies of the NI Executive and the developing Programme for Government. The principles and recommendations set out here would make SPF in Northern Ireland more effective and efficient than the current EU Structural Fund Programme.

The evidence sitting behind this Position Paper has been prepared through detailed research and extensive engagement with a wide range of organisations with regional and sub-regional remits. This ethos of co-production should continue.





Derry City & Strabane  
District Council  
Comhairle  
Chathair Dhoire &  
Cheantar an tSrátha Báin  
Derry City & Strabane  
District Council

Our Ref: TJ/C375/20

13 November 2020

Mr Anthony Tohill  
Chief Executive  
Mid Ulster District Council  
Dungannon Office  
Circular Road  
Dungannon  
BT71 6DT

RECEIVED

17 NOV 2020

CHIEF EXECUTIVE

Dear Mr Tohill

At a Meeting of Derry City and Strabane District Council held on 29 October 2020, the following Motions were passed:

**Council will recall that a motion was moved at the December 2019 Council meeting calling for action to combat poor air quality in the council area. Officials advised at that time that the motion was premature, given the imminent publication of a report which might have a bearing on the motion. Council notes that the report has since been produced but does not have a bearing on the motion.**

**Council endorses the thrust of the December 2019 motion as now resubmitted:**

**Council acknowledges that poor air quality has harmful effects on human health, especially on the health of the elderly, the infirm and young children;**

**Council recognises that urgent action needs to be taken to tackle air pollution. Council commits to increasing its air quality monitoring across its council area, including of harmful PM2.5s, PM10s and ammonia;**

**Council will create an air quality action plan and adopt World Health Organisation standards for PM2.5;**

**Council will bring forward draft policy options for discouraging the installation of fossil fuel heating and wood burning stoves in all new planning projects. Council will devise a set of criteria to be agreed by Members above which an air quality assessment will be required to accompany planning applications;**

Derry

C/o Council Offices  
98 Strand Road  
Derry  
BT48 7NN

Strabane

C/o Council Offices  
47 Derry Road  
Strabane  
BT82 8DY

John Kelpie MEng., CEng., MStructE., MIEI

Chief Executive  
Derry City and Strabane District Council

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f Derry City & Strabane District Council  
@dcsdcouncil

**Council will organise a series of seminars to upskill members on Current Air Quality issues. Council will write to all other councils urging them to pass a similar air quality motion;**

**Council will write to the Northern Ireland Executive asking for an update on the effectiveness of the air quality monitoring station at Brooke Park since the station was moved from its original location at the junction of Creggan Road and Marlborough Terrace;**

**Council will underline to the Executive the urgent need for a NI Clean Air Act to include WHO threshold for PM2.5**

I would appreciate your consideration in this important matter would be grateful for a response in relation thereto.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Kelpie', with a large, stylized initial 'J'.

**John Kelpie  
Chief Executive**



Alison McCullagh  
Chief Executive



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

Our Ref: Democratic Services

Date: 13 November 2020

Email: [democratic.services@fermanaghomagh.com](mailto:democratic.services@fermanaghomagh.com)

Mr Adrian McCreesh  
Interim Chief Executive  
Mid Ulster District Council  
Ballyronan Road  
MAGHERAFELT  
BT45 6EN

Dear Adrian

**Re: Coronavirus Pandemic impact on Further and Higher Education Students**

At a recent meeting of the Council, Members unanimously agreed the following Motion:

**"Due to the ongoing Coronavirus Pandemic Fermanagh and Omagh District Council recognises the unprecedented strain that further and higher education students from our district are facing. This council;**

- **Recognises that the young people of this district are contributors to our society today and the workers of the future and that we as a Council need to fight for their rights and entitlements.**
- **Acknowledges the very serious situation our student population have been left in due to the current Coronavirus Pandemic including being burdened with student fees here in Ireland (north and south) and in Britain.**
- **Notes that the majority of students are receiving online classes and only having to physically attend class, in a limited capacity, in certain subjects.**
- **Further recognises, that due to students being told by government to return to university and college, they are tied down into contracts paying high rent for accommodation with no legal means of escaping from these.**
- **Also acknowledges that those students who are studying from home, within the district area, are faced with one of the worst broadband infrastructures on this Island.**
- **Further notes that many students supplement their income with part time jobs to support themselves, but many are now unable to access these jobs, leaving many of them in severe financial strain.**

**As such this Council shall write to all the Political Party leaders in the Northern Ireland Executive to ask them to put in place an appropriate package of financial support for all students at this time.**

**This Council will further write to the other 10 Councils asking them for support in this motion”.**

Representations have been made by the Council to all Party Leaders in the NI Executive as requested in the Motion.

I would be grateful if you would bring this correspondence to the attention of your Council, so that your Members may consider supporting our Council's position on this matter.

Yours sincerely



**Alison McCullagh**  
**Chief Executive**

**From the Office of the Minister**  
Diane Dodds MLA



Councillor Cathal Mallaghan  
Chair  
Mid Ulster District Council  
[Eileen.Forde@midulstercouncil.org](mailto:Eileen.Forde@midulstercouncil.org)

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email: [private.office@economy-ni.gov.uk](mailto:private.office@economy-ni.gov.uk)

**Our Ref:** CORR-5324-2020

9 December 2020

Dear Cathal,

**Mid Ulster District Council motion regarding the ‘Students Deserve Better’ Campaign**

Thank you for your correspondence of 8 December 2020 regarding the Mid Ulster Council’s motion supporting the ‘Students Deserve Better’ campaign.

While my Department is responsible for higher education policy in relation to teaching and research, as autonomous institutions, the HEIs are ultimately responsible for their own policies in relation to student accommodation. This includes setting the cost and also ensuring there are robust protocols in place to minimise the spread of Covid 19. My Department has no role in determining the cost of student accommodation, whether that is for university-managed Halls of Residence or private rental.

Regarding tuition fees, my Department is responsible for determining the annual maximum tuition fee level that can be charged by higher education institutions in Northern Ireland. However, it is a decision for the higher education institutions to determine what they wish to charge Northern Ireland and EU domiciled students, up to that maximum level. This includes any decision regarding whether a student should receive a refund or reduction of this fee. My Department has no remit in determining whether students should receive a refund or reduction of their tuition fee as a result of disruption caused by the Covid-19 pandemic.

Students who find themselves in financial hardship may be eligible to receive an award from the Support Funds made available by my Department. This financial year, I secured an additional £1.4m from the Executive and a further £1.4m from the Department’s own budget for these Support Funds, making a total of £5.6m available to support students facing genuine financial hardship.

Mental health is a key priority for the Department, the Executive and all of Northern Ireland. My Department is represented on a cross-departmental working group, recently established to support the development of a Mental Health Strategy for those struggling with mental health issues, including students.

As autonomous bodies, the universities are responsible for their own policies and procedures in relation to mental health provision. Each university takes the health and safety, including mental wellbeing, of students very seriously and each has an extensive variety of mental health provision available for students. Additional funding was granted during the early stages of the pandemic for additional hardship funds for HEIs. They have the use of this money and they oversee its expenditure. My officials also conducted an internal review of Mental Health provision within the HE sector and we were pleased to note a robust and proactive offering available across the institutions. I am pleased that the Mental Health of our student population is treated so seriously and this level of service is provided.

Higher fee charging HE providers are required to use at least 10% of their additional fee income to fund outreach and retention activities that help disadvantaged and under-represented students to continue their studies. This includes students with a disability, including mental health conditions. HE providers have demonstrated through their annual Widening Access and Participation Plans that they recognise growing concerns in relation to mental health and have a number of programmes in place, some of which are specific to mental health conditions and some which offer support more generally. HE Providers have flexibility to use this additional fee income as they choose, subject to the Department's approval, which could be on additional mental health provision.

I fully recognise the importance of alleviating digital poverty amongst higher education students especially given the importance of online teaching in the current situation. My Department already provides a non-repayable maintenance grant to students from lower income households, which can be used to purchase the necessary IT equipment to complete their course. As well as this grant, the universities have a range of measures in place to help reduce digital poverty among their students.

For example, Ulster University provides access bursaries to students from families on income support; students can decide how to spend the bursaries themselves, including on technology. Ulster University also uses the Department's Widening Access Funds to stock its libraries with laptops, for students from a widening access background to use on a loan basis. Ulster University has also created a Technology Support Fund, whereby the University procures and provides securely imaged laptops for its most disadvantaged students, to enable them to adapt to teaching and learning in the hybrid, dual teaching mode envisaged for the 2020/21 academic year. The University has committed to supplying 1,000 laptops free to students who meet the eligibility criteria.

Queen's University has recently introduced a long-term laptop loan scheme, with no loan or hire fees to the student, to enable and support students who may be unable to access the relevant equipment to study online due to financial hardship, digital exclusion, or circumstances specifically related to Covid-19. Queen's is also seeking to ensure that students will have access to digital resources on-site, for example in the library, where Public Health regulations permit.

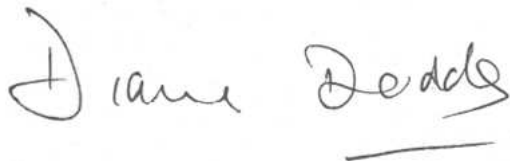
Students at Stranmillis University College have ready access to significant IT equipment and infrastructure across its campus, including a number of dedicated IT rooms. IT facilities are also available in the University College's library. As well as

being able to access on-campus IT equipment, students at St Mary's University College can borrow laptops from the institution if needed.

Regarding students traveling home for Christmas, there are a number of cross-cutting issues currently being worked through, involving a variety of Departments. For this reason, the Executive Office has been asked to co-ordinate these plans, and a Task and Finish Group has been established to do so.

The various Departments involved are working collectively with other partners to develop and communicate a package of advice and support to help students stay safe, and to travel home safely at Christmas. This includes engaging with the local HE providers to agree a phased end to the semester and the facilitation of a move to online learning. The measures will also involve testing for students. Public health authorities are working to agree the operational aspects of a testing programme to inform arrangements for student travel, while the relevant authorities will be engaged to consider the impacts on public transport.

Yours sincerely,

A handwritten signature in dark ink, reading "Diane Dodds". The signature is written in a cursive style with a horizontal line underneath the name.

**DIANE DODDS MLA**  
**Minister for the Economy**



**Annex A – Draft Response**

**From the Office of the Minister**  
Diane Dodds MLA



Mr Cáthal Mallaghan  
Chair of Mid-Ulster District Council  
[Eileen.Forde@midulstercouncil.org](mailto:Eileen.Forde@midulstercouncil.org)

Netherleigh  
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**Your Ref:** C220/20

**Our Ref:** CORR-5321-2020

11 December 2020

Dear Cáthal

**Processing and administering of funding related to the COVID-19 pandemic**

Thank you for your correspondence dated 8<sup>th</sup> December 2020 regarding the processing and administering of funding related to the current COVID-19 pandemic.

I appreciate the consideration being given to this matter and the offer from you and your fellow councillors in Mid-Ulster District Council. The need for central and local government to work closely together at this time is one that I fully concur with, and I do believe that the Executive have demonstrated our collective support for this approach, through some of the funding packages that have been devolved through the councils in recent months.

With regard to some of the current schemes for which my Department has lead responsibility, the Coronavirus Business Restrictions Support Scheme (CRBSS) and the Newly Self-Employed Support Scheme (NSESS) are both being administered on our behalf by InvestNI.

Applications for the Part A of CRBSS opened on 28<sup>th</sup> October 2020. Part A is supporting businesses which are restricted within the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 but who are not eligible for the Localised Restrictions Support Scheme (LRSS), which is administered by the Department of Finance.

The first payments for the CRBSS were issued on 14<sup>th</sup> November 2020 and as of 8<sup>th</sup> December, just over £12 million has been paid to 2544 applicants.

Part B of the CRBSS, which has been designed to support, amongst others, businesses that are in the supply chain of those that have been required to close or cease operating during the current and extended period, opened for applications on 19<sup>th</sup> November 2020 and the first payments were issued on 8<sup>th</sup> December 2020. This

was primarily due to a concentration on the high volume of Part A payments and the complexity in confirming a 'supply chain' organisation as per the eligibility criteria. As with all new schemes such as this one, I am sure that you would agree that due diligence and scrutiny is very important for all of our public funding initiatives; to ensure that implementation runs according to the programme design, and most importantly, that the support is directed at the precise audience for whom it is intended.

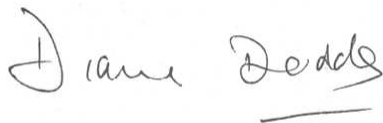
Applications for the NSESS have started to arrive in from 3<sup>rd</sup> December 2020, and the first payments are due to be made week commencing 14<sup>th</sup> December.

The Executive has launched a number of additional financial support packages that are being worked on at present. Information on all of these schemes, including eligibility criteria and the application process will be published on the NI Business Info website, see below

<https://www.nibusinessinfo.co.uk/campaign/coronavirus-updates-support-your-business>

This is a very live and fluid situation and I, along with my Executive colleagues will continue to engage with local government representatives and officials in relation to COVID-19, especially to consider the support that will be required to help businesses and the economy to respond to this pandemic, and the best way to distribute this support.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Diane Dodds', with a horizontal line underneath the name.

**DIANE DODDS MLA**  
**Minister for the Economy**

**From the Office of the Minister**  
Diane Dodds MLA



*Councillor Cáthal Mallaghan*  
Chair, Mid Ulster District Council  
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**Our Ref:** CORR-5323-2020

11 December 2020

Dear Cáthal,

**Mid Ulster District Council Petroleum Licensing Motion**

Thank you for your letter dated 8 December 2020 seeking a response to the motion which was passed at a meeting of Mid Ulster District Council on 26 November 2020.

I note that you have also written to the First Minister and deputy First Minister. The Executive Office has requested that I reply on its behalf, as Petroleum Licensing matters fall under the jurisdiction of my Department.

As you will no doubt be aware, policy regarding the issue of Strategic Planning Policy is the responsibility of my Executive colleague, Ms Nichola Mallon MLA, the Minister for Infrastructure. I therefore have no comment to make on those matters.

As you will be aware on 13 October 2020, in response to a Private Members' Motion in the Northern Ireland Assembly on Onshore Petroleum Licensing and Drilling, I outlined my position with regard to petroleum development, as well as my intentions with respect to the handling of two current Petroleum Licence applications. I have given a commitment that given the cross-cutting and controversial nature of petroleum exploration and development, it will be a matter for the Northern Ireland Executive to make the final decisions on what Northern Ireland's future Petroleum Licensing policy will be.

The full transcript of the debate is available at the link below (see page 28 onwards) <http://data.niassembly.gov.uk/HansardXml/plenary-13-10-2020.pdf>.

Yours sincerely,

A handwritten signature in dark ink that reads 'Diane Dodds'. The signature is written in a cursive style with a horizontal line underneath the name.

**DIANE DODDS MLA**  
**Minister for the Economy**



<b>Report on</b>	Consultations notified to Mid Ulster District Council
<b>Date of Meeting</b>	17 December 2020
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the consultations notified to Mid Ulster District Council.
<b>2.0</b>	<b>Background</b>
2.1	Council is a consultee for many government departments and statutory agencies, 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.
<b>3.0</b>	<b>Main Report</b>
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members review and note consultations notified to Mid Ulster District Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Details of Current Consultations

## Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for Health	Substance Use Strategy "Making Life Better: Preventing Harm, Empowering Recovery – A Strategic Framework to Tackle the Harm from Substance Use"	This consultation seeks views on the development of a new strategy to reduce the harm related to substance use in Northern Ireland.	Friday 5 February 2021	
	Link to Consultation	<a href="https://www.health-ni.gov.uk/SUS-consultation">https://www.health-ni.gov.uk/SUS-consultation</a>		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern Ireland Office (Economy Delivery Team)	Call for Evidence-Union Connectivity Review	Evidence is being sought on how the quality and availability of transport infrastructure across the UK can support economic growth and quality of life across the whole of the UK. This union connectivity review will provide independent advice to the UK government.	4pm on 30 December 2020	Referred to Mid South West Region Growth
	Link to Consultation	<a href="https://www.gov.uk/government/consultations/union-connectivity-review-call-for-evidence">https://www.gov.uk/government/consultations/union-connectivity-review-call-for-evidence</a>		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DAERA	Launch of the Clean Air Strategy	Discussion Document presents evidence and research on a range of	15 <sup>th</sup> February 2021	

		ambient air pollutants. It also outlines the current policy and legislation and the measures currently in place to control air pollution. The Document poses questions around pollutant source activities, with the aim of promoting discussion and the exchange of ideas.		
	Link to Consultation	<a href="http://www.daera-ni.gov.uk/clean_air_strategy_discussion_document">http://www.daera-ni.gov.uk/clean air strategy discussion document</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
<b>Department of Justice, The Home Office and The Office of the Attorney General and Advocate General for Northern Ireland:</b>	Codes of Practice issued under the Proceeds of Crime Act 2002 (POCA).	Practice issued under POCA need to be revised to reflect some of the provisions introduced under the CFA 2017. These include; <i>Search, Seizure and Detention of Property</i> Codes; <i>Recovery of Cash: Search Powers</i> Codes of Practice; Three <i>Investigations</i> Codes of Practice and <i>Recovery of Listed Assets: Search Powers</i> Codes of Practice.	1 February 2021	
	Link to Consultation	<a href="https://consultations.nidirect.gov.uk/doj-corporate-secretariat/codes-of-practice-for-northern-ireland-issued-unde/">https://consultations.nidirect.gov.uk/doj-corporate-secretariat/codes-of-practice-for-northern-ireland-issued-unde/</a> and <a href="https://www.justice-ni.gov.uk/consultations/consultation-codes-practice-issued-under-proceeds-crime-act-2002">https://www.justice-ni.gov.uk/consultations/consultation-codes-practice-issued-under-proceeds-crime-act-2002</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed

<b>NI Assembly-Ad Hoc Committee on a Bill of Rights for Northern Ireland</b>	Consultation on the creation of a Bill of Rights for Northern Ireland	This consultation was set up to hear your views and understand how you feel about the creation of a Bill of Rights in Northern Ireland.	29 January 2021	
	Link to Consultation	<a href="http://www.niassembly.gov.uk/assembly-business/committees/2017-2022/ad-hoc-committee-on-a-bill-of-rights/have-your-say-human-rights-in-northern-ireland/">http://www.niassembly.gov.uk/assembly-business/committees/2017-2022/ad-hoc-committee-on-a-bill-of-rights/have-your-say-human-rights-in-northern-ireland/</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
<b>Organisation</b>	<b>Consultation Title</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
<b>The Department of Justice</b>	Consultation on Domestic Abuse Protection Notices and Orders	This consultation is on enhancing legal protections for victims of domestic abuse, through a proposal to establish Domestic Abuse Protection Notices and Orders, and in the longer term, providing for positive requirements that could be associated with these	12 February 2021	
	Link to Consultation	<a href="https://consultations.nidirect.gov.uk/doj-corporate-secretariat/enhancinglegal-protections">https://consultations.nidirect.gov.uk/doj-corporate-secretariat/enhancinglegal-protections</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	