



26 November 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, 26 November 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  
Acting Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation - Northern Ireland Water

### Matters for Decision

- |  |           |
|--|-----------|
| 5. Council minutes of meeting held on 22 October 2020                        | 17 - 34   |
| 6. Special Development Committee minutes of meeting held on 29 October 2020  | 35 - 52   |
| 7. Planning Committee minutes of meeting held on 3 November 2020             | 53 - 80   |
| 8. Policy and Resources Committee minutes of meeting held on 5 November 2020 | 81 - 88   |
| 9. Environment Committee minutes of meeting held on 10 November 2020         | 89 - 100  |
| 10. Development Committee minutes of meeting held 12 November 2020           | 101 - 122 |
| 11. Civic Recognition Nominations  | 123 - 128 |
| 12. Conferences, Training and Seminars                                       | 129 - 138 |

### Matters for Information

13	Correspondence	139 - 144
14	Consultations	145 - 148

### Notice of Motions

- 15 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"
- 16 Councillor Gildernew to move  
 "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."
- 17 Councillor N McAleer to move  
 "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.

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

Matters for Decision

18. Council Confidential minutes of meeting held on 22 October 2020
19. Planning Committee Confidential minutes of meeting held on 3 November 2020
20. Policy and Resources Committee Confidential minutes of meeting held on 5 November 2020
21. Environment Committee Confidential minutes of meeting held on 10 November 2020
22. Development Committee Confidential minutes of meeting held on 12 November 2020
23. 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
24. Document for Sealing: Deed of Extinguishment relating to lands at Ann Street, Dungannon, between Mid Ulster District Council and Neighbouring Landowners
25. 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
26. Document for Sealing: "Lease with the Church of Ireland of Lands at Maghera Walled Garden and Surroundings"

Matters for Information



# NI Water Infrastructure Plans and Funding

## Mid Ulster District Council

25 November 2020

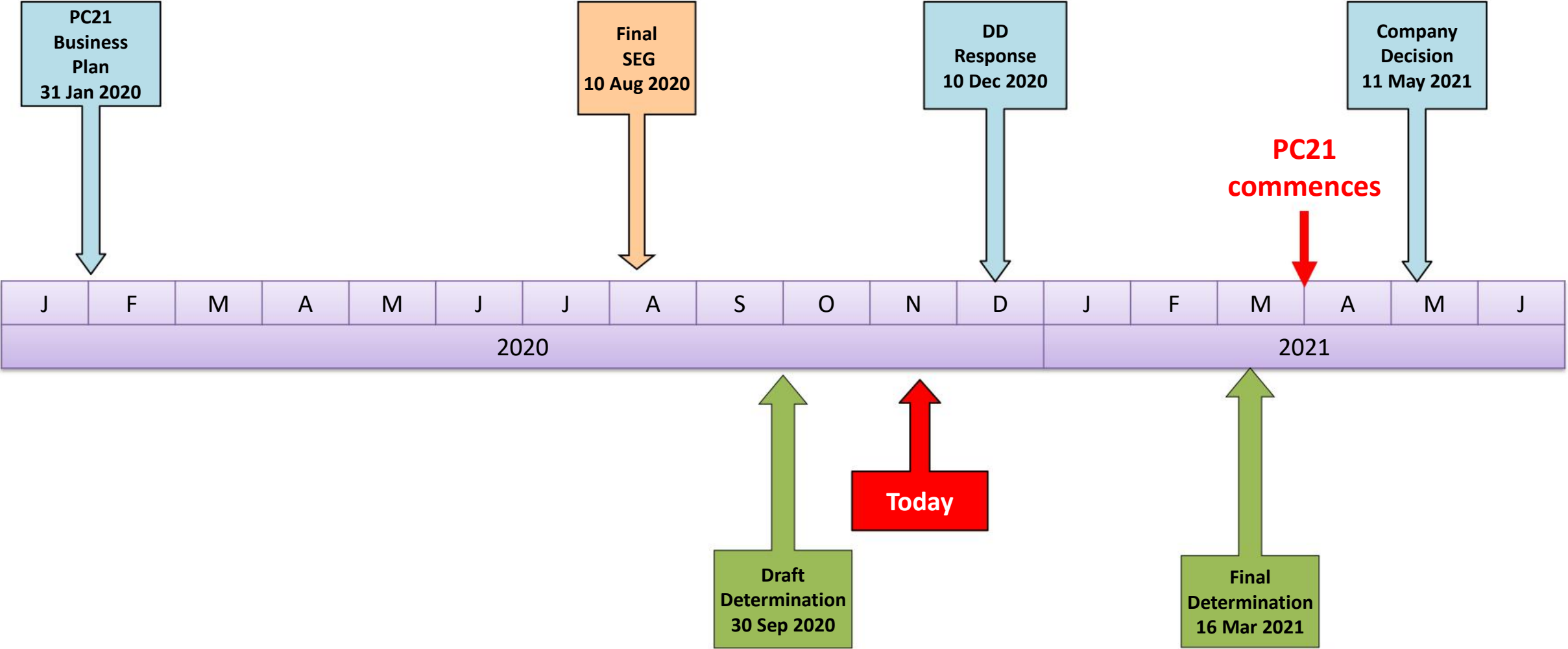
Dr Stephen Blockwell, Head of Investment Management, NI Water

David McCullough, Head of Wastewater, NI Water

**ELECTED REPRESENTATIVE HOTLINE: 0345 300 6461**



# PC21 Key Milestones



# NI Water's Funding Model

NI Water is a Government Owned Company (GoCo) and Non-Departmental Public Body (NDPB) within DfI

NDPB status means **NI Water can only spend within its Public Expenditure (PE) budgetary envelope** – this is an important difference verses GB Water Companies.

NI Water is not permitted to hold surplus cash reserves – **all costs must be met from existing public expenditure budgets within NI Water or the Department for Infrastructure (DfI).**

NI Water is successful – in top 5 of NI's top 100 companies – but **accounting profits provide no additional spending power to NI Water.**



# Capital Funding is Not Keeping Pace with NI's Needs





# PC21 Draft Determination

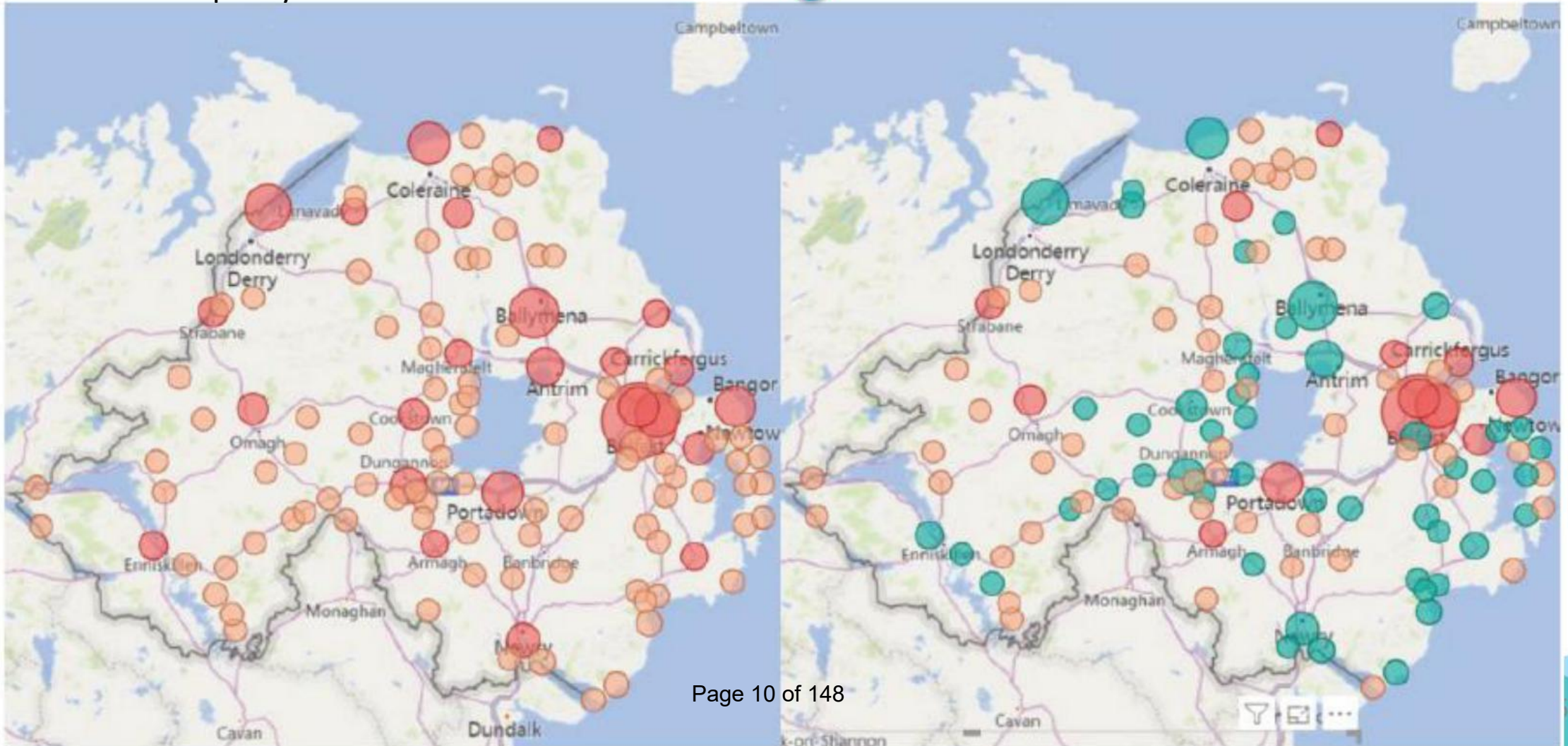
There are three strategic and linked issues which will define the development of water and sewerage services over the medium to longer term:

- 1. Development constraints** - During PC21, NI Water will begin to address a lack of capacity in sewerage networks and wastewater treatment works.
- 2. Increasing capital investment** - The outputs NI Water plans to deliver in PC21 will require an increase of 74% compared to PC15. Without this investment, our society will have to choose between environmental protection and economic development.
- 3. Long term tariff stability** - We will continue to engage with both NI Water and Department for Infrastructure (DfI) on long-term sustainable funding issues

# PC21 - Starting to Address Economic Constraints

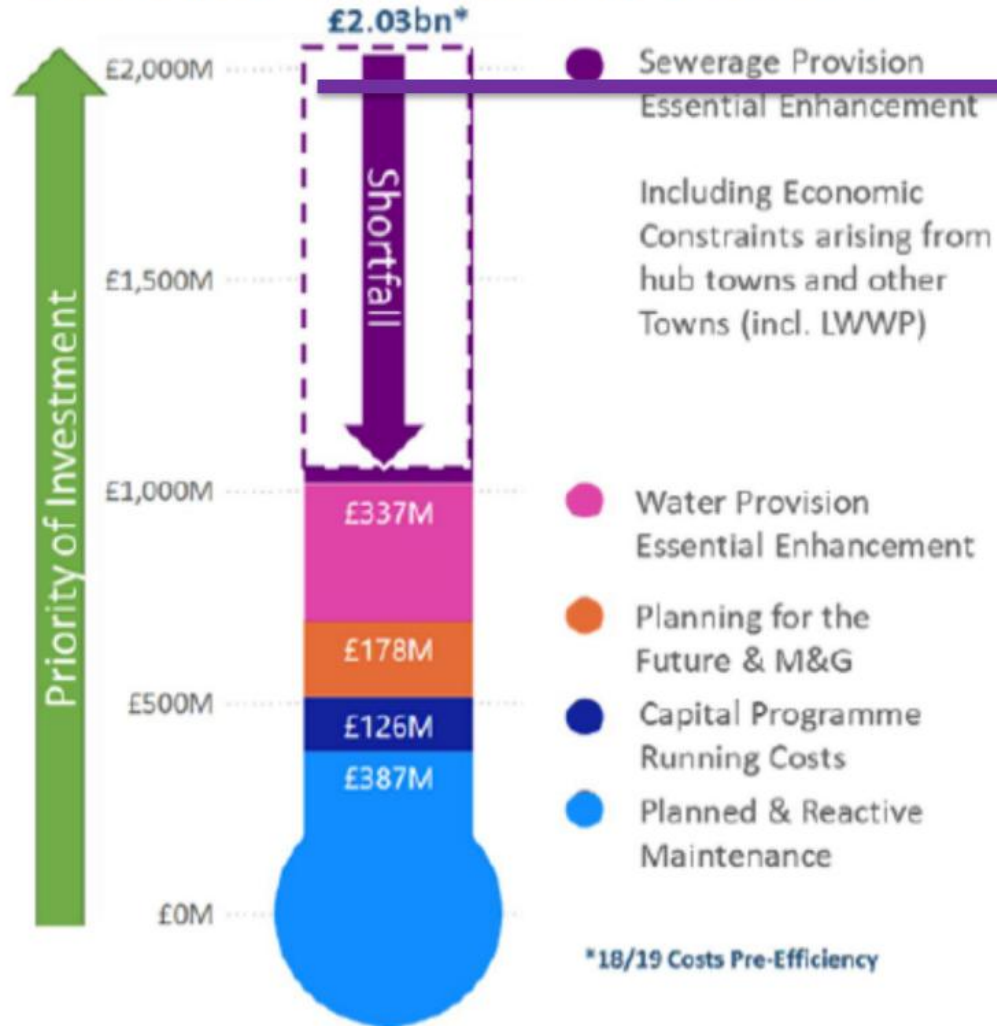
Wastewater capacity issues

● PC21 Wastewater investment



# Prioritisation & Funding Shortfalls

## Consequence of Funding Shortfall

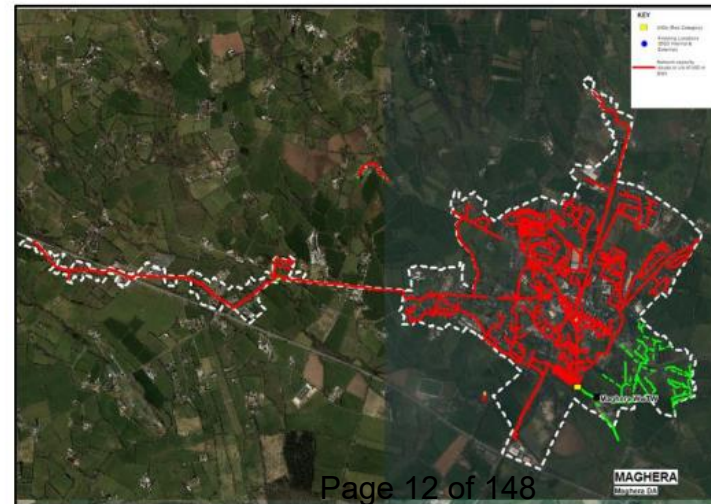
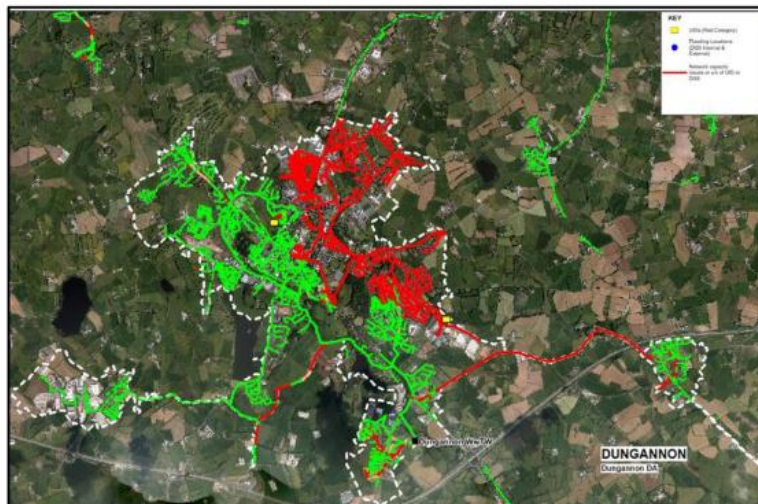
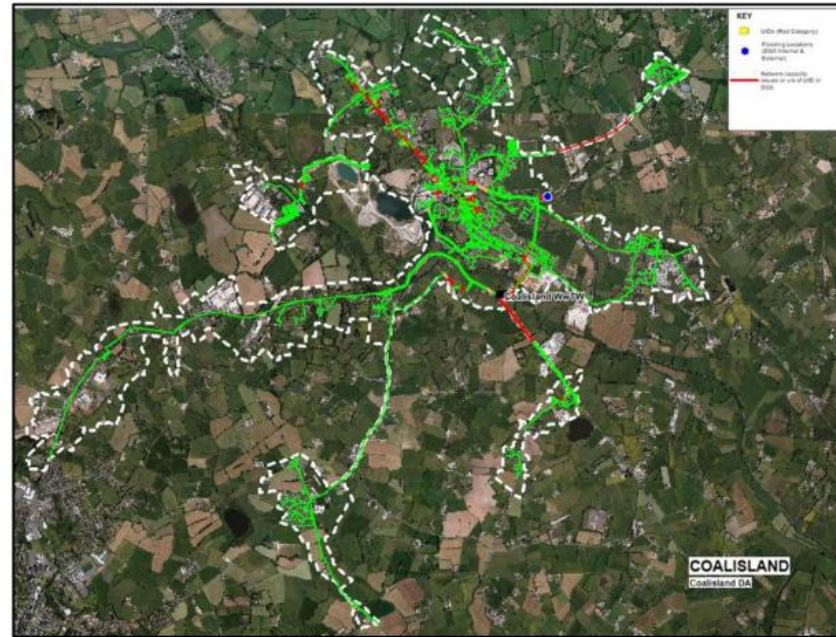
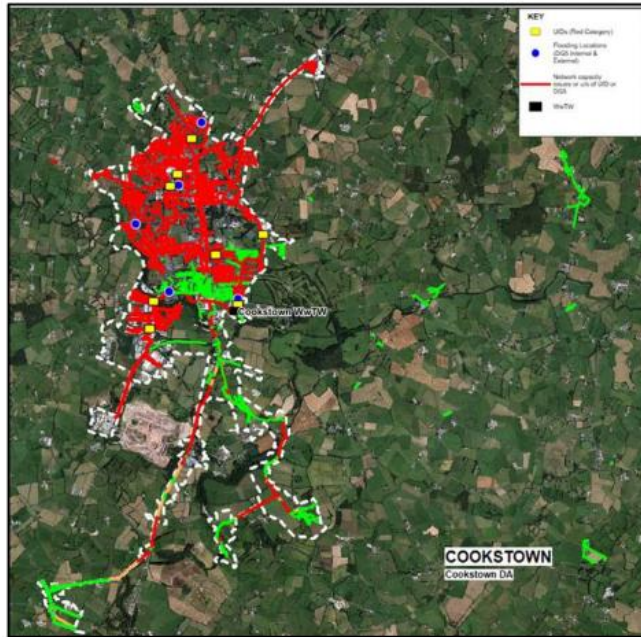


First £50m Shortfall means that 21 Wastewater projects will not be addressed





# Pre Development Enquiry Process



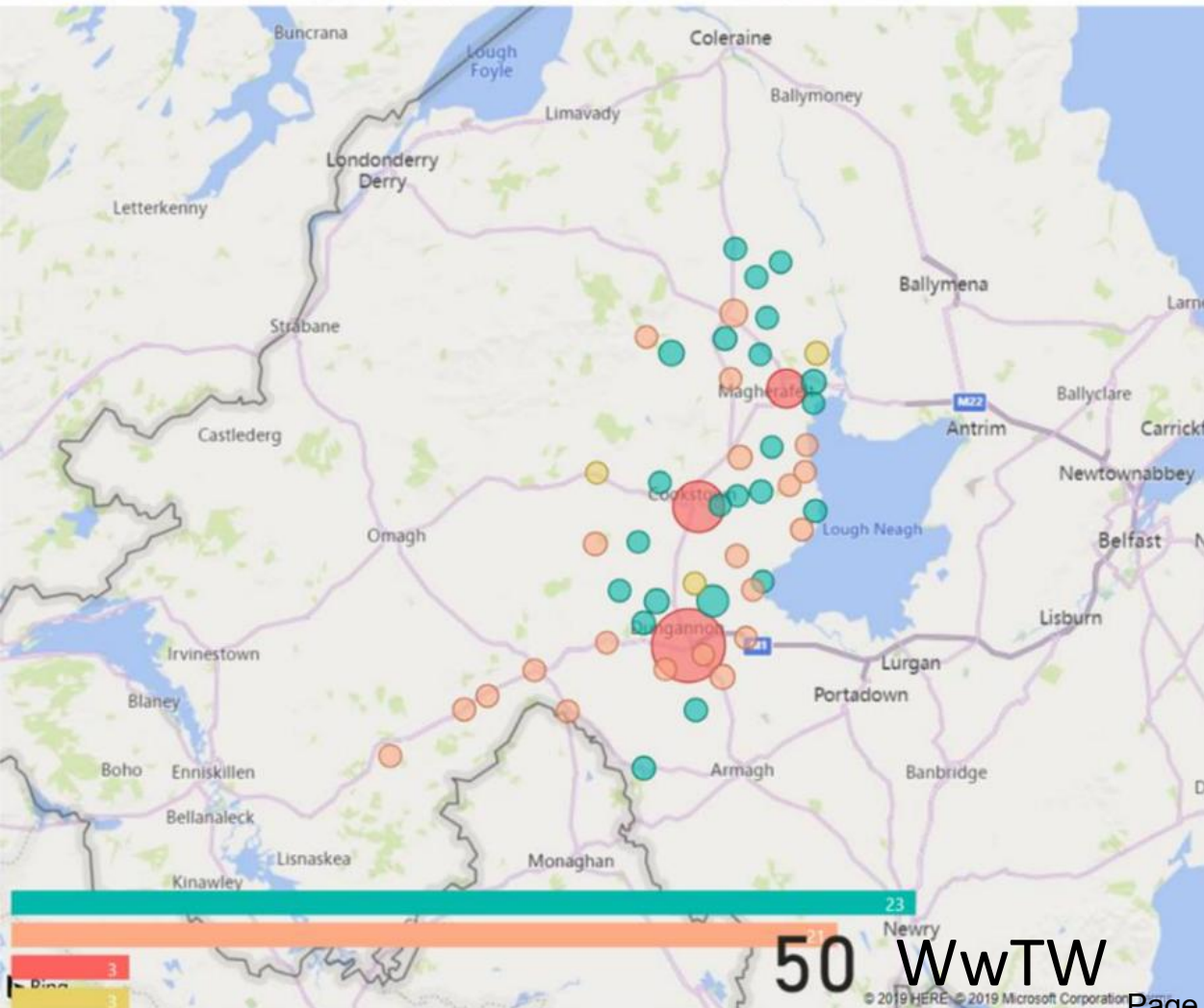
Development in parts of our towns and cities may be restricted due to **Sewer Capacity** issues.

A **Pre Development Enquiry** will provide developers with a view of sewer and water availability for potential sites.



# Mid Ulster District Council: Wastewater Capacity and PC15 Investment

Status ● Economic Constraint Zone ● Has Capacity ● Nearing Capacity ● Serious Development Restriction



## PC15 WwTW upgrades:

- Dungannon WwTW capital works = £9m
- Dungannon WwTW Phase 2 = £2.4m
- Donaghmore WwTW Upgrade = £0.6m

## PC15 WwPS Upgrade:

- Coalisland WwPS Replacement = £0.5m

## PC15 Feasibility Studies:

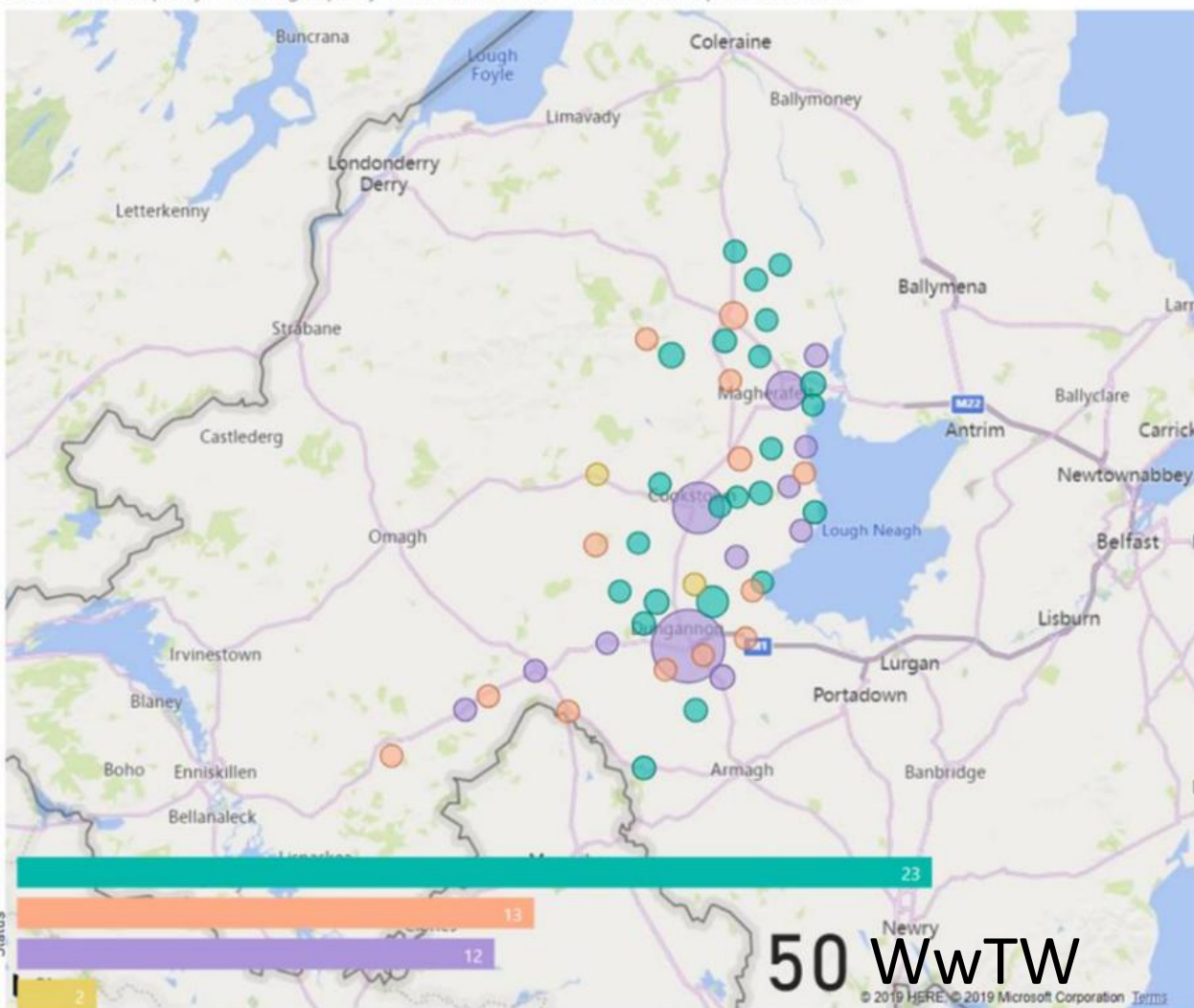
- Derrycrin WwTW
- Ballyronan WwTW
- Killygonlan (Mullanahoe) WwTW

# Mid Ulster District Council's Ambitions



# Mid Ulster District Council – PC21 Investments

Status ● Has Capacity ● Nearing Capacity ● PC21 Investment ● Serious Development Restriction



(PC21 Business Plan WwTW Investment Analysis)

PC21 WwTW upgrades include:

- Dungannon WwTW = ca £30m
- Moy WwTW = ca £6m
- Killygonlan WwTW = ca £4m
- Bellaghy WwTW = ca £4m
- Stewartstown WwTW = ca £3.5m
- Ballyronan WwTW = ca £3m
- Ballygawley WwTW = ca £2.5m
- Pomeroy WwTW = ca £2.5m
- Derrycrin WwTW = ca £2.1m
- Cabbragh WwTW = ca £2m
- Clougher WwTW = ca £1m

PC21 Sewer Network upgrades include:

- Dungannon drainage area = ca £19m
- Cookstown drainage area = ca £17 £m
- Maghera drainage area = ca £1m
- Moy: Keenaghan WwPS = ca £1m

# Supporting Future Economy and Environment

- **Significant long term investment is needed for wastewater and water infrastructure.**
- **It will take more than a decade needed to address sewer and wastewater issues.**
- **NI Executive sets NI Water's level of investment.**
- **The Utility Regulator's draft determination on our PC21 plan calls out the need to address capacity issues and for significantly increased and sustainable investment.**
- **Without sustained, adequate investment our society will to have to choose between environmental protection and economic development.**



**Minutes of Meeting of Mid Ulster District Council held on Thursday 22 October 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\*, Gildernew\*, Glasgow, Graham\*, Corry\*, Hughes\*, Kearney\*, Kerr, N McAleer\*, McFlynn\*, B McGuigan\*, S McGuigan\*, McKinney, McLean\*, McNamee\*, D McPeake\*, S McPeake\*, Milne\*, Molloy\*, Monteith, Mullen, O'Neill\*, Quinn, Robinson\*, Totten\*

**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 Department for Infrastructure Roads**

Mr David McKinley\*\*\*  
Mr Neill Bratton\*\*\*  
Mr Gerry Hackett\*\*\*

\* 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.*

**C191/20 Apologies**

Councillor Wilson

**C192/20 Declarations of Interest**

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

*The Chair, Councillor Mallaghan changed the order of business to hear the deputation from DfI Roads prior to Chair's Business.*

### **C193/20 Deputation – Department for Infrastructure (Roads)**

The Chair, Councillor Mallaghan welcomed representatives of the Department for Infrastructure (Roads), who had joined the meeting virtually. Mr McKinley drew attention to the previously circulated report and invited Members to email [committees@midulstercouncil.org](mailto:committees@midulstercouncil.org) should there be any local issues not covered in the recent district electoral area meetings. Mr McKinley highlighted issues outlined in the report.

### ***Councillor M Quinn left the meeting at 7.26 pm returning at 7.27 pm***

The Chair, Councillor Mallaghan thanked Mr McKinley for the presentation and drew on the comments of working in partnership stating that this had been the case especially in recent months in endeavouring to progress the Cookstown bypass and conversations in relation to the proposed Dungannon bypass. He also expressed appreciation for the increased communications between section engineers and local Members with regard to works in the area stating that it was key in progressing community awareness of forthcoming projects.

The Chair, Councillor Mallaghan invited Members questions.

Councillor Cuthbertson expressed appreciation for the report and recent investment in Dungannon and looked forward to the completion of Killyman Road. He stated that whilst he understood the priorities of 'A' class roads many housing estates had not seen investment in maybe 25 years and suggested that perhaps if one or two could be looked at each year it might help to tackle the backlog.

Councillor Colvin concurred that the relationship with DfI Roads had been good and asked if a bypass for Moneymore was on the radar as with Magherafelt in place, Cookstown in planning all traffic would grind to a halt in Moneymore.

Councillor Kerr thanked Mr McKinley for the report and drew attention to *Report Page 30* and welcomed the planned works for Coalisland Road scheduled for 2021 stating that every elected representative has been bombarded with calls due to the high volume of traffic. He sought clarification regarding the time scale of the works and requested that elected representatives were made aware in good time.

Mr McKinley in relation to housing estates advised they were fully aware of the situation but unfortunately with limited budget they don't rate as priority. He stated that they did endeavour to do a few each year but it was difficult. Mr Hackett advised that there had been some work in estates in Fivemiletown, Ballygawley and Coalisland and whilst it would have been desirable to have improved more the target in the current year was improving rural roads.

In response to queries regarding the Coalisland Road Mr Hackett stated he could give the commitment that it would be completed before the end of the financial year.

Councillor Monteith requested that Dungannon DEA Members also be notified in relation to works on Coalisland Road and suggested if possible if works adjacent to Edendork Primary School could be undertaken at the same time and indicated although it may not be possible it would be the preferred option.

Councillor Monteith raised drew attention to *Report page 61 parking enforcement*: the rationale for one hour stay had been to ensure steady turnover of traffic however due to current situation town centres have experienced a catastrophic drop in footfall. He stated that leeway on parking was required highlighting an instance where someone parked on a side street had received a parking fine. He emphasised that town traders are 'on their knees' and stated that enforcing parking at this stage was not practicable for trading.

Councillor Monteith further highlighted *Report page 63 new housing estate footpaths*: he congratulated DfI Roads on the introduction of wider footpaths at new housing estates and stated that assuming it was the new policy it would be the norm moving forward. He also referred to the issue of un-adopted footpaths and roads in housing estates, some ongoing 3 months, 10 years, 20 years and beyond stating that the term un-adopted was no recompense for residents and examples such as Mullaghconnor, Killymaddy Hill and asked if Council and DfI could work to resolve as people were paying rates and it was not unreasonable to expect street lighting and footpaths to be repaired.

Councillor Monteith concluded stating that whilst there was improved working relationship between Council and DfI Roads this was not evident in dealing with issues with the public realm scheme in Dungannon. He stated that the footpaths and roads were in urgent repair and the situation was unacceptable and whilst he would not apportion blame both Council and DfI Roads needed to come together to resolve the issues. Councillor Monteith suggested that a meeting be organised to endeavour to resolve issues as Traders are 'getting it in the ear' about the issues.

Councillor Doris welcomed forthcoming works on Coalisland Road and thanked DfI Roads for input into the public realm scheme in Coalisland stating that the scheme had introduced big differences for people with disabilities and the local community had bought into it. In relation to un-adopted estates she highlighted Newtownkelly and Sandy Row continued to be a problem. Councillor Doris thanked Councillor O'Neill for bringing the motion to council in relation to the 20mph speed limit outside primary schools and stated whilst DfI Roads had a recent introduction of same, many schools were not included highlighting Coalisland Primary School, which Sinn Féin had lobbied for a 20mph speed limit. The Councillor asked if DfI had any plans to introduce this in more areas especially on rural roads where national speed limits apply.

Councillor Gildernew drew attention to the road way to Eglisli filling station and stated whilst DfI Roads did not deem it high priority it was an accident waiting to happen as HGV lorries used the route regularly and children were walking on a sloped edge to access shops. Councillor Gildernew sought clarity on a date for works to improve footpath access.

In response to aforementioned questions Mr McKinley advised that Moneymore sits on the A29 route and he could not say where it was placed in the Regional Strategic Transportation Network plan but said in comparison a bypass around for example Newry would receive greater priority.

Mr McKinley advised that parking enforcement had also been raised in meetings with Derry City & Strabane District Council and he would put the comments to headquarters but said that the fear would be on where you draw the line on such matters.

In relation to concerns with regard to repair of the public realm scheme in Dungannon, Mr McKinley concurred that a meeting would be required to resolve issues.

**Resolved** A meeting to be progressed between Council and DfI Roads to progress the repair of footpaths and roadways at Dungannon Public Realm Scheme

Mr McKinley referred to Councillor Gildernew's queries regarding footpath requirements at Eglishe filling station and stated it had priority but due to required land acquisition and associated costs progress was delayed, he stressed that DfI Roads would like to deliver and if funding permitted would do so.

Councillor M Quinn drew attention to *Report page 46 realignment of Mountjoy Road*, he commented that it was talked about year on year but asked was there any plans for actual delivery.

Councillor Milne spoke of drains being cleaned but then not looked at for maybe another year which was causing flooding issues.

Councillor Burton thanked Mr McKinley for the report and welcomed the whole initiative around 20mph safer routes programme particularly in Aughnacloy and also welcomed the CCTV work in the park and ride at Ballygawley. Councillor Burton highlighted lack of resurfacing at Granville and also in relation to un-adopted streets highlighted that a 90 year old residing in Woodview Terrace was unable to leave the house due to flooding and advised that the houses were between 50-70 years old and the street had never been adopted. In relation to the request for the pathway at Eglishe Councillor Burton highlighted that the Council had met with DfI Roads and referred to earlier conversations about partnership working, she stressed there was concern in the local area on the dangers and stated that something needed to be done before someone was killed stating it was especially in instances when two lorries meet on the road.

Councillor Molloy referred to un-adopted roads in housing developments some up to 25 years old and also the ongoing problems of utilities digging up the roads. He stated that many required attention in particular the Ballynakelly Road to Tamnamore roundabout. He said there were a number of dangerous corners and there had been accidents and the road required urgent attention.

Councillor Kearney acknowledged works at St Mary's Primary School and St Comgalls and welcomed the extended footpaths stating that the schools had benefitted from the successful project.

Councillor Cuddy highlighted the A29 detailed on the regional plan and stated that Council had met with the department over a year ago with regard to bypasses and most were not even on the radar. He stated that the A29 links Mid Ulster and thus it needs to be a priority he advised he was disillusioned as regionally Dungannon did not even appear to be on the radar.

Mr McKinley responded to the matter of Mountjoy Road stating whilst he would like to give an assurance required works would be completed in the current year sometimes things can happen that intended works are not completed as resources have to be applied elsewhere.

With regard to drains and gullies being cleaned out Mr McKinley stated there was a backlog and DfI were trying to work their way through them. Mr Bratton advised that resources only allowed for one clean per year and whilst it was not sufficient if there was particularly bad ones they would endeavour to organise a responsive clean and emphasised if something wasn't working to make DfI Roads aware.

In relation to un-adopted streets Mr McKinley offered the opportunity of training in relation to private street adoptions. He advised that adopting goes back to funding and that whilst everyone is aware of the need it is difficult but that they would endeavour to fund a few per annum.

**Resolved** That Council afford of the opportunity regarding Training on Private Street Adoptions by DfI Roads for Members

In response to comments in relation to bypasses, in particular Dungannon and Cookstown Mr McKinley advised that at present the focus was on getting Dungannon named on the route and Cookstown to contract stage at which time delivery is assured. He stressed the priority was Cookstown then Dungannon.

The Chair, Councillor Mallaghan thanked the DfI Roads officials for their honesty and whilst it sometimes wasn't what Council wanted to hear it was the fact. He also expressed thanks for the recent DEA meetings which had proved particularly useful.

*Representatives from DfI Roads left the meeting at 8.05pm*

## **C194/20 Chair's Business**

The Chair, Councillor Mallaghan reflected on the new restrictions with regard to COVID 19 and expressed hope that they would work and improvements would soon be seen. He spoke of the difficult time traders were facing and how support mechanisms in place would keep some ticking over whilst other businesses may not survive. The Chair, spoke of the cases and deaths closer to home and encouraged Members to rise to the challenge again of doing their bit to support the community. He acknowledged the infection was in the organisation and expressed best wishes for a speedy recovery to all. The Chair highlighted the importance of providing

people where possible the opportunity to work from home. He said that people must go back to basics in ‘hands, face and space’ and concluded in thanking those Members who had connected virtually stating that at this time Members must show leadership.

The Chair, Councillor Mallaghan commended Mr JJ Tohill, Director of Finance who after ten years hard work and determination had been successful in the courts with the VAT claim.

The Chair, Councillor Mallaghan expressed disappointment that the official opening of Dark Skies had to be postponed due to the current restrictions and stated that it was his hope they could progress the event in the soon, as there was a demand for people to view the project.

Councillor Oneill referred to the health and safety of users of Clonoe Community Centre due to the lack of a footpath to the centre. He requested that an urgent meeting be organised with Centre and all the elected representatives on much needed footpath outside.

Proposed by Councillor Oneill  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council that an urgent meeting be organised with Council representatives, Roads Service, Planners, Clonoe Community Centre and all the elected representatives on much needed footpath outside Clonoe Community Centre.

Councillor Kerr spoke of the recent death of Johnny Curran whose funeral had taken place earlier in the day. He reflected on his talent as a goalkeeper for both club and county and his proudest moment in 2010 winning an all-Ireland medal, followed by a senior title in 2012. He further spoke of his talent in soccer where he had also played with Coalisland Athletic and Dungannon Swifts. Councillor Kerr highlighted how the hard working young man had both set up and run a flourishing barbers business in Dungannon where he had been popular with all. He sent sincerest sympathies to Johnny’s partner Clodagh and his two young sons. Councillor Kerr thanked the Chair for permitting him to express condolences.

The Chair, Councillor Mallaghan concurred with the sympathies expressed.

Councillor Doris stated there were no words to express the heartbreak of the family and the community of Coalisland. She also expressed sympathy to the family of Noreen Hagan who had died in a house fire and highlighted that it is so difficult in current times when those that grieved could not be hugged. Councillor Doris concluded that tomorrow is never promised.

Councillor Quinn echoed Councillor Kerr’s comments and stated that he had gone to school with Johnny and spoke of the pain in the local community. He also expressed condolences to the family of Noreen who had died as a result of a house fire in Derrytresk.

Councillor Monteith concurred with Councillor Kerr's comments and spoke of the tremendous human being Johnny had been how he had established a successful business showcasing that town centre businesses do work. He said the town traders were heartbroken and that Johnny was a magnificent example of what hard work could achieve. He sent his condolences to Johnny's partner Clodagh and his sons.

### **Matters for Decision**

#### **C195/20      Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 24 September 2020**

Proposed by Councillor Black  
Seconded by Councillor Quinn and

**Resolved**      That minute be amended at page 12 to record "*Cllr M Graham and Cllr K Black returned to the meeting*"

Councillor Kerr drew attention to *C175/20 Receive and consider minutes of matters transacted in "Open Business" Environment Committee Minutes of Meeting held on Tuesday 8 September 2020* and stated that at the September meeting of Council he had requested the policy in relation to bus shelter maintenance but to date had not received an update.

In response the Chair, Councillor Mallaghan said the policy would be forwarded within one week.

Councillor Monteith drew attention to *C171/20 Deputation – Northern Ireland Housing Executive NIHE* and stated that it was one month on from the deputation and to date Members had not received a response to questions raised which is not only disappointing but highlights that the procedure is a token gesture.

In response the Chair, Councillor Mallaghan stated that Council would write to NIHE expressing concern and seeking feedback.

**Resolved**      That Council to write to NIHE expressing concern regarding the time line of receiving responses to issues raised at and following the Council meeting dated 24 September 2020

Proposed by Councillor Monteith  
Seconded by Councillor Quinn and

**Resolved**      That the Minutes of the Council held on Thursday 24 September 2020 (C168/20 – C181/20 and C190/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C196/20      Receive and Consider Minutes of matters transacted in Open Business” at the Development Committee (Special) held on Thursday 1 October 2020**

Proposed by Councillor Doris  
Seconded by Councillor Milne and

**Resolved**      *Amendment to minute: D143/10 Lough Neagh Partnership School Land’s Project Located in Derrylaughan page 3, fourth paragraph to read “within the local community with those legally extracting....”*

Councillor S McPeake drew attention to item *D144/20 North West Mountain Rescue* and advised that he had been contacted by the Mid Ulster Community Rescue Service who are based in Portglenone and would like to be included in any future discussions regarding a base for services.

Proposed by Councillor S McPeake  
Seconded by Councillor Milne and

**Resolved**      That Council include Community Rescue Services based in Portglenone in conversations regarding a base for services.

Proposed by Councillor Kerr  
Seconded by Councillor Corry and

**Resolved**      That the Minutes of the Development Committee (Special) held on Thursday 1 October 2020 (D139/20 – D146/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C197/20      Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 6 October 2020**

Councillor Kerr drew attention to P091/20 Chair’s Business and expressed acute disappointment of the demolition of the O’Rahilly House in Dublin and proposed that Council write to Dublin City Council to express its disappointment and support the call for its reconstruction. Councillor Monteith concurred stating it was a disgrace and that council should support it given the local links to O’Rahilly.

Proposed by Councillor Kerr  
Seconded by Councillor Monteith and

**Resolved**      That Council write to Dublin City Council and express its disappointment at the demolition of The O’Rahilly House and support the call for its reconstruction

In response to Councillor Cuthbertson’s query regarding the forthcoming planning committee the Chair, Councillor Mallaghan advised Members would receive a briefing.



Proposed by Councillor Cuthbertson  
Seconded by Councillor Quinn and

**Resolved** That the Minutes of Planning Committee held on Tuesday 6 October 2020 (P089/20 – P093/20 and P098/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C198/20 Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 8 October 2020**

Proposed by Councillor Gildernew  
Seconded by Councillor Molloy and

**Resolved** That the minutes of Policy and Resources Committee held on Thursday 8 October 2020 (PR149/20 – PR162/20 and PR176/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C199/20 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 13 October 2020**

Councillor Graham drew attention to *E211/20 Dual Language Signage Requests* and to the question she had posed at the meeting that is, “*Council is tasked with the responsibility to erect dual language signs or second nameplates, adjacent to the nameplate in English*”. *The Councillor asked why this is not done and stated that she felt if it was done there would be less vandalism of signage.* Councillor Graham reflected that Councillor McNamee had said the signs were in line with policy but the policy stated ‘adjacent to.’ Councillor Graham stated that if the Council wanted to show respect to everyone it could start with this issue. In conclusion, Councillor Graham referred to a letter submitted which the committee had then been advised by a Member it had been submitted in error by another Member. Councillor Graham asked how a letter could be sent in and signed in such a manner and stated it was an abuse of the policy and proposed that the policy be reviewed and stated that building control should check the validity of requests before money is wasted.

Councillor McNamee stated that Councillor Graham may not be familiar with the signs which had been agreed by Council and the procedure associated with same.

Councillor McNamee proposed to continue with the policy as it stands.

Councillor Kerr stated he was the Member who had submitted the letter of request as he was aware he was permitted to do so on the behalf of a constituent and concluded saying he had provided an administrative service to the constituent.

Councillor Glasgow stated he had asked the same question and said 19 letters had been sent out and not even the resident who had submitted the request had replied

back and then at committee another Member had advised that the dual language sign was already in place.

Councillor Glasgow seconded Councillor Graham's proposal.

Councillor Colvin reflected on the comment that '*Councillor Graham was not aware of the policy*' and stated that she was fully aware and like himself understood the word adjacent to mean "beside" and this was not the case with these signs.

Councillor McLean stated that Sinn Féin was using the policy as a coat trailing exercise and stated "*as a dog pees to mark out its territory so the policy was being used by Sinn Féin to mark out their area.*" He stated there appeared to be skulduggery and concurred with the vice chair.

The Chair, Councillor Mallaghan stated that whilst he held the position of Chair all would have an opportunity to speak but the comments of the previous speaker was a continuation of the disrespect shown to nationalist people and stated he would give the Councillor the opportunity to withdraw the comments.

Councillor McLean stated he had not said that Sinn Féin were dogs but had drew a comparison on the behaviour. He stated as a Council parties functioned well together but there was a lack of respect in this area. He said Sinn Féin were taking the moral high ground but in his opinion they had failed as they had the opportunity to show the unionist people respect but didn't.

Councillor Monteith stated as a point of clarity it had been said there was no damage to signs in the legacy council of Dungannon but this was not the case, although not much, there was some on Irish and Ulster Scots signs. He stated there was a section of the community who abhor the Irish culture and language and some people could not see passed their hatred of the language. Councillor Monteith stated that the policy had been revisited, it was a service provided by Council and Members should work their way through the situation and '*not throw the baby out the bathwater*'. He further said that Council should promote the service as it promotes grants and stated there was much grandstanding taking place but he would support the proposal to maintain the policy.

Councillor Quinn expressed despair that this issue was being debated again because a unionist councillor had received press coverage they were all jumping on the bandwagon. He said the Irish language is no threat to anyone and reflected that Members had sat through workshops and tweaked what had become a popular policy and certainly the signs erected in Torrent was not nationalists marking out territory. He concluded the situation was sad and that the SDLP supported the continuation of the policy highlighting that people wanted it and on occasions when they didn't they had the opportunity to say so.

Councillor Cuthbertson stated he did not think the policy had been reviewed as it was only the font that changed and claimed it was being used to mark out territory. He said that a Roman Catholic lady had rang him and said she was too frightened to say that she didn't want an Irish language sign on the Ballygawley Road. Councillor Cuthbertson stated that the policy needed to be reviewed, he stated there is no

budget as costs were split between departments and even upon request Members had never been provided with accurate figures.

Councillor Cuddy reflected on previous remarks and stated he had nothing against the Irish Language and had never said no to including it on street signs but that English is the main language spoken in the district and did people really think that Irish would be spoken all the time. He continued that a balance needs to be struck and that although in the legacy council of Dungannon some signs had been damaged the majority were not he was emphatic that Members needed to get together and make a way forward. Councillor Cuddy stated that no one was saying they hated Irish as it was seen some had a passion for the language but in the same token many had a passion for English that is spoken daily. Councillor Cuddy stated that Members needed to see sense and reach agreement and stated that at present territory was being marked and reflected that many people in Castlecaulfield hadn't wanted an Irish language sign and this system was not demonstrating equality.

The Chair, Councillor Mallaghan stated he would permit Councillor McLean and Graham to speak again.

Councillor McLean stated that for clarity he was not grandstanding as he was too old for that carry on and that he wished to put on record he did not agree with signage being damaged and condemned same.

Councillor Graham said if she was wrong about the facts of damage to signs in Dungannon she apologised but asked that the Councillor withdraw their statement that she was motivated by hate.

Councillor Monteith clarified that he had not said any Councillor was motivated by hate but those who attack the signs were motivated by hate.

The Chair, Councillor Mallaghan called for a vote on the undernoted proposal.

Proposed by Councillor Graham  
Seconded by Councillor Glasgow

That Council review the Dual Language Signage Policy

For	14
Against	23

The Chair, Councillor Mallaghan declared that the proposal had fallen.

Proposed by Councillor Milne  
Seconded by Councillor McNamee and

**Resolved** That the Minutes of Environment Committee held on Tuesday 13 October 2020 (E192/20 – E216/20 and E231/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C200/20      Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 15 October 2020**

Councillor Cuthbertson drew attention to *D152/10 Decade of Anniversaries – Commemorations 2021/22* and sought clarity as to why the community input had not been included in the report presented to Members. He also asked who made the decision on the information which was presented and asked why suggestions from the community had not been brought to the committee for consideration.

Councillor Cuthbertson drew attention to *D156/20 Tamnamore Close Play Park Lease Agreement* and stated this had been overdue he referred to a conversation he had with the Head of Parks regarding an area of ground behind the bus shelter which could have made provision for car-parking at the play area and stated that given the length of time it takes to process leases it would have been better to have incorporated the piece of ground in the initial lease.

Proposed by Councillor Kerr  
Seconded by Councillor Molloy and

**Resolved**      That the Minutes of Development Committee held on Thursday 15 Development 2020 (D147/20/20 – D161/20 and D167/20) transacted in Open Business having been printed and circulated, were considered and adopted.

**C20120      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.

**Conferences**

Conference	Date	Location	Cost	Attendance Request
<b>Agenda NI:</b> NI Economic Conference	<i>Thursday 3 December 2020</i>	On line	£95 + VAT	

Proposed by Councillor B McGuigan  
Seconded by Councillor Corry and

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

## **C202/20      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 M Quinn welcomed the recognition for both Bardic Theatre and Kim Gildernew but stated that he felt Sean O'Neill (Craic Theatre), Jamie Lee Meneely (Bardic Theatre), Roisin Corr and Craic Theatre be upgraded to Civic Reception status also as they represented the country in the awards being nominated to the top three of the All Ireland competition.

The Head of Democratic Services stated that the aforementioned had been categorised to receive a letter but could be upgraded to civic reception status if the Council wished to do so.

Proposed by Councillor Quinn  
Seconded by Councillor Kearney and

**Resolved**      That Sean O'Neill (Craic Theatre), Jamie Lee Meneely (Bardic Theatre), Roisin Corr and Craic Theatre be upgraded to Civic Reception status

Proposed by Councillor Kerr  
Seconded by Councillor Cuddy and

**Resolved**      That approval be given to 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.

## **Matters for Information**

### **C203/20      Correspondence**

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

Councillor Colvin drew attention to letter from Newry, Mourne and Down District Council in relation to dog fouling which seemed to be an insurmountable issue and requested that officers act on this.

### *Declaration of Interest*

*Councillors Monteith and S McGuigan declared an interest in the undernoted consultations as representatives of School Board of Governors.*

### **C204/20      Consultations Notified to Mid Ulster District Council**

Members considered the previously circulated report.

Councillor Monteith drew attention to Department of Education - Consultation on Special Educational Needs (SEN) Code of Practice; and Department of Education - Consultation on Special Educational Needs (SEN) Regulations and stated that in the current year there had been insufficient places and made reference to the length of time it takes to progress a statement and the fact that schools were only permitted to put forward a certain amount of children to be statemented. He requested that Council make a response to the consultation.

Councillor S McGuigan concurred stating it was vital that the corporate body made a strong response which should come to committee or party leaders to finalise.

Councillor S McGuigan drew attention to Department of Health Consultation on Cross-Departmental Covid-19 Vulnerable Children and Young People's Plan and requested that Council make a response.

Proposed by Councillor Monteith  
Seconded by Councillor S McGuigan and

**Resolved** That Council make a response to undernoted consultations:

- (i) Department of Health Consultation on Cross-Departmental Covid-19 Vulnerable Children and Young People's Plan *(as the closing date is 13 November Delegated Authority to be granted to Development Committee)*
- (ii) Department of Education - Consultation on Special Educational Needs (SEN) Code of Practice;
- (iii) Department of Education - Consultation on Special Educational Needs (SEN) Regulations

## **C205/20 COVID and Service Delivery**

Members noted the COVID and Service Delivery report.

Councillor Monteith commended officers on the good communication issued in relation to COVID and service delivery. Councillor Monteith spoke of a news article on the evening news in relation to care workers and the level of absenteeism due to the virus and whilst there was help in the first wave of the virus this was not forthcoming now. He drew attention to the fact that Translink had withdrew some services which were not linked to schools but had been used regularly by care workers who were travelling maybe 10-12 miles to work thus making a taxi too expensive. Councillor Monteith requested that Council contact Translink as soon as possible to express concern.

Councillor Monteith highlighted the work of staff with town centre traders and stated that many traders were beyond crisis point which was echoed by Derry City and Strabane District Council Town Centre Manager calling for a total close down on the evening news as footfall was diminished in the town. Councillor Monteith stated that whilst Council did not have all the answers the support to traders should continue and their issues fed through to decision makers regarding financial help.

Councillor Cuthbertson advised that he had been speaking to a trader in recent days who had said the town was 'dead' with no one in the shops. He stated when hospitality trade close with no financial help many of the businesses may not survive.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That

- (i) make contact with Translink with regard to withdrawal of bus services following recent COVID restrictions which has resulted in key workers for example those employed in care homes unable to access use public transport to travel to and from work;
- (ii) Staff continue to endeavour to support traders through current difficulties.

**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 9.00 pm*

Proposed by Councillor Molloy  
Seconded by Councillor B McGuigan and

**Resolved** That items C206/20 – C216/20 be taken as confidential business.

#### **Matters for Decision**

- (i) Council Confidential minutes of meeting held on 24 September 2020
- (ii) Planning Committee Confidential minutes of meeting held on 6 October 2020
- (iii) Policy and Resources Committee Confidential minutes of meeting held on 8 October 2020
- (iv) Environment Committee Confidential minutes of meeting held on 13 October 2020
- (v) Development Committee Confidential minutes of meeting held on 15 October 2020
- (vi) Confirmation of Banking Services Mandate
- (vii) Document for Sealing: Village Extension Programme - Roundlake, Fivemiletown, - Bell Contracts & Co Ltd
- (viii) Document for Sealing: Village Extension Programme - Maghera Leisure Centre - E Quinn Civils
- (ix) Document for Sealing: Rural Development Programme - Davagh, Washingbay & Portglenone - E Quinn Civils

Matters for Information

- (x) COVID Regulations - Regulatory Controls

**C217/20 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 9.25pm

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

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



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

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

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

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

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

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



**Minutes of Meeting of the Development Committee of Mid Ulster District Council  
held on Thursday 29 October 2020 in the Council Offices, Circular Road,  
Dungannon and by Virtual Means**

**Members Present**

Councillor Black

Councillors Ashton\*, Burton\*, Corry\*, Elattar\*, Kerr\*,  
Hughes\*, Kearney\*, McNamee\* Milne\* Molloy, Monteith\*

**Officers in  
Attendance**

Mr Adrian McCreesh, Director of Business & Communities\*\*  
Ms Campbell, Director of Leisure & Outdoor Recreation  
Ms Linney, Head of Community Development\*\*  
Mr McKeown, ICT Support  
Ms Grogan, Democratic Services Officer

**Others in  
Attendance**

Councillor Mallaghan  
Councillor S McAleer\*\*\*  
Councillor S McGuigan\*\*\*

**Deputations**

Causeway and Mid-Ulster Women's Aid\*\*\*  
Mutual Bank Campaign\*\*\*  
All Ireland Health Campaign\*\*\*  
East Timorese Community Group

\* 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.

In the absence of the Chair, Councillor McNamee (attended virtually), the Deputy Chair, Councillor Black took the Chair.

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

**D168/20      Apologies**

None.

**D169/20      Declarations of Interest**

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

## **D170/20      Chair's Business**

The Chair advised that questions would be taken after each completed presentation.

## **D171/20      Causeway and Mid-Ulster Women's Aid**

The Chair welcomed to the committee Ms Sharon Burnett and Ms Maggie Bryson from Causeway & Mid Ulster Women's Aid and invited them to make their presentation.

Ms Burnett advised members that in 2015-16 7.4% of women stayed within their refuge for over 4 months and this has now risen to 24.9% in 2019-20. The increased duration of stay equals reduced ability to settle women and children in the community and to move new women and children in. In 2019-20 26.5% of all women refused access to refuge in Northern Ireland because the refuge was full relate specifically to Cookstown refuge. This has risen from 16.1% in 2015-16.

She updated the committee on the progress to date: Lease for 99 years from Mid Ulster District Council; Meeting with Minister for Communities to advocate for support based on Mid Ulster need; Investigation into Housing Association partnership. (Appendix 1).

The Chair thanked Ms Burnett for her impressive presentation and said that he was in no doubt that the corona virus pandemic had made this more challenging and aspirates the challenges which is faced unfortunately by the victims of domestic violence.

The Chair thanked Ms Burnett for her presentation and said that he had a few questions to ask.

The Chair noted comments regarding numbers rising from 7% in Women's Aid care over a 4 month period to 25% and asked if there was any particular reason for this significant increase and asked if she knew why there was a driving force behind this.

He also raised issues around Covid-19 and enquired what impact or if any were on the way services were being delivered and the impact on the people which were presenting to Women's Aid seeking help.

Ms Burnett in referring to the increase in time that women and children stay in refuge, stated that this was something that was happening all over Northern Ireland in the last number of years in every refuge, but the biggest issue was Mid Ulster as it had the most significant rise in the length of stay. She said that the main issue was the availability of accommodation as housing executive houses, housing association and private rental which were the hardest to acquire.

She stated that the impact of Covid-19 resulted in a decrease of referrals during lockdown but there was a significant spike 2 weeks before lockdown as every statutory agency and community association were making sure referrals were made as they were concerned about families they were in contact with and what may happen. She said that for 2 months Women's Aid was very quiet because women were feeling very isolated being at home with a perpetrator as these people had total control over their partners making sure any opportunities for the victim to get out and seek help was

gone. When the restrictions were lifted this resulted in a significant increase of women contacting the organisation seeking help.

Ms Burnett advised that women which were being supported were always looked after and supported through phone calls, additional home safety equipment and other additional responsibilities. The impact on victims during lockdown was very hard due to the fact they could not contact support workers or Women's Aid with many having to call the crisis incidents through the PSNI which was a very different experience for many victims. She stated that Women's Aid did not cold call as the group needed to be sure that women were safe to pick up the phone, but discovered more ingenious ways of making contact with vulnerable women in order to protect them.

The Chair thanked Ms Burnett for her impressive presentation and asked for any members comments.

Councillor Elattar thanked Ms Burnett for her very informative presentation. She enquired where the high number of women which were being turned away go to and asked if they were going into other accommodation, floating support or what was the situation. She also wished the organisation well in their new project and asked if the 24 new houses were for permanent accommodation for women or were they temporary like a stepping stone onto something else for people.

Ms Burnett advised that if a woman contacts Women's Aid and needs refuge and no space available, they are not turned away but the group would work with that person to access available accommodation throughout the region quickly as they had a system to allow this with the hope that the options available would be suitable for her. If the victim has been moved away from her local area and a space becomes available nearer her home, then she can be relocated back to her local area. If there is no available refuge accommodation, Women's Aid will liaise with the NIHE to try and source emergency accommodation which is always a difficult situation as housing is scarce, but had to say that the Housing Executive has been as great asset to work with over her last 20 years regarding homelessness and domestic violence. She advised that it was particularly hard for the Housing Executive to provide local housing as very little is available through the pandemic and it may be the situation of a person having to travel a lot of miles to B&B accommodation to seek safety.

Ms Burnett advised that the most difficult situation was when a mother came in with her children and may not be fortunate in securing local accommodation and as she does not want to move her children from their school and from their friends, she may decide to suffer the consequences and return back to the perpetrator due to the needs of her children.

She said that the new accommodation was meant to be a move on accommodation so there was a flow through, but the reality was that it takes a lot longer to get social housing and longer again for private rental due to the high cost associated with it.

Councillor Burton advised that as a PCSP member she received statistics for the Mid Ulster area on a regular basis and confirmed that the PCSP members were keeping a very close eye and for her especially as a woman and as a mother. She enquired if there was support there for mothers who find themselves in a volatile situation as she

had received statistics on women who had been murdered during the Covid pandemic which was a really scary position to be in for a lot of women and children especially being brought up in that situation. In the past the PSNI and Crime Prevention Officers provided safe rooms within the victim's homes and the PCSP wanted people to know that their doors were always open and to work together more than the current situation allows and wished Ms Burnett well in their new project.

Ms Burnett said that Women's Aid works closely with Crime Prevention Officers and is something the organisation always utilises and uses for referrals. She said that group have an inability to receive funds they always try and get a stock of home safety equipment which was more domestic violence specific i.e. door stops which sets off an alarm if the door is being kicked in, item hanging on door handle if falls to floor will set off an alarm, but agreed that they were fortunate to have a good working relationship with Crime Prevention Officers to make sure victims get what they need to feel secure and protected. She said that sometimes Crime Prevention Officers come into contact with some victims which haven't worked with Women's Aid before and may not want to get involved with the group, but work can be done through these Officers to liaise with the group so the appropriate support and measures are provided to the victim.

In referring to safety rooms, she said that this was known as the Sanctuary Scheme and this can still be something that can be done, but is not done on a very regular basis as it can be extremely high risk, but does happen on rare occasions. She said that they were currently working with the Department for Communities in supporting people on a whole review to see how they could spread out the Sanctuary Scheme as a means of making sure that victims of domestic violence can remain in her own home rather than leaving, although this was in the initial stages the Department is really committed, but there are issues which need to be addressed like accommodation being allocated outside Housing Executive remit etc. but anticipated that this would be something that would become available in the future.

Councillor Monteith thanked Ms Burnett for her presentation and welcome Ms Bryson to the meeting and to pay tribute to the hard work which was carried out by the group in the past. He said that the group's work was second to none and a complete asset to our community and had a strong working relationship with the Dungannon area. He also paid tribute to the group in their working during the Covid response in the area which was to their own personal cost and their working was a credit to the organisation and area.

He said that he had been involved in community work in Dungannon and working with young teenage girls through Youth Services with youth workers delivering projects like health relationships and help in alerting them to the early signs of cohesive relationships. He said that he was aware that this was not a uniform measure within schools and youth clubs in delivering such programmes and would encourage this Council to push this through so this can become mainstream and part of the school curriculum as this was education for life. He said that he would be interested to hear the thoughts of Ms Burnett and Ms Bryson as this was vital as people were in immediate crisis now but there was a need to work with young girls so they were aware of the early signs of such abuse.

Ms Burnett thanked Councillor Monteith for this kind words and said that she was very lucky to inherit such a good team but couldn't take the credit for Mid Ulster as this was down to the previous CEO and their staff who carried out this invaluable work. She said that Women's Aid had been delivering the Healthy Relationship Programme in schools with social guardian training being provided by teachers in Primary Schools which allowed children to identify emotions; unhappy, sad, afraid, anxiety and who they could talk to etc. and this had been rolled out across by the Department of Education and each primary school across Northern Ireland in the last 5 to 6 years with school staff being trained on the rolling out of the programme. She said that she would like to see this programme being rolled out in secondary schools on Healthy Relationships, in terms of what is a healthy relationship and where a person can go to for help but funding was an issue and not consistent as the funding may only allow for 6 months and just some particular schools within Mid Ulster and Causeway areas. She said that this would be a fantastic opportunity to educate secondary school pupils as it was an invaluable measure preparing them for future.

The Chair advised that Councillor Monteith had raised some very good points around the educational aspects of it and would agree that it was a very important piece of work going forward and enquired if Councillor Monteith wished to make this a proposal that Council Officers sit down and reach out to Women's Aid to see if there is anything to be done is trying to move the Healthy Relationship Programme forward.

Councillor Monteith said that he would be happy to make this a proposal as he agreed with it wholeheartedly.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council that officers liaise with Women's Aid to see if anything can be achieved in trying to progress the Healthy Relationship programme in schools.

Ms Bryson advised that before Ms Burnett took on her role as Chief Executive, the Healthy Relationship programme was delivered the last 5 years to 16 secondary schools in Mid Ulster area and before that it was delivered in the Cookstown area through the support of the PCSP and their support continues which Ms Burnett and Councillor Monteith may not be aware of this. She said that year on year the Council had provided funding to carry out the programme but unfortunately due to the pandemic it wasn't delivered this year even though funding was there and wanted to thank the Council for their continued support along with the land for the proposed new accommodation.

Councillor Monteith stated that it was important that the Healthy Relationship programme becomes a mainstream part of the educational curriculum as it was equally important as Maths and English in a child's education and should not be the case where there was funding there or not as these were skills for life and that the Education authority should be looking at making this part of the curriculum.

Councillor Molloy said that he was interested to hear comments around the issue of women being able to stay in their own home after an incident instead of relocating to another house due to domestic abuse and felt that this was something the Council could lobby the DoJ to make moves on this so it goes to legislation.

Ms Burnett advised that while there was a need for refuge accommodation, it is essentially the victim who leaves the house after a serious domestic violence incident and this is not something that Women's Aid wishes to see as they should be the ones which remain in their own home or return safely as soon as possible but this is the way the system is set up. She said if a PSNI Officer comes across a person which is at serious risk then it is up to that officer to make sure that woman is moved into refuge, but Women's Aid preferred option was to return the victim to her own home if was safe but this was not always the case. She said that Women's Aid would be fully supportive of returning women to their homes if this could be done safely and have the perpetrator removed but this is not always the case just because a woman reports domestic violence and ends the relationship, prolonged abuse can still occur, but it is still a string in the bow in response to the needs of victims and making sure that children are safe and settled within their own surroundings and would be more than willing to work with the Council to see if this could be investigated as this would be the preferred option.

The Chair enquired if there was anything that he wished for the Council to do now or could it form part of the conversation between Women's Aid and Officers and an action to follow on the back of that.

Councillor Molloy agreed that this could be something that could be brought forward as part of the discussion and some work done in forming some sort of a motion to be forwarded to the DoJ.

Councillor Black advised that it was a very useful discussion and thanked everyone for their input tonight. He said that it was encouraging to hear that the Council had supported the organisation and hoped that this continued going forward.

*The representatives of Women's Aid left the meeting at 7.40 pm.*

## **D172/20      Mutual Bank Campaign**

The Chair welcomed to the committee Dr Bridget Meehan from Mutual Bank Campaign and invited her to make her presentation.

Dr Meehan advised that a Mutual Regional Bank was:

- An alternative approach to banking as people know it
- Moves away from the privatised system that exists now
- Moves towards a democratised system that gives each of us a say in how our money can be used for our benefit and the benefit of our region

She said that the Campaign have: An Advisory Committee to take the bank through the licensing and development stages; Registered the Northern Mutual with the FCA;



Anticipated to have a business case completed by the end of the year – to present in January. (Appendix 2).

The Chair thanked Dr Meehan for her presentation and said that he had a few questions relating to the overhead slides.

He said that on the slide it showed that how the Mutual Bank would work in practice, on the first slide it showed how a conventional bank worked with a lot of investment going on outside the region, like property and shares which comes back to the customer who deposited money into their accounts and asked if this was part of the model in the Mutual Bank Campaign. He asked if this model allowed for a certain amount of interest to be earned for those who deposited their money within the Mutual Bank.

He also referred to businesses, micro-businesses and social enterprises within the area and asked if this was solely who the Mutual Bank would support or was it open to other organisations within the organisation or other types of business as well.

Dr Meehan stated that when High Street Bank invests and tries to make money and a return, this is not for the account holder but for shareholders as the banks were profit driven and profits not being shared amongst loyal customers but to shareholders and this was the core of what banks must do and answers to its shareholders. She said that the Mutual Bank model changes that because there are no shareholders anyone who wishes to open an account with their bank will become a member and can buy a share for £15 and if someone wishes to buy 100 shares then a return would be provided when it was worked out. She said although Mutual Bank was not profit driven it would still like to make money and would be recycled back into the region and would be shared with the members and would be making enough profit to pay the bills and keep the whole enterprise afloat. She advised that this was the motivation for the Mutual Bank which was completely different to the High Street banks motivation.

In referring to the Chair's query regarding businesses, micro-businesses and social enterprises, Dr Meehan advised that it was going to be like any bank at the minute and if any business wished to do business with it like lending, overdraft and get a current account and this can be achieved if they reside or belong to the region in some way. She said that there was a market for this type of banking as conventional banks were only interested in big companies and not interested in sole traders or small businesses or any other kind of small enterprise which are not being supported by the banking sector. She advised that the Mutual Bank was for everyone who wanted to bank with the group.

Councillor Kearney advised that the Mutual Bank Campaign was very similar to the workings of the Credit Union and was good to see this kind of bank opening and maybe going forwards may look into Post Office opportunities. He asked how the bank would be controlled, in terms of Directors and how accessible would it be to the people in need or haven't got broadband and not access to banks.

Dr Meehan stated that the board was going to be like a 2 tier system as people need to understand banking and have expertise, but the board would be elected by the members and can be volunteers similar to the Credit Union to have that scrutiny and

accountability. She said that the people with the banking experience were there to provide information to board members who were elected as those would be the people who make the decisions as this model had a lot of ethos of the Credit Unions, but it is a bank. She said that people would be getting everything that you would get from a bank but with a Credit Union ethos.

In referring to Councillor Kearney query regarding broadband issues and little access to banks, Dr Meehan agreed that some people do have little access to broadband and can see where there are more branches of banks closing and the closure of ATMs and it is hoped that the Mutual Bank would address these issues. She said that all these major banking authorities were profit driven and if they think they are going to lose money and make savings by closing branches then this is what they will do regardless of their customers' needs. She said that the group's business case model allowed for 17 branches and automated facilities that allows a person to do all their banking if they don't have broadband or online if they cannot speak to anyone and this was done through a virtual screen where you can contact a member of staff at another branch with any concerns or information which may be required.

She stated that technology seems to be the way forward and this saves time queuing in branches but if something goes wrong with the online facility then this would not be good enough and there was a need to speak to someone that can be trusted. High Street banks make decisions centrally and when a person joins the Mutual Bank it would be done locally and not a centralised services with people being made feel very welcome and felt that this was the system which was missing for a long time.

The Chair thanked Dr Meehan for her great presentation and said that it was very thought provoking and wished her well in the future.

*Dr Meehan left the meeting at 8.06 pm.*

## **D173/20      All Ireland Health Campaign**

The Chair welcomed to the committee Mr Conor Redding from All Ireland Health Campaign and invited him to make his presentation.

Mr Redding referred to the crisis of Covid and stated that the early stages of the pandemic saw hospitals across the island on verge of being overwhelmed and this was not just the result of an exceptional set of circumstances. Covid-19 was the perfect storm that highlighted long running deficiencies in healthcare systems with the HSE and NHS now operating in state of "permanent crisis" – shortages of beds, longer waiting times and understaffing. In the South, potential for crisis was so great that the state was forced to take control of private hospital capacity, with some private capacity now being used in the North too. Since then very little has been done to increase capacity in the long term sense. (Appendix 3).

The Chair thanked Mr Redding for his presentation and said that he had made some good points particularly around the NHS and how people were lucky here in Northern Ireland to benefit from that system and although it wasn't great there was a commitment from the Northern Ireland Executive to look at reform and with the Bengoa report being

brought forward. He said that in the past there was a deputation from the Northern Trust which showed some of the actions which were beginning to happen to move that process forward, but due to the pandemic things were put on hold but would be confident that there would be light at the end of the tunnel that will allow that process to come to fruition.

Councillor Monteith commended Mr Redding on his impressive presentation and agreed that people up here had a lot of emotional attachment to the NHS which was rightly so, but felt that it was a shadow of what it was envisaged to be due to underfunding and being run down over the years. He said that it would shock people if they knew the true extent of privatisation which actually existed within the NHS and the procurement of services, care services and social services and the outworking's of this was seen during the pandemic we were currently in. People can see the outworking through the lack of investment by which there was less capacity in ICU in March and April and felt that it was sensible for an all-Ireland approach and there was no reason why and Island of this size in Western Europe cannot properly fund an all-Ireland healthcare service which would be free at the point of delivery for all citizens because it does not exist in the 6 counties here and the other 26 counties, then this was the reality. He said that he became aware today of a gentleman having an emergency MRI for a trapped nerve, he's a lorry driver and had to stop work and was on the red flag referral for an appointment with the consultant, he rang the Consultant's secretary and was told it would be 4½ years before he could be seen by the Consultant. He stated that this was not an NHS that was functioning for the citizens of the area as the constituent had to go and pay to see the exact same Consultant and he can be seen within the next 3 weeks. Whilst the NHS can be seen as a great ideal, the reality on the ground for the ordinary people was that it wasn't envisaged to be what it was supposed to be and it was time for a new approach in bringing back free healthcare for all and would have no problem in proposing that Mid Ulster District Council fully support the campaign for a national health service for all the citizens in Ireland.

Councillor Kerr said that he fully supported Councillor Monteith's proposal and stated that he fully supported Mr Redding's campaign as the National Health Service was a fantastic aspiration and thought, but unfortunately there was a large degree of privatisation existing regarding healthcare. He referred to the documentary about the Dirty War in the NHS where there has been a campaign by the Tory Leaders and New Labour over the last 40 years to basically dismantle the NHS and make the NHS more reliant on privatisation. Within the documentary it outlined the first privatised hospital in England as being a disaster where managers were pressured by senior management into kicking patients out and when these managers raised concerns about the patients being too ill, they were told it didn't matter as long as more people were admitted for money. For the size of Ireland there should be adequate one Ireland healthcare system to deal with the pandemic successfully as there were overlaps on timescales etc. as this was the case regarding New Zealand who dealt with the pandemic very successfully.

Councillor Kerr said that Healthcare workers needed to be treated fairly and was disgraceful that the Tory government voted against a pay rise for these invaluable workers and no point going out to clap when they were not getting the recognition they truly deserve for putting themselves at risk during this pandemic to help others.

The Chair said that although the system in place here was not perfect, it was important that people don't lose sight of what we have and the benefit it gives to everybody that lives here.

He enquired if the NHS was something the people of the Republic of Ireland looked upon somewhat with a degree of jealousy on what we have here compared to what currently operates there. He enquired what the response was from the Republic of Ireland government to this initiative of an all-Ireland healthcare approach as a huge tranche of the funding would have to come to move this campaign forward.

Mr Redding said that he wished to thank Councillors Monteith and Kerr for putting their response forward.

Mr Redding said that there wasn't so much to say that people were jealous, but more admiration for the NHS and the principle of the NHS and stated that the points previously made by Councillors Monteith and Kerr stand and although the staff were amazing, unfortunately they cannot provide the quality of care the NHS would like to provide and the quality of care that the people deserve.

In referring to funding, he agreed that the Southern government should pay the majority of what would be required as the majority of the people live in the South. He felt that it should be also funded by progressive taxation as there was a lot wealth on this Island. He said that similar to the Bengoa report there was a process in the South called Slaintecare report which included a cross party committee which had a lot of plausible aims but since the publication it had been sitting on the shelf and no political will to bring forward what was recommended, but the ultimate would be a universal healthcare system. He said that he concurred with Councillor Kerr's comments regarding the pandemic and said that he was an Immunology PHD student himself and would say that without certainty that people should all be treated as one as this was a pandemic and not about politics, borders or identities and the virus didn't stop at the border and there was a need for cross border cooperation.

In response to the Chair query regarding engagement with the Republic of Ireland government, Mr Redding advised that there had been no formal engagement to date as this was a new campaign but they were trying to build support for the idea and when there was enough support for the idea then the government will have to acknowledge it. He said that several political parties in the South had already endorsed the campaign and two Council's in the North had backed the campaign and have supported what they have asked for. He stated that the more support that was generated for the campaign, the more the Southern government would have to address it but would anticipate that they wouldn't like the idea as it would require greater investment. He said that in the South people have to pay a lot for their healthcare which was an ineffective system because of the 2 tier nature and would be confident that it would be hugely popular with the people but not with the government yet.

Councillor Molloy thanked Mr Redding for his presentation and agreed that it doesn't make any sense to have a divided system in health, tourism and energy and that a joined approach would work a lot better. He referred to Regional Centres of Excellence in relation to heart specialism in Dublin and asked for his thoughts on that and whether

there should be a Regional Centre of Excellence for Cancer care and various other treatments.

Mr Redding said that the Regional Centre of Excellence was just a good example of that but unfortunately the way that they were being configured at the minute it means that people have to travel huge distances to access the best of care but this doesn't mean that this shouldn't substitute for the best localised healthcare. He said that some hospitals in the South were losing some of their services like A&E etc. and felt that this was unnecessary as there was a need for local health care also.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

That it be recommended to the Council to support the campaign for an All-Ireland National Healthcare Service.

Councillor Ashton asked that the paper be circulated to members in advance of the next meeting so members have a chance to look at it with a decision being brought forward to the next committee meeting.

Councillor Monteith stated that he had no issue with Councillor Ashton's request as long as it was agreed in principle.

**Resolved** That it be recommended to Council to agree in principle to support the campaign for an All-Ireland National Healthcare Service. The matter to be brought to the next Development Committee meeting for decision once members had an opportunity to read the report.

*The Chair thanked Mr Redding for this presentation and he left the meeting at 8.36 pm.*

## **D174/20 East Timorese Community Group**

The Chair welcomed to the committee Mr Felix De Jesus from East Timorese Community Group and invited him to make his presentation.

Mr De Jesus advised that TAIS was officially launched on 21<sup>st</sup> September 2019. It was a non-profit community association with charity ethos which covers electoral wards of Mid Ulster, Armagh and Belfast. The organisation promotes identity, advocacy, diversity and inclusion. (Appendix 4).

He said that TAIS NI offers:

- Information
- Signposting
- Education
- Research
- Social Events
- Fundraising
- Bilingual Service
- Networking

The Chair thanked Mr De Jesus for his presentation and stated that it was evident the good work which was being carried out with other communities which was good to see.

Councillor Molloy advised that the East Timorese Community had provided a great addition to the workforce in the area and would commend their involvement in cultural events within the community like St. Patrick Day and the Hill of The O'Neill festivities. He wanted Mr De Jesus to know that the East Timorese Community were very much appreciated in the community and thanked them for that. Regarding the work the group do and Mr De Jesus pulling the community together in a cohesive unit can only be a good thing and get themselves into a unit which can engage with Council and other bodies and this has been fully appreciated.

Proposed by Councillor Molloy

That the request be brought back to the Development Committee for decision but in the meantime Officers with the group on what help and assistance can be provided through possibly the Good Relations programme or any other programme to provide support and said that it would be useful for a group meeting to be set up to progress this.

The Chair concurred with Councillor Molloy and said that it would be useful for Officers to sit down with the group to see what avenues can be explored and what assistance that can be given by Council and support them in their endeavours.

Seconded by Councillor Monteith

To support Councillor Molloy's proposal.

**Resolved** That it be recommended to Council that this be brought back to the next Development Committee and that Council Officers liaise with the group on possible funding opportunities which may be available to progress this matter.

Councillor Monteith said that he would be happy to second Councillor Molloy's proposal as the East Timorese were very forthcoming in becoming involved with many initiatives in Dungannon town like St. Patrick's Day events and also within his own club, Thomas Clarke's GAA where children have played and now some of their own children are involved with the club and when Thomas Clarke's won the championship, there was nobody more pleased than the East Timorese community and the club was very proud of that.

He said that he wished to make another proposal in relation to concerns around consular rights and passports etc. but there were also major issues around housing and the conditions associated with that not just for East Timorese people but for other nationalities also which a lot of Irish people wouldn't live in. He proposed to set up a workshop for whichever Councillors wish to attend with Mr De Jesus and his team on issues around housing, workers rights or any other concerns that this may arise. He said that meetings could be done virtually or by writing letters and campaigning on their behalf as a Council as the physical aspect of things may have to wait. He said that this would be very important due to some conditions these people are living through and up

to Council to protect our citizens as no Irish people would live in the conditions that they were expected to live in.

The Chair advised that he was aware of the first proposal and asked if Councillor Monteith proposal could be incorporated into Councillor Molloy's proposal and if the two members would be in agreement with that.

Councillor Monteith said that he would have no issues with that as long as Council Officers liaise with Mr De Jesus and his team beforehand as it was important that these issues were addressed.

The Chair advised that the proposal was being amended so that emphasis be placed on Officers to liaise with Mr De Jesus and his team on issues of concern as a matter of urgency.

### **Amended Proposal**

**Resolved** That it be recommended to Council that this be brought back to the next Development Committee and that Council Officers liaise with the group on possible funding opportunities which may be available to progress this matter. Officers reach out to Mr De Jesus and his team on other areas of concerns they may have as a matter of urgency.

Councillor Kerr thanked Mr De Jesus for this presentation and said that he was looking forward to working with his organisation on behalf of the Council to enhance the Mid Ulster area.

Councillor Ashton enquired if there were any recent visits by the Consulate as in previous years and asked if this was something that the East Timorese Community reached out to due to Brexit coming up as there was some concerns from communities and asked if this could also be pursued in the coming months.

Mr De Jesus advised that there had been communication with the Consulate due to concerns around passports and settlement status within his community as passports were out of date. He stated that that his colleagues had raised this and with the help of Michelle Gildernew MP there was a team sent over last December for 3 consecutive days to try and address the matter, these people were due to come back in March but this didn't materialise due to the Corona virus pandemic. He said that people within his community were sitting with passports which were out of date and were really concerned about their future as was the case for some other nationalities like the Portuguese who were also sitting without status and concerned about non-renewal of passports.

He said that it was important to speak on behalf of these people and try and help these families with their immigration status.

The Chair advised Mr De Jesus that the Council would help in any way they could to try and help his community.

Mr De Jesus said that his community would be more than grateful for the Council's help on these important matters like dealing with the Consulate to make things happen quickly on behalf of those people.

The Chair advised that these matters of concern would be picked up by Officers and would be in contact to set up a meeting and was happy with what was proposed at tonight's meeting.

The chair thanked Mr De Jesus for this presentation and he left the meeting at 9.14 pm.

**D175/20      Duration of Meeting**

The meeting commenced at 7 pm and ended at 9.15 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



## Speaking Notes for Chairperson

**Meeting Type: Committee (PR-ENV-DEV)**

### From 6.45pm before meeting Commences

A good evening to members and officers joining us this evening. I am going to take a few minutes to run through some housekeeping to help with the running of tonight's meeting.

- You're reminded that the meeting is being transmitted as a live broadcast with the public and press watching and listening into our proceedings
- I want to keep how we do business broadly the same as how we have been transacting our meetings to date. To help with this can you please observe the following when we start the meeting:
  - At the start of the meeting, I will take a roll call of members in attendance to ensure that any member attending remotely is correctly marked present. Please ensure when your name is called you turn on your audio to confirm you are present and then put your audio back to mute
  - If you wish to speak, raise your hand in the room or on screen until observed by myself or an Officer. If you are on the screen, please ensure that your hand can be seen on your video feed and I'll let you know when I have seen you
  - Leave your audio on mute if you have joined us remotely, unless invited to speak and have your camera on. Remember to put it back onto mute when finished speaking
  - If you are having problems with a good quality internet connection, please turn your video off as this may assist
  - Only speak when invited to do so by the Chair
  - Should we have to take a vote whether you are in the room or have joined remotely I will ask each member to confirm whether they are for or against the proposal or abstaining. If you are joining remotely, please ensure that when your name is called you turn on your audio to indicate your voting preference and that you put your audio back to mute. Unless specifically called for in advance, this will not constitute a recorded vote.
  - When invited to speak please start by saying your name to help those who have joined the meeting remotely and those watching the Live Broadcast
- Lastly, when we move into Confidential Business, can I remind those who have joined the meeting remotely that it is your responsibility to ensure that no other person can hear or see any confidential matters being transacted

I will recap on these points at the start of the meeting but we will pause there and come back at 7pm

### Commencement of Meeting at 7pm

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 members in attendance.

#### Notes to the Chair to assist in running the meeting

- **The Agenda:** please read out the Agenda Item Number and the item itself to assist those who have joined remotely and the public listening

- **Members Speaking:** When calling upon Members and Officers to speak please introduce them by their name to assist those who have joined remotely and the public listening
- **Voting:** If there is a vote, declare the result to the meeting provided by the Senior Officer (i.e. the numbers for and numbers against) before moving to the next item. This is important for those listening remotely and the committee clerk for accuracy of the minute.
- **Moving to Confidential Business:** When we conclude Open Business and before a Proposer and Secunder is taken to go into Confidential Business, thank the public for listening and advise that the Live Broadcast will now end. It may take a few seconds for this to end so please wait until it is confirmed to you that the Live Broadcast has ended. We might have some in the Public Gallery at the back of the Chamber so also thank them for attending.



**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 November 2020 in Council Offices, Ballyronan Road, Magherafelt and by virtual means**

**Members Present**

Councillor S McPeake, Chair

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

**Officers in Attendance**

Dr Boomer, Planning Manager  
Mr Bowman\*\*, Head of Development Management  
Mr McCreesh\*\*, Director of Business & Communities  
Ms McAllister, Senior Planning Officer  
Ms McCullagh\*\*, Senior Planning Officer  
Ms McKearney\*\*, Senior Planning Officer  
Ms McNally, Council Solicitor  
Ms McNamee, ICT Support  
Ms Grogan, Democratic Services Officer

**Others in Attendance**

**Applicant Speakers**

LA09/2018/0847/F	Les Ross*
	Alan Hannigan
	Hayley Jordan
LA09/2019/0416/F	Gemma Jobling*
LA09/2019/1571/F	Martin Kearney – Architect*
LA09/2018/0176/F	Councillor N McAleer*
LA09/2019/0423/F	Martin Kearney – Architect*
LA09/2019/0423/F	Donal O’Cearnaigh*
	Councillor Milne*
LA09/2020/0446/F	Toirleach Gourley
	Bernard Donnelly
LA09/2020/0022/O	Aidan Coney*
	Councillor B McGuigan*
	Chris Cassidy*

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

\*\* Denotes Officers present by remote means

The meeting commenced at 7.00 pm

*The Chair, Councillor S McPeake welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. The Chair, in introducing the meeting detailed the operational arrangements for transacting the business of the*

*Committee in the Chamber and by virtual means, by referring to Annex A to this minute.*

The Chair also referred to addendum which had been circulated earlier in the day and asked if 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.

#### **P099/20      Apologies**

None.

#### **P100/20      Declarations of Interest**

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

The Chair, Councillor S McPeake declared an interest in agenda item 4.5 (LA09/2019/1571/F) – Dwelling and garage at site between 20 & 22 Lough Road & 50m S of 14 Lough Road, Ballymaguigan for Patrick McKenna

Councillor McKinney declared an interest in agenda item 5.7 (LA09/2020/0047/O) – Site for dwelling and garage approx. 60m W of 121A Desertmartin Road, Moneymore for Mr Henry and Mark Miller

Councillor Kearney declared an interest in agenda item 5.3 (LA09/2019/0423/F) – Retention of single storey domestic garage, storage and annex building, to be used in association with the existing dwelling house and an increase in the curtilage of the site at 63a Ballymacombs Road, Bellaghy for Donal O’Cearnaigh

#### **P101/20      Chair’s Business**

The Planning Manager advised that he had 3 matters to bring to members attention tonight.

He said that members may recall at last month’s meeting (6<sup>th</sup> October) there was a request brought forward for a change of house type on Ballyhagan Road, Maghera for Mr Kelly which had been agreed for approval. However, following the meeting it was brought to Planning’s attention that a late objection had been received by the Chief Executive at 22.20 pm and they raised that the neighbour notification period did not end until midnight on the 6<sup>th</sup> October. When checked it was confirmed this was the case and so it would have been unsound to allow this to be decided without considering the valid objection.

Therefore in light of this, the application will be returned to the December committee meeting fully taking into account the objector concerns, in order for a decision to be made.

The Planning Manager referred to the former Maghera High School site and stated that yesterday (2<sup>nd</sup> November) the Department decided that Council's Outline application for a mixed use Enterprise Centre/Business Units (planning ref LA09/2019/0024/O and accompanying full application for access roads, footpaths and associated site works (LA09/2019/0025/F), shall be referred for its determination. This is what is commonly referred to as "calling in" the applications and is provided for under Section 29 of the Planning (Northern Ireland) 2011. No reason has been stated although it is not unusual for a major application by a Council to be called in, indeed that is what the powers are there for.

He said that currently arrangements are being made for the application to be forwarded to the Department. It was likely that the Department having considered would either call a Public Inquiry to be held by the Planning Appeals Commission or issue a Notice of Opinion from which a public examination may be requested. In either event, the final decision would rest with the Minister.

The Planning Manager drew members attention to the addendum circulated relating to Environmental Statement to support a deforestation proposal at 7 Newline Road, Cookstown. He said that this project proposed to fell and partially replant the plantation at the existing site and would result in the conversion of productive ground from Forestry back into agricultural use and replanting of a small section of broadleaf woodland. The project was not found to be detrimental to the environment over a short or long term period and does not put vulnerable environmental features at risk with the mitigations as proposed. Due to this the proposal is thought to be less than significant and it was important to bring to the attention of members and local people as they need to be informed.

In response to members query regarding how long the process may take in relation to Maghera High School site, the Planning Manager advised that the Department were in the driving seat and the Council had no other option but to wait until they consider the proposal and the possibility of further information being requested, but would anticipate that this wouldn't be a quick process and may take up to a year or more to resolve the issue.

Councillor Mallaghan said that he wanted it on record to thank the Planning Manager and staff who took part in the public hearing in terms of the Doraville Wind Farm with the news coming through last week that the proposal was refused. He said that this was a good decision and goes to show that whenever the community and their local Council work together great things can be achieved, not unlike the Shackleton Resources issue that was dealt with last year as well. He was aware of the Planning Manager and his staff putting quite a number of hours into working on the project and wanted to show members appreciation.

The Chair stated that it was very appropriate of Councillor Mallaghan to raise this issue and concurred with his comments.

*Councillor Colvin declared an interest in Historic Monuments.*

Councillor Clarke also supported and concurred with what Councillor Mallaghan had said as there was a very strong feeling as far as he understood within the community

that the right decision was reached. He said that this was only reached with the a lot of work being carried out by the people that Councillor Mallaghan had mentioned and work from Fermanagh & Omagh also.

## **Matters for Decision**

### **P102/20      Planning Applications for Determination**

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

**LA09/2018/0847/F                      Conversion of existing dwelling along with rear extension to provide a 5 bed residential care unit and 12 bed dementia care unit; associated support services; staff accommodation and car parking for both staff and visitors at 7 Cookstown Road, Moneymore for Hayley Jordan**

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2017/1279/F which had a recommendation for approval.

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

Mr Ross advised members that he was representing a group of local residents who live around the site and also speaking on behalf Four Seasons Healthcare who own the site beside the existing dwelling. He said he wished to highlight some key issues on objecting to the proposal, namely the overdevelopment of the site, road safety and the fact that the design being non-compliant with healthcare standards.

He said that it was a small site with a detached dwelling and narrow garden with the proposal to create a dramatic intensification of the building form and the use of the site, the amount of floor space has greatly increased creating a sprawling development crammed into every available inch of the site. The layout showed the squeezed in carparking and also around the corner and edges of the site and to achieve the access of the scheme, it cuts into the high bank with the building right along the edge of a stream who flows towards the Ballymully River and was confident the Councillors which represent the Moneymore area would be aware of the problems of flooding associated with the river. He said for certain that the rooms inside the building were too small compared to modern healthcare standards and although the Planning Department states that this was not relevant, they feel that there is an onus on the Council to check on what was consented is at least reasonable in terms of healthcare requirements. The space outside was definitely too small, a tiny garden to use for 17 residents and the staff to share which was smaller than what was required for a two bedroom terraced house. In summary Mr Ross advised that the Developer was squeezing the maximum number of people into the smallest possible space, the site was also close to a busy road and fast traffic emerging down the hill from the dual carriageway and local residents are very concerned that there could be a traffic



problem which would lead to road accidents. He said that finally the applicant has confirmed that they don't own all of the site and needed land from the client and the objector to create the cutting and the landscaping and due to everything being so squeezed in he suggested that the Council should not be approving something that would allow the Developer to create the floor space and not do any work outside. He said he was aware that committee doesn't like going against recommendation to approve, but as it stands it's clear to him that this application should be refused and said that at the very least, he would suggest that members visit the site to ensure that they were comfortable with the idea of squeezing such a large group of vulnerable people into such a small site and something that the Council would like to stand over once it was built.

The Chair advised that a request to speak had been received on behalf of the applicant and invited Ms Jordan to address the committee.

Ms Jordan advised that she had a very good knowledge of running such a healthcare facility as she had grown up with her parents running a very successful nursing home for 33 years and was one of the managers. She said that she has been a social worker for 11 years and currently worked within the Northern Health & Social Care Trust in the Mid Ulster Hospital. In relation to the planning of the facility, extensive outlines of what was needed was took on board and also her experience of what was needed within her parents nursing home with an architect being employed that also worked for the Western Trust who went by the minimum standards. She said that her background and passion was dementia and residential care and stated that this proposal wouldn't be impacting on next door healthcare facility as they were a completely different category of care which was nursing which she personally could not go into because she doesn't have the qualifications to be a trained nurse. In referring to the economic factor she advised that she would be employing approximately 16 local staff members and would be caring for very vulnerable and very much in need proportion of elderly population with the home being designed with a sensory garden for the vulnerable residents and hoped that she would have the opportunity to look after them in the future. She concluded by saying that she had done things to the best of their ability to try and work on what means that were there on the site and within the proportion of the population she wished to represent and care for.

The Chair thanked Ms Jordan for her presentation and asked for any member comments or queries relating to both presentations.

The Planning Manager felt there were some mixed messages which clarification may help.

He said that the proposal was for a 5 no. bed residential care and 12 no. bed dementia unit, but there was also mention of accommodation for staff.

Ms Jordan advised that from past experiences that whenever her parents owned their nursing home there was always staff accommodation as it was a rural home and in the event of any emergency like snow or adverse effects of weather, there was always an opportunity for staff to stay at the home safely and not drive home until someone came to lift them or when it was safe to go home.

The Planning Manager enquired if Ms Jordan had an agreement with the Healthcare Trust in terms of meeting standards.

Ms Jordan advised that the design was carried out to the minimum standards, but to put the plans forwards to RQIA it had to be passed by Planning first. She stated that she had been liaising with RQIA regarding other issues regarding the categories of care etc. but until it was passed here, it cannot be brought forward to RQIA for consideration.

The Planning Manager advised that the Planning Department cannot give guidance on what healthcare standards should be within residential care homes and can be a material consideration on such matters and the outline matters are probably correct in that planning permission should be sought first before agreement on certification. He said that it would be his opinion to leave such matters to the relevant authority.

He referred to Mr Ross' concerns around overdevelopment and lack of outdoor space and stated that it was his opinion that dementia patients had to be in a place where it was very well secured and also referred to the agent's comments around the residents' views on traffic concerns but felt there was no mention of any particular harm to the neighbours.

Mr Ross said that he was not suggesting that the residents would be harmed in any way but they were concerned about the overdevelopment, small floor space, visitors and staffing as there would be a lot of movements. He felt there should be adequate outdoor space for dementia patients and that the garden on the site was completely hemmed which was unacceptable.

The Planning Manager said that you cannot refuse an application because it's perceived as an overdevelopment but had to demonstrate that it's harmful to amenity or character of the area and the issue here was provision of open space. Planning satisfied there is adequate space as a whole and asked Ms McCullagh (SPO) if she was satisfied there was adequate open space within the facility.

Ms McCullagh (SPO) stated that it was detailed within the report about the dementia friendly garden and that the agent had sent in a statement which supported this with research being carried out on what types of things would be good for these types of patients and officers had accepted what was considered as sufficient.

Councillor McKinney said that after hearing the details he would be happy to go with the recommendation for approval as there was no family within this room tonight which

hadn't met with the dementia issue and whilst it wasn't a planning issue, 12 more beds in the Mid Ulster area should be welcomed.

Councillor McFlynn referred to comments made by the flooding in Moneymore and said that she knew the area well as she grew up there. She referred to the issue of speeding at that stretch of road with 30 mph restrictions coming in there and advised that she had asked Roads Service about 2 months ago about considering moving the 30 mph up to the top of the hill and extending the 40 mph up towards the dual carriageway and presently waiting on confirmation if this can be completed. She said that growing up in Moneymore there used to be an elderly home at the top of Fairhill but this was now turned into a Doctor's surgery and felt that this would be a welcome addition to the Moneymore area. In referring to the entrance entering the facility she felt that these could be extended to show the visibility splays better and she also referred to the weak bridge where it was previously agreed by Roads Service that improvements would be carried out to make it more structurally sound. She said that she would be happy to second the proposal.

Councillor Colvin referred to Councillor McFlynn's comment about the access and enquired if the officer was satisfied that this access was available over land which is owned by the applicant and as a site he was familiar with, he enquired about the site going over the objectors ground in order to achieve the 90m x 2.4m.

Ms McCullagh (SPO) confirmed that the applicant had served notice on two other properties, but advised that there wasn't much more planning could do as permission was for the lands and was up to them if there was an issue with the visibility splays to sort out if permission was granted and served the correct certificate.

The Planning Manager advised that this was a common situation that planning face and there was nothing to stop anyone from applying for planning permission which would require the use of lands from another third party provided they serve the notice on them. In an instance like this where the land is needed this was where a negative condition would be used to the effect that the visibility splay must be provided before development was started and this means if either of these two parties object they hold the ability to without moving forward and this has been an issue for quite a few enforcement cases and common practice to use a negative condition.

Councillor Bell referred to the comment from Mr Ross regarding floor space and the cramming in and asked for clarification from Ms McCullagh (SPO) on this being investigated in great detail so that moving forward there was enough space for the residents as he would be concerned this would be an issue going forward. He enquired if Best Practice had been explored on the number of patients there may be and the amount of space needed for those patients to get outside.

Ms McCullagh (SPO) advised that this may overlap on what the Planning Manager had advised earlier as there was only a certain amount that planning could do and this would become the remit of other health authorities in terms of the room size. She

referred to the size of 5.2m x 3.4m (16sq) and stated that planning wouldn't be going into that level of detail to see if it was appropriate, but said that they were happy about patients outside space and with the development onsite but beyond that it would be up to the applicant to speak to the health authority.

The Chair agreed with what the applicant had stated in her presentation about planning having to come first with a detailed submission in terms of how this was going to work and numbers which were being proposed before commitment from the RQIA as this was the procedure.

The Planning Manager advised that this was not clear cut as if planning were dealing with residential units, families or one bedroom flats would be clear standards and guidance to follow but when dealing with this incidence for a lot of the patients it's a secured environment where he would be very surprised if they were allowed to go outside by themselves due to them wandering off and felt that the evaluation relating to this should be a matter for the healthcare authorities.

Councillor Bell said that it was important that the elderly and vulnerable were treated with respect.

Councillor Brown advised that he would have slight concerns and took on board what Councillor McFlynn and Councillor Colvin stated regarding access to the site. He referred to the description about the development and felt that if there was no staff accommodation then the description was wrong as the proposal was for a 12 bedroom accommodation for vulnerable patients, surely there needed to be some kind of staff accommodation to look after the patients at night time and to keep an eye on them in the instance that they would get out and wander onto the busy Cookstown-Moneymore Road which could be seen as a health & safety risk.

Ms McCullagh (SPO) said that on the plans there was a staff kitchen, restroom, one staff bedroom and utility room and was confident that has been put in for.

The Chair advised that there had been a lot of discussion around the proposal and stated that there was a proposer and seconder for the application and enquired if there was any counter proposals.

The committee agreed to proceed with the recommendation.

Proposed by Councillor McKinney  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2018/0847/F be approved subject to conditions as per the officer's report.

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

Agenda item 4.2 – LA09/2019/0050/O – Site for a dwelling and garage 37m NE of 9 Annaghmore Lane, Annaghmore, Cookstown for Mr Noel Devlin

Agenda item 4.11 – LA09/2020/0740/F – Sites for 2 infill dwellings and garages between 23 & 29A Cloghog Road, Coalisland for Mr Conor Tennyson

Agenda item 4.13 – LA09/2020/0783/F – Removal of Condition 4 of outline approval LA09/2019/1004/O at approx. 170m S of 71 Back Lower Road, Killycolpy, Dungannon for Mr Plunkett Teague (withdrawn)

Agenda item 4.15 – LA09/2020/0801/O – Dwelling & detached domestic garage at site adjacent to & S of 19 Ballymaguigan Road, Magherafelt for Ms Niamh Young

Agenda item 4.16 – LA09/2020/0804/O – Two storey dwelling & domestic garage at lands 350m S of 293 Pomeroy Road, Lurganeden, Pomeroy for Mr Ben Sinnamon

Agenda item 4.17 – LA09/2020/0841/O – Site for a dwelling and domestic garage at approx. 45m W of No. 59 Lurgaboy Lane, Dungannon for Mr Darren McKenna

Proposed by Councillor Bell  
Seconded by Councillor Colvin and

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

**LA09/2019/0050/O**                      **Site for a dwelling and garage 37m NE of 9 Annaghmore Lane, Annaghmore, Cookstown for Noel Devlin**

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

**LA09/2019/0416/F**                      **Retention of commercial development for the repair and sale of agricultural/construction plant and machinery at lands at 67 Glenhoy Road, Ballygawley and approx. 100m SW of 68 Glenhoy Road, Ballygawley for Keith Gladney**

Members considered previously circulated report on planning application LA09/2019/0416/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2019/0416/F be approved subject to conditions as per the officer's report.

**LA09/2019/1239/O**

**Replacement dwelling with retention of existing listed building as general-purpose store at 13 Altadaven Road, Favour Royal Demesne, Augher for Bernard McKenna and & Amy McElhatton**

The Head of Development Management presented report on planning application LA09/2019/1239/O which had a recommendation for refusal.

*Councillor Quinn left the meeting at 7.49 pm and returned at 7.51 pm.*

Proposed by Councillor Cuthbertson  
Seconded by Councillor Colvin and

**Resolved** That planning application LA09/2019/1239/O be refused.

Councillor Mallaghan enquired if any consideration or was it appropriate for the committee to give any consideration within the new Local Development for buildings like this one or the likelihood of being brought back into better use because they are so dilapidated and so expensive to rehabilitate into something useful in the future. He said that in locations like this here where there wasn't an obvious use for the building, there would be a lot of derelict listed buildings.

The Planning Manager advised that there was obviously provision as it sits as the building would be classed as dangerous, but there was the question was the building so beyond usable for a useful purpose and this would need to be answered by the applicant themselves providing the relevant evidence like a survey from a qualified engineer. He said that there was no starting point where you could use listed buildings, but there was a position where a listed building could no longer be acceptable and be delisted, but given that we are not the body with lists or delists the buildings as this sits with Historic Buildings. He said that this building was part of the Favour Royal Estate and would find it difficult to see why it couldn't revitalise the building for a useful purpose which would require its future. He stated that in the past there was a similar situation regarding 2 attached farm dwellings which allowed one of the buildings to be replaced and converted into one complete dwelling and felt in light of that, this could be done with this and going back to the question asked, there could always be the possibility of a building being delisted.

Councillor Clarke said unless it was overlooked he couldn't remember seeing what the proposal was or the drawings as asked in future that these be issued to members in advance so they could familiarise themselves with proposals being brought before committee.

The Head of Development Management shared an overhead image on how the possible new dwelling would look like and felt that it over-dominates the existing dwelling.

The Planning Manager said that the only information coming forward was that the proposal was for a new dwelling and existing building used for storage and this would concern him because it was allowing for a new dwelling and allowing the listed building to decay. He said that the applicant must have land elsewhere and should

consider building a dwelling in its own right on the farm or elsewhere and advised that the Planning department was always open to discuss possible ways forward.

Councillor Clarke said that information before members didn't actually make things clear and felt that in future information should be issued to give members time to read all the details before a decision is made at the committee meeting.

**LA09/2019/1571/F                      Dwelling and garage at site between 20 & 22 Lough Road & 50m S of 14 Lough Road, Ballymaguigan for Patrick McKenna**

The Chair, Councillor S McPeake withdrew from the meeting and the Vice Chair, Councillor Glasgow took the Chair.

The Council Solicitor stated that on the Addendum there was an additional objection received from the agent which should have been emailed through to members and asked if members had read that and if not to let the Chair know so that time can be taken to study before the application is considered.

Members confirmed that they had received the relevant information relating to the additional objection.

Ms McCullagh (SPO) presented previously circulated report on planning application LA09/2019/1571/F which had a recommendation for approval. She reiterated from earlier that a late objection had been received late this evening from a property which had already objected.

Mr Kearney advised that speaking rights had been withdrawn on the basis that there were no objections prior to this meeting and wanted to state the application does not require third party lands and does not overstep. He said that amendments had been made and no way impacting the objector's building and in fact are away back from it which was all within the update pack which was issued. He confirmed that the client had very diligently took on board all the concerns of the objector and had affected the building to suit the objector and was a little bit shocked that the late objection had been received.

The Chair, Councillor Glasgow advised that a request to speak had been received from Councillor S McPeake and invited him to address the committee.

Councillor S McPeake said that he was fully aware that the principle of the building had already been established at this site and that for the right of a dwelling to be built on it. In the designing of a building in this size and the orienting in a way that meets the requirements of the applicant and that of the neighbouring amenities can be quite challenging. He said that he also recognised the changes to the amendments being made to the application since its original submission in terms of a window being removed, obscure glass being fitted, privacy gates being provided and the dwelling being moved back from the neighbouring property all of which were totally commendable and recognised by himself, but would ask respectfully if there was

anything further which could be done to position the site a little bit further back from the neighbouring property.

Mr Kearney advised that the site wasn't massive and the client had moved what would be potentially their living space and decreased the size to a bare minimum of 5 to 6m with a strip of grass to the side of it and has increased everything between them and the objector to which is acceptable for the client. He said his client have tried as much as they can to accommodate the objectors on what was an approved site.

Ms McCullagh (SPO) displayed the overhead site plan for member's attention.

Councillor Clarke reiterated the importance of having images in advance to the committee so members can be kept up to date and be knowledgeable when these issues arise.

The Planning Manager said that No.22 was facing the road and the opposite side was facing the garden and that the main part of the new dwelling would be looking towards the road

Ms McCullagh (SPO) agreed with the Planning Manager's comment about the positioning of the house and advised that the overhead drawing was the same one which was circulated to members previously.

The Planning Manager said that by looking at the map he felt that it was a generous separation.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2019/1571/F be approved subject to conditions as per the officer's report.

Councillor S McPeake returned to the meeting and took the Chair.

**LA09/2020/0307/O                      Replacement dwelling at 12 Drumroll Road, Upper lands, 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 McKinney  
Seconded by Councillor Black and

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



**LA09/2020/0318/RM      Domestic bungalow and garage at site S of 63  
Anneeter, Coagh for Oliver Conlon**

Members considered previously circulated report on planning application  
LA09/2020/0318/RM which had a recommendation for approval.

Proposed by Councillor Bell  
Seconded by Councillor McFlynn and

**Resolved**      That planning application LA09/2020/0318/RM be approved subject to  
conditions as per the officer's report.

**LA09/2020/0656/O      Replacement dwelling & detached domestic garage at  
120m SE of 47 Annaghmakeown Road, Dungannon for  
Simon Duggan**

Members considered previously circulated report on planning application  
LA09/2020/0656/O which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Clarke and

**Resolved**      That planning application LA09/2020/0656/O be approved subject to  
conditions as per the officer's report.

**LA09/2020/0674/F      Two storey dwelling and detached garage at site  
adjacent to 82 Annagher Road, Coalisland for Kevin  
McCluskey**

Members considered previously circulated report on planning application  
LA09/2020/0674/F which had a recommendation for approval.

Proposed by Councillor Quinn  
Seconded by Councillor McFlynn and

**Resolved**      That planning application LA09/2020/0674/F be approved subject to  
conditions as per the officer's report.

**LA09/2020/0687/O      Off-site replacement dwelling & detached garage 110m  
NW of 25 Annaghnaaboe Road, Coalisland for Dominic  
Ryan**

The Head of Development Plan presented previously circulated report on planning  
application LA09/2020/0687/O which had a recommendation for refusal.

Proposed by Councillor McKinney  
Seconded by Councillor Brown and

**Resolved** That planning application LA09/2020/0687/O be refused.

**LA09/2020/0740/F**                      **Sites for 2 infill dwellings and garages between 23 & 29A Cloghog Road, Coalisland for Conor Tennyson**

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

**LA09/2020/0775/O**                      **Dwelling and detached garage on gap site West of 16 Drumnacannon Road, Upperlands, Maghera for Mr K McKinley**

Members considered previously circulated report on planning application LA09/2020/0775/O which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Brown and

**Resolved** That planning application LA09/2020/0775/O be approved subject to conditions as per the officer's report.

**LA09/2020/0783/F**                      **Removal of Condition 4 of outline approval LA09/2019/1004/O at approx. 170m S of 71 Back Lower Road, Killycolpy, Dungannon for Plunkett Teague**

Planning Application LA09/2020/0783/F withdrawn.

**LA09/2020/0790/O**                      **Dwelling and detached double garage with storage above at approx. 50m SW of 50 Cadian Road, Eglish, Dungannon for Ryan Muldoon**

The Head of Development Management presented previously circulated report on planning application LA09/2020/0790/O which had a recommendation for refusal.

*Councillor Colvin left the meeting at 8.16 pm.*

Councillor Gildernew said he knew where the site was and was very close to Eglish Village and enquired if there was any merit in seeking a deferral as he found it confusing why there was no request for speaking rights sought.

*Councillor Colvin returned to the meeting at 8.18 pm.*

The Planning Manager said that going through information it was evident that the applicant had liaised with the planning office and he assumed that he was asked for the additional information requested. He said that in the instance there was another case and it was refused the applicant could always come back and have a discussion and given that the other cases were refused it would be strange to defer this application.

The Head of Development Management said there didn't seem to be a request to Mr Muldoon.

The Planning Manager said that he had changed his view as the case officer had presented their opinion without asking the applicant for the relevant information.

Councillor Gildernew felt that the applicant should be given a chance to put his case forward as they were a very large family in English village and felt something had went wrong tonight due to no representation being made.

Proposed by Councillor Gildernew  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2020/0790/O be deferred for an office meeting

**LA09/2020/0801/O**      **Dwelling & detached domestic garage at site adjacent to & S of 19 Ballymaguigan Road, Magherafelt for Niamh Young**

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

**LA09/2020/0804/O**      **Two storey dwelling & domestic garage at lands 350m S of 293 Pomeroy Road, Lurganeden, Pomeroy for Ben Sinnamon**

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

**LA09/2020/0841/O**      **Site for a dwelling and domestic garage at approx. 45m W of No. 59 Lurgaboy Lane, Dungannon for Darren McKenna**

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

**LA09/2020/0849/F**      **Dwelling and garage approx. 80m SW of 60a Ballygittle Road, Stewartstown for Grace Campbell and Henry Heron**

Members considered previously circulated report on planning application LA09/2020/0849/F which had a recommendation for approval.

Proposed by Councillor Colvin  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2020/0849/F be approved subject to conditions as per the officer's report.

**LA09/2020/0933/RM**      **Dwelling and detached garage 500m SE of 19 Drumimerick Road, Kilrea for T Kelso**

Members considered previously circulated report on planning application LA09/2020/0933/RM which had a recommendation for approval.

Proposed by Councillor Kearney  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2020/0933/RM be approved subject to conditions as per the officer's report.

**LA09/2018/0176/F                      Retrospective shed for the storage of boats and working nets to the rear of 140 Kilmascally Road, Dungannon for Mr M O'Neill**

To be taken in Confidential Business.

**LA09/2018/1458/O                      Dwelling 50m SW of 55 Kanes Rampart, Derrylaughan, Coalisland for Owen Campbell**

Members considered previously circulated report on planning application LA09/2018/1458/O which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2018/1458/O be approved subject to conditions as per the officer's report.

**LA09/2019/0423/F                      Retention of single storey domestic garage, storage and annex building, to be used in association with the existing dwelling house and an increase in the curtilage of the site at 63a Ballymacombs Road, Bellaghy for Donal O'Cearnaigh**

To be taken in Confidential Business.

**LA09/2019/0539/F                      Site for a dwelling and garage, 35m S of 98 Desertmartin Road, Magherafelt for John Tohill**

Members considered previously circulated report on planning application LA09/2019/0539/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor D McPeake and

**Resolved** That planning application LA09/2019/0539/F be approved subject to conditions as per the officer's report.

**LA09/2019/1418/F**

**Site for dwelling & domestic garage at approx. 60m NW of 124 Lurgylea Road, Dungannon for Christopher Kelly**

Members considered previously circulated report on planning application LA09/2019/1418/F which had a recommendation for approval.

Proposed by Councillor Gildernew  
Seconded by Councillor Colvin and

**Resolved** That planning application LA09/2019/1418/F be approved subject to conditions as per the officer's report.

**LA09/2020/0022/O**

**Dwelling in an infill site at land adjacent to and S of 14 Drumkee Road, Dungannon for Noel Stephenson**

The Head of Development Plan presented previously circulated report on planning application LA09/2020/0022/O which had a recommendation for refusal.

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

Mr Coney advised that this proposal for a dwelling infill site

Mr Coney said that this proposal was for dwelling in an infill site, and when he first looked at the site he was confident in taking this on as he had already a benchmark case which he had based it on H/2010/0303 which was also for an infill site. He said that this application bears striking similarities to application H/2010/0303 which was previously approved and felt that this should be also approved. He stated that he doesn't do any applications where he wasn't confident of obtaining a positive result as he cares too much for people's money and fees and doesn't want them throwing their money around them. He felt that this applicant was hard done by as previously there as a building here and a new building would not be detrimental to the rural character of the area due to considerable cluster, although not all made up with all housing but with some agricultural sheds and garages which meets the criteria of an infill opportunity. He felt that if his client had built in 1988 the building would be there now and there would be no conversion about it tonight.

Mr Coney advised that this dwelling was for his client's daughter who wished to come back home to live as she currently resides in England and requested that the map of H/2010/0303 be produced to members of the Council.

In response to a query, the Head of Development Management advised that there was no specific reference to the permission but he had the file in front of him in which Mr Coney was referring to and was aware of that permission was received for a renewal. He said that the key difference he could see here was in 2010 when permission was granted, planning was allowing for a building which hadn't been built but had committed themselves in the way of permissions to be counted and interpretation did not pay much regard to the set back or the lack of a frontage and that was one of the

reasons why the Ballymaguigan Road was approved. He advised that he couldn't see direct parallels with the current case as it was relying on the buildings which didn't seem to appear to have direct frontage with the road.

The Planning Manager enquired if there were any permissions neighbouring this site.

The Head of Development Management advised that he was not aware of any.

The Planning Manager stated that there was a need to work with what was there currently and what policy states. In terms of infill this was between two buildings with road frontages so wouldn't be classed as an infill, but would have some sympathy for these types of applications but went through the tests in terms of rounding off clustering 2A but doesn't meet due to the number and nature of buildings within the cluster apart from having a development on two sides. He said that officers wished to bring forward a policy which was more sympathetic within the Draft Plan but this was not the case yet. In terms of replacement the policy it was quite clear that it needs to be substantially intact and clearly it wasn't because it has been demolished.

The Chair said that both the Planning Manager and the Head of Development Plan had provided an in-depth discussion on the differences and asked if Mr Coney had he anything further to add.

Mr Coney referred to the overhead map and advised that the shaded area behind the red line was just a site which was approved and construction hadn't even began at that time but Planning considered it to be a dwelling in the future. He said that site had permission and formed the basis of an infill, but on the current application the dwelling that he believes forms the infill was also set back just like this site here with a fence and vegetation and although not on top of the hill but as the crow flies, both sites were pretty much the same.

The Planning Manager advised that the site wasn't taken up and therefore Mid Ulster was not obliged to reissue that approval and if a planning application was submitted that would be considered at the current time, but what was presented was based on an argument on an access to a dwelling and a building based on a permission, but it was now understood that there was no permission. He said although the committee would have great sympathy for this application, policy cannot be rewritten and it does not meet policy.

Councillor Gildernew said that by looking at the map it seemed like a cluster to him and was not too far away from another small cluster. He enquired if there was a crossroads to the right of the site and asked if there was any merit for going towards a cluster rather than refusing the application and felt that another house would not make any difference.

The Planning Manager stated that policy could not be rewritten to make something fit as there would be always reasons why something could be classed as an exception.

Councillor Bell sought referred to the existing crossroads and one field in between the proposed site and the crossroads and asked if there was anything in the policy which states that it has to be 50m or so.

The Planning Manager advised that it required four buildings in this instance and asked that members not to go by the premise of trying to make a policy fit but this shouldn't stop members from coming to a conclusion.

The Council Solicitor referred to the planning history and the fact that if the original had been implemented or commenced that this application wouldn't be before committee tonight. It is a material consideration but shouldn't be given determinative weight.

In referring to Chris' comments about not meeting policy, the Council Solicitor advised that the report was clear about the policy tests not being met of which there was a number of criteria within that and would suggest that members exercise caution if considering there was any exception to policy because the exceptions would have to be truly exceptional.

Councillor Gildernew agreed that there was a need to be careful, but felt there was an exception by the way the overhead map portrays the crossroads and the amount of buildings that around the proposed site. He said that he would have some sympathy for this person as they wished to return home to live and felt that this application should be considered.

The Planning Manager suggested that a site meeting be arranged so that members can see for themselves before making a definite decision.

Councillor Bell agreed that a site visit would be the most appropriate way forward.

The Chair also agreed that a site visit would be the best option in this instance.

Proposed by Councillor Bell  
Seconded by Councillor Mallaghan and

**Resolved** That planning application LA09/2020/0022/O be approved for a site visit.

**LA09/2020/0047/O**                      **Site for dwelling and garage approx. 60m W of 121A Desertmartin Road, Moneymore for Henry and Mark Miller**

Members considered previously circulated report on planning application LA09/2020/0047/O which had a recommendation for approval.

*Councillor McKinney withdrew from the meeting during the discussion.*

Proposed by Councillor Colvin  
Seconded by Councillor Brown and

**Resolved** That planning application LA09/2020/0047/O be approved subject to conditions as per the officer's report.

*Councillor McKinney returned to the meeting.*

**LA09/2020/0446/F                      Change of house type to previous approval  
(M/2006/1301/RM) at land opposite and SW of 165  
Favour Royal Road, Augher for Finbar McQuaid**

The Head of Development Management presented previously circulated report on planning application LA09/2020/0446/F which had a recommendation for refusal.

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

Mr Gourley agreed with the Head of Development Management's comments regarding the development having to be completed before the 14 November 2008 and advised that the applicant's father had purchased the site at a cost of £50,000 for his son to live beside the family home and the family business. He advised that the applicant's father was fully aware of the expiry date and employed a contractor to carry out the development but due to the economic crisis, the father had been working in Dublin at the time and the contractor which carried out the entrance works had cleared the site for the works in September 2008 but as the recession took hold no further works had proceeded. The applicant's father had a clear intention to develop the site, with receipts and invoices being retained for the excavation works etc., with the applicant's father being confident there was enough done to secure the permission. Receipts and invoices for works carried out in September 2008 were submitted with the application although there doesn't seem to be any mention of them within the planning report, but Mr Gourley advised he had them on his possession tonight detailing works which were carried out by a local contractor on works to the entrance and clearance of the site.

Mr Gourley stated that there was a clear intention for the development to be commenced due to the amount of money given to purchase the site and did agree that there may be issues around compliance relating to the entrance, but the critical issue here was that development had commenced and if there were issues with compliance regarding the entrance then this should be seen as a compliance matter rather than a commencement matter. He advised that the street view photographs relate to March 2009 which clearly indicate that works were done in the previous growing season due to the evidence of grass growing on the piles of soil and around the disturbed earth. The entrance itself demonstrates that it wasn't a fielded access as it was a wide bell-mouth which shows a clear intent of being a development site and to set out the visibility splays at the bell-mouth to the entrance. He referred to an example from a previous planning approval K/2010/0354/F a change of house type was permitted even though access was constructed differently to the permission which shows precedent there in terms of compliance.

The Chair enquired how often google earth updated these photographs as a previous year could've told a different story.

The Council Solicitor sought clarification on why the applicant wasn't asked to prove commencement by way of a CLUD application as this was critical to keep the permission alive on a planning history or as a fall-back and felt that this was important



to get this right. She said that she did not entirely agree with the Agent's suggestion that with something that has been carried out but not in compliance with the permission should be a compliance issue rather than a commencement issue as in case-law this in itself may not be sufficient. She referred to the issue around a pre-commencement condition around access not being developed and said that this would need to be teased out and also the suggestion that the site was cleared as sufficient to constitute commencement of the permission and wasn't fully convinced that this has been fully explored.

The Planning Manager said that if a certificate of development had been obtained then this would be make this decision easy but the fact that no certificate has been obtained then it would be reasonable for the committee to refuse the application. However, if members were content that sufficient evidence that works had commenced the absence of a CLUD is not a reason to refuse an application, but this doesn't help the application in any shape or form if there was a dispute which we currently have.

The Head of Development Plan confirmed that receipts were on file, 1<sup>st</sup> receipt dated 18<sup>th</sup> September 2008 indicated the supply of hard-core and fill for the entrance for new private house at Gallagher paid in full, 2<sup>nd</sup> receipt dated 18<sup>th</sup> September 2008 indicated clearing top spill from site at Gallagher for new private house, preparing entrance and levelling.

The Planning Manager stated that these receipts indicated works were carried out in September 2008. In terms of probability the proof and receipts and google earth photos indicate that works had been done.

Councillor Clarke stated that the first thing to do with a development would be to put sightlines in place, so quite clearly the sightlines have been put in place and from the evidence presented the work was done prior to November 2008 with evidence of a large gated entrance approx. 25ft in width.

Councillor Gildernew said that by looking at the dates and the work carried out, who in their right mind would think that this work was going to be carried out without building a house. The applicant's father paid £50,000 for a house and the only intention was to build a house and felt that this was a case of splitting hairs and proposed to agree to approve the application.

Councillor McFlynn referred to earlier discussion regarding by the Planning Manager in regards to English law on development and Councillor Clarke's comment regarding the commencement of development and advised when you open your gates, clear your entrance and open your site that she would agree with Councillor Gildernew and would be happy to second his proposal.

The Planning Manager advised that English Law basically states that if a development has commenced within 5 years and the creation of an access, that planning approval would commence development and there was case law to state that access was suffice. He said that Northern Irish law was written differently and was written to say that where a development consists of works in the course of erection of a building. The contention here is that no work on the building had taken place. Where it comes to

visibility splays, this in itself may not be development and advice is that work relating to pre-commencement conditions does not in itself constitute a start. He said that his take on this was that the creation of the access needed more than cutting a hole in the hedge and placing a bit of gravel, it would need to be demonstrated that it was in connection with the erection of the building. Based on the probability that this access had started he would be prepared to allow this, but cannot guarantee that this was correct and a decision purely based on this could be subject to legal challenge.

The Council Solicitor said that to keep the committee right even not by way of a CLUD application, a full and proper assessment should be carried out on the information discussed and consideration taken back to committee with an overall view on the balance of whether development had commenced or not. She would have some concerns around the consideration of adhoc and in her view it would be more appropriate if a full assessment was carried out with a view to advising the committee one way or the other.

The Chair enquired from the Council Solicitor what more information was needed in terms of a full assessment as there was photographs and heard from the agent who was there for the actual build and commence, evidence of dates, receipts and photographs and asked what additional would be required for the full assessment.

The Council Solicitor advised that it would include matters such as evidence as to what has been suggested and what is evidenced as to having been carried out and what constitutes a development, the latter being a legal consideration. She said that she would concerns around the pre-commencement condition about access, in her view, that in itself wouldn't be development that would commence that permission and the clearing of the site needs to be teased out more to see if this was an act of development to commence it. She said that until all the relevant information was presented as a full package then in her view it was difficult to give a definitive view this evening. The lawfulness aspect was a legal query unlike planning applications which were all about planning merits and wouldn't be comfortable advising the committee based on information provided or the time given to actually consider it until a full and proper assessment is carried out.

Councillor Colvin stated that he felt really uncomfortable around the uncertainty around this as he hoped that it was legal and trying to make a very significant decision on the hoof and that the proposed application be deferred until a full legal opinion be sought to inform the committee going forward so members were not in the same position again.

Councillor Gildernew thanked the Council Solicitor for her advice and stated that he had anticipated seeking a deferral at the start of the meeting but didn't proceed as it was already a deferral and thought there would be no possibility. He agreed with Councillor Colvin that the application be deferred and come back when there was a better understanding and then a decision can be made due to a the frank discussion taking place tonight and just tidying up the loose ends.

Councillor McFlynn confirmed that she was happy to agree to a deferral.

Councillor Cuthbertson felt there was no need for anymore legal advice but to hold the application until the applicant sought a CLUD application and once that was dealt with the application would still be sitting as a way forward.

The Planning Manager advised that he wasn't convinced that a CLUD was necessary and broke the issue down into two parts, first was what the works were and did they relate to the planning permission. Secondly when were they carried out and was this sufficient to constitute a start. He said that his inclination is to go with the English case-law, but this is not the view taken across the board and therefore to take this legal advice.

Proposed by Councillor Colvin  
Seconded by Councillor Gildernew and

**Resolved** That planning application LA09/2020/0446/F be deferred for further clarification.

Matters for Information

**P103/20 Minutes of Planning Committee held on 6 October 2020**

Members noted minutes of Planning Committee held on 6 October 2020.

**P104/20 The Department's Agreement of Mid Ulster Council's LDP – Revised Timetable (August 2020)**

Members noted update on the Department's Agreement of Mid Ulster Council's LDP – Revised Timetable (August 2020).

*Live broadcast ended at 9.30 pm.*

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

Proposed by Councillor Quinn  
Seconded by Councillor Colvin 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 P105/20 to P109/20.

*Councillor Cuthbertson left the meeting at 9.30pm.*

*Councillor Quinn left the meeting at 9.30 pm and returned at 9.31 pm.*

*Councillor Mallaghan left the meeting at 9.30 pm and returned at 9.31 pm.*

**Matters for Decision**

P105/20 Planning Applications for Determination – (Continued)  
P106/20 Miscellaneous Matters

**Matters for Information**

P107/20 Confidential Minutes of Planning Committee held on  
6 October 2020  
P108/20 Enforcement Cases Opened  
P109/20 Enforcement Cases Closed

**P110/20 Duration of Meeting**

The meeting was called for 7 pm and concluded at 11.10 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Speaking Notes for Chairperson

### Meeting Type: Committee (Planning)

#### From 6.45pm before meeting Commences

A good evening to members and officers joining us this evening I will take a few minutes to go through some housekeeping to help with the running of our meeting.

- You are reminded that the meeting is being transmitted as a live broadcast with the public and press watching and listening into our proceedings either remotely and/or in the public gallery
- I want to keep how we do business broadly the same as how we have been transacting our meetings to date. To help with this can you please observe the following when we start the meeting:
  - At the start of the meeting I will be taking a roll call of members in attendance to ensure that any member attending remotely is correctly marked present. Please ensure that when your name is called you turn on your audio to confirm that you are present and that you put your audio to mute immediately thereafter.
  - Raise your hand in the meeting or on screen if you wish to speak and keep raised until observed by an Officer or myself. If you are on the screen, please ensure that your hand can be seen on your video feed and I will verbally let you know when I have seen you so you can lower your hand
  - If you have joined us remotely, please leave your audio on mute unless invited to speak and have your camera on. Remember to put it back onto mute when finished speaking
  - If you are having problems with bandwidth or good quality internet connection, please turn your video off as this may assist
  - Only speak when invited to do so by the Chair
  - Should we have to take a vote, whether you are in the room or have joined remotely, I will ask each member to confirm whether you are for or against the proposal or abstaining from voting. If you are joining remotely, please ensure that when your name is called you turn on your audio to indicate your voting preference and that you put your audio to mute immediately thereafter. Unless, specifically called for, this will not constitute a recorded vote.
  - When invited to speak please start by saying your name to help those who have joined the meeting remotely and the public watching the Live Broadcast

- Lastly, when we move into Confidential Business, can I remind those who have joined the meeting remotely that it is your responsibility to ensure that no other person can hear or see any confidential matters being transacted

I will recap on these points at the start of the meeting but we will pause there and come back at 7pm.

### **Commencement of Meeting at 7pm**

Good evening and welcome to the Councils meeting of its 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, that you are confirming that you were in attendance for the duration of, and 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 any 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 earlier today. If any member has not received the Addendum or has not had sufficient time to review it, please let me know now or as soon as the application is called this evening.
- If referring to a specific report, page, slide etc., mention and clearly reference the report, page, slide etc. so that all members have a clear understanding of what is being discussed at all times

- 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.

#### **Notes to the Chair to assist in running the meeting:**

- **The Agenda:** please read out the Agenda Item Number and the item itself to assist those who have joined remotely and the public listening
- **Members Speaking:** When calling upon Members and Officers to speak please introduce them by their full name to assist those who have joined remotely and the public listening
- **The Addendum:** When calling out an Agenda Item Number that has corresponding information/documentation on the Addendum, please advise members of this and ask that they advise you immediately if they require any time to read that additional information
- **Member of the public speaking remotely:** At the start of each item where someone has requested remote speaking rights, please confirm the points above highlighted yellow to those members of the public that are exercising speaking rights remotely
- **Visual Aids:** When officers are using visual aids, they will be sharing their screen. Please ensure that members on Webex as well as members in the Chamber can clearly see the visual aids
- **Voting:** If a vote is taken please declare the result to the meeting provided by the Planning Manager/Senior Officer attending before moving to the next item to assist those listening and the committee clerk for accuracy of the minute
- **Moving to Confidential Business:** When we conclude Open Business and before we take a Proposer and Secunder to go into Confidential Business, thank the public for listening in and advise that the Live Broadcast will now end. It may take a few seconds for this to end so please wait until it is confirmed to you that the Live Broadcast has ended. Note that we might have some in the Public Gallery at the back of the Chamber and thank them for attending





**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 November 2020 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means**

**Members Present**

Councillor Quinn, Chair

Councillors Ashton\* (7.18 pm), Buchanan\*, Cuddy\*, Doris\*, Elattar\*, Forde, Gildernew\*, Hughes\*, McFlynn\* (7.07 pm), S McGuigan\*, McLean\*, S McPeake\*, Molloy\*, Totten\*

**Officers in Attendance**

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  
Mr McCreesh, Acting Chief Executive  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett\*\*, Head of Democratic Services  
Mr O'Hagan, Head of IT  
Mr JJ Tohill, Director of Finance  
Miss Thompson, Democratic Services Officer

**Others in Attendance**

Agenda Item 4 – Deputation – Raise Your Voice Campaign – Louise Coyle\*\*\* (NI Rural Women's Network) and Elaine Crory\*\*\* (Women's Resource and Development Agency)

\* 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.*

**PR177/20 Apologies**

Councillor McKinney.

**PR178/20 Declarations of Interest**

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

**PR179/20 Chair's Business**

None.

## **PR180/20     Deputation – Raise Your Voice Campaign**

The Chair, Councillor Quinn welcomed Ms Coyle and Ms Crory from the Raise Your Voice Campaign and invited them to make their presentation (Appendix 1).

Ms Coyle advised that Raise Your Voice is a project funded by ROSA, the UK fund for Women and Girls and is the only one of its kind in the UK and Ireland. The campaign is designed, delivered and run by four women's organisations in Northern Ireland, namely, Northern Ireland Women's Resource and Development Agency (WRDA), Reclaim the Agenda (RTA), Women's Support Network (WSN) and Northern Ireland Rural Women's Network (NIWRN). The aim of the campaign is to challenge sexual harassment in communities in Northern Ireland by working for a cultural shift and to try to shift attitudes. Much of the work of the campaign is done through the delivery of workshops as well as a public awareness campaign. Ms Coyle went on to outline the positive outcomes from the training they provide, their lobbying for legislative advances and the debate brought via Motions to Council and the other activities the campaign is involved with.

The Chair, Councillor Quinn thanked Ms Coyle for the presentation which he felt was particularly relevant given the recent media coverage of a high profile trial in London. Councillor Quinn asked how such a trial would impact the work of the campaign ie. Do more women come forward to report domestic abuse as a result or does it have the opposite effect and keep women from saying anything.

Ms Crory advised that high profile trials can be a double edged sword as some people may feel their case will be taken more seriously whilst others see how difficult a trial process can be and will be put off. Ms Crory advised that following the rugby trial in Belfast there was a large number of cases being reported, some of these historical. Ms Crory stated that it often depends how a case is reported and presented in the media, in that, the more intrusive a trial is the more unlikely it is an abuse case will be reported. Ms Crory stated that the campaign encourages people to share their stories and that in itself along with getting emotional support can be very rewarding.

Councillor Doris referred to the recent motion brought to Council which she had seconded and stated that she was confused as to why other parties did not see misogyny as an important issue to be considered as a stand alone hate crime and that they would maybe change their minds following tonight's presentation. Councillor Doris stated that she did not think there would be one woman here tonight who did not have some experience of misogyny and that it was a serious issue. Councillor Doris expressed her full support of the campaign.

Councillor Hughes asked how the work of the campaign had been affected by the pandemic and if training could take place virtually.

Ms Crory advised that training quickly moved online and that this training is open to the public in general. Ms Crory advised that training could be delivered to Councillors online and that training has been arranged to take place with Belfast City Councillors in the near future. Ms Crory advised that recent training has been working well and there has been a good uptake and in fact the online training is reaching some people that would not have been reached before COVID 19 ie. Those with childcare

responsibilities or those with disabilities. Ms Crory stated that the campaign would be more than happy to deliver training to Councillors.

Councillor Elattar asked if training could be delivered to Council officers as well as Councillors.

Ms Crory stated that the campaign would be more than delighted to deliver training to whatever group is interested.

Councillor Molloy referred to recent presentation made at Development Committee by Mid Ulster Women's Aid and that discussion had taken place around the Healthy Relationships programme they are delivering to primary schools. Councillor Molloy felt that this programme should be delivered to all primary schools and indeed secondary/grammar schools age groups as well. Councillor Molloy stated that it was agreed at that meeting that Council would engage with the Department of Education and Department of Justice to lobby to get the Healthy Relationships programme up and running.

Ms Crory stated that this would be an ultimate goal and that whilst the campaign currently reaches into communities by targeting primary and secondary schools this is when the real attitude changes can take place so that it is prevention rather than cure. Ms Crory stated that if Council were interested in promoting the work of the Raise Your Voice campaign in that same way as the Healthy Relationships programme they would welcome this. Ms Crory stated that the Raise Your Voice campaign is trying to reach people as young as possible as currently there is limited education around such topics and she felt it should be an essential part of the curriculum.

Ms Coyle stated that feedback from participants of training is that while they may have felt they knew about the subject before the training they have come away knowing a lot more. More worryingly, most women are reporting that they would have experienced some form of sexual harassment before the age of 18 so children are therefore experiencing sexual harassment which is why the conversations need to start as early as possible.

Ms Crory stated that there is also a whole new way of experiencing sexual harassment ie. Through the internet or social media and by the time the curriculum catches up a large number of young people have been missed.

Councillor Forde asked if someone came forward who had been sexually harassed where would they be signposted to.

Ms Crory advised that it would depend on the circumstances in that if it happened in the workplace there are various bodies who could assist such as Labour Relations Agency or Trade Unions. If the harassment takes place in public, often there is no formal process apart from contacting the police and unfortunately the police can't help as the person will not know who the perpetrator is. This then means that the person will not take the formal route as they feel the authorities will not take them seriously. Ms Crory advised that this was one of the reasons for the Council motion in making misogyny a hate crime as it would require police to record certain instances as an incident of misogyny even if the perpetrator cannot be caught. This would mean an incident would be recorded and the statistics will reflect this in the way racist or homophobic incidents are recorded.

Ms Crory advised that there are also a number of support agencies who can often advise where to signpost people and that this signposting information is available on their website as well as being handed out at workshops.

The Chair, Councillor Quinn thanked Ms Coyle and Ms Crory for their presentation and stated that there was a will to take up the offer of training and that this will be taken back to officers to be arranged. Councillor Quinn stated it was vitally important that everybody understands the issues being talked about and can also recognise when it might be happening to someone else.

Ms Coyle and Ms Crory left the meeting at 7.25 pm.

*Councillors Ashton and McFlynn joined the meeting during presentation and discussion of this item.*

## **Matters for Decision**

### **PR181/20 Henderson Play Park, Stewartstown - Lease Agreement**

The Director of Leisure and Outdoor Recreation presented previously circulated report which sought approval for the formalisation of lease agreement in relation to parcel of land adjacent to 29-41 Henderson Park, Stewartstown from Northern Ireland Housing Executive.

Councillor Cuddy asked if an LPS assessment had been obtained.

The Director of Leisure and Outdoor Recreation advised that NIHE worked with LPS and that the valuation sum is the amount which will cover a 25 year lease.

Proposed by Councillor Cuddy  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to Council to accept the one-off valuation sum of £8,800 from Northern Ireland Housing Executive in relation to a proposed 25 year lease for the designated land at Henderson Park, Stewartstown for the development of public play facilities.

### **PR182/20 Railway Park Action Plan**

The Director of Leisure and Outdoor Recreation presented previously circulated report which sought approval for planned actions associated with addressing issues in relation to anti-social behavior in Railway Park, Dungannon.

Proposed by Councillor Gildernew  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to Council –  
▪ To approve the proposed actions outlined within report to address anti-social behavior in Railway Park, Dungannon and the associated costs.

- To approve the allocation of additional financial resources estimated at £14,325 in addition to existing budgets to facilitate the identified short term action plan works.

Councillor Cuddy stated that there was a job of work to be done and that he would be supportive of the recommendations. The Councillor advised that Railway Park is almost 20 acres and stated that he hoped the proposed actions would be carried out over the entire park area - from Donaghmore Road to Mark Street as there are bushes overgrown everywhere and it is important to make the whole park safe for users.

The Director of Leisure and Outdoor Recreation stated that it was agreed that there would be regular meetings between Council, Councillors and the various departments and that all of the issues raised will be considered as part of the process.

Councillor McFlynn stated it was good to see the report coming through and that concerns had also been raised at PCSP in relation to anti social behavior at the Park. Councillor McFlynn referred to estimated cost of £4,800 within the report for the clearance of vegetation and asked who would be doing this, whether it would be Council staff or contractors.

The Director of Leisure and Outdoor Recreation stated she was unsure whether it would be council staff or contract teams that would undertake the clearance of vegetation but that she would come back to the Councillor on this.

### **PR183/20    Policy on Room Hire**

The Head of Democratic Services presented previously circulated report which considered the application of the Council Policy on Room Hire.

Councillor Molloy stated that the reason the review was requested was specifically around point 5.3.1 of the policy as detailed in the report as regards the hire of Council buildings. The Councillor stated that you could have independent members of the public who would lobby on issues and can have meetings in Council buildings whereas an elected representative isn't allowed to. Councillor Molloy stated that MPs and MLAs are also excluded from hiring rooms and felt that it is prudent that the policy is reviewed and proposed that point 5.3.1 be removed from the policy.

Councillor McLean stated he would like some clarity as he believed the policy was worded at the time so that council buildings would not be used for political rallying. The Councillor stated that Council needed to be careful on how it proceeds and that he would be reluctant to remove the point within the policy in totality. Councillor McLean proposed that more time be permitted to consider the policy to ascertain if something can be brought forward which is more acceptable to all political parties.

Councillor Doris seconded Councillor Molloy's proposal.

Councillor Molloy stated he took on board Councillor McLean's comments and that he did not have an issue if the matter was brought back to the next Policy and Resources Committee with a review of the Room Hire Policy.

Councillor McFlynn felt that it would be foolish to remove point 5.3.1 of the policy completely and that consideration should be given to the rewording of the policy as to what Councillors can use rooms for.

Councillor Ashton stated she echoed the comments of Councillors McLean and McFlynn and would second Councillor McLean's proposal.

Councillor McLean stated that Councillor Molloy seemed to be agreeable to the matter being brought back to Committee and felt that it would not be in the best interest of the Council to allow a political party to hire a Council venue for a political rally.

Councillor Molloy stated he was content for the matter to be brought back for further consideration and that he did not have issue with any political party using council facilities.

The Chair, Councillor Quinn stated that the matter would be brought back to Committee and asked that the existing policy to be emailed to the party leaders in order for discussion to take place within parties prior to coming back to Committee.

The Head of Democratic Services stated he would arrange for the policy to be emailed and that in advance of the next Policy and Resources Committee he would also research what other Councils currently do in respect of room hire.

**Resolved** That it be recommended to Council to bring a further report back to Policy and Resources Committee which reviews this Councils Room Hire Policy and details what other Councils do in respect of room hire. Existing Room Hire Policy to be emailed to party leaders.

*Live broadcast ended at 19.40 pm.*

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

Proposed by Councillor Doris

Seconded by Councillor Molloy and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR184/20 to PR200/20.

### **Matters for Decision**

PR184/20 Tender Report for the supply of ICT Infrastructure

PR185/20 Member Services

### **Matters for Information**

PR186/20 Minutes of Policy and Resources Committee held on 8 October 2020

PR187/20 Local Government Partnership on Travellers Issues: Subscription 2020-21

PR188/20 Performance Improvement: Six Month Update (Q1-Q2)  
2020-2021

**Matters for Decision**

PR189/20 Staffing Matters for Decision  
PR190/20 Staff Issues – Allocation of Staff Resources – Community  
Development  
PR191/20 Joint Negotiating Committee (JNC) for Chief Executives of  
Local Authorities (NI) – Model Disciplinary Procedure and  
associated guidance  
PR192/20 Cot Lane Footbridge; Condition and Options  
PR193/20 Cemetery Development and Safety Improvement Works  
PR194/20 General Power of Competence  
PR195/20 2021/22 - Rate Estimates  
PR196/20 Leisure Services VAT Update

**Matters for Information**

PR197/20 Confidential Minutes of Policy and Resources Committee  
held on 8 October 2020  
PR198/20 Staff Matters for Information  
PR199/20 Financial report for 6 months ended 30 September 2020  
PR200/20 Contracts and DAC

**PR201/20 Duration of Meeting**

The meeting commenced at 7 pm and concluded at 9.15 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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



**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Tuesday 10 November 2020 in Council Offices, Ballyronan Road,  
Magherafelt and by virtual means**

<b>Members Present</b>	Councillor S McGuigan, Chair  Councillors Brown*, Buchanan*, Burton*, Cuthbertson, Glasgow, Graham, S McAleer*, McFlynn*, B McGuigan*, McNamee*, Milne*, Wilson*
<b>Officers in Attendance</b>	Mr Cassells, Director of Environment and Property Mr Kelso, Director of Public Health and Infrastructure Mr Lowry, Head of Technical Services** Mrs McClements, Head of Environmental Health** Mr McCreesh, Acting Chief Executive** Mr Scullion, Head of Property Services** Mr Wilkinson, Head of Building Control** Miss Thompson, Democratic Services Officer
<b>Others in Attendance</b>	Councillors Clarke* (7.13 pm) and Gildernew* (7.09 pm)

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

\*\* Denotes Officers present by remote means

The meeting commenced at 7.00 pm

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

**E232/20      Apologies**

Head of Environmental Services.

**E233/20      Declarations of Interest**

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

Councillor Burton declared an interest in Agenda Item 23 – Contract Extension: PPE/Workwear Supplier as a family member worked for the company.

Councillor McFlynn declared an interest in Agenda Item 8 – Live Here Love Here Small Grants Scheme 2020 and Agenda Item 16 – Completion of Mid Ulster is Growing from Home Project as a member of Loup Women's Group.

Councillor Graham declared an interest in Agenda Item 23 – Contract Extension: PPE/Workwear Supplier as a family member worked for the company.

## **E234/20      Chair's Business**

None.

## **E235/20      Deputation – Tree Maintenance Campaign**

The Chair, Councillor S McGuigan advised that this deputation would now be deferred to the December Environment Committee.

## **Matters for Decision**

### **E236/20      DfI Roads Proposal to Mid Ulster District Council - Proposed 40MPH Speed Limit – Kilmasally Road, Killycanavan Road and Ardboe Road, Ardboe**

The Director of Environment and Property presented previously circulated report which sought agreement in relation to proposal from Department for Infrastructure Roads with regard to proposed 40MPH speed limit – Kilmasally Road, Killycanavan Road and Ardboe Road, Ardboe.

Councillor N McAleer stated that there had been quite a bit of development in the area over the years and speed was a concern of residents and that the national speed limit was no longer appropriate. The Councillor welcomed the proposal being brought forward and proposed the recommendation.

Councillor McFlynn seconded Councillor McAleer's proposal.

**Resolved**      That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40MPH speed limit – Kilmasally Road, Killycanavan Road and Ardboe Road, Ardboe.

### **E237/20      Environmental Services Proposed Scale of Charges for 2021/22**

The Director of Environment and Property presented previously circulated report which sought approval for a proposed scale of charges in relation to Environmental Services for the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022.

Councillor Cuthbertson referred to the small increase for the collection of commercial kerbside waste and stated that it is disappointing that there is any increase as businesses are currently under enough pressure. Councillor Cuthbertson also referred to the disposal of waste oil and asked if there are companies that collect larger quantities of waste oil or if there were places where it can be disposed.

The Director of Environment and Property advised that civic amenity sites can receive waste engine and vegetable oils by weight from commercial users and that smaller quantities of domestic waste oil can also be received ie. Oil from chip pans etc. The Director advised that the company that is involved in the disposal of oils is called Enva and that he could also provide contact details for other companies if the Councillor wanted them.

Councillor B McGuigan stated that whilst there were minimum charges the detail of the report was geared to try to encourage more recycling. The Councillor stated there is a big cost to Council in relation to dealing with waste from the black bin and it is important that Council constantly promotes the recycling message. Councillor B McGuigan proposed the recommendation.

Councillor McFlynn referred to the charge for a second brown bin and asked if this was new.

The Director of Environment and Property advised that this was a new charge which was brought in under the waste collection policy, had been publicly consulted on and was recently brought through committee and approved and will come into effect on 1 April 2021. The Director advised that the aim was to try to encourage the disposal of food waste in the brown bin as opposed to garden waste.

Councillor McFlynn seconded Councillor B McGuigan's proposal.

Councillor Burton referred to someone who wanted to purchase the three bins and asked do they have to purchase 1 black, 1 blue and 1 brown bin or was there the option of, for example, buying two blue bins and a brown bin or some other combination.

The Director of Environment and Property advised that only one black bin will be collected from a property unless it has been agreed due to the family size that a second black bin is required. The Director advised that two blue bins will be collected from a property and that trials of replacing the 240 litre blue bin with a 360 litre one were being considered. The Director agreed that the blue bin is becoming the critical bin and there was an issue of trying to increase recycling capacity whilst reducing the size of the black bin which is the most expensive bin material to treat, therefore there was the incentive both environmentally and economically to try to move material from the black bin into the blue or brown bin. The Director advised that a number of trials were currently under consideration and would be brought to Committee in due course.

**Resolved** That it be recommended to Council that the proposed scale of charges as outlined in report be approved for 2021/22.

## **E238/20 Bus Shelters Update**

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

Councillor Milne referred to the bus shelter proposal for Knockloughrim which did not meet the criteria of the bus shelter policy in terms of responses to the neighbour notification survey and felt that this request, and any other similar request coming forward in the near future be put on hold until the review of the bus shelter policy has taken place.

The Head of Technical Services advised that a workshop in relation to the review of the Bus Shelter Policy will take place on 24 November and if Members were agreeable then the request for Knockloughrim, and any other similar requests, will be put on hold until the policy has been reviewed.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Burton and

- Resolved** That it be recommended to Council –
- i. To move the following applications from stage 5 of the application process:
    - Glendavagh Road, Crilly, Aughnacloy
    - Church Street, Cookstown
    - Whitebridge Road, Ballygawley
  - ii. To install the following bus shelters as they have met all the criteria in the Bus Shelter Policy (Section 1.2, Point 4):
    - Culnady Village
    - Thornhill Road
    - Kileenan, Kildress GAC
    - Clonoe Crossroads
  - iii. That the request for bus shelter at Knockloughrim be put on hold until Bus Shelter Policy has been reviewed. This will apply to any other request coming forward until the review of policy has taken place in which the required 67% of completed replies being in favour of a bus shelter has not been met.

#### **E239/20      Live Here Love Here Small Grants Scheme 2020**

The Head of Environmental Health presented previously circulated report which provided update on the Mid Ulster District Council Live Here Love Here programme and sought approval for funding to continue for 2021/22.

Councillor Cuthbertson stated he did not have a problem supporting the Scheme but asked that given the financial constraints Council is under would it have to consider contributing lesser funding to this and other organisations which it currently supports.

The Director of Public Health and Infrastructure stated that these were the calls that will have to be made going forward and if there is a pressure on budgets then all issues will need to be reviewed. The Director advised that the Scheme under consideration tonight has helped to deliver some excellent projects locally and that it was a matter for Members consideration. The Director advised that if there are pressures at a later date then all decisions can be reviewed.

Councillor Cuthbertson stated that the report was seeking commitment of £21,000 from Council and that the Director advised that this can be reviewed if required. Councillor Cuthbertson asked that, if agreed, does the payment be made straight away or is it not made until the end of March.

The Director of Public Health and Infrastructure advised that payment is not necessarily made straight away and that the payment process could be held over until the end of the calendar year.

Proposed by Councillor Graham  
Seconded by Councillor McNamee and

- Resolved** That it be recommended to Council to approve the continued contribution to funding the Live Here Love Here work at a cost of

£21,000 per annum with 50% being returned to Council through the small grants programme.

**E240/20      Response to the Food Standards Agency's consultation on the Review of the Guidance on vacuum packed chilled food**

The Head of Environmental Health presented previously circulated report which advised of the Food Standards Agency's consultation on the review of the guidance on the safety and shelf life of vacuum and modified atmosphere packed chilled food with respect to non-proteolytic *Clostridium botulinum* – chilled fresh beef, lamb and pork.

Proposed by Councillor Glasgow  
Seconded by Councillor Graham and

**Resolved**      That it be recommended to Council to respond to the Food Standards Agency's consultation on the Review of Guidance on vacuum packed chilled food as outlined at appendix 1 of the report. Draft response to be submitted in advance of the deadline of 11 November 2020 and confirmed following ratification at November Council meeting.

**E241/20      EU Exit**

The Head of Environmental Health presented previously circulated report which provided an update on EU Exit from an Environmental Health food and consumer goods perspective.

Councillor Wilson referred to the report which advises of the offer of funding for an officer up until March 2021 and stated that if Council employs a full time officer it will be an ongoing cost.

The Head of Environmental Health advised that the officer would only be in place for the same length of time as the funding.

Councillor Wilson stated that Council would therefore only be employing a part time officer.

The Head of Environmental Health advised that Council would be employing a full time officer but on a temporary basis.

Councillor Wilson stated that he felt it would be difficult to get someone for such a short period.

Councillor McFlynn stated that Mid Ulster is known for its agri foods and asked if exports will be checked as well and where this will happen. Councillor McFlynn welcomed the offer of funding but stated she would worry about what will happen after March and if Council will be able to employ an officer more permanently as this will be ongoing work.

The Head of Environmental Health advised that the OPSS funding is for non food products. The officer referred to the report and in respect of the importation of food stated that there is a lot still to be decided upon but that checks are more likely to be

at ports. In relation to exports, then the businesses which Council has responsibility for within Mid Ulster, can sign export certificates for or support DAERA are the businesses which officers will continue to work with to try to provide as much advice and guidance as possible. The Head of Environmental Health advised that again there is a lot undecided in relation to exports but that officers will support businesses as best it can.

Councillor McFlynn proposed the report recommendation.

Councillor B McGuigan stated that it is important to support local businesses as no one really knows at the moment how everything will pan out. Councillor B McGuigan seconded Councillor McFlynn's proposal.

**Resolved** That it be recommended to Council to accept the OPSS offer of funding to be used to recruit an additional Environmental Health staff resource.

### **Matters for Information**

#### **E242/20 Minutes of Environment Committee held on 13 October 2020**

Members noted minutes of Environment Committee held on 13 October 2020.

#### **E243/20 KNIB Cleaner Neighbourhoods Survey/Report**

Members noted previously circulated report which provided the results of the Cleaner Neighbourhoods Survey/Report.

#### **E244/20 Tullyvar Joint Committee Update**

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

#### **E245/20 Recycling Centre Opening Hours**

Members noted previously circulated report which provided an update on temporary closure dates and changes to opening hours at three Household Waste Recycling Centres (Tier D).

Councillor Milne welcomed the decision to open Ballymacombs Recycling Centre on a Saturday.

#### **E246/20 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2020**

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 1 of 2020/21 from April to June 2020.

## **E247/20      Completion of the Mid Ulster is Growing from Home Project**

Members noted previously circulated report which provided update on the completion of Council's 'Mid Ulster is Growing from Home' project and highlighted the results of the end of summer virtual show held as part of the project.

Councillor B McGuigan stated that this had been a very successful project which involved people using their own garden space or community allotments to grow produce. The Councillor referred to the report and the intention to apply for funding to allow this project to continue and felt this will be a good project to carry on with in the future.

## **E248/20      Landlord Registration**

Members noted previously circulated report which advised of the proposal by the Department for Communities to transfer the function of Landlord Registration to Councils.

## **E249/20      Building Control Workload**

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

## **E250/20      Entertainment Licensing Applications**

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

## **E251/20      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 there were two further controversial requests within the report this month – one in which no one responded to the survey and the other for Cadian Road in which 51% responded in favour of the request and signage is therefore being erected. Councillor Cuthbertson highlighted that the policy states that more than 51% of the completed replies should indicate they are in favour of the erection of dual language signage. Councillor Cuthbertson stated he raised issue whenever the policy was brought in and a number of times since that the threshold for completed surveys was not right. The Councillor stated that in the case of Cadian Road 28 replied in favour while 27 replied not in favour and as such this would cause a split of opinion on that particular road and unnecessary division. Councillor Cuthbertson stated that the policy needed to be reviewed as it was farcical to allow it to continue as it stands.

Councillor Graham also referred to Cadian Road in which 159 surveys were issued and only 55 valid returns were submitted. The Councillor stated that Cadian Road is a mixed area and no further division should be caused as English was striving to be cross community orientated. Councillor Graham stated that it was also her understanding that the policy states that more than 51% of the completed replies

should indicate that they are in favour of the erection of dual language signage and in this case the signage is being erected with only 51%, Councillor Graham stated she felt this was not right and needed to be looked at again. Councillor Graham also referred to the request at Lovedale in which 20 surveys were sent out and none were returned. The Councillor stated that the policy in its current format doesn't work and needs to be looked at again, Councillor Graham referred to the money being wasted on dual language signage which she felt could be used in better ways.

Councillor Wilson stated he supported the comments of Councillors Cuthbertson and Graham and that at last month's meeting he had asked for the policy to be reviewed. Councillor Wilson referred to the request at Lovedale in which no responses were received to the survey and felt there was the opportunity to look at what had gone wrong in relation to this request with a report being brought back to the next Committee meeting.

Councillor Glasgow concurred with the previous comments made and stated that there needed to be a report brought back in relation to Lovedale as this was the second time a survey had been issued and no responses were returned. Councillor Glasgow referred to discussion at last month's meeting in relation to review of the policy and stated that he felt that as this was now the second occurrence a review of the policy should be undertaken as a matter of urgency. Councillor Glasgow stated that there is a cost associated with undertaking a survey as depicted in another report related to Derry Road later in the agenda and highlighted that Council is a public body and will have to justify expenditure to its ratepayers. Councillor Glasgow proposed that the policy on Dual Language signage be brought back for review as a matter of urgency.

Councillor McNamee stated it was disappointing to hear Unionist Councillors once again attacking the Irish Language, the Councillor stated that the policy has been in place for a number of years and has been working well and felt that it would be better for Unionist Councillors to condemn the attacks made to dual language signage on an ongoing basis. Councillor McNamee agreed that it was disappointing that some surveys had no responses returned and that this should be monitored but in the long term the policy should remain as it is as it is working well and is not a waste of money as residents are happy that they can have the Irish language on signage in their community. Councillor McNamee proposed that the policy in relation to Dual Language signage remains as is and stated that this matter should not have to come under attack every month as it is Council policy.

Councillor N McAleer concurred with Councillor McNamee's comments and stated that there were only a very small number of roads in which no responses had been received to surveys compared with the number of requests put in. Councillor N McAleer seconded Councillor McNamee's proposal.

The Chair, Councillor S McGuigan stated it was disappointing and didn't auger well for the future. The Chair stated he was aware of people within the Unionist community who are fluent Irish speakers and that he did not understand the need to negate the issue as it did not serve any purpose. The Chair stated there were two proposals – one from Councillor McNamee to keep the policy as is and a proposal from the Unionist Councillors which focused on the 51% issue and surveys not being responded to.



Councillor Cuthbertson proposed that a stop be put to the signages mentioned and ask for a review of the Dual Language Signage policy. Councillor Cuthbertson stated that this agenda item used to be listed under matters for decision but because a previous Chair of Committee got tired of him proposing that the signage did not proceed due to costs the item was moved to matters for information. Councillor Cuthbertson stated that he felt there would no doubt be further attempts to silence the minority on the committee and on the Council.

Councillor Burton referred to Councillor McNamee's comments about disappointment and stated that this worked both ways. The Councillor stated she was a public representative and was here to represent everyone, Councillor Burton stated that that she had attended meetings in Eglish and there was a group which was trying to work across the community and trying to get everyone involved. Councillor Burton stated that she was aware that Protestants in the Eglish area are getting involved and supporting local initiatives and that Councillor McNamee's comments were hitting strongly out at the Unionist community. Councillor Burton stated that some members of the public believed there is a political agenda and referred to the requests coming in to Council which are clearly duplications of the one letter. The Councillor stated it was equally disappointing for Unionist Councillors who are trying to serve everyone all of the time that we are here tonight discussing this matter. Councillor Burton referred to earlier discussion regarding funding the Live Here Love Here Scheme and that everyone works together on these projects and stated that she felt it was time for everyone to have a bit of maturity on this matter also.

Councillor Wilson stated that he had no issue with any language and had no problem condemning signage being damaged but that he did feel strongly that when a language is being used as a Trojan horse then it becomes an issue.

Councillor Glasgow seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Cuthbertson's proposal –

For – 7

Against – 7

The Chair, Councillor S McGuigan used his casting vote and therefore declared Councillor Cuthbertson's proposal lost.

## **E252/20      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.

## **E253/20      Dual Language Signage – Derry Road**

Members noted previously circulated report which advised of the costs of administering the dual language signage application for Derry Road as well as associated costs in relation to the application.

Councillor Glasgow thanked officers for bringing the report back and that it was the first time Members had seen costings associated with the surveys. The Councillor

stated that it was disappointing that £90 had been wasted and felt that the public will look at this and ask questions.

Councillor Graham also thanked the officer for the report and highlighted that this was a cheaper survey than some others and that costs do vary. Councillor Graham asked if the Dual Language Policy is up for review in February/March of next year.

The Director of Public Health and Infrastructure advised that the policy will be brought before the Committee when it is up for review.

*Live broadcast ended at 7.58 pm.*

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

Proposed by Councillor Graham  
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 E254/20 to E262/20.

### **Matters for Decision**

E254/20 Contract Extension: PPE/Workwear Supplier  
E255/20 Tender report for Quarry aggregates and Bitmac products  
E256/20 Contracts for collection and recycling of tyres and WEEE/batteries  
E257/20 Coalisland Public Realm – Utility Companies

### **Matters for Information**

E258/20 Confidential Minutes of Environment Committee held on 13 October 2020  
E259/20 Vehicle Replacements – Price Increase  
E260/20 Capital Framework – ICT Contracts Update  
E261/20 Capital Framework – IST Contracts Update  
E262/20 Capital Projects – Scoping Contracts Update

## **E263/20 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.12 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 12 November 2020 in the Council Offices Ballyronan Road,  
Magherafelt and by Virtual Means**

**Members Present**

Councillor McNamee

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

**Officers in  
Attendance**

Mrs Campbell, Director of Leisure and Outdoor Recreation  
Mr McCreesh, Director of Business and Communities  
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 Greer, ICT Support  
Ms Grogan, Democratic Services Officer

**Others in  
Attendance**

Deputation - Tyrone Ladies GAA

Councillor McFlynn\*  
Councillor Gildernew\*

\* 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.*

**D168/20      Apologies**

None.

**D169/20      Declarations of Interest**

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

*Councillor Kearney declared an interest in ICBAN and Lough Neagh Partnership.*

*Councillor Elattar declared an interest in Northern Ireland Housing Executive.*

## **D170/20      Chair's Business**

The Chair advised that there would be a change to the agenda proceedings tonight as item 17 - Regional and Minority Language Implementation Working Group would be taken immediately after item 10 – Economic Report.

Councillor Elattar said that she wanted to welcome the announcement from Minister for Communities Carál Ní Chuilín about the future of social housing in the North as it was apparent for some time there has been housing stress as the number of new build houses hadn't been keeping up with demand either for social or affordable housing. The reclassification of the Housing Executive would enable it to grow and provide citizens with the help with building new homes again and can look forward to more promising times ahead especially for the Housing Executive to be able to build new homes again. In Mid Ulster there was a shortage of affordable housing in smaller rural areas and continue to look at ways in which this can be resolved so local people may be able to live in areas they grew up in rather having to move to neighbouring towns. The existence of smaller local schools, sporting clubs and local communities depend on young people and their families being able to live there. New protection for tenants is also an important factor in the transformation going forward and due to the shortage of social and affordable housing at the moment, a number of families would continue to rely on private rental sector for quite some time to come and they deserve to have the same standard of accommodation and protection as those living in social housing. She said people were looking forward to the largest housing project in decades and being able to provide stable security and affordable homes for those who need them and commended the Minister for her commitment to this project and the innovative ideas for social housing in the North being made more accessible for people in the future.

Councillor Monteith also welcomed the launch and discussions around the Northern Ireland Housing Executive as it was a great step forward as many years ago the Housing Executive had lost the ability to build new houses, but would have some concerns about ideas talked about and when the opportunity arises this would be fed into once the consultation once it happens.

He said that he would be slightly concerned about separating the section of the Housing Executive to allow it to borrow money which sounds very like a large housing association as this was the rationale given away at the beginning that the only way of doing social housing was in this way and whilst a lot of good work had been done by many Housing Associations down through the years, the simple fact was that Housing Association property was not affordable for some people. He would be concerned if this was the direction of plan which the Housing Executive was guided down and where private finance has an influence with rent setting and this would be a major issue for himself and was vital that affordable means affordable and what may be affordable for one family may not be for another. He advised that there was a need to go down the route if a family needs a home then they should be eligible for one and rents set accordingly on the ability to pay and this should be the radical approach compared to one size fits all attitude. He said that he would have a concern around the potential for privatisation around social housing but would welcome the fact that we were moving towards a more robust public sector intervention into social housing programme for the future.

He said that he attended a meeting during the week primarily about Dungannon and felt that it would be beneficial to run a workshop before the consultation was launched to gather up the experience from the people which were stuck on private rent, substandard accommodation or waiting lists and have this evidence ready for the consultation. He felt that this was something Mid Ulster Council have uniquely placed at the forefront on perspectives and was a great opportunity to put forward the experience of the urban setting and the major housing crisis which was in Dungannon along with other urban settings in Cookstown, Magherafelt, Coalisland and Maghera. He said that there was a need to put forward a very strong case for social housing in rural areas which has always thought was a very flawed system as they would say there was no need for housing in particular rural areas and then developers come in and build 40 – 50 houses in villages and they are snapped up very quickly. He advised that there was a need for this particular argument to be shouted high and loud that there was a need for social housing in rural areas just as much as urban areas as the rationale in the past had failed miserably.

Proposed by Councillor Monteith

That officers draw up a few of these issues and arrange a workshop to take this forward on behalf of our citizens to get social housing right once and for all.

Seconded by Councillor Kerr

**Resolved** That it be recommended to Council that before the consultation, Officers from the Development Department arrange a workshop on issues so this can be brought forward on behalf of local citizens to get social housing right once and for all.

The Chair stated that at the beginning of the New Year people should be sitting down and looking at all of this and said that Councillor S McPeake had done a lot of work around this when he was Chair of Council. He said that there was no housing for the ordinary person like a single person who may wish to leave home and maybe on a list for the next 10 to 20 years and young couples having no choice but going into the private sector as there was physically no houses for the people and there was a requirement for a massive build project going forward.

Councillor Elattar said she wished to come in on Councillor Monteith's point and that no one wished to see the Housing Executive being privatised and would be certain that this wasn't the way it was going as people fought against that for a long, long time. She agreed with Councillor Monteith's comment 'one model does not fit everyone' so it would be a good idea to sit down and consider all the challenges that may be faced in Mid Ulster with social and affordable housing which needs to be affordable for all and doesn't think in the briefing that the Minister gave emphasised that need for rents remaining low for people. She felt that in the New Year as the Chair previously stated it would be a good idea to sit down and go through all these issues and issue a good response from Mid Ulster District Council.

The Chair advised that a report was being brought tonight on Cross-Departmental Actions for Vulnerable Children and Young People during the Covid-19 Pandemic Period.

The Director for Business and Communities advised that members may recall that at a previous Council meeting, a member asked that a policy response be drawn up and he sought approval from the Development Committee for submission and stated that a draft response was in front of members tonight for consideration. This response focused around four areas and deals with: Increased temporary accommodation places for victims of domestic violence; Families facing financial hardship and/or in food poverty; Children facing educational disadvantage due to school closures and Children/families unable to access services due to reduced service provision and/or social distancing requirement. Also addressed was the educational disadvantages of children through school closures and school meals. He said that a key area which has been raised in the Community Plan was the issue of reduced service provision for children with special needs pre Covid but in particular during Covid where many of them felt abandoned from mainstream support.

He said if members were relatively content that approval would be sought to submit the response and if members had anything to add that this could be done by tomorrow before submission.

Proposed by Councillor Monteith  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to the Council to submit response on Cross-Departmental Actions for Vulnerable Children and Young People during the Covid- 19 Pandemic Period. Any additional comments to be forwarded tomorrow before submission.

#### **D171/20 Deputation - Tyrone Ladies GAA**

The Chair welcomed representatives from Tyrone Ladies GAA - Ms Rita Hannigan, Ms Donna McCrory and Mr Paddy Hunter and invited them to address the committee.

Mr Hunter advised that Tyrone Ladies Football was formed in 1991 in association with the LGFA, with the first season commencing in 1992 with 8 clubs. The club were All Ireland champs at several levels and continue to progress. Today there are 41 clubs, 39 competitions and almost 4000 registered members, with 38 clubs being one club models.

The group provides:

- Football-coaching-fun-activities
- Young female leadership
- Positive way of life
- Health & Wellbeing
- Direction
- Academies
- Positive pathway

The future of Tyrone Ladies GAA:

- Progression of All Teams
- Development of our Clubs
- Increase in Registration/Numbers
- Academies



- Full Time Coaches
- Cairde Tír Eoghan
- Own Facilities
- All Under One Banner

The Chair said that he was disappointed to hear that the Ladies Football didn't receive any money from Club Tyrone and was sure that the ladies were involved in selling the pixels at the time to generate the funding for Garvaghey.

Mr Hunter agreed that this was the case and were involved in the marketing as was evident to see when you look over all the old brochures with a lot senior players being involved and then all of a sudden this ceased.

The Chair referred to the sponsors of Club Tyrone and their perception that their funding was going towards the Ladies football also.

Mr Hunter said that at least 95% of sponsors believe that was the case and also a lot of clubs and individuals believe that and a lot have pulled out because of this.

Councillor Doris thanked the representatives for such an informative presentation and said that there was a lot she didn't know and was quite shocked. She said that Mr Hunter hit the nail on the head as this was not just about sport and not just about physical wellbeing, but about their mental wellbeing also and that was where the GAA really stood out. She said that she had read an article a few years ago and said if you really wanted to look at the heart of the GAA which was also in countries like Australia and Dubai promoting that sense of community and purpose and through this pandemic it was evident to see how important the group was as it was the heart of the community.

She said that going forward officers may be able to provide direction on possible funding but asked if there was any merit in the Council writing a letter to Club Tyrone on trying to lobby on behalf of the Ladies Football to see if there was any funding they could provide or whether there was any suggestion the group could provide in this regards.

Mr Hunter advised that Club Tyrone were a funding body but they didn't own Garvaghey but would welcome any guidance the Council could provide as they were a major contributor to the Garvaghey project. He said that Garvaghey was an issue which raised its head several times and was discussed at a high level last year with a sub-committee formed but due to the pandemic this never went any further and were stuck between a rock and a hard place and still have to come up with the money. From a perspective of handing over money, the HMRC appears to be the major stumbling block because they were a separate organisation, but does note that Club Tyrone were able to claim back £12k tax aid. He said that if his group had £12k reduction in their bill it would be a massive help.

He said that it would be up to the members to see what the plan of action was and certainly a letter to the Garvaghey Management Committee making them aware of the current situation would be a step in the right direction.

Councillor Doris advised that this would be discussed amongst Councillors and was good to get Mr Hunter's input.

Councillor Kerr thanked the representatives for their informative presentation and some fantastic work was being carried out and commended the group. He said that the senior Ladies had reached the All-Ireland Senior Final in 2018 and hoped that there would be similar achievements in the future. He said that overall sport had been a great distraction for people and their mental health and was aware of ladies within his own club helping to develop talent and with the féile to sustain its future and felt that equality should be shown. He wished the group well in the future endeavors and hoped that the progression of work continues.

He proposed that officers meet with representatives from Tyrone Ladies County Board and look at financial support to help enhance and publicise Tyrone.

Councillor Monteith thanked the group for their presentation and said that he was aware of a number of these issues and concerns which were highlighted over the last six months. He said that Dungannon ladies were very vocal in around the town and made representations to him and would encourage anyone who was a member of a club as it was coming towards the AGM season and to make sure that county reps raise this at the County Board Convention as this was vitally important that this blatant inequality stops. He said that it was vitally important that Ladies sport was recognised within the Gaelic family and resources to succeed as we see the resources that it takes to put the team on the field and their achievements that the Ladies Football has reached with pittance in comparison to men's football. He stressed the need for people involved in local GAA clubs to say that this had been going on long enough and everybody deserved the same crack of the whip and the same resources to put the County to the maximum as each sport costs money and resources and was in no doubt the elite level that many of our female footballers and camogs reached in the past could only be much better if they properly resourced. He concurred with Councillor Kerr and Councillor Doris and said we need to do what we need to do and would second the their idea of writing to Club Tyrone and the County Board as there was a need for this Council to express disappointment regarding some of these issues but also say that the Council wished to work with them. He said that the Council had a member of staff who was a whizz kid when it came to VAT and HMRC and he may be able to advise how to overcome some and felt that if there was a will there was a way. As a Council there was a need to back ladies football and camogie to endeavor to make sure that there was a level playing field.

Councillor Molloy thanked the group for their impressive presentation and said that he was an Armagh Clubman and his daughters play ladies football and referred to what Mr Hunter said Armagh Football and their facilities and that this was born out of a similar situation in relation to level access to facilities and had to go it alone and get their facilities put up. He said that a lot of the clubs were now under the one banner but with two distinct organisations within that which makes things very difficult, but was also an opportunity because they were a distinct organisation on their own this may be more beneficial. He agreed with members comments around officers sitting down with the group to see what assistance and support can be provided to the group going forward.

Councillor Ashton thanked the representatives and said it was very informative and said what she picked up on was that the group were looking at acquiring their own site and asked was it a case of Garvaghey being unable to accommodate the Ladies Football or was it just an issue over the funding and payment for the facilities.

Mr Hunter thanked Councillor Ashton for her interest and said that the situation currently was that the ladies were to go back to Garvaghey in August of this year as planned when the teams were allowed to go back and previously booking were through email and no issue with it, but there was no information received at all until he happened to be covering a game at Garvaghey and he happened to meet the County Chairman and asked him what the situation was and was given a load of excuses on why they weren't allowed to use it, ranging from rabbits and the lack of toilets etc. The decision was taken that they couldn't wait any longer despite the fact that the Tyrone men and under 20's were both there that same week. He said that Garvaghey was still very much on the agenda and do hope to go back but wanted to thank some of the clubs Clog, Galbally, Omagh and Errigal Ciaran who were fantastic for helping the group out but as Councillors recognise, there needs to be one base to operate the facility from. He advised that there was a longing to go back to Garvaghey next year and just to clarify that this wasn't a case of not being granted permission or funding, but more the fact that the group couldn't wait any longer this year to use the facility but come December there would be another application made to use the grounds again for the various programmes in January. He stated that the future plan would be to have a pitch of their own if they could get one.

Councillor Clarke thanked the representatives from Tyrone Ladies Football and stated that he was a proud member of an integrated club known as An Caisleán Glas agus Sperrin Óg which had an integrated club for over 10 years now, where everyone is equal and no male or female dominance and whoever was elected to a position within the committee was elected. He said Mr Hunter had enlightened him on some things but advised that some of these issues had been raised with the County Board by some of his clubs delegates. He said that in his opinion they didn't need extra ground but there was a need for Garvaghey to be open to everybody because there are five playing pitches available and should be sufficient and felt that the Council should have some input as financial supporters of the facility and some common sense on how it was allowed to be used. There was a lot of funding being raised from within the GAA in Tyrone for GAA but as it turns out it was going towards the male sector and this needed to be addressed and on the overall scheme of things support needed to be provided as it wasn't a massive amount of funding as they are doing a fantastic job which he could vouch for within his own club as they play both play at intermediate and senior level and this year they were in the Senior Semi Final and the League Semi Final. He concluded by saying that the ladies should receive the same recognition within the clubs as men and wished them well in the years ahead.

Councillor Kearney said that Garvaghey was always flagged up as the Centre of Excellence and was disappointed to hear that such inequality existed and wanted to support Tyrone GAA Ladies in their quest and asked that Council investigate ways in which support can be provided to the group. He advised that he was a GAA man himself and was surprised and disappointed that this was the case within Tyrone and wished the ladies well in their endeavors.

The Chair thanked the group for their presentation and as they could see there had been great support for themselves going forward in tackling this injustice. He said that there were suggestions about writing to the County Board and Club Tyrone, but felt the best way forward would be to sit down with Officers to seek a way forward with a meeting being followed up on how to proceed and looking at funding opportunities so equality is there for everyone.

Mr Hunter issued a massive thank you to the committee on behalf of himself, Ms McCrory, Ms Hannigan and the Tyrone Ladies on taking time to listen to them tonight and wished them the best of luck going forward.

Representatives of Tyrone Ladies GAA left the meeting at 7.50 pm.

## **Matters for Decision**

### **D172/20 Mountain Bike NI Consortium**

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

Councillor Doris said that she was happy to propose the recommendation but would like Council Officers to explore the potential for mountain biking in Drumcairn Forest. It was already used by some bikers locally as there was no other facilities like it around that area within Mid Ulster. She said that she was aware of work being done with some local groups like the Island Wheelers, the Council and a Consortium who have realised the potential of the forest and asked that this be given consideration.

Councillor Kerr said that he would second the proposal and enquired if there was any update on Drumcairn and Altmore projects and whether there was any further progress on the licensing issues with the Forestry Service or Water Services in regards to the reservoirs.

The Head of Parks advised that as indicated at the previous meeting, the Council were making progress on their master-planning which was approved by Council and since that, discussions had taken place with the Altmore community this week in relation to Terms of Reference before proceeding. He referred to the Altmore facility and stated that discussions had been taking place with Forest Service, he had also spoken to the legal team regarding Water Service this week with things progressing, but it was a process and does take time to move forward.

Proposed by Councillor Doris  
Seconded by Councillor Kerr and

**Resolved** That it be recommended to Council that approval be given to Mid Ulster District Council being a participant partner in the Mountain Bike NI Consortium for 2020/21 at a cost of £6,666.00.

### **D173/20 Conway Close, Cookstown - Lease Agreement**

The Head of Parks presented previously circulated report and sought permission to formalise the current arrangement relating to land adjacent to 17 Conway Close Dunamore, Cookstown from Northern Ireland Housing Executive for the purpose of play provision.

Proposed by Councillor Clarke  
Seconded by Councillor Milne and

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

- a) To accept the valuation from NIHE of £1,000 to purchase the Freehold of the parcel of land at Conway Close, Dunamore.
- b) sought to purchase the Freehold of the land valued at £1,000 from Northern Ireland Housing Executive (NIHE) as out lined in Red (Appendix). Endorsement is sought to present Lease Agreements and associated LPS valuations on receipt, for P&R Committee approval.

**D174/20 DAERA: Environmental Challenge Fund 2020/2021**

The Head of Parks presented previously circulated report and sought permission to accept the Funding Offer from the Department of Agriculture, Environment and Rural Affairs: Environment Challenge Competition 2020/21 successful application for the redevelopment of Ballyronan Wood.

Councillor Elattar proposed to proceed with the recommendation and said that she welcomed the work which was carried out at Ballyronan as it was very well used throughout the district.

Councillor Clarke agreed that it was a good piece of work which would enhance the area.

Proposed by Councillor Elattar  
Seconded by Councillor Doris and

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

- a) Accept the DAERA Environmental Challenge Fund 2020/2021 funding opportunity as per the Letter of Offer.
- b) Approve allocation of match funding £40,500 to the Ballyronan Wood redevelopment from the Councils Outdoor Recreation Five year Strategic Plan capital programme allocation.
- c) Appoint a suitably qualified ICT and IST for the delivery of associated consultancy and contract works services.

**D175/20 Financial Assistance Offer from TNI for a New Tourism Website**

The Head of Tourism presented previously report and sought permission to avail of 100% financial assistance from Tourism NI for a dedicated Mid Ulster Council tourism website and to seek permission to avail of 75% funding from The Department of Agriculture, Environment and Rural Affairs (DAERA) for the development of experience tourism and product development clusters to align to the Tourism NI 'Embrace a Giant Spirit' brand.

Proposed by Councillor Clarke  
Seconded by Councillor Doris

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

- a) To progress with the development of a new destination tourism website.
- b) If successful Council development two experiential tourism and product

development clusters with a maximum match funding contribution of £16,666. Opportunities to develop a collaborative project with Antrim & Newtownabbey under the themes of 'Living Loughs' and 'Mid Ulster's history and heritage'.

Councillor Doris said that this was very useful and praised the Tourism team as they had provided exceptional work throughout the whole pandemic and recognised the fact that working online was very challenging for the tourism industry. She stated that this would be a great lift to the industry after COVID and very welcome and again thanked the Tourism team working behind the schemes during this difficult time.

The Head of Tourism in response to Chair's query advised that he anticipated that the website would be ready by end the March and ready for the new season given that staycation was the buzz word at the moment and would want it active by that stage.

Councillor Cuddy said it was good to see anything which could help the industry as it had been flat this last few years and enquired if there was a business plan to target the amount of people using the site so there was something to measure against it in years to come.

The Head of Tourism advised that certainly that all the data and analysis would be measured as the details relating to where the visitors were from and what they were doing, data from that would be collated and submitted to committee if required.

Councillor Molloy said that he welcomed the website as maintenance and freshness was always a major concern around websites. He stated that the Comms team was doing an excellent job around social media and other things but seen there was an inbuilt cost around the maintenance annually for someone to maintain it and felt that this would be good going forward to keep it updated and refreshed.

The Chair stated that it was very important to keep the website fresh and to see a new dimension each month.

## **D176/20      Community Development Report**

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

- Grants – to agree the rolling good relations grants & Decade of Anniversaries Grant
- Peace IV – to agree the Peace IV Proposal
- Community Development – to note the update report

*Councillor Doris declared an interest in Peace IV as she sat on the panel.*

Councillor Doris sought clarification on Canal Walkway in Coalisland and said that although she welcomed what was proposed within the report, there had been a report presented previously which was being addressed later within Confidential Business, but said that it was her thinking that this Peace IV funding wasn't going to be used for lighting in terms of the Canal Walkway.

The Head of Community Development agreed with the Councillor that this was the case as this was based on before the opening up before going into the Canal.

Councillor Doris felt that this was a disappointment for some the Torrent Councillors and asked if there was meant to be funding allocated from the Heritage Lottery in terms of the Canal Walkway and was wondering if there was any update on this. She advised that she would seek clarification from the Head of Community Development after tonight's meeting.

Proposed by Councillor Doris  
Seconded by Councillor Kerr and

- Resolved** That it be recommended to Council to approve:
- (i) Grant award recommendation for Good Relations (£1,629) & Decade of Anniversaries (£625).
  - (ii) Peace IV Proposal for delivery of the projects. The project will also go to the next Peace IV Partnership. The total project cost is £377,438 and the confirmed underspend currently is £330,000. Final underspend to be known following the tender for the shared space projects.
  - (iii) Community Development – to note the update report

Councillor Monteith raised the issue of Community Planning and stated that before COVID had come into play, members had been told during the presentation from the Southern Trust that there would be engagement with the Council's Community Planning department in relation to the medical hub for Dungannon and the work they would have to carry out in order to have it implemented into their projections for their 3 to 4 year plan. He said that it was his understanding that it was in the 4/5 year plan which was in place and would propose that a meeting was sought with the Trust by DEA or any Councillor that was interested to see where this was at and like Officers to investigate so progress can be made as fast as possible. He said that there had been a number of issues recently or for a number of years regarding GP provision and the lack of GP's in the Dungannon area and other parts of the area also which accumulated severe pressure being put on GP's who were already under severe pressure to elevate pressures within Armagh and other places.

Councillor Monteith proposed that Officers set up an update meeting to see where this issue was currently at and bring it forward as a job of work

The Head of Community Development advised that an update had been sought from the Trust at the beginning of the week on matters which were previously agreed and they came back with an email response to say that their Capital was still under review. She advised that there were a number of Capital projects for Mid Ulster i.e. Dungannon, Cookstown medical hubs and Oakridge and this was something that can't be brought forward until Officers see the lists and what was available.

## **D177/20      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) TEDx (Mid Ulster) 2020**

At the Development Committee on 12 March 2020, Members recommended to Council to approve Gold Level sponsorship of £2,000 towards the event which had been scheduled for June 2020. However, due to Covid, the event will now take place virtually (but filmed in the Tullylagan Hotel) on 27 November 2020. It is the first time that a TEDx event will take place in outside Belfast.

Proposed by Councillor Kearney  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council to approve that delegated authority be granted to the Director of Business & Communities/Chief Executive to manage the allocation of the 4 TEDx tickets in line with Council procedures, ahead of Council Meeting on 26 November 2020.

**ii) Women in Business 'Yes You Can' Collaboration Programme – Year 3**

In March 2018, Council approved a proposal from Women in Business to all 11 Councils for the delivery of a three-year collaborative regional programme entitled 'Yes You Can' between Women in Business, Invest NI and the 11 Councils to increase and support levels of female entrepreneurship. The initiative is a collaboration resulting from a unique situation: An American entrepreneur originally from NI, impressed with the efforts of Women in Business to encourage new female entrepreneurs, made a financial commitment (£200,000) towards the development of other support initiatives, the 11 Councils and Invest NI are each contributing £200,000 (Mid Ulster District Council's contribution is approximately £6,060 for each of the 3 years). Lisburn and Castlereagh City Council are acting as Lead Council on behalf of the 11 Councils.

Councillor Doris advised that this was very beneficial for the Mid Ulster area.

Proposed by Councillor Doris  
Seconded by Councillor Corry and

**Resolved** That it be recommended to Council to approve provision of up to £6,060 towards the third and final year of delivery of the 'Yes You Can' Programme, subject to Women in Business providing Council with an Activity Plan for 2021 outlining how they propose to promote the Initiative to achieve a higher level of participant engagement.

**(iii) DAERA (TRPSI) Rural Business Development Grant – 2020**

The Rural Business Development Grant Scheme is funded by DAERA through the TRPSI (Tackling Rural Poverty and Social Isolation) Programme. It focuses on existing rural micro businesses employing less than 10 employees, offering 50% in grant aid against eligible costs up to £4,999 to support actions aimed at improving business sustainability and growth.



The Scheme opened for applications on 3rd August 2020 and closed on 11th September 2020 at 12 noon. A total of 315 complete applications were received by the closing date. A further 15 were received after the closing deadline and deemed ineligible. The value of applications received far exceeds the level of grant aid allocated to Mid Ulster District Council of £62,000. DAERA has indicated but not confirmed that additional funding may be provided following completion of assessments. The Contract for delivery of this Scheme sets out specific progress milestones with 30th November 2020 identified as the date by which applications are to be assessed and letters of offer issued to successful applicants.

Proposed by Councillor Burton  
Seconded by Councillor Molloy and

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

- a) Note update on the Rural Business Development Grants Scheme 2020 and pressure on delivery timescales.
- b) Approve delegated authority be granted to the Director of Business & Communities/Chief Executive that once project applications are assessed, scored and ranked, the Director/Chief Executive can approve letters of offer in ranked order, up to the maximum grant funding available for issue by 30<sup>th</sup> November 2020. A report will be brought to the Development Committee immediately afterwards to update Members on the outcome of assessment and scoring to note approved projects.

**iv) LEADER Contract Variations**

DAERA has issued variations to both the Contract for administration support between Council and LAG and the SLA between Council and DAERA to extend the original term of both to 31st March 2022. These extensions are necessary to complete the delivery of the NI LEADER Programme. Signed variations are to be returned to DAERA by 30th November 2020.

Councillor Clarke said that he would be happy to propose as there had been a tremendous amount of work put into this by Officers and the LAG team on getting the large amount of projects of the ground and would be confident that the vast majority of these projects would be completed by 31 March 2021. He said that he would be aware that there could be overruns but was delighted to be able to propose it.

He advised that there was an item which didn't appear and was very important in the rural areas which was the Project Stratum.

The Director of Business and Communities said that today he had received an email from the Department from the Economy inviting himself and Alison McCullagh to a virtual meeting with DfE officials next Wednesday or Thursday for Fermanagh & Omagh and Mid Ulster Councils for an the update on the management of the tender and the proposed roll out of the tender and specific implications for these two Council areas, which he accepted

and would brief Council with immediate effect once he became better informed on what the numbers were; number of houses, number of contacts etc. right across Mid Ulster

**Resolved** That it be recommended to Council to approve:

- a) Contract variation for signature between Council and the LAG for administration support provided by Council to 31 March 2022.
- b) Service Level Agreement variation for signature between DAERA and Council outlining the administration services to be provided by Council to the LAG to 31 March 2022.

**v) ICBAN Framework of Regional Priorities 2021-2027**

The key ambitions of ICBAN's Framework of Regional Priorities reflect the current and evolving challenges and opportunities at local, regional, national and international levels. They are:

- To develop as a sustainable region, characterised by increased employment, improved economic activity, social progress and ecological sustainability;
- To redress economic and social inequalities between the Central Border Region and other areas of Ireland and Northern Ireland and the inequalities which persist within the region itself;
- To influence and work with the Governments of Ireland and Northern Ireland on their investment priorities for the region, by providing an evidence base to justify investments; and
- To identify opportunities for local authorities and other stakeholders to work together to realise opportunities and to respond to the challenges facing the region.

The strategic priorities and deliverables detailed in the Framework are presented under five interlocking and complementary pillars namely:

- Economic development;
- Infrastructure and connectivity;
- Human capital – education and training;
- Liveable communities; and
- Greening the region.

In completing the final version of the Framework, the pandemic's developing impacts have been incorporated, as well as the challenges of Brexit and climate change on our border region. As the Framework has now been finalised, ICBAN seeks support for the document from each Member Council by 18 November 2020, in advance of moving towards implementation stage. Mr Shane Campbell, CEO of ICBAN indicated he is happy to meet with Council Members and/or Officers at any stage to discuss the Framework in more detail, if required.

Councillor Molloy proposed the recommendation and stated that it was a fantastic in-depth report and would advise anyone to read it on ongoing issues relating to COVID, Brexit and all the challenges faced with on the border corridor. He referred to page 42 of the report in

relation to Blueways and Greenways and was aware that some work had been done around the Ulster Canal Blueway/Greenway and the link to Caledon. He said he noticed what other Councils were now achieving as there was now a Greenway from Sligo to Enniskillen and a proposed Greenway from Enniskillen to Clones and a number of Greenways around Clones and an extension into Monaghan resulting in Mid Ulster being the poor relation even though this was beyond Council control but felt that something needed to be done to get more work done around it.

He referred to Brexit and stated that although it was a side issue, there had been a presentation made to the Assembly's Executive Committee last week with himself and the Director of Public Health & Infrastructure and out of that meeting one of the things which had been discussed was the cost of Brexit to the Mid Ulster area, not only to Council in terms of the loss of programmes and various funding streams, but to the entire region. He was aware of the fantastic work which the Head of Economic Development carried out on pulling figures together at the last minute but would like the Council to put together a ballpark figure on what it was going to cost to both the Council and wider economy in terms of Brexit in January and was aware that things were not fully straightened out in terms of trade deals and tariffs on these kind of issues. A major impact was going to hit immediately, besides COVID, Brexit was happening in January and no getting away from that, but it was going to have a financial impact in the Mid Ulster area and this includes South West College, Industry and Manufacturing, Rural Development programme and other funded schemes and would like to see calculations brought back to Council within the next few meetings to evaluate that.

Proposed by Councillor Molloy  
Seconded by Councillor Doris and

**Resolved** That it be recommended to Council to write to ICBAN to offer support towards the Framework of Regional Priorities for the Central Border Region of Ireland / Northern Ireland 2021/2027.

Councillor Kearney wanted to commend Councillor Molloy on reading up on this so intensely and for his suggestions as there were 3 or 4 of the committee which sat on ICBAN. He drew attention to page 55 where the ICBAN Chief Executive, Shane Campbell was happy to meet with the Council and Council officials, whether this committee or the main committee just to discuss these type of issues as there was a lot of work gone into the strategy. He wanted to take the opportunity to say that Councillor Burton and himself had met over 31 times each Tuesday since April on following up matters and he was getting to the Brexit debate this week as the only Councillor in Northern Ireland with the English Councils. He advised that he was also following up on the Shared Prosperity Fund and had been keeping a very close eye on that as there had been very little movement on that.

He said if the Chair was mindful it would be an excellent opportunity for the Council to hear from Mr Shane Campbell himself in person.

The Chair suggested that it may be more beneficial that this request go to full Council as it was more appropriate for all members to have an opportunity to hear Mr Campbell's update.

He advised members that the issue of the Greenway was very important and felt that this was an opportunity for Mid Ulster Council to get involved.

**D178/20      Regional and Minority Language Implementation Working Group  
Minutes of Meeting of 5th October 2020**

The Head of Culture and Arts presented previously circulated report and sought approval for:

- 1) Minutes of the Regional and Minority Language Implementation Working Group held on 5<sup>th</sup> October 2020 at Council offices, Dungannon and by remote link
- 2) Revised Irish Language Action Plan for the remainder of 2020/21, including the delivery of the annual Irish Language Activity Funding Programme

Proposed by Councillor Doris  
Seconded by Councillor Monteith and

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

- i) Note the Minutes of the Regional and Minority Language Implementation Working Group held on 5<sup>th</sup> October 2020
- ii) Revised Irish Language Action Plan for the remainder of 2020/21 including the delivery of the annual Irish Language Activity Funding Programme as detailed and as discussed at the Regional and Minority Language Implementation Working Group of 5<sup>th</sup> October 2020

Councillor Ashton said she wished to record the DUPs objection to the Irish Signage rollout.

**Matters for Information**

**D179/20      Minutes of Special Development Committee held on 1 October 2020**

Members noted Minutes of Development Committee held on 1 October 2020.

Councillor Monteith referred to item raised at the Special Development Committee meeting on 29 October 2020 and asked that the issue of All Ireland Healthcare Service be an item on the Agenda for the next Development Committee meeting.

**D180/20      Minutes of Development Committee held on 15 October 2020**

Members noted Minutes of Development Committee held on 15 October 2020.

Councillor Monteith referred to the Covid response to the community on the various foodbanks and said that last week a further request had been approved for support, amongst others the Vineyard Church and St Vincent De Paul in Dungannon were included. He said that it was also important to highlight the fact that the premises St Vincent de Paul used to store donations from the community had once again been attacked this week by vandals, St Patrick's Hall was an extremely historic and iconic

building in the history of Dungannon and had sadly been the victim of a number of attacks and vandalism over this last 7 to 9 months with a fire being started on two different episodes within the last number days. He said that previously the fire had been more external but the fire last week had completely destroyed large parts of the building and on previous attacks donations which the local community had put forward for those most in need were destroyed, vandalised and stolen. He was aware of ongoing issues in Union Place and a lot of the community within that area felt very much that they have been left behind and when Greer's Road was built it was very much against the wishes of the community as this was built potentially to accommodate the Ann Street Development at the time, with the community being very opposed and adamant that the main road put through their community had led to a lot of the rundown within the community.

He suggested that a letter be sent on behalf of the Council to St Vincent de Paul expressing their solidarity with them on their hard work and advising them of their value within the community. He said it was just sad to see in this day and age with all the good work which has been done that there were still a small number of individuals amongst us who wished to attack the very best which was going on within our community.

The Chair concurred with Councillor Monteith and said that he was very disappointed to hear this especially for an organisation which does so much for the local community.

Councillor referred to D151/20 – Halloween festivities and wanted to congratulate Ogras Youth Club & Fianna Oileán an Ghuail CLG on the really successful work that they done in the run up to Halloween in Coalisland. She said that a number of meetings had taken place in the run up to Halloween and funding secured to provide pizza's and help towards a FIFA tournament which seen over 50 participants taking part.

She suggested that a letter be issued on behalf of the Chair of this committee to the groups involved on their commendable work on their innovative thinking during this difficult period of time.

The Chair advised that this could be looked into.

Councillor Corry enquired if there was any update in relation to the workshop for the Decade of Anniversaries – Centenaries.

The Head of Culture and Arts advised a tentative date had been suggested for Monday 14 December commencing at 6 pm but was awaiting confirmation on availability.

The Director for Business and Communities advised that once confirmation was received an email would be issued to members.

## **D181/20      DfC Strategy for Sport Consultation**

Members noted update in relation to DfC Strategy for Sport Consultation advising that Officers have issued a return for the Department for Communities (DfC) Strategy for Sport Consultation.

Councillor Monteith said that this was a good piece of work carried out in relation to Sport Consultation but the issue of lifelong sport needed to be supported as statistics show the

vast amount of people which are involved in lifelong sport are involved from a very young age. He said that it was important to move forward with this initiative as there was a need to target people of different ages, especially people who were never involved with sport at schools, late teens, early twenties, thirties, forties and right up through the age brackets and should encourage the funding bodies to encourage some of our sporting clubs to attract non-elite participation. He was aware of a lot of this work being carried out in Dublin city like non-competitive football, non-competitive hurling, walking and those type of activities so there was a need to try and encourage the same kind of initiative here and just because people don't start out young at sport doesn't mean that they cannot start later in life and this needs to be highlighted. This has to be encouraged within the next number of years due to mental health and physical health aspects and felt that this Council was able to manage it with the help of sporting clubs in the area.

The Chair concurred with Councillor Monteith and said that this should be encouraged throughout the district and was sure that officers would follow up suggestions made.

Councillor Burton in referring to previous comments, enquired about rural areas and asked how often officers engaged with the rural communities like Caledon, Augher, Clogher, Fivemiletown and some of the more rural villages who do try and get smaller groups together within their area like football and also activities for inclusion of girls. She said that this should be a two-way stream as it was so important to get young people involved in sport as it helps their mental and physical help and a deterrent towards anti-social behavior.

The Chair advised that figures may not be in front of officers tonight, but assured the member that these would be issued as soon as possible.

Councillor Burton said that she was sure that officers knew whether or not if they engage outwardly or was it for each area to contact the officers and this was also her query.

The Head of Leisure advised that officers would be happy to investigate this and get back to Councillor Burton, but just to advise that officers would be happy to have a discussion with any group and had been doing so over COVID. Though virtual means and social media websites officers make themselves available and if Councillors had any groups in mind, officers would be happy to engage with them.

#### **D182/20      Potential Restructure of Intermediate Football**

Members noted update in relation to Potential Restructure of Intermediate Football and correspondence issued by the Irish Football Association (IFA) to the Chief Leisure Officers Association (CLOA) indicating that the planned restructure of Intermediate Football is discontinued at this time.

#### **D183/20      Lough Neagh Partnership Core Funding Progress Report**

Members noted update in relation to Lough Neagh Partnership Core Funding Progress.

## **D184/20      Ulster-Scots Funding, PHASE 2, US Grant Ancestral Homestead**

Members noted update in relation to Ulster-Scots Funding, PHASE 2, US Grant Ancestral Homestead.

## **D185/20      Economic Development – OBFi**

Members noted updates on the following matters:

- Mid Ulster Business Excellence Awards 2020
- Mid Ulster Enterprise Week (16-20 November 2020)
- Mid Ulster Careers Attractiveness Initiative
- Mid Ulster Town & Village Business Spruce Up Scheme– Phase 1 Evaluation (2019/2020)
- Coalisland Town Centre Forum Minutes - 7.9.20
- Business Eye Magazine : Mid Ulster Feature
- ICBAN Update – October 2020

Councillor Kerr referred to item 3.4 – Spruce up Scheme and said that he was fully aware that the grant itself was firmly shut for new applications, but everytime he sees this on the Agenda he was reminded about the issue around boundaries. He said that unfortunately with the boundaries which currently exist some businesses throughout Mid Ulster area are left out for any opportunity to apply for a grant and said that he looked forward to a review in the future so that all businesses are eligible and avail of it.

The Chair agreed with Councillor Kerr and said that he was aware of some businesses not receiving any funding the first time around within the Tranche but hoped going forward more funding may be made available for all types of businesses at some stage.

*Live broadcast ended at 8.30 pm.*

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

Proposed by Councillor Kerr  
Seconded by Councillor Milne 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 D186/20 to D192/20.

### **Matters for Decision**

- |         |   |
|---------|---|
| D186/20 | Village Extension Programme – Maghera Leisure Centre                        |
| D187/20 | Update on Department for Communities Access and Inclusion Programme 2020/21 |
| D188/20 | Economic Development – CBFD   |
| D189/20 | DFI Active Travel Options for Mid Ulster                                    |

### **Matters for Information**

- |         |   |
|---------|---|
| D190/20 | Confidential Minutes of Development Committee held on 15 October 2020 |
|---------|---|

D191/20      Leisure Month 6 Review – 2020/21  
D192/20      Economic Development - CBF

**D193/20      Duration of Meeting**

The meeting commenced at 7 pm and concluded at 9.05 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.



<b>Report on</b>	Consideration of Requests for Civic Recognition
<b>Date of Meeting</b>	Thursday 26 November 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><p>Have won first place at a competition in their relevant field at the highest level of competition</p><p>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</p></div></li><li><b>Civic Reception:</b> will be permissible for individual, groups or organisations when:<div><p>Representing their country at International, European, All-Ireland or National level at the highest level</p></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: October2020 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
Jonny Brooks	Runner up in The Voice UK 2020	Cllr D McPeake	<ul style="list-style-type: none"> <li>Representing country at UK Competition</li> </ul>	Not Applicable
Brooke Scullion	Finalists in The Voice UK 2020	Cllr Milne	<ul style="list-style-type: none"> <li>Representing country at UK Competition</li> </ul>	Not Applicable
Pascal McAnenly	Winner of Glore (Country Voices) Tire 2020	Cllr S McGuigan	<ul style="list-style-type: none"> <li>Winning first place at competition</li> </ul>	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
Slaughtneil GAC Senior Football Team	County Derry Senior Football Championship	Cllr Kearney
Greenlough GAC Intermediate Football Team	County Derry Intermediate Football Championship	Cllr Kearney
Conor McKenna	Price Waterhouse Cooper GAA/GPA Player of the Month (October 2020)	Cllrs Kerr and Monteith
An Chraobh Rua, Dún Geanainn	Second Place in Ulster, Conradh na Gaeilge Awards 2020	Cllr Monteith



<b>Report on</b>	Conferences, Seminars & Training
<b>Date of Meeting</b>	26 November 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
NILGA	Thursday 3 <sup>rd</sup> December 2020, 10.30- 2.30pm on zoom	Via zoom	<i>Nil</i>	Cllrs 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, 3 <sup>rd</sup> December 2020  9.30 am – 1pm	On line	£99 (1 place alternatively more than 1 place £89 plus VAT)	

IN ASSOCIATION WITH



MEDIA PARTNER



#### 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>

# **Local Government Finance Masterclass for Councillors**

**Online — Zoom**  
**Thursday 3rd December 2020**  
**10.30-2.30pm**

NILGA, in partnership with SOLACE, the Association of Local Government Finance Officers, CIPFA and the support of the LGTG, invites Elected Members to an online Masterclass on Local Government Finance. This session will improve councillors understanding, participation and confidence in:

- The Sustainability of Councils
- Mitigating Against the Worst Impacts of a Post Pandemic Recession
- Importance of Finance in Strategic Planning
- The Local Government Finance System and Legislative requirements
- Financial Scrutiny and Challenge
- Innovation and Transformation

## **Why Attend?**

Local government exists to provide a range of services that improves the social, economic and environmental wellbeing of your area. Expenditure on these services is allocated using a complex financial system, which can be difficult to understand. Participation on this masterclass will de-mystify this complex system and help you to help local government target resources in the most impactful way, based on robust defensible decision making.

***Hosted by NILGA with support from the LGTG (Local Government Training Group), this session is open to all Elected Members, officers and interested stakeholders. The session will be delivered online via zoom, details will be provided to all registered delegates. To register please email [f.douglas@nilga.org](mailto:f.douglas@nilga.org).***

### **Disclaimer**

*The Northern Ireland local government association (NILGA) endeavours to ensure that the information contained within our website, policies and other communications is up to date and correct. We do not, however, make any representation that the information will be accurate, current, complete, uninterrupted or error free or that any information or other material accessible from or related to NILGA is free of viruses or other harmful components. NILGA accepts no responsibility for any erroneous information placed by or on behalf of any user or any loss by any person or user resulting from such information.*



# The Future of the Irish Border: The Northern Ireland Protocol, the Internal Markets Bill and an Australia-style Brexit

Thursday, 3rd December 2020

## Delegate Fees

Delegate	
1 Place	STANDARD RATE: £99
2+ Places	STANDARD RATE: £89 (per person)

## Delegate Details

Delegate Name	Position	Email Address
1.		
2.		
3.		

\* Please inform us in advance by email of any accessibility/dietary requirements.

## Key Contact Details

Name: \_\_\_\_\_  
Organisation: \_\_\_\_\_  
Department: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

## Invoice Details

Name: \_\_\_\_\_  
Organisation: \_\_\_\_\_  
Department: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

☐ Invoice details are the same as Key Contact Details      Purchase Order No. (if applicable): \_\_\_\_\_

## Method of Payment

- ☐ I will pay £ \_\_\_\_\_ + VAT by GPC / Credit Card (Please contact me to obtain card details)  
☐ Please invoice my organisation for £ \_\_\_\_\_ + VAT (at 20%)

## Confirmation

Invoices are dispatched immediately upon receipt of the registration form, and payment must be made immediately upon receipt of the invoice. If, for any reason, you are unable to attend the event, a replacement delegate may be sent. On the occasion where no replacement delegate can attend on your behalf, Public Policy Exchange will provide a paid credit for use against a future event which will be valid for 12 months from the event original date. Public Policy Exchange reserves the right to change the date and / or venue of the event.

For full 'Terms and Conditions' & 'Privacy Policy' please visit; [www.publicpolicyexchange.co.uk/terms-and-conditions](http://www.publicpolicyexchange.co.uk/terms-and-conditions)

- ☐ I accept the terms and conditions and privacy notice      ☐ I would like to receive information about similar events

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE EMAIL BACK TO [sales@publicpolicyexchange.co.uk](mailto:sales@publicpolicyexchange.co.uk)**

## The Future of the Irish Border:

### The Northern Ireland Protocol, the Internal Markets Bill and an Australia-style Brexit

**Date of Event:** Thursday, December 3rd 2020

**Time of Event:** 9:30 AM — 1:00 PM

**Place of Event:** Webinar

**REGISTER YOUR PLACE**

#### Overview

On October 15th, the UK passed its own deadline for the Brexit talks, a moment the Prime Minister had previously stated would be the point that either a deal is reached or when the UK would leave the negotiations. While last year's Political Declaration signed by the UK and the EU seemed to suggest the continuation of a 'soft' border between the Republic of Ireland and Northern Ireland, the growing prospect of a 'no-deal Brexit' makes this uncertain.

When the UK left the EU at the end of 2019, an answer to the Irish border question was starting to become apparent. Under the Northern Ireland protocol, goods will not need to be checked along the Irish border when the new UK-EU relationship begins in 2021. It confirms that Northern Ireland is part of the UK's customs territory, but obliges it to be governed as if it remains part of the EU's single market for goods. This prevents barriers to cross border trade on the island of Ireland and protects the cooperation between Northern Ireland and the Republic of Ireland secured by Strand II of the Good Friday Agreement. In doing so it shifts the barriers to trade to the Irish Sea, despite Northern Ireland being part of the UK. Furthermore, under the current deal, the UK, as a whole, is not held in a customs union with the EU. It is free to diverge in terms of tariffs and regulatory standards from the EU, and to conclude trade deals with other countries. The subsequent risk of some goods which do not comply with the EU's requirements entering the EU's single market through Northern Ireland means that a hard border will be needed somewhere, with that somewhere – according to the protocol – being in the Irish Sea.

However, the introduction of the Internal Market Bill (IMB) has – by the government's own admission – moved back from this agreement. While the protocol put fetters on access to the Northern Ireland market from Great Britain (namely those goods having to meet EU standards), the IMB seeks to legislate for full unfettered access for Northern Ireland goods to the UK market. The IMB and the protocol are an acknowledgement that Northern Ireland is deeply integrated into both the UK and the EU (specifically Irish) markets. Supply chains cross both the Irish sea and Irish land borders – in a way quite unique in the UK.

While the IMB seeks to square this circle, it could potentially create a precedent that could hinder the progress of the Brexit negotiations. By stating that the UK intends to legislate in a way that is "inconsistent and incompatible with international law and other domestic law" the UK government's hard line could create further complications for Northern Ireland. Other obstacles also remain which reduce the likelihood of a deal being agreed, which will have an impact on UK-Irish trade and potentially the state of the Irish border. With no Article 50-like extension procedure available, there is one absolute deadline – the UK exits transition on 31 December – unless both sides decide they need just a bit more time and EU lawyers approve. Progress will also have to be made on four key issues: the level playing field, governance, dispute settlements, and fisheries. The first issue strikes at the heart of the UK government's agenda, state aid and the government's ability to support key industries, and the UK's independence to conclude free trade deals with other countries. While the UK is hoping to secure a Canada-style Brexit deal, disagreements over these issues risk the prevention of 'zero tariffs, zero quotas' access for the UK's exports to the EU.



As the UK approaches the end of the transition period, and question grow over the state of the Irish border, this symposium provides an invaluable opportunity for policymakers, local authorities, business leaders and other key stakeholders to gain a better understanding on the current Brexit negotiations and how to better prepare for the different scenarios that could potentially unfold.

### Program

- Discuss the latest policy updates and developments on Brexit and its implications on the UK and Ireland
- Analyse the potential impact of a 'no deal' or an 'Australia-style' Brexit on the Irish border and the subsequent ramifications on security and the economy in Northern Ireland
- Discuss the Northern Ireland protocol and its effect on trade between Northern Ireland and the rest of the UK
- Examine how border checks can be carried out in an efficient manner and ways in which a "level playing field" can be assured
- Scrutinise the Internal Markets Bill and its wider consequences for UK-EU cooperation, post-Brexit
- Explore technical and other innovative solutions for dealing with the overlap of two custom territories
- Share best practice for dealing with the unpredictability surrounding the future status of the Irish border and Northern Ireland's relationship with the Customs Union

### Who Should Attend?

- Central Government Officials
- Civil Servants
- Local Authorities
- Tax and Customs Authorities
- Educational Institutions
- Academics
- Local Democracy Groups
- EU Funding Bodies
- Civil Society Groups
- Political Party Members
- Regional Development Agencies
- International Trade Bodies
- Tourist Board Members
- Researchers
- Social Scientists
- Social Workers
- Employment Officials
- Benefits authorities
- Urban Regeneration bodies
- Charities
- Private sector businesses
- Infrastructure experts
- Economists
- Welfare authorities



<b>Report on</b>	Correspondence to Council – November 2020
<b>Date of Meeting</b>	Thurs 26 <sup>th</sup> November 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 United Nations</b></p> <p>The Council has correspondence from the Under-Secretary General of the United Nations (UN) expressing appreciation for the Council's participation in the initiative to mark its 75<sup>th</sup> anniversary on 24<sup>th</sup> October by illuminating the buildings blue. Refer to appendix A.</p>
3.2	<p><b>Correspondence from Translink</b></p> <p>The Director of Service Operations, Translink has corresponded with the Council in response to its letter expressing concerns over timetabling and service provision in the Dungannon area. Refer to appendix B.</p>
3.3	<p><b>Correspondence from Department for Communities</b></p> <p>The Private Secretary to the Minister for Communities has corresponded with the Council in response to its letter seeking a meeting to discuss matters pertaining to the Private Rented Sector, as they relate to Mid Ulster district. Representative from the NI Housing Executive had previously confirmed that they would be willing to be involved in any discussions. Officers within Democratic Services are arranging to secure a date and schedule a meeting. Refer to appendix C.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable

	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Council notes and considers, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: United Nations Appendix B: Translink Appendix C: Department for Communities

UNITED NATIONS



NATIONS UNIES

POSTAL ADDRESS - ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017  
CABLE ADDRESS - ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

26 October 2020

*Dear Partners*

I wish to express my sincere appreciation for your participation in the UNRIC-supported initiative Turn Europe UN Blue across Europe, in the context of the United Nations' 75<sup>th</sup> anniversary (UN75) and at the occasion of the UN Day on 24 October 2020.

It was impressive to see such committed support from so many partners, cities, institutions, iconic buildings and UN entities which chose to mark UN75 and reached out to people about common values of peace and sustainable development.

This blue wave across more than 200 buildings and monuments created a strong visual message of hope and unity across Europe in these trying times. It was relayed on multiple UN digital platforms in Europe and at UNHQ in New York. Organisations and citizens shared the images and striking pictures amplifying the message of the need of a better world. UNRIC colleagues will share with you a video and photo montage illustrating the active participation across Europe.

We look forward to continuing the conversation with you and the people of Europe around the values most important to them.

*With warmest regards  
and appreciation*

*Fabrizio*  
Fabrizio Hochschild  
Under-Secretary-General  
Special Adviser to the Secretary-General

3<sup>rd</sup> Floor  
22 Great Victoria Street  
BELFAST  
BT2 7LX

16 November 2020

Councillor Cathal Mallaghan  
Chair  
Mid Ulster District Council  
Dungannon Office  
Circular Road  
Dungannon BT71 6DT

Dear Councillor Mallaghan,

Thank you for your letter dated 5 November 2020 outlining Members' concerns with services in the Dungannon area.

Since the on-set of the Coronavirus pandemic, our focus has remained on keeping towns and villages connected, altering our timetable and service capacity to facilitate social distancing and to maintain services for essential travel and key workers.

In September an enhanced timetable provision was put in place for the return of schools in the area, dedicating school transport in line with DE and DfI Guidance. However, with the extended mid-term break these services were stepped down as there was no requirement for Home to School Transport.

We recognise that there has been a specific instance where the Service 80 between Cookstown and Dungannon had a gap in its timetable mid-afternoon during the mid-term school break. This was helpfully brought to our attention by local representatives and this has been resolved by our local Service Delivery Manager.

As the Covid 19 situation progresses and hopefully restrictions ease, we will continue to monitor and review our level of service provision in the Dungannon area.

Yours sincerely



IAN CAMPBELL  
DIRECTOR OF SERVICE OPERATIONS



Department for

**Communities**

An Roinn

**Pobal**

Máinnystrie o

**Communities**

Appendix C

**From: The Private Secretary**

**Level 9  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG**

Your ref: C171.20

Telephone: (028) 9082 3320  
e-mail: [private.office@communities-ni.gov.uk](mailto:private.office@communities-ni.gov.uk)  
Our ref: INV 1774 2020  
Date: 16 November 2020

Councillor Cathal Mallaghan  
Mid Ulster District Council  
Burn Road  
Cookstown  
BT80 8DT

Dear Cathal,

## **ISSUES IN THE PRIVATE RENTED SECTOR**

Thank you for your invitation to the Minister to request a meeting with a Council delegation to discuss the Private Rented Sector.

Unfortunately due to competing diary commitments the Minister is unable to meet you at this time, but has asked Eilish O'Neill, Head of Private Rented Sector Branch to contact you to arrange a meeting to discuss the matter.

Eilish's email address is [eilish.o'neill@communities-ni.gov.uk](mailto:eilish.o'neill@communities-ni.gov.uk)

Yours sincerely,

**Rosheen Thompson**  
Private Secretary





<b>Report on</b>	Consultations notified to Mid Ulster District Council
<b>Date of Meeting</b>	Thursday 26 <sup>th</sup> November 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 for comment.
<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 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 of Justice	Draft Modern Slavery Strategy 2021 - 2022 Consultation	Department of Justice is seeking views from a wide range of sectors on a new modern slavery strategy that seeks to build on the progress that has been made under previous strategies. The aim of the strategy is to equip Northern Ireland to eradicate modern slavery through a collaborative partnership between law enforcement agencies, front line professionals and the general public to raise awareness of human trafficking and slavery-like offences, support victims, and bring offenders to justice.	7 <sup>th</sup> January 2021 (5pm)	
	Link to Consultation	<a href="https://consultations.nidirect.gov.uk/doj/draft-modern-slavery-strategy-2021-22/">https://consultations.nidirect.gov.uk/doj/draft-modern-slavery-strategy-2021-22/</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
Sport NI	Draft Sport NI Corporate Plan 2020-25	Sport NI are consulting a Draft Corporate Plan for 2020 to 2025. A number of zoom consultation events are being held as part of the consultation.	Mid-March (date to be confirmed)	
	Link to Consultation	<a href="http://www.sportni.net/corporate-plan-2020-2025/">http://www.sportni.net/corporate-plan-2020-2025/</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)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
<b>Department for Infrastructure</b>	Living With Water in Belfast – An Integrated Plan for Drainage and Wastewater Management in Greater Belfast	Living With Water is a new approach to the provision of drainage and wastewater infrastructure which promotes holistic and integrated solutions that achieve multiple benefits at reduced cost and disruption. For example, by using open spaces and watercourses to enhance the environment, by providing recreational opportunities and by sustainably managing water to help reduce flood risk.	5pm on Friday 29 January 2021	
	Link to Consultation	<a href="https://www.infrastructure-ni.gov.uk/consultations/living-water-belfast-consultation">https://www.infrastructure-ni.gov.uk/consultations/living-water-belfast-consultation</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
<b>Department for Communities</b>	Local Government Pension Scheme (NI) – amendments to the statutory underpin.	The Department for Communities has commenced a consultation to address discrimination in the Local Government Pension Scheme (NI). These proposals have been agreed by the Local Government Pension Scheme Advisory Board.	31 <sup>st</sup> January 2021	
	Link to Consultation	<a href="https://www.communities-ni.gov.uk/consultations">https://www.communities-ni.gov.uk/consultations</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
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