



22 September 2022

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, 28 July 2022 at 19:00 to transact the business
noted below.

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

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

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| 5. | Council minutes of meeting held on 23 June 2022 | 3 - 18 |
| 6. | Environment Committee minutes of meeting held on 4 July 2022 | 19 - 28 |
| 7. | Planning Committee minutes of meeting held on 5 July 2022 | 29 - 46 |
| 8. | Development Committee minutes of meeting held on 6 July 2022 | 47 - 62 |
| 9. | Policy and Resources Committee minutes of meeting held on 7 July 2022 | 63 - 70 |
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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

15. Council Confidential minutes of meeting held on 23 June 2022
16. Audit Committee Confidential minutes of meeting held on 28 June 2022
17. Environment Committee Confidential minutes of meeting held on 4 July 2022
18. Planning Committee Confidential minutes of meeting held on 5 July 2022
19. Development Committee Confidential minutes of meeting held on 6 July 2022
20. Policy and Resources Committee Confidential minutes of meeting held on 7 July 2022
21. IST Thomas Clarkes GAC
22. Delegated Authority to Chief Executive
23. Employment Matter
24. Document for Sealing: Lease Agreement between NIHE and Mid Ulster District Council in relation to lands situated at Tamnamore Close, Coalisland
25. Document for Sealing: Mid Ulster District Council and Thomas Clarkes GAC

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 June 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor Corry

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

Officers in Attendance Mr McCreesh, Chief Executive
Mr Black, Strategic Director of Communities and Place
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SD:ODSP)**
Mr Kelso, Director of Public Health and Infrastructure (DPHI)
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP)
Mr Tohill, Strategic Director of Corporate Service and Finance (SD:CSF)
Mrs Forde, Member Support Officer

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C115/22 Notice of Recording

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

C116/22 Apologies

Councillors Cuddy, Elattar and McKinney

C117/22 Declarations of Interest

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

C118/22 Chair's Business

The Chair, Councillor Cora extended sympathy to the family and friends of Damian Casey highlighting his achievements as a hurler in scoring 14 points for his county in the recent Nicky Rackard Cup. She advised that she had opened an online book of condolence and that the Eoghan Ruadh Club had also a book of condolence at the Club. She concluded stating that together with the Chief Executive she would be attending his family home to pay respects.

Councillor Monteith said that last week Damian Casey was going to a wedding with friends and yet today the streets of Dungannon were lined as his remains came home in a coffin following his untimely death in Spain. Councillor Monteith said he could not put into words the profound impact Damian's death has had. Cllr Monteith spoke of the vigil attended by more than one thousand which had shown the icon and legend Damian was. Councillor Monteith spoke of his talent as a footballer but said hurling was his first love, how at the age of 29 he had played for Tyrone and had represented his county at 101 games, even when he had worked in England had not missed a game. He told how Damian was a true inspiration to young people and an exemplary role model. Councillor Monteith said his family and friends were in the hearts of people at this time and told how the four town clubs Eoghan Ruadh, Dungannon Clarkes, Eoghan Ruadh Ladies and Camogs, Dunagannon are grief stricken. Councillor Monteith said Damian was the best, had a unique talent but said that more importantly he was a unique individual with time and kindness for everyone. Councillor Monteith extended sympathy to the Casey family who he had known for a long time and were devastated at the loss of their son and brother. He paid tribute to the Kevin Bell Trust who had helped in making arrangements to bring the remains home. Councillor Monteith concluded that he had known Damian a lifetime and on a personal level would miss the great person he was.

Councillor Molloy concurred and said that his thoughts and prayers are with the Eoghan Ruadh Club, his family and friends and commended the town clubs in how they had come together in a positive way. He said so many had looked up to Damian and that he had been a tremendous role model.

Councillor Kerr expressed his sadness for the family and friends of Damian stating that it was heart breaking witnessing the devastation his death had caused. He said he was an inspiration, had been highly respected and was a likeable, honest decent lad who had had an infectious smile. Rest in Peace Damian.

Councillor Quinn also concurred and said that he had been a talent for Tyrone and hurling teams across the country had sent heartfelt messages. He said he had met Damian once or twice and he had been a person who looked out for his own club and his friends. He said the heartache of Damian's passing was sorely felt and on behalf of his own club Derrytresk GAC he extended sympathy to the Casey family.

Councillor S McAleer extended her sympathy on Damian's death and said she knew his father Sean and said many had contacted her regarding the grief felt in the community. She said she had made contact with Council officers and said people

should be pointed to Mid Ulster Crisis Support chart which lists places and organisations from which help could be sourced.

Councillor Kearney echoed the sympathy of fellow Councillors and said he understood the sense of loss his friends and team-mates were experiencing.

The Chair, Councillor Corry thanked members for their tributes and reflected the deep loss felt in the community and she hoped his family would find comfort in them.

Councillor Quinn drew attention to the slurry leakage into the River Torrent which spread over 9 kilometres from Newmills to Moore Bridge which had wiped out all life in the river to include fish, otters, eels and Kingfishers. He stated this was the third leakage in the last three or four months and proposed that the Council write to the DAERA to seek clarity regarding; (i) to when and how the River Torrent can be restocked following the recent slurry spill; and (ii) what measures DAERA plan to put in place to prevent such events re-occurring in the future.

Councillor Quinn reminded Members of the motion carried by Council calling for an Animal Cruelty Register. He advised that all Councils had supported the concept and the Minister for DAERA had agreed to progress but had now retracted and the register would not now be progressed. Councillor Quinn proposed that the Council write to the Minister of DAERA to plead that the register is progressed otherwise animal abusers even if convicted will continue to mistreat animals.

Councillor McNamee spoke of the pollution of River Torrent which was devastating to the fishing community. He recalled recent spills throughout the district such as Killymoon and Ballinderry he said if the current penalties were not preventing pollution river life would be wiped out completely. He seconded Councillor Quinn's proposals.

Proposed by Councillor Quinn
Seconded by Councillor McNamee and

Resolved That Council write a letter to Minister of Agriculture, Environment and Rural Affairs seeking clarity regarding:

- (i) when and how the Torrent River can be restocked following the recent slurry spill; and
- (ii) what measures DAERA plan to put in place to prevent such events re-occurring in the future.

Resolved That Council write to Minister of Agriculture, Environment and Rural Affairs requesting that the decision to halt the introduction of an Animal Cruelty Register be reconsidered.

The Chair, Councillor Corry advised that during her year of office the close off point for Chair's business would be 5pm on Monday prior to the council meeting, that any Member wishing to propose an amendment to a motion on the agenda should submit it in writing by 5pm on the day of the meeting and reminded Members to adhere to the agenda for business being raised.

Councillor Wilson extended congratulations to Councillor Kearney on his appointment of President of NILGA.

Matters for Decision

C119/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 26 May 2022

Councillor Kerr drew attention to C102/22 Environment Committee minutes and stated that he had repeatedly requested a report to environment committee.

In response the Chief Executive confirmed a report would be brought to the July Environment Committee.

Councillor Cuthbertson asked when the Department of Infrastructure (Roads) would be making a presentation to Council.

In response, the Chief Executive advised that DfI had been invited to present and they had advised they had just received detail of budget and would now likely present to Council in September.

Councillor Cuthbertson said it was disappointing as little or no work had been done in two years and now Members would not receive an update until September.

Proposed by Councillor Kerr
Seconded by Councillor N McAleer and

Resolved That the Minutes of the Council held on Thursday 26 May 2022 (C095 – C108/22 and C114/22) transacted in Open Business having been printed and circulated were considered and adopted.

C120/22 Receive and Consider Minutes of matters transacted in “Open Business” at Annual Council Meeting held on Monday 6 June 2022

Proposed by Councillor Kerr
Seconded by Councillor S McAleer and

Resolved That the Minutes of the Annual Council held on Monday 6 June 2022 (AC1/22– AC10/22) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

C121/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on Tuesday 7 June 2022

Proposed by Councillor Brown
Seconded by Councillor Quinn and

Resolved That the Minutes of the Planning Committee held on Tuesday 6 June 2022 (P069/22 – P075/22 and P085/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C122/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee Meeting held on Thursday 9 June 2022

Proposed by Councillor S McPeake
Seconded by Councillor Quinn and

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 9 June 2022 (PR112/22 – PR120/22 and PR131/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C123/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee of Meeting held on 14 June 2022

Councillor Kerr drew attention to E149/22 DfI Roads Proposal to MUDC – Parking and Waiting Restrictions in Coalisland and said it was a disgrace that an Elected Member had compared the town to the ‘wild west’. He stated that the comments of the Member had been offensive and a deliberate dig at the town and if roles had been reversed there would be an outcry. Councillor Kerr called on Councillor Cuthbertson to retract the statement.

Councillor Cuthbertson said if Councillor Kerr listened to the live feed of the meeting, he would hear what actually had been said which was ‘in the past the town had been described as the ‘wild west’ and everyone knew what had happened when traffic wardens had been posted to Coalisland and the police had to be called to escort them out. He said the item on agenda had been agreed and he had no issue regarding his words.

Councillor Quinn said that the incident referred to had been alleged and was emphatic that the comments were disgraceful. He said that the comments had been politically motivated and should be withdrawn.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Environment Committee held on Tuesday 14 June 2022 (E144/22 – E158/22 and E167/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C124/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on Thursday 16 June 2022

Councillor Molloy drew attention to D095/22 Consultation Response and said that as part of the resolve Council was to seek a meeting with the Trust. Cllr Molloy spoke of a recent experience in Accident and Emergency at the Craigavon Area Hospital site and had experienced a diabolical situation whereby waiting times, conditions and general operations were a disgrace. He was emphatic that the meeting be sought as soon as possible.

In response the Chair, Councillor Corry said officers would progress as requested.

Councillor Burton drew attention to D093/22 Deputation 'Into the West' and spoke the CDM Community Transport AGM at which Jackie Robinson of Department for Infrastructure had been present she emphasised the need to ensure connectivity and transport links for people in the west. She said she had been in contact with NILGA and advised Armagh, Banbridge and Craigavon Borough Council was pushing to have the railway extended to Armagh. She highlighted the recent consultation and said that Council needed to support and drive this forward also.

The Chair, Councillor Corry concurred.

The SD: Communities and Place drew attention to D099/22 Request for Support and advised that Clogher Valley Rugby Club had submitted a request for a letter of support in relation to an application to the Levelling-Up Fund submitted through Ulster Rugby for the construction of a community hub value of £250k.

Councillors S McAleer, S McGuigan, Burton and Graham stated they had issued personal letters of support.

Proposed by Councillor S McGuigan
Seconded by Councillor Burton and

Resolved That Council provide a letter of support to Clogher Valley Rugby Club in respect of a grant application to the Levelling Up Fund to construct a community hub. That Council provide a letter of support to Clogher Valley Rugby Club in respect of a grant application to the Levelling Up Fund to construct a community hub.

The Chief Executive in relation to the Levelling Up Fund said that the first round of funding was for councils and the current funding was for the community and voluntary sector. He said as a corporate body Council could issue broad based level of support and Members were entitled to offer their own letter of support.

Councillor McNamee referred to Councillor Burton's comments about rail to the west and said that at the meeting the most critical link was Armagh to Derry and at the meeting he had suggested officers from the four councils involved have a conversation as to how to progress.

The Chief Executive said that as officers they were committed to the project as was the corporate body, the community, Mid South West Growth Deal and the Economic Development Strategy. He advised that within the MSW Growth Deal, Armagh,

Banbridge and Craigavon Council were taking the lead were taking a lead but assured the officer team would utilise every opportunity.

Proposed by Councillor Wilson
Seconded by Councillor Kerr

Resolved That the Minutes of the Development Committee held on Thursday 16 June 2022 (D089/22 – D107/22 and D112/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C125/22 Civic Recognition Requests

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

In addition to listings on the report it was noted that

- Councillor Bell's be added to Derry U14 Ladies Football
- Councillor McFlynn, Kearney and Martin be added to Ballinderry Shamrocks GAC U15 Girls Camogie
- Councillor S McPeake be added to Derry GAA Senior Football Team

Proposed by Councillor McFlynn
Seconded by Councillor S McPeake and

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

C126/22 Conference, Seminars & Training Report

The AD: ODSP sought approval for the previously circulated report on conferences, training and seminars.

Proposed by Councillor Brown
Seconded by Councillor Burton and

Resolved That approval be given to submitted requests for conferences, seminars and training as outlined in the appendix 1 to the report.

Matters for Information

C127/22 Correspondence Report

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

Councillor Cuthbertson referred to the motion carried by Council at its March meeting, minute reference C059/22, in relation to voluntary drivers and said that to date he was not aware of a response from the Permanent Secretary of the Department for Health. He requested that Council officers pursue a response.

Resolved That Council seek a response to the letter sent to Permanent Secretary of the Department for Health with regards to Voluntary Drivers following the motion carried at the March meeting of Council.

Councillor Kerr expressed his disappointment regarding the response from the 26 County government in response to Council's letter about the position of the Israeli Ambassador in Ireland. He said that Israel is not the chosen people but a nation that repeatedly breaks international law, treats people like the Nazis did and had moved Palestinians from their homes.

Councillor Colvin said that he would rather live in Israel than in the countries surrounding it and said he was of the view that Israel was a tolerant nation. He said he thought the Dublin Government had provided a sensible response of which he agreed.

C128/22 Consultations

Members considered previously circulated report on consultations notified to Mid Ulster District Council for comment.

Councillor Mallaghan noted that the Department for the Economy Consultation on Mineral Prospecting Licence Applications for KDRA2/22 & KDRA3/22 had been forwarded to planning committee for response. He said Council had done good work to date in relation to this and that a full robust response should be prepared.

Councillor Kerr asked that the message that Council is against mining in its district and other districts be reaffirmed in the response. He said he would not rehearse the issues, but all knew the consequences for communities.

The Chair, Councillor Corry concurred.

Resolved That Council via the Planning Committee send a robust response to DfE Consultation of Mineral Prospecting Licence Applications KDRA2/22 and KDRA3/22.

Declaration of Interest

Councillor Colvin declared an interest in Moneymore Development Association

C129/22 Notice of Motion

Councillor B McGuigan introducing the motion said, "It gives me great pleasure to bring to council this motion, that commits Council to developing a fully funded community wealth building framework with the purpose of democratising our district's

economy by empowering community organisations, non-profits, social enterprise and co-operatives to be established or expanded with the ambition to create employment and grow local economies. This motion is presented at a time of great economic disruption caused to communities across our district by Covid-19 public health emergency, periods of economic recession and Tory austerity.

The motion takes fully into consideration the current Cost of Living Crisis as well as long-standing economic problems across our district for many of our workers, families and communities, including inequality, low paid employment, poor rates of socially ineffective investment, deprivation and unsustainable levels of carbon emissions and ecological damage.

Tonight, I take this opportunity to commend the Department for Communities Minister's efforts to establish a departmental advisory group to embed and deliver Community Wealth Building which centres on:

- a more just and fair labour market;
- an inclusive economy with a focus on growing and rebuilding the local economy;
- and ensuring land and property in our communities generates wealth for the people who live there

Community Wealth Building is a powerful alternative model for economic development. It seeks to leverage existing local and regional resources to provide workers, families and communities with greater control over their own economic development. The model of Community Wealth Building has proven to be very successful in large cities, towns and rural areas in Preston in England, North Ayrshire in Scotland and in Cleveland in the United States. Dozens of towns and cities across the US and Britain have formally adopted Community Wealth Building strategies with tremendous results for their local economy and communities.

Here in the North of Ireland specifically, Tory Austerity and a denial of basic economic competencies have stifled economic development. Therefore, we need to be bold in setting out a new approach for our local economy where we ensure we retain our local resources and initiative to keep good employment, the wealth of our communities, and socially beneficial investment in our communities.

In short, Community Wealth Building has the potential to deliver lasting and progressive change to our local economy to make fairer, more sustainable, and vibrant communities.

The five key pillars to any Community Wealth Building proposal are:

- Make financial power work for people, local towns and communities by retaining as much of that wealth as we can through local supply chains and targeted procurement contracts.
- Work with key institutions (commercial, public and semi-state) to create local employment and set a standard for high quality, sustainable jobs.

- Utilise all land and assets in our communities to generate wealth and resources for the people who live there.
- Develop an inclusive economy with social forms of ownership like co-operatives.
- Reduce our carbon footprint by establishing shorter supply chains and greater local employment.

By adopting this motion, we will seek to advance these economic principles through Council, in co-operation with our communities, through coherent and ambitious economic strategy. Community Wealth Building is about working in partnership with communities and businesses to build a more resilient economy that works for local people, which supports fair work and uses land in the region for the benefit of people that live there. Economic strategies obsessed with growth alone have shown themselves to have limited benefits and can be environmentally unsustainable.

By contrast, if we adopt this motion, we will be planning to develop our economies in such a way that wealth is added to our communities and not extracted. Concluding my remarks, I reiterate my firmly held belief that Community Wealth Building has the potential to maximise the unleashed potential of every village, town and community across Mid-Ulster and indeed throughout Ireland. I urge you to adopt this motion!"

This Council:

- (i) Recognises the economic disruption caused to communities across the District caused by the COVID-19 public health emergency, periods of economic recession, and Tory austerity;
- (ii) Further recognises long-standing economic problems in the District, including inequality, low-paid employment, poor rates of socially ineffective investment, deprivation, and unsustainable levels of carbon emissions and ecological damage;
- (iii) Commends Minister Hargey's efforts to establish a departmental advisory group to embed and deliver Community Wealth Building which centres on: a more just and fair labour market; an inclusive economy with a focus on growing and rebuilding the local economy; and ensuring land and property in our communities generates wealth for the people who live there.

Therefore, this Council commits to developing a fully funded community wealth building framework with the purpose of democratising the economy by empowering community organisations, non-profits, social enterprise and co-operatives to be established or expanded with the ambition to create employment and grow local economies.

Councillor S McPeake seconding the motion said, "I am delighted to second the Sinn Féin proposal regarding the need to develop a Community Wealth Building framework and strategy for Mid-Ulster.

I will be concise in my contribution and my focus will be solely upon the Climate Emergency, that we face and how Community Wealth Building can assist Council meet our responsibilities in relation to this important matter.

We need to create a more integrated local supply chain encouraged by Community Wealth Building strategies which will mean less of a reliance on imports from international sources - this will bring down the emissions generated through resource inputs into the local economy, whilst also creating more stable supply for economic inputs.

- One of these key inputs, and the most important where the economy is concerned, is energy. At the moment, communities and community-owned/cooperative enterprises are exposed to fossil fuel price fluctuations which are gouging at the heart of the current 'cost of living' crisis. Community Wealth Building creates local economic incentives for community-owned energy, reducing costs for households and community enterprise whilst bringing down emissions - We only have to look at North Ayrshire Council's solar farm as an instructive example.
- Based in the heart of Mid Ulster in Ballinascreen, Workspace is a strong local example of an organisation with a firm focus on Community Wealth Building, given its real commitment and shining record when it comes to promoting social enterprise, creating well paid and fair work, while utilising local assets for the provision of much needed community services. The new Community Hub in Ballinascreen which is due to be officially opened next week is a cause for much celebration.
- Workspace is playing an important role in the development of our 'green economy' when helping to tackle the Climate Emergency and related issues. With their strong focus on retro-fitting, saving energy and assisting with the provision of Warmer Homes for many people across our district, Workspace assists many who face challenges in their lives, including disability and poverty when dealing with the added impacts of the Cost of Living Crisis.

Research points to much of the renewable energy potential, as yet unrealised, across the North of Ireland, is West of Bann, where a scarcity of well-paid and skilled work exists. With 80% renewables target by 2030 in the new Climate Act, there will be a significant scaling up on renewables projects. Community Wealth Building creates a good opportunity to get ahead of the job creation triggered by this, by planning for coops in green manufacturing, retro-fitting etc. The harvesting of wind energy locally is just one example of the opportunities I have focused on this evening. There are many more opportunities that have and are working within other jurisdictions and which we should be examining.

The motion before us tonight is most timely as over recent days we as Mid-Ulster Councillors have all received an invitation to attend a "Zero Carbon Cooperative Business Breakfast" to be delivered by Queen's University Belfast, regarding the recently announced 'levelling-up funding, which will support businesses to develop new ways of co-operative working and which will accelerate the transition to 'Net Zero' and improve sustainability in many sectors.

The Queen's University funding proposal recognized that Mid-Ulster, in particular, has regional strengths in manufacturing, agri-food and renewables and as such is very well placed to support this transition. As key stakeholders, councillors are invited to attend the Queens University event to discuss the concept of what they term as "multi-stakeholder Zero Carbon Cooperative's" and to explore how our local business strengths and needs could contribute to the success of such co-operative's.

I conclude by stating that more locally rooted community wealth, as opposed to large corporate presence (indigenous or multinational), means refocusing economic activity towards community and cooperatively owned firms. This means less wealth is extracted from the area in corporate profit, to be paid in dividends to international shareholders. This extracted value would otherwise be used to reinvest in profitable, but ecologically destructive, projects overseas - fossil fuel-based assets (or funds linked to them), for example. Instead, it stays in the community, and is recirculated in much less carbon/material intensive activity with a purpose beyond simply profit realisation for further investment. I urge all Councillors to support this motion which prioritises the needs of people, place and planet."

Councillor Glasgow said that the UUP sees the everyday pressures families experience with the ongoing rise in fuel prices and cost of living. He said his party have made proposals to support people and do encourage many concepts outlined in the motion but what the motion fails to bring to light is that Sinn Féin and the SDLP voted for the highest rates, whilst the UUP had supported a Rates freeze to support business and people, and during that year Council services continued. He said Mid Ulster rates were the highest across Northern Ireland at a time when businesses needed support. He said the motion gives with one hand and the 3.9% takes it off people with the other hand.

Councillor McLean said that at face value there is nothing wrong with the motion, it sounded plausible and good but for the DUP the 'devil was in the detail'. He said his party was big enough to take the comment regarding Tory austerity and look at the bigger picture. He said the problem was in the wording re developing and asked how it would be funded and what the costs would be to deliver. He suggested that the concept be brought to the Development committee to discuss further as this was like buying something without knowing the costs.

Councillors B McGuigan said there were good examples of community wealth building across Ireland and England and closer to home. He said his proposal would involve a working group to develop the concept as for example towns and rural areas would differ. He said the concept was to look at how to do things better within communities. He said officers, communities and Members needed to work together to try and move the concept forward and see how it would benefit communities.

Councillor Wilson said he would support the comments of Councillors Glasgow and McLean as at face value the motion was fine but he would have a number of issues for example references to Tory austerity when money had been received for furlough and vaccines during the pandemic. He asked how the concept fits with Stormont and UK policy, what did it entail, how much money was required and for how long, what are the outcomes for spend? He said there was no doubt society was facing terrible times and action was needed. Councillor Wilson referred to the working group which would need a terms of reference and asked who would agree them. He

concluded that within the motion there was no call on the NI Assembly to prioritise economy and co-ordinate such initiatives.

Councillor Monteith said he would be of the opinion that any strategy that empowers people in communities was worthy of support. He said there was other similar projects such as community housing trusts whereby the community takes on derelict properties, refurbishes them for homes and set the rent on ability to pay for example a percentage of a person's income which was a fair way to deal with housing. He spoke of democracy and said council should be moving to participatory method of democracy where as local people should have a right to vote on investment within their communities. Councillor Monteith spoke of the history of economic development and peace funding over 20-30 years whereby development was done on communities not by communities. Speaking of economic prosperity Councillor Monteith was emphatic that Council needed to invest in people as opposed to empire building. He said that the motion talks all about local people but the intention of a working group immediately excludes three people. He said he would have supported the motion but could not if a working group was being formed.

Councillor Kerr said the motion has some aspirational objectives but did not go far enough to tackle the crisis Western Europe was experiencing. He said millionaires were getting richer whilst the working class was getting poorer. He said it was ridiculous people praising the Tories when they are a rogue government and highlighted the many professions and industries going on strike. Councillor Kerr said the Prime Minister Boris Johnston was limping from one crisis to the next. Councillor Kerr called for nationalisation of services, that electricity be brought back to public ownership, universal health costs, universal access to housing decent wages and stressed the needs for strong trade unions. He concluded that he also would be excluded from the working group one which he would love to serve on as he was passionate for the working class.

Councillor Graham said everyone was talking about the rising cost of living and asked where the money was coming from to fund the proposal. She asked what was meant by 'fully funded' and asked if Council was creating new jobs or asking existing staff to do more. Councillor Graham also highlighted that many trades and businesses could not get staff to fill jobs there already is.

Councillor Kearney said that the motion provides detail and reflected on the rise of the credit unions. He spoke of Workspace in Ballinascreen and how it had empowered local businesses and had a community hub. He also highlighted that the banks were closing, that there was much talk of regeneration and this was a first attempt at something positive.

Councillor Colvin said one of the reasons causing the cost-of-living crisis was the war in Ukraine caused by Russian aggression. He highlighted that it had cost £103 to fill his car with fuel yet crude oil prices were the same and said that profiteering needed to be addressed. Councillor Colvin said the Tories always get a bashing, but the Prime Minister had granted money for furlough and a sentence of appreciation may have been more apt. Councillor Colvin also highlighted the RHI scheme which had been disgracefully run and said that the DUP and Sinn Féin were doing a tango with each other and reiterated the comments of Councillor Graham who said

businesses were finding it difficult to recruit because it was more beneficial to be on benefits. He reflected that economic development was already taking place and whilst the model proposed worked sometimes, the UUP would be abstaining.

The Chair, Councillor Corry reiterated comments about Workspace and said this was a shining example of how a community had been empowered and had generated wealth.

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

For	21
Against	9
Abstained	7

The Chair, Councillor Corry declared the motion carried.

Councillor B McGuigan thanked all who had supported the motion and acknowledged that whilst there are negatives to everything there were many examples of positives some of which would work well for Council. He concluded that Members should work with staff to progress.

The Chair, Councillor Corry said going forward it would be an exciting opportunity.

The live broadcast concluded at 8.16 pm

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

Proposed by Councillor Kerr
Seconded by Councillor Mallaghan and

Resolved: That items C130/22 to C136/22 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 26 May 2022
- (ii) Planning Committee Confidential minutes of meeting held on 7 June 2022
- (iii) Policy & Resources Confidential Committee minutes of meeting held on 9 June 2022
- (iv) Environment Committee Confidential minutes of meeting held on 14 June 2022
- (v) Development Committee Confidential minutes of meeting held on 16 June 2022

Document for Sealing

- (vi) Document for Sealing: Lease Agreement between Mid Ulster District Council and the Corporate Trustee in relation to lands situated at West Park Playing Fields, Lisnahull, Dungannon
- (vii) Document for Sealing: Lease Agreement between Mid Ulster District Council and Dungannon Enterprise Centre in relation to lands situated at Feeney's Lane, Market Square, Dungannon

C137/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.20 pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Monday 4 July 2022 in Council Offices, Circular Road, Dungannon and
by virtual means**

Members Present

Councillor S McGuigan

Councillors Buchanan, Burton, Brown, Cuthbertson,
Glasgow*, Kearney, N McAleer, B McGuigan*,
McNamee*, Milne*, Oneill*, Totten*, Wilson

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director of Environmental
Services**
Mr Scullion, Assistant Director of Property Services**
Mr McKeown, ICT Support
Mrs Grogan, Democratic Services Officer

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

E168/22 Notice of Recording

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

E169/22 Apologies

Councillors Graham and S McAleer.

E169/22 Declarations of Interest

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

E170/22 Chair's Business

The Chair wished to reflect that within the past month, the Council had lost one of its valued Technical Services employees. He advised that this was a young man with a young family and wished to pass on his sympathy on behalf of this committee to his family.

Councillor Brown said he wished to echo the Chair's sentiments and pass on his sympathy to the young man's immediate family at this very sad time.

Matters for Decision

E171/22 Cemetery Improvement Works

The AD: Environmental Services presented previously circulated report which sought approval to undertake cemetery capital improvement works.

Councillor Cuthbertson thanked the AD: Environmental Services for bringing this report forward but wished to raise a number of issues which he had sought representation on this last few years; namely trees, uneven graves, water logged graves, grass not growing on graves and the much publicised matter of antisocial behaviour at Cottagequinn cemetery where cars enter the graveyard at the dark of night preforming donuts and rallying about. He felt the report covers everything well and although it was something we do not like doing in removing trees, Coolhill has left the Council with no option but to remove them as they are faced onto industrial site side and has left where a person can see through the trees and heavy at one side which runs the risk of falling over on top of particular graves.

He said that it would be beneficial if the AD: Environmental Services could elaborate on what kind of fencing would be erected at the site. He said that he was mindful that the Council do not turn it into an industrial site, unfortunately over the years the Planners had permitted industrial units to be built right up close and beside the graveyard and cemetery which was unfortunate but we are where we are and important to tone down the industrial settings around it.

He also raised the fact that he had been approached about a pair of nesting herons in a few of the trees and nesting times and asked that consideration be taken on board to protect them going forward. He said that the grass was not growing on the graves and was a very sore point and extremely distressing for family members and suggested proceeding with an immediate effect with the implementation of roll-out turf to even out the hollows in the grave. He stated that consideration needs to be given to the family and assurances that no damage will be done to their loved ones graves whilst work was being completed.

He welcomed CCTV cameras greatly in relation to Cottagequinn and agreed that other locations were different and did not lend themselves to CCTV, but other Councillors may have a difference of an opinion on that, but felt that Cottagequinn was an area which seems to have an element of antisocial behaviour at night time in relation to cars and would be important to get this stopped.

The AD: Environmental Services advised that he would certainly take on board concerns raised in regards to the nesting herons.

He reply member's query regarding the fence, he advised that the proposed fence at Cottagequinn was anticipated to be a 7th high wooden panelled fence.

Councillor Burton said that it was very important to maintain the trees at these locations as the last thing we need was for someone to get injured going to visit a loved one's grave. She advised that she had been strongly campaigning about trees on the side of roads and there was an onus on the Council to make sure where we have trees that they are properly maintained.

Councillor Wilson paid tribute to all the staff who were involved in all the work in Cookstown Cemetery. He referred to a few issues which were still arising at Forthill in Cookstown and said that there were some trees in the graveyard with the roots growing through the graves and appreciated that although they were there for quite some time, enquired if there was any possibility of investigating them for removal as they were also cutting up the pathway.

He also referred to the ongoing concern regarding dog-fouling at the cemetery where people let their dogs off the lead. He said that he had received a complaint last week from a member of the public who had been up visiting a loved one which had recently deceased and a dog had fouled beside the grave in which they were visiting. He said that he was aware that it was very difficult to control this and said that all the Council can do was publicise the importance for dog owners to keep their dogs on the lead and to lift the foul.

He advised that when a grave was dug and filled in and did appreciate that it takes time to settle, but during bad weather a number of graves have become waterlogged at Forthill and had raised it previously if the Council could acquire artificial grass in the short-term to take away the bad look especially after a funeral.

The AD: Environmental Services said that he would be content to look at all the issues raised by members.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That it be recommended to Council to approve the completion of the works as outlined at a total estimated cost of £177k exc. VAT (including 10% contingency) subject to a procurement process; funded from the Council Capital Programme for 2022/23.

E172/22 Street Naming and Property Numbering

The AD: Property Services presented previously circulated report which advised of requests for naming of new streets within residential Housing Developments within Mid Ulster District Council. The Building Control Department has received a request for the naming of a street within a proposed residential development as follows:

Councillor Cuthbertson in referring to site of Thomas Street recalled being present at a site meeting out of a planning committee in relation to this and it was his thinking that the entrance was off Thomas Street rather than Castle Lane itself as he

recollected this being one of the concerns from objectors in relation to extra traffic on Castle Lane. He said that he thought this was off Thomas Street unless the plans had changed since the site meeting.

The Chair advised that this request was from the Developer and the options were in front of committee tonight for decision.

- Development 1 – Site off Thomas Street, Dungannon

The options submitted are as noted below:

1. *Castle Lane Mews*
2. *Castle Lane Close*

Proposed by Councillor Brown
Seconded by Councillor S McGuigan

Resolved That it be recommended to Council to go with the preferred option of Castle Lane Mews.

- Development 2 – Site off Oaks Road, Dungannon

The options submitted are as noted below:

1. *Oaks Avenue*
2. *Oaks Drive*
3. *Bloomfield Avenue*

Proposed by Councillor Brown
Seconded by Councillor S McGuigan

Resolved That it be recommended to Council to go with the preferred option of Oaks Avenue.

- Development 3 – Site off Killyfaddy Road, Magherafelt

The options submitted are as noted below:

1. *Hillside Manor*
2. *Hillside Way*
3. *Hillside Drive*

Proposed by Councillor Totten
Seconded by Councillor Brown and

Resolved That it be recommended to Council to go with the preferred option of Hillside Drive.

E173/22 Chewing Gum Task Force Grant Scheme

The AD: Environmental Services presented previously circulated report to update members on a successful application to the Chewing Gum Grant Scheme. Approval was sought for the acceptance of the £19,990 funding offered from the scheme.

Councillor Cuthbertson thanked the AD: Environment Services for his report and said that this was a no brainer as no-one would be refusing to accept a £20k investment. He referred to the time of the new public realm scheme in Dungannon and within a few weeks the footpaths were polluted with chewing gum and said that it was good to see this machine being introduced to Mid Ulster.

Councillor Wilson said that he was delighted to see this being introduced to Mid Ulster.

Councillor McNamee said that he welcomed the introduction of the machine but wondered if WISE had penalised anyone for discarding chewing gum as they were very proactive in penalising people for discarding cigarette butts and even less for dog fouling. He said that he could not recollect anyone being penalised for discarding gum but would be raising the issue at the forthcoming Development Committee.

Proposed by Councillor Cuthbertson
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to note the contents of the report and approve the acceptance of the £19,990 funding offered from the Chewing Gum Task Force Grant Scheme.

Matters for Information

E174/22 Environment Committee minutes of meeting held on 14 June 2022

Members noted minutes of Environment Committee held on 14 June 2022.

E175/22 Mid Ulster Big Spring Clean 2022

Members noted previously circulated report which provided an update on the Mid Ulster Big Spring Clean Campaign 2022.

The Chair commended the groups and officers on their assistance in relation to the Big Spring Clean.

E176/22 Eco Schools Green Flag Awards 2022

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

Councillor B McGuigan said that he had attended the event on the day at the Hill of The O'Neill, not as a Councillor but as a member of the local Board of Governors from local schools who had received the Green Flag for the first time. He said that it was a really good event and great to see that there were 23 schools across Mid Ulster who were involved, either receiving Green Flags or official awards. He said that there was another award "Our Ambassador - Green Flag Awards" with 3 of our schools receiving that award as they obviously had been involved over a number of years with the Green Flag with continuous good work. Two of the other schools

within his parish received the Green Flags for the first time, resulting in five from that area. He commended each school on their tremendous effort as he did not realise the amount of work these schools had done and was great to see.

Councillor Kearney said that as a former teacher, the other statistic which was very relevant was that every school within Mid Ulster was involved in the Eco School scheme and goes to show the work involved and stated that every school was a good school.

E177/22 Ulster in Bloom

Members noted previously circulated report which provided an update on the Ulster in Bloom 2022 competition entries.

Councillor Burton commended Council staff on the work which they put in when the list is looked at with the towns and villages going forward. She said that sadly Castlecaulfield was not going forward due to illness within the team and wished them a speedy recovery. She said that it was important for Council to ensure that help and assistance was provided to help those towns and villages as it was widely known when judges were due to arrive. In the past there was a generosity amongst other towns and villages to share flowers and felt that this should be fed back to the groups on how support was greatly welcome from other villages and towns and whilst it was a competition, new groups have popped up which have been helped and encouraged by some of the other areas which are taking part in the competition.

She referred to Caledon where work had been done by the Housing Executive where they had flagged up a garden as hogweed and said it was important that this was investigated as it would be unfair for them to lose points regarding this.

E178/22 Maintenance of Roundabouts

Members noted previously circulated report which provided an update on the current arrangements for the maintenance of roundabouts.

Councillor Cuthbertson wanted to voice his disappointment again regarding Tamnamore not being included on the list. He stated that Tamnamore was the gateway into Mid Ulster travelling from the East to the West and was the first junction into Mid Ulster and yet the grass areas around Tamnamore was growing wild and disappointed that it wasn't on the list.

In relation to grass cutting, he became aware of the Housing Executive's contractor no longer cutting steep banks due to insurance and health and safety purposes. He said that they have now purchased a robotic mower and something this Council should investigate funding towards if they haven't done so already.

He referred to an issue which had been raised with him last week regarding historic graveyards, with a person showing visitors around Clogher Cathedral and reported that the grass did not seem to be cut for a long time. He enquired if Council were still maintaining those 6 or 7 graveyards as he was aware of discussions regarding this over the past number of years. He said that it was his understanding that this

service was still in place and would be grateful if this particular one was checked out to see if it had been overlooked.

The AD: Environmental Services advised this graveyard would be investigated and confirmed that Council were still maintaining old historical graveyards.

In relation to query regarding the steep banks, the AD: Environmental Services advised that the member was correct in the fact that most of the work was contracted out but confirmed that this could be potentially looked at in the future.

Councillor Burton said that she was aware of ongoing work in Tourism in relation to the Cathedral and the Fourth Chapel in that area, with a lot of bus trips visiting these places of interest in the summer, especially as it was one of the oldest graveyards within our district. She said that there was an onus on Council to make sure that it was safe for the public to go through.

She referred to roundabouts and was aware of people ending up in the middle of the new Ballygawley roundabout and asked how Council could ensure that some work was being done there or at least flagged to DfI as there was a particular part of the year where it was messy with weeds which was unsightly for the whole gateway into the Clogher Valley. She advised that it was the Clogher Valley Show in the 3rd week of July which attracted a huge crowd, with a lot of people passing through Ballygawley roundabout and felt it was important to have it as presentable as we possibly can to welcome visitors to the area.

Councillor Burton advised that she had been contacted by a resident from Castle Place in Castlecaulfield regarding the grass not being maintained at the back of her property and asked if this could be flagged up to see if this can be investigated as weeds and grass had grown out of control.

The AD: Environmental Services in reply to concern regarding Castle Place advised that this would need to be investigated as it could potentially be a Housing Executive site.

In relation to Clogher, he stated that he would make sure that the village was looking its best as possible to attract people to the show.

Councillor Burton asked how Council could proceed with Ballygawley roundabout as there was a need for a process to be put in place as she was constantly told that it was a dangerous location. She said that when it was originally being constructed that there must have been some plan on how they were going to maintain it and if they hadn't, then they should have had and wondering how it could be maintained and kept looking its best as possibly can.

The SD: Environment advised that Officers would liaise with DfI Roads to see what their plans are and what can possibly done to elevate this problem.

Councillor Wilson referred to Castledawson Roundabout and enquired if the report would be brought back to committee before any agreement was made.

The AD: Environment advised that a report would be brought back on the discussions as there was significant indications that Council would be taking on the maintenance responsibilities at this site.

E179/22 Building Control Workload

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

E180/22 Dual Language Signage Surveys

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

E181/22 Dual Language Signage Requests

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

E182/22 Entertainment Licensing Applications

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

Live broadcast ended at 7.35 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Buchanan
Seconded by Councillor Brown and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E183/22 to E190/22.

Matters for Decision

- | | |
|---------|--|
| E183/22 | Contracts regarding Sweeping and Inert Wastes – Temporary Surcharges |
| E184/22 | Procurement Framework – Fire Extinguishing Installation and Equipment |
| E185/22 | Parking Provision Request at Union Street, Magherafelt Off Street Car Park |

Matters for Information

E186/22 Environment Confidential Minutes of Meeting held on 14 June 2022

E187/22 Multi Council MSRF Project Update

E188/22 Capital Framework – ICT Contracts Update

E189/22 Capital Framework – IST Contracts Update

E190/22 Capital Projects – Scoping Contracts Update

Councillor Cuthbertson left the meeting at 7.35 pm.

E191/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.05 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.

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 5 July 2022 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present	Councillor Mallaghan, Chair
	Councillors Bell*, Black*, Clarke*, Colvin*, Corry, Cuthbertson, Glasgow, Martin*, McFlynn, McKinney, D McPeake, S McPeake, Quinn* and Robinson
Officers in Attendance	Dr Boomer, Service Director of Planning Mr Bowman, Head of Strategic Planning Ms Doyle, Head of Local Planning Mr Marrion, Senior Planning Officer Ms Scott, Council Solicitor Ms McNamee, ICT Support** Mrs Forde, Member Support Officer Mr Stewart, Enforcement Officer Mr McClean, Enforcement Officer
Others in Attendance	LA09/2020/0557/F Les Ross LA09/2020/0557/F Dr Louise O’Kane LA09/2020/0729/F Chris Cassidy LA09/2020/0729/F Sharon Trainor LA09/2020/0729/F Councillor M Quinn LA09/2021/0634/F Paul Heron OJQ Architecture LA09/2021/1098/F Chris Cassidy LA09/2021/1618/F Hayley Dallas LA09/2021/1618/F Dr Louise O’Kane LA09/2021/1801/O Councillor Anne Forde LA09/2022/0062/O Chris Cassidy

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

P086/22 Notice of Recording

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

P087/22 Apologies

None

P088/22 Declarations of Interest

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

Councillor Clarke declared an interest in agenda item 6 - L09/2021/0134CA – Unauthorised use of land as a fun farm with associated sale of food and drink. Unauthorised hardcored area used for the parking and movement of vehicles in association with the unauthorised use. At land approximately 250m North East of 260 Drum Road, Cookstown, Co. Tyrone.

Councillor S McPeake declared an interest in agenda item 5.10 - LA09/2021/1098/F Change of house type from previously approved red: H/2005/0910/F & A/1062/PAC, & garage with alterations to previously approved access & laneway at approx. 180m SE of 28 Broagh Road, Knockloughrim, for Rory McPeake

P089/22 Chair's Business

The SD: Planning advised that the new planning system was now operational and also highlighted that it offered a property certificate service. He highlighted that the project had been completed within both budget and timescale a remarkable achievement given that the Department for Infrastructure to date had not went live with their portal.

The SD: Planning advised that applications had been delayed but the planning team were now beginning to process new applications and as with any new system there would be issues during the induction period.

The SD: Planning advised that the letter as per agreed at committee in June had been issued to the public accounts committee. He also provided an update on appeal cases and also advised on updates received in relation to occupancy conditions in relation to planning applications.

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

Agenda Item 5.5 - LA09/2021/0268/F - Proposed replacement of existing turbine approved under I/2014/0394/F with an EWT DW54 250KW turbine comprising of a 50m hub height and blade span of 27m (overall tip height of 77m). Approximately 210m South East of 40 Gortagammon Road Cookstown for Arena Capital

Agenda Item 5.8 - LA09/2021/0860/O - Dwelling and garage at site adjacent to 27 Waterfoot Road, Ballymaguigan for Mr Jim O'Neill

Agenda Item 5.11 - LA09/2021/1149/F - New access at 11a Strawmore Lane, Doon, Draperstown for E Kelly Esq.

Agenda Item 5.12 - LA09/2021/1284/F - Dwelling at rear of 123 Creagh Road, Newbridge, Magherafelt for Ms Emma Gribbin

Agenda Item 5.15 - LA09/2021/1408/F - Retrospective application for erected farm building and cattle crush at lands opposite 63 Oldtown Road, Bellaghy for Mr Pascal Diamond

Agenda Item 5.18 - LA09/2021/1657/F - General purpose storage unit and associated works in association with an established business at 25m NE of 9 Farlough Road, Dungannon for Terramac Fabrication Ltd

Agenda Item 5.20 - LA09/2021/1678/F - Two storey dwelling and attached garage at S of 179 Coash Road, Killyman, Dungannon for Mr Stephen McAliskey

Agenda Item 5.21 - LA09/2021/1757/O - Dwelling & garage on a farm at 25m NW of 155 Gulladuff Road, Bellaghy for Mr Silias Overend

Agenda Item 5.24 - LA09/2022/0097/O - Site for a dwelling and domestic garage at site 50m S of 105 Culnady Road, Maghera for Mr Thomas Patterson

Agenda Item 5.26 - LA09/2022/0186/O - Dwelling & garage at 25m SW of 12a Gortnahurk Road, Draperstown for Ms Marie Scullin

Agenda Item 5.27 - LA09/2022/0381/F - Double infill for dwellings and garages at 170m SW of 219 Dungannon Road, Cabragh for Mr Brendan Goan

The SD: Planning also recommended a deferral for agenda item 5.17 - LA09/2021/1618/F Storage shed, yard repositioning of existing saw and associated ancillary works adjacent to 51 Knockanroe Road, Cookstown, for Reid Engineering Ltd - advising that given a proposal had been received regarding possible conditions for which environmental health would have to be consulted it was recommended to defer.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That aforementioned applications be deferred.

Matters for Decision

P090/22 Planning Applications for Determination

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

Declaration of Interest

Councillors present declared an interest in planning application LA09/2018/1384/F.

LA09/2018/1384/F Demolition of Existing Building to Erect 7 Based Primary School (Single Unit), Nursery (Single Unit) and Playground. The Access Road is Existing to the Site and will form part of another Planning Application submitted by Mid Ulster Council, Site fronts onto Gortgonis Road adjacent to Sports Field on Existing Community Centre Site Gortgonis, Coalisland for Gaelscoil Uni Neill

Members considered previously circulated report on planning application LA09/2018/1384/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That planning application LA09/2018/1384/F be approved subject to conditions as per the officer's report.

LA09/2020/0557/F Retention of filtration unit for a plasma cutter including its proposed enclosure at 51 and 55 Knockanroe Road, Cookstown, for Reid Engineering Ltd

Members considered previously circulated report on planning application LA09/2020/0557/F which had a recommendation for approval.

Mr Marrion drew attention to detail in the addendum outlining reasonable conditions to be included in the recommendation.

The Chair advised that a request to speak had been received by two different parties, one in support and one against the application.

The Chair advised that Dr Louise O'Kane was in attendance to speak against the application and invited her to address the committee.

Dr O'Kane stated that as the condition submitted as aforementioned had been included she was content but sought clarity regarding the enclosure to be accepted.

The Chair advised that Les Ross was in attendance to speak in favour of the application and invited him to address the committee.

Mr Ross advised that they would agree the conditions as outlined by Mr Marrion.

Councillor McFlynn sought clarity as to how Council would ensure the conditions were put in place.

In response the SD: Planning advised that Council would investigate if complaints were received.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2020/0557/F be approved subject to conditions as per the officer's report and addendum.

Declaration of Interest

Councillor Quinn declared an interest in application LA09/2020/0729/F given that he had received approaches regarding it.

LA09/2020/0729/F 5 detached dwellings and garages (inclusion of footpath along public road), at 40m W of 16 Annaghmore Road, Coalisland, for Mr Conor Tennyson

Members considered previously circulated report on planning application LA09/2020/0729/F which had a recommendation for approval. Mr Marrion drew attention to the addendum advising that objections had been received regarding road safety aspects but these had been addressed. He also highlighted the footpath added on request by the Department for Infrastructure who would adopt it but advised they would not adopt the road as was the stance if there was less than five dwellings.

The Chair advised that a request to speak had been received by 2 different parties, one in support and one against the application.

Councillor Quinn stated that he had been approached regarding the application and that some residents were unhappy and proposed that a site meeting may resolve difficulties.

The Chair advised that Mr Chris Cassidy was in attendance to speak in favour of the application and invited him to address the committee.

Mr Cassidy said he had worked closely with the planners and had considered concerns raised by objectors. He said the boundary of the site would be planted out, the dwellings would be in character with others in the area, spoke of the separation distance together with the communal and private amenities at each dwelling. He advised that DfI had been consulted that the grass verge and path were acceptable and urged Members to accept the report.

In response to the SD: Planning query Mr Marrion advised that DfI had now agreed the roads proposals. The SD: Planning said he was unsure as to what would be achieved by accommodating a meeting.

Councillor Colvin expressed concern in relation to DfI not adopting the road and gave examples of works such as a housing development in Cookstown was emphatic that agreement should be filtered in that roads be finished to acceptable standard. He also highlighted that people have to bring their bins to the edge of the road way if areas are not adopted.

The SD: Planning said he understood Councillor Colvin's concerns but there was only 5 dwellings and the criteria was six or more for adoption. Mr Marrion confirmed

that there was conditions regarding the maintenance of open spaces but no conditions were added to the road way.

The SD: Planning said that the management plan could be amended to agree open space and maintenance of roadway as although not common practise it was reasonable.

Councillor McFlynn stated that there appeared to be animosity between developer and residents and as had happened in the past she would propose to defer for one month to allow discussion to convene. In response the SD: Planning said he would be reluctant to be a medium between both parties as ultimately all blame the council and reiterated the suggestion of further condition.

Councillor Clarke stated that even the best of roads do not last a lifetime and highlighted Curran Terrace in Dungannon which the Council although not its remit had to bring to an acceptable standard.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/0729/F be deferred for office meeting.

LA09/2020/1235/F Double site for dwellings and garages at 31m SE of 11 Magheracastle Loanin Brockagh Coalisland, for John Hagan

Members considered previously circulated report on planning application LA09/2020/1235/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/1235/F be approved subject to conditions as per the officer's report.

LA09/2021/0268/F Replacement of existing turbine (approved I/2014/0394/F) with an EWT DW54 250KW turbine with 40m hub height and blade span of 27m (overall tip height of 67m). (amended description), at approx 210m SE of 40 Gortagammon Road, Cookstown, for Arena Capital Partners

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

LA09/2021/0634/F Sand and gravel washing unit, associated fixed plant and new filtration/settlement pond, within existing sand and gravel washing quarry at 320m N of 17 Brackaghlistlea Road, Draperstown, for Mclvor Sand & Gravel

Members considered previously circulated report on planning application LA09/2021/0634/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/202/0634/F be approved subject to conditions as per the officer's report.

LA09/2021/0818/F Replacement of previously approved detached dwelling to with a pair of semi-detached dwellings at site at 29 Tullybrae Manor, Caledon Road, Aughnacloy, for S & J Developments

Members considered previously circulated report on planning application LA09/2021/0818/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved That planning application LA09/202/0818/F be approved subject to conditions as per the officer's report.

LA09/2021/0860/O Dwelling and garage at site adjacent to 27 Waterfoot Road, Ballymaguigan, for Jim O'Neill

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

LA09/2021/0907/F Residential development of 6 detached dwellings, garages and associated works at land adjacent to & to the rear of 24 Mullan Road, Ballinderry, Coagh for Mr George Buick

Members considered previously circulated report on planning application LA09/2021/0907/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

Resolved That planning application LA09/202/0907/F be approved subject to conditions as per the officer's report.

LA09/2021/1098/F Change of house type from previously approved red: H/2005/0910/F & A/1062/PAC, & garage with alterations to previously approved access & laneway at approx. 180m SE of 28 Broagh Road, Knockloughrim, for Rory McPeake

Members considered previously circulated report on planning application LA09/2021/1098/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/202/1098/F be approved subject to conditions as per the officer's report.

LA09/2021/1149/F New Access at 11a Strawmore Lane, Doon, Drapestown for E Kelly Esq.

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

LA09/2021/1284/F Dwelling at Rear of 123 Creagh Road, Newbridge, Magherafelt for Emma Gribbin

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

LA09/2021/1352/RM Dwelling and Garage at 60m W of 28 Dirnan Road, Cookstown for Greg Donaghy

Members considered previously circulated report on planning application LA09/2021/1352/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/202/1352/F be approved subject to conditions as per the officer's report.

LA09/2021/1372/F Retention of lean-to shed to the high bay area to facilitate kit assembly & retention of extension to the docking area at 7 Corchoney Road, Cookstown for Meteor Electrical

Members considered previously circulated report on planning application LA09/2021/1372/F which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

Resolved That planning application LA09/202/1372/F be approved subject to conditions as per the officer's report.

LA09/2021/1408/F Retrospective application for erected farm building and cattle crush at lands opposite 63 Oldtown Road, Bellaghy for Mr Pascal Diamond

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

LA09/2021/1519/F Extension to existing campervan park to provide 6 shepherds huts styled sleeping accommodation with carparking using existing approved access onto Garvagh Road at lands 60m N of 10 Kilrea Road, Swatragh, for Friel's Bar and Restaurant

Members considered previously circulated report on planning application LA09/2021/1519/F which had a recommendation for approval.

The SD: Planning advised that water service were increasing objecting to applications. In this case they asked for an odour impact assessment but given the sewage works was on the opposite side of the village and it was a minor expansion to the facilities, in his view this was unreasonable .He highlighted that that increasingly planning was having to broker a way forward on Water matters.

Proposed by Councillor S McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1519/F be approved subject to conditions as per the officer's report.

LA09/2021/1618/F Storage shed, yard repositioning of existing saw and associated ancillary works adjacent to 51 Knockanroe Road, Cookstown, for Reid Engineering Ltd

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

LA09/2021/1657/F General purpose storage unit & associated works in association with an established business at 25m NE of 9 Farlough Road Dungannon, for Terramac Fabrication Ltd

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

LA09/2021/1672/F Change of house type and relocation of dwelling and domestic garage (approved M/2013/0414/F) at approx. 100m N of 34 Ferry Road, Coalisland, for Mr Patrick and Mrs Lisa Trainor

Mr Marrion (SPO) presented a report on planning application LA09/2021/1672/F advising that it was recommended for refusal.

Councillor S McPeake proposed that as this was the only refusal which had not been deferred it should be deferred for an office meeting to ensure applicant had opportunity for office meeting.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/1672/F be deferred for office meeting

LA09/2021/1678/F Two storey dwelling and attached garage at S of 179 Coash Road, Killyman, Dungannon, for Stephen Mc Aliskey

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

LA092021/1757/O Dwelling & garage on a farm at 25m NW of 155 Gulladuff Road, Bellaghy for Mr Silis Overend

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

LA09/2021/1780/O Domestic dwelling and garage in a farm at 30m N of 2 Gortinure Road, Maghera, for Mary Louise Jackson

Members considered previously circulated report on planning application LA09/2021/1780/O which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1780/O be approved subject to conditions as per the officer's report.

LA09/2021/1801/O Dwelling and garage on a farm at 140m SW of 8 Lurganagoose Road, Knockloughrim, Magherafelt for Mr N McLean

Members considered previously circulated report on planning application LA09/2021/1801/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/1801/O be approved subject to conditions as per the officer's report.

LA09/2022/0097/O Site for a dwelling and domestic garage at site 50m S of 105 Culnady Road, Maghera for Mr Thomas Patterson

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

LA09/2022/0144/F Dwelling on approved site (LA09/2016/0999/O) at approx 80m SW of 39 Mountjoy Road Dungannon, for Killen Developments

Members considered previously circulated report on planning application LA09/2022/0144/F which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/0144/F be approved subject to conditions as per the officer's report.

LA09/2022/0186/O Dwelling & garage at 25m SW of 12a Gortnahurk Road, Draperstown for Marie Scullin

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

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

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

LA09/2022/0545/F Single Storey rear extension to dwelling 21 Ballynacross Road, Knockloughrim, for Carol Garland

Members considered previously circulated report on planning application LA09/2022/0545/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2022/0545/F be approved subject to conditions as per the officer's report.

Receive Deferred Applications

LA09/2020/1570/O Site for dwelling and garage, 20m SW of 128 Lisaclare Road, Lisaclare, Dungannon for Joe Quinn

Members considered previously circulated report on planning application LA09/2020/1570/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/1570/O be approved subject to conditions as per the officer's report.

LA09/2021/1228/O Site for new dwelling on a farm, to rear of 45 Kinturk Road, Coagh, Cookstown for Mr Brian O'Hara

Members considered previously circulated report on planning application LA09/2021/1228/O which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/1228/O be approved subject to conditions as per the officer's report.

LA09/2022/0062/O Infill dwelling and domestic garage at site W of 35 Drummurrer Lane, Coalisland for Mr Michael Corr

Mr Marrion (SPO) presented a report on planning application LA09/2022/0062/O advising that it was recommended for refusal. He requested that Members note the detail within the addendum stating that there is no gap and drawing attention to the map said the visual break should be protected.

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

Mr Cassidy stated that the application sits on a corner with a shared boundary. He advised that the site was acceptable in relation to roads, that the site had frontage and made reference to two houses one numbered 33. He said the site had similar frontage to that of nearby flats and requested that Members reconsider.

Councillor McFlynn said it was difficult to visualize from the map and proposed that Members participate in a site visit.

Councillor S McPeake seconded the proposal for a site visit saying there was a number of buildings which adds to the complexities of the application.

The Chair, Councillor Mallaghan concurred.

Councillor Quinn said that he was familiar with the site and expressed concerns regarding entrance and traffic exiting.

The SD: Planning sought clarity as to what DfI had requested. In response Mr Marrion clarified that the requirement of site lines.

In response to Councillor McKinney's query the SD: Planning said that DfI would not request what could not be achieved.

Councillor Cuthbertson left the meeting at 7.45 pm

Proposed by Councillor McFlynn
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2022/0062/0 be deferred to site meeting.

P091/22 Receive Review of Scheme of Delegation

The SD: Planning presented previously circulated report to consider a revised Scheme of Delegation for Planning functions, before it goes on to Policy and Recourses and Full Council for agreement.

Councillor S McPeake stated that the scheme of delegation had been discussed at workshop and he would be happy to propose.

Councillor Glasgow stated why change what was working.

Proposed by Councillor S McPeake
Seconded by Councillor Glasgow and

Resolved To approve that the revised scheme be forwarded to P&R Committee, full Council and the Department for decision.

Matters for Information

P092/22 Minutes of Planning Committee held on Tuesday 7 June 2022

Members noted minutes of Planning Committee held on Tuesday 7 June 2022.

Live broadcast ended at 7.51 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Robinson
Seconded by Councillor Clarke 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 P093/22 to P095/22.

Matters for Decision

P093/22 Receive Report on Local Development Plan
P094/22 Receive Enforcement Report

Matter for Information

P095/22 Minutes of Planning Committee Confidential Minutes of
Meeting held on Tuesday 7 June 2022

P085/22 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.31 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 5 July 2022

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

Chairs Business –

- Letter to Public Accounts Committee and report
- PAC decisions and reports for 2021/E0016 for Barry O'Neill and 2020/E0035 for James Murphy

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.2	Additional comments from J Reid	Members to note and discuss
5.3	Additional comment received from S Trainor	Members to note
5.17	Additional comments from J Reid	Members to note and discuss
6.3	The roads are all Drummurrer Lane, not Annaghnaboe Road as referred to in the report.	Members to note

Closed Business –

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 6 July 2022 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor Black, Chair

Councillors Ashton, Burton (7.15 pm), Clarke*, Corry, Cuddy, Doris*, Kerr*, McNamee*, Martin*, Molloy, Monteith*, Quinn* and Wilson*

Officers in Attendance

Mr Black, Strategic Director of Communities and Place
Mr Gordon**, Assistant Director of Health, Leisure and Wellbeing
Ms Linney**, Assistant Director of Development
Ms McKeown**, Assistant Director of Economic Development, Tourism and Strategic Programmes
Mr O'Hagan**, ICT Support
Mrs Grogan, Democratic Services Officer

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7 pm.

In the absence of the Chair, Councillor Clarke who was attending 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 Clarke in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

D113/22 Notice of Recording

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

D114/22 Apologies

Councillor Elattar.

D115/22 Declarations of Interest

The Chair, Councillor Clarke reminded Members of their responsibility with regard to declaration of interest drawing attention in particular to agenda item on grants. He stated that if Members had already declared the interest it did not need reiterated.

Councillor Kerr declared an interest in Coalisland Foodbank.

D116/22 Chair's Business

The Chair advised that Councillor Corry wished to raise an item under Chair's Business.

Councillor Corry sought permission for Council to write a letter of support for St. Patrick's PS, An Gleann, Watty Graham, An Gleann, St Patrick's PS and St Michael Davitt's, Swatragh. This letters of support is for the latest round of funding for "Your School, Your Club" scheme and were required before the 11 July 2022 deadline which is before the next Council meeting. Any help to provide these letters would be greatly appreciated.

The SD: Communities and Place advised that "Your School, Your Club" scheme is being administered by SportNI on behalf of Central Government and has previously been delivered across Northern Ireland and this district. The approach which had been taken under the last round was that any school or club which submitted an application, Officers would access those applications against our strategy which were previously agreed by Council and if they were in line with those strategies, then Officers would offer letters of support. As Councillor Corry has said, these schools and clubs referred to do require letters of support from the Council, with a deadline of 11th July 2022. He also advised that a request had been received from the Royal School, Dungannon and would suggest to members if they were content, that Council take the approach which was taken previously where Officers assess those applications against Council strategy and if in line with our strategies, particularly our Sports Facilities Strategy which was agreed previously, then Officers would pull together Letters of Support for these events.

Councillor Cuddy declared an interest as he had attended the Royal School, Dungannon.

Councillor Cuddy advised that it was important to support all schools under the same process and to support them any possible way we can.

Proposed by Councillor Corry
Seconded by Councillor Cuddy

That a letter of support be issued to aforementioned named schools and clubs on the basis that the applications are assessed against the Council Strategy as previously was the case.

Councillor Wilson said that he previously raised the issue of requesting letters of support and wanted to make it clear that he did not have an issue with any of these but it was Council policy for whoever was looking a letter of support to write into Council themselves and not requested through individual Councillors. He sought clarification on whether the schools the member referred to had written into Council as he was aware that the Royal School did make their own request to Council in writing.

The SD: Communities and Place advised that Officers were not aware of Council receiving a request in writing from the schools that the member alluded to, however he said that this scheme was slightly different from the letters of support for the levelling up fund given that the Your School, Your Club scheme had been delivered before and the approach to offering support, which was prerequisite of the funding, was delivered as previously outlined.

Councillor Wilson said that it was his understanding that this was not Council policy in which a school or a person acquiring a letter of support. If a letter of support was required then it was up to the school or person to write directly to the Council and not requested by an individual Councillor.

The SD: Communities and Place agreed with member that this was the case for corporate letters coming from a corporate body which needed to be endorsed by Committee and Council. Those letters coming from Officers would only confirm that the applicants project would support and further enhance a Council Strategy, previously agreed.

Councillor Wilson advised if a Councillor submitted a letter, then it was deemed to be coming from the Council as a corporate body and was curious to see where this now sits.

The SD: Communities and Place advised that the wording of the letter would be very clear around alignment with a Council agreed strategy.

Councillor Ashton suggested that Councillor Corry liaise with the two schools involved and ask them to make a written request to Council to keep things in line.

The Chair concurred with Councillor Ashton that this would be the best way forward to keep things right.

Councillor Wilson said that he would be happy to support the suggestion..

Resolved That it be recommended to Council that Councillor Corry liaise with aforementioned two schools advising them to write directly to Council to request a letter of support.

Matters for Decision

D117/22 Development Report

The AD: Development presented previously circulated report which provided update and sought approval on the following:

- **Community Grants - Rolling Grants Programme 2022–2023** - Rolling Grants Programme 2022–2023 recommendations
- **Irish Language Support Fund** - Awards
- **DFC Emergency Support Fund** - Award funding for provision of the social supermarket concept

- **Peace Heroines Art Project** – Council involvement, subject to further information
- **Seamus Heaney Home Place License** – Application for liquor license
- **Shared Island Art and Literary Residency Initiative** - To engage in discussions as part of the Shared Island fund
- **Shopmobility Mid Ulster** – Financial support
- **Development Department** – Update on progress

It was

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That it be recommended to Council to approve the following:

- **Community Grants - Rolling Grants Programme 2022–2023**

Resolved That it be recommended to Council to approve the allocation of the Community Grants as recommended in appendix 1 of the Officers report.

- **Irish Language Support Fund**

Councillor Ashton said that she was aware of this being raised by a member previously, but there still seems to be programmes coming forward with no translation as previously requested. In referring to some , she stated that it seemed that where there was translations there appeared to be different meanings for similar words and said it would be important to get this clarified.

The AD: Development advised that an update would be provided.

Resolved That it be recommended to Council to approve:

- 1) The allocation of the Irish Language Support Fund as recommended in appendix 2.
- 2) That Officers clarify the translation of the Irish Language included within the report and issue an update.

- **DFC Emergency Support Funding**

Resolved That it be recommended to Council to approve the allocation of the DFC Emergency Support Funding as detailed within report.

- **Peace Heroines Art Project**

Councillor Ashton said that she appreciated that it was in the early stages regarding the arts project, but was conscious in relation to street murals that this would be featuring over the past 25 years or longer, it would be important to know what the

murals would involve and where they were going to be put. She said that it was important to know the criteria around these murals and how it was going to be managed.

The AD: Development concurred with the Member and agreed that this would need to be completely detailed as it was so high level at the minute and this was why it was an in principle agreement at this stage moment. The AD: Development advised that the project promoter would be advised that Council endorsement could not be guaranteed until committee considers further detail in relation to who could be profiled, location, what communities and areas were involved etc. She advised that all these details needed to be received and brought back to members before a final decision was made on the matter.

Councillor Monteith said that he would be of a similar thinking to Councillor Ashton and the importance of how these murals were going to be managed.

Resolved That it be recommended to Council to:

- 1) Agree in principle to the initial participation in the Peace Heroines Art Project.
- 2) That Officers investigate criteria on how these murals were going to be managed before commitment to the project.

- **Seamus Heaney Home Place License**

Resolved That it be recommended to Council to agree to apply for the extension of a license for a place of public entertainment (theatre liquor license) for outdoor section, adjacent to the café entrance at the Seamus Heaney Homeplace.

- **Shared Island Art and Literary Residency Initiative**

Councillor Cuddy referred to Northern Ireland, Southern Ireland and Scotland always being very close when it comes to Arts and enquired whether Council had investigated the opportunity of possibly linking up with the West Coast of Scotland. He was unsure whether this was ever requested in the past but felt it would be very beneficial to expand it out further as these two islands were sitting in the top left hand corner of Europe and had so much in common and no reason not to look at something a bit further afield.

The AD: Development said that the current project was under shared island funding between the two proposed centres, however there is currently international and UK linkages with the existing Tyrone Guthrie arts residential centre. She stated that reaching out to Scotland re links to similar arts projects and sharing good practice could definitely be explored.

Resolved That it be recommended to Council to agree:

- 1) To Council participation in a Stakeholder Engagement group to explore a potential Literary Residency Initiative at Bellaghy Bawn and potential funding opportunities via the Shared Island Fund.
- 2) That Officers feed into the stakeholder group the suggestions around wider national/international networking and best practice opportunities.

- **Shopmobility Mid Ulster**

Councillor Corry wished to commend AD: Development and her team on the great work which had been done regarding shopmobility. She said that she attended the AGM and was great to see them moving into more suitable premises

Resolved That it be recommended to Council to agree financial contribution of £5000 per annum (for an initial 3 year period) to assist with relocation of Shopmobility scheme to external suitable premises.

- **Development Department**

Councillor Monteith referred to Community Support update report – Clogher Valley Childcare Centre of Excellence. He said that a presentation had been made by the group and a commitment made by Council to assist them, it was suggested at the presentation that a suitable marking or memorial be placed for the people who died during the famine in Ireland similar to the memorial placed at South Tyrone Hospital recently. He said that the group seemed really keen on the idea and would be very appropriate to do it. He asked that Officers get in touch with the group to advise of the great initiative but it would be important that the heritage of the area was not forgotten about.

The AD: Development agreed to investigate the matter.

Councillor Cuddy referred to PCSP and advised that Councillor Molloy, himself and others attended two meetings with Technical Services team, one in Dungannon and one in Moy. He said that they were both good meetings, only issue would be in Moy the condition of the war memorial. He noted this would not be the remit of PCSP but could Council investigate who was responsible for the maintenance of the memorial. He said that this was a separate project and from what he could understand there has never been any maintenance done to the war memorial. He advised that it looked well from the road, but very dilapidated when go up close, with damaged blocks and some of the lead lettering missing.. He sought clarification on who was responsible for the maintenance of the cenotaph to keep it up to a satisfactory standard and in the event that this was the responsibility of the Council that a report be brought back on what steps they intend to take to get it to that standard.

Councillor Molloy concurred with previous comment regarding what Council was responsible for.

He referred to the a larger project in Moy regarding the need for public realm works due to broken pavements which needed replacing, tree bases being ready to fall

down and in urgent need for a public works programme. He said that he was aware of a population limit on the public realm but enquired if there was a next stage of a public realm which could be looked at for our larger villages.

Councillor Burton said she had raised this issue before regarding smaller villages like Caledon where footpaths were in dire need of replacing as some flagstones were unsteady and not fit for purpose. She said that this needs to be flagged to DfI as these flagstones could result in an injury as she previously indicated at a previous meeting, where a person had fallen in Castlecaulfield. She said that it was important that footpaths in villages were properly maintained and kept in a reasonable order.

The Chair advised that it would be more appropriate to flag to DfI in the event of health and safety concerns, but to feed into smaller villages which do not meet requirement due to a smaller population.

She referred to the childcare facility in Clogher and advised that a meeting had taken place with Early Years group and felt that going forward it would be important to link with them to ask if they could hold regular meetings to include community representatives. She agreed with Councillor Monteith's suggestion of having a record of what this building was previously; as Clogher was one of the oldest areas listed within Ulster history, and to include the Cathedral and graveyards which were important to recognise going forward with the project.

Councillor Monteith concurred with Councillor Molloy regarding the dire need for a public realm scheme. He said that there was a need for a strategy for all villages as these people also pay rates in smaller villages and was unfair just to champion the main towns. He felt that this would be a good piece of work going forward but there was also a need for a rural strategy for smaller areas also.

The Chair advised that public realms do have a criteria on population, but would be good going forward to see funding allocated to villages and agreed that Councillor Monteith made a good point.

Councillor Kerr said that he fully agreed with Councillors Burton and Monteith regarding maintenance in villages. He referred to Torrent area where there have been legacy issues regarding the maintenance of footpaths between Roads Service and Council and referred to the village of Cappagh and said that for some reason when a resident contacted Roads Service regarding removal of tree, they indicated that it was Council's responsibility. He said that he had requested on numerous occasions that a report be brought back on who was responsible for what up in Cappagh village. He said that there was a need to look after the smaller settlements within Mid Ulster and whilst it was great to see the five main towns getting attention, there was also the need to focus on the smaller towns and villages.

The Chair said although he did not disagree with the points made and did not want to get bogged down to one or two particular villages felt that it would be beneficial to look at the bigger situation which would apply to all below and then we can identify the perimeters that there is so we can see what was possible and wasn't possible and try and move forward from there

Resolved That it be recommended to Council:

- 1) To note the contents of the development report.
- 2) That Officers liaise with representatives from Clogher Valley Childcare Centre of Excellence advising of the importance of marking the heritage of the area in relation to remembering the people who lost their lives in the Clogher Valley Workhouse.
- 3) That Officers to investigate who's responsible for the maintenance of Moy Cenotaph.
- 4) That Officers to investigate opportunities for Public Realm Works in small towns and villages.
- 5) That Officers investigate who's responsible for the maintenance of footpaths in smaller villages.
- 6) That Officers engage with Early Years to ask if Clogher Valley Childcare update meetings could be held regularly and keep the community representatives involved.
- 7) Investigate possible funding initiatives for smaller villages and settlements.

Councillor Burton entered the meeting at 7.15 pm.

D118/22 Community Lending Libraries

The AD: Health, Leisure & Wellbeing presented previously circulated report to seek Council approval to grant permission for:

- Tullymeadow Community Group and Men's Shed, Augher to erect a community lending library in Augher Playpark
- Newmills Wildlife Gardening Club to erect a community lending library in Newmills Community Space

Councillor Doris said that she would be happy to propose the recommendation as it was a fantastic idea. She advised that Stewartstown Primary School provides this service and said the more of these community libraries opening up the better.

Councillor Quinn advised that there were also a few private lending libraries within Torrent, good idea and give everyone the opportunity to learn and was fully behind the initiative.

Proposed by Councillor Doris
Seconded by Councillor Black and

Resolved That it be recommended to Council to approve the installation of Community Lending Libraries in Newmills, Brackaville Road, and Augher Playpark, Knockview, via an appropriate written agreement.

D119/22 Economic Development Report – OBFD

The AD: Economic Development, Tourism and Strategic Programmes presented previously circulated report which provided an update on the following:

- **Great Days Out Event**
- **Mid Ulster Enterprise Week 2022**
- **Rural Business Development Grants Scheme 2022**
- **Mid Ulster Labour Market Partnership (LMP)**
- **Mid Ulster Place Shaping Plans**
- **Mid Ulster Socio-Economic Analysis**

It was

Proposed by Councillor Corry
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the key activities as listed below in the Economic Development Report – OBFD.

- **Great Days Out Event**

Resolved That it be recommended to the Council to approve delivery of the Great Days Out Trade Event 2022 to be funded from Council's existing tourism budget at a cost of circ. £2,500.

- **Mid Ulster Enterprise Week 2022**

Resolved That it be recommended to the Council to approve:

- 1) Budget of circ. £28,000 for the delivery of Mid Ulster Enterprise Week 2022 from within the existing Economic Development budget 2022/23.
- 2) That Council proceed to seek competitive quotes to appoint a professional Management / Delivery Partner to manage and co-ordinate the delivery of Mid Ulster Enterprise Week 2022. The costs for such to be apportioned from within the budget detailed at 5.2.1.
- 3) That the Chief Executive be awarded delegated authority to appoint the successful Management/Delivery Partner following the procurement exercise to allow work to commence over the summer period.

- **Rural Business Development Grants Scheme 2022**

Resolved That it be recommended to the Council to approve that delegated authority be granted to the Chief Executive to approve the issue of letters of offer to successful applicants in line with contractual timescales. A report will be brought to the Development Committee thereafter to update Members on the outcome of assessment and to note approved projects.

- **Mid Ulster Labour Market Partnership (LMP)**

Resolved That it be recommended to the Council to note report and approve for delegated authority be awarded to the Chief Executive to appoint successful delivery organisations following procurement exercises to allow LMP work to commence over the summer months (subject to receipt of official letter of offer).

- **Mid Ulster Place Shaping Plans**

The Chair stated that the report referred to specific towns and asked if they were being included because of the size of the population and asked if this was a factor in this one.

The AD: Economic Development, Tourism and Strategic Programmes stated that Dungannon, Cookstown and Magherafelt towns were selected due to them being the largest towns, and cautioned against taking on any further Plans until these were well advanced. She stated that Place Making Plans are comprehensive documents and each required a tremendous amount of work and added that it may be opportune to phase work starting on each. She added that in future there will be the opportunity to carry out such Plans for Coalisland and Maghera.

Councillor Kerr referred to strategic funding initiatives for the next 10-15 years and expressed his disappointment that Coalisland wasn't included. He said that he was aware of Coalisland receiving major investment in the last number of years through the Public Realm Scheme and hoped that when the Gortgonis Centre is refurbished and up and running and Coalisland Canal progress. He alluded to this being a new initiative and similar to what the Chair had indicated, was it to do with larger populations and hoped that clarity would be made at a future meeting on what the threshold was for larger towns and if funding did become available that this programme is rolled out in Coalisland along with other sizable areas within the district as it was important if there was going to be plans for economical socio regeneration in the area that smaller settlements cannot be left behind.

The Chair agreed with member's point and advised that his particular question related to Maghera and the fact that it was very close to the threshold for population and who knows what the census may reveal in the months to come as well. He said that he appreciated the AD: Economic Development, Tourism and Strategic Programmes comments relating to this all being down to resources, but with Maghera and Coalisland being 2 of our 5 major towns and if and when the resourcing becomes available that they may be included as a priority.

Councillor Monteith enquired how much the Plans would cost and what would the 20% be to the Council and whether this was a similar thing that was done to the masterplans recently.

The AD: Economic Development, Tourism and Strategic Programmes advised that Place Making Plans are not dissimilar to masterplans and have a multi-dimensional approach focusing on such areas as the economic, community, social, tourism, leisure etc aspects of the towns and seeks to get views from an extensive consultation process with communities, businesses, schools, government stakeholders, etc In terms of cost she stated other similar Plans cost up to £45k each

due to the size and scale of the work involved in developing them. Each Plan is a major piece of work and other areas often do one or two at a time.

Councillor Monteith said that he did not want to hold back on funding, but when a plan takes 3 years to make, how useful is a tool going to be. Council is in the process of doing the Development Plan at the minute which is anticipated to keep going on years and feels that it actually restricts development plans for what people want to do rather than facilitate, good example was the old masterplan for Dungannon which DfC and DSD or its predecessor carried out and this is still quoted by DfC in order to restrict development in Dungannon town. He wonders if this was to keep people busy and genuinely query on how you can talk about the development of a town like Dungannon and not discuss the immediate surrounding villages and towns. He advised that there were six secondary schools in Dungannon each taking in pupils anywhere between 5 and 15 miles away. Most major employers take in people well outside the boundary of the town and he didn't get it and alluded to Councillor Kerr referring to Coalisland and how do you talk of a plan for Dungannon when Coalisland is 4 miles away and not included. He said that he was very apprehensive when masterplans is mentioned as there wasn't a good experience for Dungannon.

The AD: Economic Development, Tourism and Strategic Programmes clarified that the Plans would each take on average up to a year to complete, however if they are being progressed on a phased basis, it would take slightly longer to complete them all.

Councillor Monteith said that he would be happy to propose but wished to make his comments clear that if there was money sitting for year 5 for a town which was 3 or 4 miles away from a major town that this should be resourced.

Resolved That it be recommended to the Council to:

- 1) Approve for Council officers to submit a funding application to Department for Communities (DFC) seeking 80% funding towards costs to develop 3 No. Place Shaping Plans for Dungannon, Cookstown and Magherafelt and that Council fund the remaining 20% of costs from its existing Economic Development budget 2022-2024.
- 2) Approve that authority be delegated to the Council's Chief Executive to sign and accept a letter of offer from DFC, subject to Council's funding bid being successful.
- 3) Approve for Council officers to proceed to procure professional expertise to manage and co-ordinate the development and production of 3 No. Place Shaping Plans for Dungannon, Cookstown and Magherafelt, subject to confirmation of funding from DFC.
- 4) Approve authority be delegated to Council's Chief Executive to appoint the successful organisation following the procurement exercise to allow work to progress on the Place Shaping Plans, subject to confirmation of funding.
- 5) Note an update report will be brought to the Development Committee in the Autumn to update Members on progress.

- **Mid Ulster Socio-Economic Analysis**

The AD: Economic Development, Tourism and Strategic Programmes advised that since this report was submitted in the Committee papers and issued to members, a further discussion had taken place in the Mid South West Region where they had alerted Officers to the fact that they wish to procure professional expertise to carry out a large Socio-Economic Analysis of the Mid South West region which would first necessitate preparing a socio-economic analysis for the 3 Council areas.

She sought approval to work together with Mid South West Region on the initiative as this option would provide better value for money .

Councillor Kerr referred to key sectors which were outlined and asked that telecommunications be included in the specification as there were hundreds of these people employed in the local area.

Resolved That it be recommended to the Council to:

- 1) Approve that Mid Ulster Council partner with Fermanagh & Omagh and Armagh City, Banbridge & Craigavon Councils through the Mid South West Growth Deal to procure a professional consultant to undertake a comprehensive Socio Economic Analysis for each of the 3 Council areas. The consultant will also be required to use the 3 Socio Economic Analyses to inform and develop a detailed Socio Economic Analysis for the MSW region.
- 2) Approve that Mid Ulster Council makes financial provision in it's Economic Development Budget 2022/23 of circ. £15,000, if there is a requirement to financially contribute towards this initiative on an individual Council basis, in addition to MSW Growth Deal funding.
- 3) That 'telecoms' be added to the following sectors within the project specification - to read; "manufacturing, engineering, agri-food, construction, retail, tourism (including hospitality), agriculture, telecoms and services".
- 4) Note a report will be brought to the Development Committee thereafter via the MSW Growth Deal to update Members on progress.

Matters for Information

D120/22 Minutes of Development Committee held on 16 June 2022

Members noted Minutes of Development Committee held on 16 June 2022.

Councillor Kerr referred to D099/22 – Request for funding and enquired if there was any update on the Washingbay Walkway regarding the traffic issues at the junction of the site.

The SD: Communities and Place advised that he would seek an update and come back to Councillor Kerr directly.

Councillor Kerr also referred to D102/22 – Enhancement Scoping report for Castlebay and enquired if there was a timescale for taking back a report.

The SD: Communities and Place that an update would be provided to the member.

Councillor Martin advised that she had attended the last meeting but was not included in the minutes as attending the meeting and wished to have it recorded.

Councillor Monteith referred to D103/22 – Clean Neighbourhood Action Plan and enquired if there was a meeting arranged yet with WISE.

The SD: Communities and Place advised that engagement had taken place with members services who were to investigate the matter but was unsure if a date had been agreed yet.

The AD: Health, Leisure & Wellbeing advised that a monthly review meeting had taken place with WISE today and it was anticipated that a date would be possibly arranged for member in the first week of September after cross checking other committees and commitments. He advised that confirmation would be sought within the next week or 10 days and members kept updated.

Councillor Monteith said that it was disappointing that this had taken more than 3 months after being raised at committee.

Councillor Monteith referred to Private Tenancies and said that it was good to get an update but felt that it wouldn't do any harm in getting a presentation from Environment Health in relation to their current powers and responsibilities in relation to housing and total, for Members to identify what Environmental Health can legally do. He said that there was an onus on Council to get their teeth into this and was aware of consultations taking place on fitness standards and issues around high rents in the private and indeed the public sector including social housing. He said that people were living in horrific housing conditions, some even very dangerous, although not the majority of private tenancies but there is a significant issue and we need to see if our Environmental Health department have the powers to deal with these issues and if not we need to be lobbying to see where we can get the power to deal with these issues. He advised that there were massive issues around private rent and affordability which needed to be investigated.

Proposed by Councillor Monteith

Seconded by Councillor Kerr and

Resolved That representatives from Environmental Health be invited to a future meeting to provide an update on Housing Tenancies and their powers in relation to ongoing issues around private and social housing.

The SD: Communities and Place advised that Officers would try and get this scheduled in for when committee comes back in September. He advised that Officers were trying to arrange training for members around HMO legislation from the HMO Regional Team based in Belfast and would try and roll the two in together, given their inter-relationship and given the fact that Environmental Health function previously under the responsibility of the Environment Committee, now under the Development Committee.

Councillor Monteith commended the SD: Communities and Place with being on the ball and being well prepared included HMO as it had been an oversight on his part.

Councillor Burton referred to D093/22 – Deputation – Into the West Rail and asked if it would be possible to get a copy of the presentation forwarded to her.

The SD: Communities and Place advised that he seek copy of the presentation and forward onto the Committee.

D121/22 Private Tenancies Act (Northern Ireland) 2022

Members noted previously circulated report which informed of the introduction of the Private Tenancies Act (Northern Ireland) 2022.

D122/22 Economic Development Report – OBFi

Members noted previously circulated report which provided an update on the following:

- Tourism Summer Campaign 2022
- Tourism Development Group Minutes 12.04.2022
- Cookstown Town Centre Forum Minutes 23.03.2022
- UK Tentative List Process of World Heritage Sites

Live broadcast ended at 8 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Cuddy and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to

withdraw from the meeting whilst members consider items D123/22 to D125/22.

Matters for Decision

D123/22 Age Friendly

D124/22 Economic Development Report – CBFD

Matters for Information

D125/22 Confidential Minutes of Development Committee held on
16 June 2022

D126/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.15 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 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 Policy and Resources Committee of Mid Ulster District Council held on Thursday 7 July 2022 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor Buchanan, Deputy Chair

Councillors Ashton, Cuddy, Gildernew*, Kearney*, S McGuigan, S McPeake*, Molloy* and Quinn

Officers in Attendance

Mr McCreesh, Chief Executive**
Mr Black, Strategic Director of Communities & Place**
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP)
Mr Kelso, Director of Public Health & Infrastructure**
Mr Tohill, Strategic Director of Corporate Service and Finance (SD: CSF)
Ms Mezza, Head of Marketing and Communications**
Ms McNally, Assistant Director of Finance, Legal, Governance and Transformation** (AD: CSF)
Mr O'Hagan, Head of ICT
Mrs Forde, Member Support Manager
Ms McKinless, Planning

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.01pm

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

PR132/22 Notice of Recording

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

PR133/22 Apologies

Councillor Doris, Forde, S McAleer, McKinney and McLean

PR134/22 Declarations of Interest

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

PR135/22 Chairs Business

None

Matters for Decision

PR136/22 Request(s) to Illuminate Council Property – July 2022

The Strategic Director: ODSP presented previously circulated report which considered requests to illuminate/light up the Council's three designated properties to raise awareness of and mark;

- Sunday 4 September 2022, Relationships Week: Blue and Orange

Councillor Cuddy requested more background to requests going forward.

The Chair, Councillor Buchanan said the information was contained on the website.

The SD: ODSP advised she would advise the AD: ODSP of the request.

Proposed by Councillor Quinn

Seconded by Councillor Cuddy and

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

- Sunday 4 September 2022, Relationships Week: Blue and Orange

PR137/22 Member Services

None

Matters for Information

PR138/22 Minutes of Policy and Resources Committee held on Thursday 9 July 2022

Members noted Minutes of Policy and Resources Committee held on Thursday 9 July 2022.

PR139/22 Annual Council Equality Progress Return for Equality Commission for NI

Members noted the content of the report.

Councillor Cuddy reflected on the report and said there had been much debate regarding minority communities but his party grouping at Council did not believe they were being heard, yet the Good Friday Agreement refers to everyone being valued.

He stated in the legacy council of Dungannon parties had progressed things together. He drew attention to the fact that the report was seeking more input by minority groupings and as a party the UUP in Council would like to establish a better way forward. Councillor Cuddy said his party referred to the working group as the 'bad relations working group' as decisions were voted on and being a minority they lost, so therefore deemed the group a waste of time. He said it should not be about winners and losers but all should be winners and all opinions taken on board.

Councillor Gildernew referred to Councillor Cuddy's reference about the legacy Dungannon council and concurred there was a different way of working as all had been neighbours but the new Council was a much larger organisation. He posed the question, 'What did the UUP want Council to do more than what it was already doing?'

Councillor Cuddy said that legacy Dungannon had also been nationalist controlled during his time and he had no difficulty working with his colleagues on it as when there was differences Members met in a break out room and found ways to resolve them. He highlighted that if you were in a party of 17 your vote would win. He said there was much common ground but the current ways of working are hurtful and unlike Dungannon days all did not receive a 'fair share of the cake.' He said that sometimes the views of the unionist community are ignored and he would like to find a better way to deal with issues. He said the Good Relations working group hasn't delivered for unionists and whilst he did not blame Councillor Gildernew or Sinn Féin as he respected the majority but it should not be the winner takes all. He concluded his desire was that all should play a part moving forward.

Councillor S McPeake stated that the description of the working group as the 'Bad Relations Working Group' says it all as the Good Relations Working Group at Council is there to help minorities. He referred to the Irish Language policy and stated that the Council had looked at best practice in Europe and yet the Councillor often opens debate with he has no problem with it but the statement is then followed with negativity. Councillor S McPeake concluded that if Councillor Cuddy wanted to have the discussions he should be in the forum.

Councillor Cuddy said in the past the signage was large English, medium sized Irish and small Ulster Scots which had caused no issue. He said upwards of 90% of the population used English as their first language yet signage had to be Irish first, English second and said it was always 'nationalist way or no way' and reiterating that the unionist opinion was not taken on board. He expressed a desire for the future that the four main parties sit down and look at all options. He concluded that the people he represented felt like Council was not listening to their opinions.

Councillor Molloy said the debate was verging on a party-political discussion. He added that Development Committee, of which he was a member, regularly reflected on equitable spend across the Mid Ulster community be it on culture or sporting activities. He concluded Council was doing good work and said applications had been received from all cultures citing examples of the Queen's Platinum Jubilee and the Decade of Centenaries all of which celebrate culture.

Councillor Ashton said that she wouldn't dwell on the debate as a lot had already been covered but emphasised that her community felt there wasn't equality, as for example the recent Jubilee event at Ranfurly House took a lot of effort for it to be organised. She stated there had been no additional funding for the Jubilee celebrations which was a major occasion, so communities had to make a choice either an event for the Jubilee or a regular community event both of which they had to run themselves. Councillor Ashton concluded that it had to be acknowledged that nationalist community celebrations appeared to be passed easily which should be reviewed.

Councillor Gildernew said that we were beyond two communities, it was one community in a small corner of Ireland and we all needed to work together. He urged unionists to return to the Good Relations Working Group.

PR140/22 Organisation Development Strategy & Performance – Service Plan 2022/23

Members noted content of the report

Local Government (NI) Act 2014 – Confidential Business

The live stream ended at 7.23 pm

Proposed by Councillor Quinn
Seconded by Councillor S McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR141/22 to PR152/22.

Matters for Decision

PR141/22	Council Organisational Restructuring
PR142/22	Digital Transformation Strategy
PR143/22	Staffing Matters for Decision
PR144/22	Leisure Services VAT Update
PR145/22	Council Insurances
PR146/22	Contract Price Increases
PR147/22	Staffing Matters - Apprenticeship Opportunity
PR148/22	Property Update Report
PR149/22	Local Government Northern Ireland Mapping Agreement (NIMA)

Matters for Information

PR150/22	Policy and Resources Committee Confidential minutes of meeting held on 9 June 2022
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PR151/22 Staffing Matters for Information
PR152/22 Planning System Update June 2022 & Demonstration

PR153/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.55 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.

Report on	Peace IV-Towns Shared Spaces
Date of Meeting	28 th July 2022
Reporting Officer	Anne Marie Campbell
Contact Officer	Raymond Lowry

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

1.0	Purpose of Report		
1.1	For Council to approve awarding delegated powers for the award of IST contracts for the Peace IV- Towns Shared Spaces Project.		
2.0	Background		
2.1	PEACE IV Towns Shared Spaces project is funded by SEUPB, which aims to to create regional shared space & local shared cross community spaces in the towns of Cookstown, Magherafelt and Dungannon. To seek to address the impact of the Troubles and breakdown a rural interface of polarisation & segregation, and build the confidence of communities to engage together.		
2.2	Council submitted an application to Peace IV Towns Shared Space Programme. Council has been successful in securing £119,000.00 of funding for the following: <ul style="list-style-type: none">• Cookstown – Molesworth street, Street Furniture and Parasols• Dungannon – Feeneys lane site, Street furniture and Awnings• Magherafelt – Meeting Street, Street furniture and Parasols		
2.3	Coalisland scheme is already awarded and currently in construction mode.		
3.0	Main Report		
3.1	Due to delays in getting schemes designed and developed, the Committee deadline has been missed to award these contracts in the normal manner – the procurement route of public tender was required as part of the Funders process. The schemes have been nowed tendered through the MUDC Procurement team via eTendersNI with timeline indicated in Table 1 below.		
	Tender Issue	Tender Closes	Tender assessment
	11/07/2022	26/07/2022	27/07/2022
			29/07/2022 (request for

				Delegated Authority-)
	Table 1			
3.2	The end date for delivery of this project is 31 st August 2022. This is the closure date for the overall PEACE IV Towns Shared Space Programme. SEUPB have indicated that no further extensions would be granted, though this will be reviewed, subject to the delivery timeframes of the submitted tenders. All capital works must be delivered and valuations agreed, paid and claims submitted to SEUPB by this date in order to be eligible for funding.			
3.3	Due to the limited timeframes involved, approval is therefore sought to delegate authority to Chief Executive / Deputy Chief Executive to authorise the award of these IST contracts to the successful tenderers. This will allow for ordering, delivery and installation of equipment to meet the end of August funding deadline. This will assist in the completion dates for the programme delivery as detailed in Section 3.2.			
4.0	Other Considerations			
4.1	Financial, Human Resources & Risk Implications			
	Financial: As identified.			
	Human: Within existing staffing structure or appointed Consultants as per each specific Project.			
	Risk Management: Non-delivery of the project's completion will result in negative press for the Council, reduction in grant funding allocation and impact development of services in the District.			
4.2	Screening & Impact Assessments			
	Equality & Good Relations Implications: N/A			
	Rural Needs Implications: N/A			
5.0	Recommendations			
5.1	It is recommend to Council that, pursuant to Section 7(1)(b) of the Local Government Act (NI) 2014, that authority is delegated to Chief Executive to approve the award of IST contracts for the Peace IV Towns Shared Spaces Project subject to them being within budget parameters.			
5.2	A full update report will be brought back to Members in September Committee/Council for Members information.			
6.0	Documents Attached & References - None			

Report on	Conferences, Seminars & Training
Date of Meeting	28 July 2022
Reporting Officer	Philip Moffett, AD: ODPS
Contact Officer	Eileen Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2022-23 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	<p>Approval for Consideration of Attendance by Elected Members</p> <p>There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix 1 to this report is sought.</p>
3.2	<p>Officer Approvals</p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix 2 to this report is sought.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: Costs to be set against Members 2022/2023 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix 1 Elected Member Conferences, Seminars & Training Appendix 2 Staff Conferences, Seminars & Training

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NILGA	As per programme undernoted	Various	Nil	

NILGA Regional Programme

August 2022–January 2023

Date	Time	Event	Venue	Approach	Facilitation
24th August 2022	10am — 3pm	Condensed Planning Programme	Online	Workshop	Multi-facilitation Team of Planning Professionals
21st September 2022	2pm—5pm	Scrutiny and Challenge	Online	Masterclass	APSE
30th September 2022	10-11.30am	Money Guiders Programme for Councillors (Pilot)	E-Learning	Competency Framework	City & Guilds
September — November 2022	4 Half Day Programme	Democratic Services Administration Programme	Online	Programme	Multi-facilitation Team
19th October 2022	6.30pm — 8pm	Code of Conduct	Online	Compliance	Local Government Commissioner for Standards
16th November 2022	10am —1pm	Civil Contingencies / Emergency Planning	Craigavon Civic Centre	Workshop	Civil Contingencies Resilience
14th December 2022	10.30am — 1.30pm	Shared Leadership and Co-Productions	TBC	Masterclass	Governance International
11th January 2023	6-30pm—8.30pm	Mental Health and Wellbeing for Councillors	TBC	Workshop	Multi-facilitation Team

Appendix B

Retrospective Approval – Conferences -

Details of Conferences	Service/ Directorate	No. Attending	Cost	Date	Location
Vat Conference	Finance	1	£300+ vat	2/3/22	Virtual

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 28 July 2022
Reporting Officer	P Moffett, Assistant Director
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report					
1.1	To consider approval of request(s) for civic recognition from members, in line with council's current <i>Civic Honour and Receptions Policy</i> .					
2.0	Background					
2.1	All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour & Civic Reception</i> . Requests for recognition are reviewed against the categories and associated criteria contained within the policy as detailed at 2.2.					
2.2	<p><u>Recognition</u></p> <ul style="list-style-type: none">Civic Honour: recognition will be permissible when the following has been achieved at an All-Ireland, European, International, or National level:<table><tr><td>Have won first place at a competition in their relevant field at the highest level of competition</td></tr><tr><td>Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>Civic Reception: will be permissible for individual, groups or organisations when:<table><tr><td>Representing their country at International, European, All-Ireland or National level at the highest level</td></tr><tr><td>Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition</td></tr><tr><td>Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition</td></tr></table>	Have won first place at a competition in their relevant field at the highest level of competition	Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition	Representing their country at International, European, All-Ireland or National level at the highest level	Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition	Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition
Have won first place at a competition in their relevant field at the highest level of competition						
Have received an outstanding achievement award at the highest level. Outstanding achievement relates to when a participant or group has not been involved in a competition						
Representing their country at International, European, All-Ireland or National level at the highest level						
Winning first place at a competition at the highest level at a Northern Ireland or Provincial level in the relevant field at the highest level of competition						
Receiving an outstanding achievement award at the highest level at a Northern Ireland or Provincial level. Outstanding achievement relates to when a participant or group has not been involved in a competition						
Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the current policy.						

3.0	Main Report
3.1	Implementation of the policy allows the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members. Recognition requests received from Members have been categorised, details of which are set out within appendix A to this report.
3.2	Due to lifting of restrictions around COVID it has been the practice in recent months to resume hosting receptions where current guidance permits.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Members give consideration to approving civic recognition requests as presented and be dealt with as appropriate.
6.0	Documents Attached & References
	Appendix A: Civic Recognitions Recommended for Approval

Appendix A: July 2022 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
Kildress Wolfe Tonnes Under 15s Girls	All Ireland Féile Champions (Football)	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Nula Breen	Regional and United Kingdom National Active School Hero	Cllr B McGuigan Cllr Corry Cllr Elattar	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Errigal Ciaran	John West Feile Peil na nOg Division 2 Shield Final (Football)	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Michael O'Neill	Under 16 Boys Dan National Karate Award (Karate Union of Great Britain)	Cllr Kearney Cllr McFlynn	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
FryDays Chip Shop, Clady	Best Fish & Chip Shop In Northern Ireland 2022	Cllr Kearney	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Cookstown Hockey Club Under 13s	Ulster Hockey U13 Cup	Cllr Wilson	<ul style="list-style-type: none"> Won first place at the competition 	For: Other senior teams Date:
Eimear (Class 8G) St Joseph's Grammar School	Swimming: Irish Regional Champion 100m Butterfly	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:

St Treas GAC Ballymaguigan Under 15s	John West Salmon All Ireland U15 Ladies Féile Gaelic Football Winners (Division 4)	Cllr D McPeake	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Claire McCrory (Craic Theatre)	Association Irish Musical Societies Best Actress Award Nominee 2022 only 3 nominated across Ireland	Cllr Quinn	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:
Danielle Taffe Dylan Fox (Craic Theatre)	Association Irish Musical Societies Best Stage Management Nominee 2022 only 3 nominated across Ireland	Cllr Quinn	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:
Aoibh Johnston	Association Irish Musical Societies 2022 Best Comedienne only 3 nominated across Ireland	Cllr Quinn	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:
Derry U14	Camogie A Ulster Blitz winners	Cllr Corry, Cllr B McGuigan Cllr Elattar, Cllr S McPeake, Cllr D McPeake, Cllr Milne, Cllr Totten, Cllr Bell	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Tierna Kelly	U16 Ulster Poc Fada champion Camogie		<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
Maddison Kelly	World Masters 2022 Ireland Junior Duos Champion & Advanced Junior, Triple World Champion Dance 2021, Ulster Champion Dancing 2021/22	Cllr Monteith	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:

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
Paul Jordan	3 rd Place International Race Isle of Man TT Supertwin Race	Cllrs Forde, McFlynn, Kearney & Martin
Edendork St Malachy's GFC	Tyrone Under 16 Camogie County League winners	Cllr Monteith Cllr Kerr
Karen Scullion (Point 2 Mortgages)	PRIMIS Mortgage Network Lifetime Achievement Award	Cllr D McPeake
Sean Hurson	Appointed as Referee All Ireland SFC Final	Cllr Monteith Cllr Kerr
Maria Donaghy	Tesco Children's Art Competition Special Award Recipient	Cllr Monteith Cllr Kerr
Ferghal McGeary	Tesco Children's Art Competition Special Award Recipient	Cllr Monteith Cllr Kerr
St Patrick's Academy	Year 8 Soccer Team Mid Ulster League Winners	Cllr Monteith Cllr Kerr

Farrah Bani, Bevis Alves, Lucy Small, Calla McAleer St Patrick's Academy	Overall Winners of Hispanofest 2022 Competition	Cllr Monteith Cllr Kerr
Michael Davitts Under 15 Camogie Team	John West Féile 2022 Co Derry Stage Camogie Cup Winners	Cllr Corry Cllr S McPeake Cllr B McGuigan
St Joseph's College Coalisland	Carnegie Centre for Mental Health Schools Excellence Award	Cllr Kerr Cllr Monteith
Nakita Cuddy	Northern Ireland Hair & Beauty Awards - Masseuse of the Year 2022	Cllr Kerr
Clonoe GAA Under 13s	County League & Championship Winners	Cllr Kerr Cllr Monteith
Craic Theatre	Association Irish Musical Societies Best Technical Team Nominee 2022	Cllr Quinn Received civic recognition October 2022 for Best Technical and Best Show

Report on	Correspondence to Council
Date of Meeting	Thursday 28 July 2022
Reporting Officer	P Moffett, Assistant Director
Contact Officer	E Forde, Members Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Exchequer Secretary To The Treasury</p> <p>The Chair has received correspondence from the Exchequer Secretary to the Treasury in response to letter sent by Council in February 2022 regarding red diesel usage. Refer to Appendix A</p>
3.2	<p>Correspondence from Minister - Department for Infrastructure</p> <p>The Chair has received correspondence from the Minister of Department for Infrastructure in response to letter sent by Council in May 2021 regarding on street car parking. Refer to Appendix B</p>
3.3	<p>Correspondence from Minister – DAERA</p> <p>The Chair has received correspondence from the Minister of Department Agriculture, Environment and Rural Affairs in response to letter sent by Council in June 2022 regarding Torrent River spill and animal cruelty register. Refer to Appendix C</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Exchequer Secretary To The Treasury Appendix B: Department for Infrastructure Appendix C: DAERA

POA2022/05271



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

Councillor Paul McLean
By email

Your ref: C003/22
24 June 2022

Dear Paul,

Thank you for your letter of 7 February to the Chancellor of the Exchequer about Red diesel. I am replying as the Minister responsible for this policy area. I am sorry for the delay in my response.

At Budget 2020, the Chancellor announced that he would remove the entitlement to use red diesel from April 2022, except in agriculture (as well as forestry, horticulture and pisciculture), rail and for non-commercial heating (including domestic heating).

The Government recognised that this would be a significant change for some businesses and ran a consultation to gather information from affected users on the expected impact of these tax changes and make sure it had not overlooked any exceptional reasons why other sectors should be allowed to continue to use red diesel beyond April 2022. As part of this, I understand my officials carefully analysed the consultation responses from manufacturing industries after the consultation closed.

Following the consultation, the Chancellor announced at Spring Budget 2021 that the Government would grant further entitlements to use red diesel after April 2022 for a limited number of users. However, having assessed the cases made by other sectors to retain their red diesel entitlement, including the manufacturing industries, the Government did not believe that they were compelling enough to outweigh the need to ensure fairness between the different users of diesel fuels, the Government's long-term environmental objectives and the need for the tax system to incentivise the development of greener alternatives to polluting fuels.

These tax changes mean that most businesses in the UK which used red diesel prior to April 2022 no longer get a significant tax break compared with ordinary motorists; they instead now need to use diesel fuel taxed at the standard rate for diesel, which more fairly reflects the harmful impact of the emissions they produce. These reforms are also designed to ensure that the tax system incentivises users of polluting fuels like diesel to improve the energy efficiency of their vehicles and machinery, invest in cleaner alternatives or use less fuel. The development of these alternatives is being supported by the Government at least doubling its investment in energy innovation by committing over £1 billion to the Net Zero Innovation Portfolio.

Agricultural vehicles are entitled to run on rebated fuel for purposes relating to agriculture, horticulture, forestry and fish farming. They are also able to use rebated fuel when cutting verges and hedges that border public roads, clearing snow, gritting, and clearing or otherwise dealing with flooding.

The activities accepted as purposes relating to agriculture, horticulture and forestry are defined in HMRC Excise Notice 75. The Government considers that running or participating in events which provide information and education that benefit agriculture are purposes relating to agriculture, and this includes taking part in charitable activities that promote these industries. Examples of such events are agricultural shows, ploughing matches and charity tractor runs. HMRC have updated Excise Notice 75 accordingly, which is available at:

<https://www.gov.uk/guidance/using-rebated-fuels-in-vehicles-and-machines-excise-notice-75-from-1-april-2022>

In recognition of the unique circumstances that are currently pushing up fuel prices to unprecedented levels, the Government announced at the Spring Statement that it is cutting fuel duty on petrol and diesel by 5 pence per litre for a period of 12 months. This is a significant tax cut that will deliver considerable savings to businesses over the next year, including those that use diesel, and is the first time in over a decade that the main rates of petrol and diesel have been cut.

Thank you for taking the trouble to make us aware of these concerns.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Helen Whately', with a large, sweeping flourish at the end.

Helen Whately
EXCHEQUER SECRETARY TO THE TREASURY



From the office of the Minister for Infrastructure
John O'Dowd MLA

Councillor Cathal Mallaghan

chair@midulstercouncil.org

Room 708
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 0540
Email: Private.office@infrastructure-ni.gov.uk

Your reference:
Our reference: COR-2104-2022
4th July 2022

Cathal, a chara,

ON-STREET CAR PARKING

Thank you for your further email of 22 June 2022 asking when a response will be forthcoming to your letter of 4 May 2021 requesting that my Department initiates the process to review and extend the existing waiting restrictions in a number of Mid Ulster towns.

Firstly I wish to take the opportunity to apologise for the delay responding to your original letter which was due to an administrative oversight.

While I note your desire to increase waiting restrictions times to 2 hours, it is likely that such a change could encourage motorists to circulate in search of a free on-street parking space, decrease the turnover in parking space use and increase congestion. I would therefore prefer that the management and operation of on-street parking is considered as part of the Local Development Plans as we jointly prepare a Parking Strategy. This will ensure that consideration is also given to shared objectives for our towns and for greater use of sustainable modes of transport including public transport, walking and cycling.

Should you wish to discuss the matter further I would suggest that you contact Harry Gallagher, Roads Western Division Network Development Manager who can be contacted at: harry.gallagher@infrastructure-ni.gov.uk.

Is mise le meas,

JOHN O'DOWD MLA
Minister for Infrastructure

From the Office of the
Minister of Agriculture,
Environment and Rural Affairs



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk

Councillor Cora Corry
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
BT71 6DT

Eileen.Forde@midulstercouncil.org

Room 438
Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast
BT4 3SB
Telephone: 028 9052 4140
Email: private.office@daera-ni.gov.uk

Your Ref: C118/22
Our Ref: COR-2089-2022
Date: 18 July 2022

Dear Eileen

TORRENT RIVER SPILL AND ANIMAL CRUELTY REGISTER

I refer to your email of 28 June 2022 about the above issues.

I note and agree with the concern of Mid Ulster Council over the recent fish kill event on the Torrent River in County Tyrone. Any pollution event, especially one resulting in a fish kill is one too many for our environment and my officials in the Northern Ireland Environment Agency (NIEA) continue to work with partners to investigate and where possible, take appropriate enforcement against those responsible for such incidents.

Regarding the Torrent River incident on 19 June 2022, NIEA officials were able to quickly trace the source of the pollution to a specific site. The follow up investigations remain ongoing and given the potential for formal enforcement action I am not at liberty to discuss further specific details of the case at this time.

In relation to the restocking of fish, DAERA Inland Fisheries do not routinely stock rivers after fish kill events. Research carried out by the Agri-food Biosciences Institute (AFBI) has shown that trout stocks in the affected stretches will usually recover naturally within three to five years, as trout from unaffected areas of the river move into the stretch of waterway previously affected by the pollution. There is also a considerable body of

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contact the Department via the Next Generation Text
Relay Service by dialling 18001 + telephone number.



evidence to demonstrate that stocking does not have any benefit on overall stock levels in the longer term. In fact there can be potentially negative effects from stocking on locally adapted fish populations as they may have a different genetic make-up.

DAERA have a number of approaches to preventing pollution and increasing general awareness of the impacts of water pollution, which are tailored to the sector being targeted.

Within the agriculture sector the CAFRE Knowledge Advisory Group (KAS) provide information to farmers through Business Development Groups including an Environmental Farming Business Development Group. This provides farmers and growers with the opportunity to discuss how they can bring about environmental benefits by managing their land to enhance biodiversity, water quality and air quality. All sectors targeted through the Business Developments Groups have an environmental element conveyed to the members.

The DAERA funded Group Environmental Farming Schemes are coordinated by facilitators that provide environmental advice which includes highlighting the consequences of pollution events and actively encourages good environmental management of our priority habitats and sensitive water catchments. Inspections of agricultural premises regarding water quality issues are also part of the cross compliance regime.

Pollution Prevention awareness for industry and domestic situations is led by the NIEA Pollution Prevention Team based in the Water Management Unit (WMU). This team proactively assists businesses and members of the public across Northern Ireland in minimising pollution risks to waterways through a range of mechanisms such as targeted inspections and pollution prevention campaigns such the 'Proper Use of Drains' information leaflets and the recent 'Yellow Fish' awareness campaign in Ballyclare.

NIEA also raise awareness of water quality issues through partnership working groups such as the Water Catchment Partnership involving Northern Ireland Water (NIW) and the Ulster Farmers Union (UFU); the Water Quality Improvement Strand of the

Environmental Challenge Fund; the continuing support of the Rivers Trust movement in NI with whom NIEA partner with regard to local pollution prevention campaigns.

In addition to the measures detailed above, NIEA maintain a 24hr pollution investigation and response service via the Incident Hotline on 0800 807060. Every report of water pollution is investigated and where significant incidents occur and the polluter is identified, offenders are dealt with according based upon the severity and impact of the pollution. This can result in the submission of a file for consideration of prosecution by the Public Prosecution Service (PPS) and, where applicable, the recoupment of fishery remediation and other costs incurred. Other formal enforcement options, available under the Water (NI) Order 1999, include the issue of a Warning Letter or a binding Notice requiring action. The maximum fines for water pollution are set in legislation and the application of existing sentencing guidelines is a matter for the judiciary.

In relation to my recent decision on the creation of animal cruelty register, I understand and have previously supported calls from the councils and others for a register and what it intends to achieve. To explore the matter, I met with the Minister of Justice last year and instructed my officials to carry out detailed research on it. I have accepted that creating a register of animal cruelty offenders is not feasible upon consideration of detailed advice provided my officials following that research. That advice confirms that the relevant reoffending rates are low and do not suggest a clear evidential need for a register, the costs of establishing and maintaining a register would be significant and the data protection implications involved are prohibitive. No register of animal welfare offenders exists in any other part of the British Isles and there are no plans to create one. Indeed, a Task and Finish Group established by the Welsh Government, and led by the Royal Society for the Prevention of Cruelty to Animals, to examine the establishment of an animal cruelty register in Wales was unable to identify any evidence to prove that such registers are effective or identify a way to overcome the data protection and costs barriers identified by my Department.

I am satisfied that there are other steps that can be taken immediately in order to ensure those convicted of animal cruelty offences cannot reoffend. I have, therefore, instructed my officials to develop and publish guidance encouraging animal rehoming organisations to require potential animal owners to apply for a Basic AccessNI check

and disclose details of the certificate obtained to them before transfer of the pet. My Department already uses the access it has to the Department of Justice's (DoJ) criminal records system to ensure that persons disqualified from keeping or owning animals are not permitted to carry out any activities involving animals that are regulated by my Department. I am satisfied that the guidance my Department develops will further reduce the opportunities access convicted animal cruelty offenders have to animals.

In addition, following the last review of our animal welfare legislation in 2017, councils are continuing to work to secure access for its officials to the DoJ criminal records viewer. I have also asked my officials to work with councils and the Police Service of Northern Ireland to determine if enhanced information sharing could be facilitated between the existing enforcement bodies. These matters can be explored with a view to lessening even further any opportunity for those convicted of animal cruelty offences to keep animals without having to spend significant time and public resource to develop a register.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Edwin Poots', written in a cursive style.

EDWIN POOTS MLA
Minister of Agriculture, Environment and Rural Affairs

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	28 July 2022
Reporting Officer	Philip Moffett, AD OD, Strategy and Performance
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

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

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Consultation on Violence and Aggression in the Workplace Framework HSC	This consultation invites views on draft of the Violence and Aggression in the Workplace HSC Framework document. This policy document is a governance framework for HSC organisations to facilitate development and review of reduction and prevention strategies in relation to managing incidents of violence and aggression towards staff.	26 August 2022	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/consultation-violence-and-aggression-workplace-hsc-framework		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes, delegated to officers	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Raising a Concern in the Public Interest (Whistleblowing) HSC Framework and Model Policy	This consultation invites views on the current draft of the Raising a Concern in the Public Interest (Whistleblowing) Policy document. This policy document is a framework for HSC organisations setting out the process for raising a concern in the public interest.	26 August 2022	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/raising-concern-public-interest-whistleblowing-hsc-framework-and-model-policy		

	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	Yes, delegated to officers
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