



24 February 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, 24 February 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 27 January 2022 | 3 - 18 |
| 6. | Planning Committee minutes of meeting held on 1
February 2022 | 19 - 42 |
| 7. | Policy and Resources Committee minutes of meeting held
on 3 February 2022 | 43 - 48 |
| 8. | Special Council minutes of meeting held on 7 February
2022 | 49 - 58 |
| 9. | Environment Committee minutes of meeting held on 8
February 2022 | 59 - 66 |
| 10. | Development Committee minutes of meeting held on 10
February 2022 | 67 - 84 |

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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 27 January 2022
16. Planning Confidential Committee minutes of meeting held on 1 February 2022
17. Policy and Resources Confidential Committee minutes of meeting held on 3 February 2022
18. Special Council Confidential minutes of meeting held on 7 February 2022
19. Environment Confidential Committee minutes of meeting held on 8 February 2022
20. Development Confidential Committee minutes of meeting held on 10 February 2022
21. Document for Sealing: Capital Scheme for Ballyronan Wood Refurbishment awarded to E Quinn Civils Ltd
22. Document for Sealing: Lease Agreement between Mid Ulster District Council and Thomas Clarke Gaelic Football Club in respect of lands known as West Park Playing Fields, Lisnahull, Dungannon

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 27 January 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor McLean

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

Officers in Attendance Mr McCreesh, Chief Executive
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SDODSP)**
Mr Kelso, Director of Public Health & Infrastructure (DPHI)**
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (ADODSP)
Mr Tohill, Strategic Director of Corporate Service & Finance (SDCSF)**
Mrs Forde, Member Support Officer
Mrs Mezza, Head of Communications

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor McLean 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.

C001/22 Apologies

Councillors Cuddy and S McAleer

C002/22 Declarations of Interest

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

C003/22 Chair's Business

The Chair, Councillor McLean made reference to the Council's recent successes such as the £1.8m Investment Plans for Outdoor Recreation, the Fuel stamp savings scheme has hit the £3m stamps mark, the IEA Northern Ireland Local Authority

Waste Management Statistics Annual Report for 2020/21 shows that Mid Ulster is punching well above its weight when it comes to recycling. It recorded an increase and again achieved (for the sixth year running) the highest household recycling rate of all eleven Councils for the year, recycling 58.9 per cent of our household waste. Our residents truly are recycling heroes.

The Chair, Councillor McLean asked Councillor S McPeake to speak on an issue.

Councillor S McPeake said he wished to raise the issue of the upcoming changes being made in April by HMRC to the usage of Red Diesel in any vehicles other than what are described as 'vehicles being used for agricultural purposes only'. He explained that the practise means for example that farmers using their tractors primarily for agricultural use on the farm but who maybe do an occasional bit of contracting or work for a neighbour will no longer be able to do that with any trace of red diesel within the tank. He continued to explain that if a farmer wished to use a tractor to help a neighbour do anything other than what is seen as strictly an agricultural activity with any trace of red diesel within the fuel system unless he washed the tank out and replaced all with clear diesel. Councillor S McPeake said that it was totally unworkable, impracticable and the implications haven't clearly been thought through. He said that even charitable events such as tractor runs which take place throughout the district will be unable to participate unless they run on clear diesel which will undoubtedly deprive charities of much needed funds.

Councillor S McPeake said whilst many of the changes of usage of red diesel will impact the agricultural sector, it will also have significant negative impacts on construction, quarrying and manufacturing sectors within the district. He said it would hit businesses hard at a time when they are already enduring increasing costs of materials and soaring energy prices which would in turn lead to increased costs of production and will inevitably lead to costs being passed to consumers.

Councillor S McPeake stated that it could not be argued that the changes being introduced were an action to tackle climate change as the change of entitlements in relation to red diesel would not reduce emissions. He emphasised that it would only serve to increase revenue for the Treasury and was a draconian and unworkable proposal. Councillor S McPeake stressed the local economy was reliant upon agriculture, construction, quarrying and manufacturing and as such Council should voice strong opposition to measures which would so negatively impact the economy.

Councillor S McPeake proposed that Council write to the British Exchequer and NI Executive to: (i) seek a pause to proposed legislative changes by HMRC regarding on Red diesel; and (ii) investigate ways to move away from fossil fuels and put in place measures and policies that will have a meaningful impact on reducing emissions.

Councillor Cuthbertson said this was an important issue for Northern Ireland and the United Kingdom as a whole, with an estimated cost of £20 to £25m. He thanked the Carla Lockhart MP for securing a debate on 19th January in Westminster and said it was a shame that the MPs for the district and their colleagues did not join the debate. In conclusion Councillor Cuthbertson said he would second the proposal.

Councillor B McGuigan welcomed the proposal and said he would have seconded it also.

The Chair, Councillor McLean said he had no issues with the proposal and asked for any dissenters.

Proposed by Councillor S McPeake
Seconded by Councillor Cuthbertson and

Resolved That Council write to the British Exchequer and NI Executive to: (i) seek a pause to proposed legislative changes by HMRC regarding on Red diesel; and (ii) investigate ways to move away from fossil fuels and put in place measures and policies that will have a meaningful impact on reducing emissions.

The Chair, Councillor McLean drew attention to the Department for Committees consultation on Local Government's Ability to hold Remote/Hybrid Meetings to support the bringing forward of legislation to permit virtual meetings in the future.

The Chief Executive advised this was merely asking Members to consider the options moving forward to have legislation in place to permit Remote/Hybrid Meetings. He said if legislation was in place there would be an option going forward to use the technology to permit remote/hybrid meetings.

The Chair, Councillor McLean invited comments from each of the Parties and independents in attendance.

Councillor Mallaghan said Council had come a long way in delivering hybrid meetings since the early days in the Burnavon, Cookstown. He said whilst it was good for everyone to be in the room, having legislation in place would allow better work life balance and time management as people would not have to journey across the district to attend what could be a short meeting. He concluded that Sinn Féin were supportive.

The Chair, Councillor McLean said the DUP would have no issue as it made good sense to have the legislation in place.

Councillor Quinn concurred and said the SDLP would support the legislation and although there had been difficulties in the early days issues had been resolved

Councillor Glasgow concurred and said whilst it was good to get back to the chamber the option of hybrid should be kept in place.

Councillors Monteith, Kerr and Mullen said they too would support legislation in place.

Councillor Wilson extended a thank you to the Head of ICT and his team for moving the Council forward and commended them.

Resolved That Council respond to the Department for Committees consultation on Local Government's Ability to hold Remote/Hybrid Meetings to support the bringing forward of legislation to permit virtual meetings in the future.

Matters for Decision

C004/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 16 December 2021

Councillor Ashton drew attention to C257/21 Deputation Northern & Southern Health & Social Care Trust and proposed that Council write to the Trusts to formally seek a response to the questions posed.

The Chair, Councillor McLean supported the proposal.

Councillor Monteith supported the proposal specifically in relation to The Firs, Ballygawley and expressed concern in relation to the lack of answers regarding the issues.

Resolved That Council write to the SHSCT & NHSCT to formally seek answers to queries raised by Members at the meeting of Thursday 16 December 2021

Proposed by Councillor Kerr
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Council held on 16 December 2021 (C254/21 – C268/21 and C281/21) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

C005/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 10 January 2022

Councillor McKinney said he would be happy to propose the minutes with the exception of P006/22 Receive Report on Planning Performance.

The Chair, Councillor McLean sought clarity regarding P006/22 as to what amendments were being sought.

Councillor McKinney said he felt he would like the item audio checked as statements had been made which were not reflected.

The Chief Executive stated that the matter was not a planning decision and suggested that the minutes be adopted with item P006/22 referred back to the planning committee for accuracy.

Councillor S McPeake asked what amendment was being sought and said he had no issue with the minute as he had chaired the meeting, as the Chair Councillor Black had been unable to be present in person.

The Chair, Councillor McLean stated that the item would be referred back to the planning committee for discussion.

Councillor Glasgow supported Councillor McKinney and said it was well known what had been said as the meeting had been streamed on You Tube. He referred in particular to advice given from a legal point of view and he likewise would not support the item being adopted.

Councillor Wilson asked how long the planning committee could hold an application whilst waiting on a response from statutory agencies as a number of people had approached him in regard to applications being held up. He also sought clarity as to whether planning adhere to defined timelines if they did exist.

The Chair, Councillor McLean said that the Director of Planning would respond directly.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on 10 January 2022 (P001/22 – P005/22 and P012/22) transacted in Open Business having been printed and circulated, were considered and adopted. P006/22 deferred to planning committee for further discussion.

C006/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 11 January 2022

Councillor Kerr drew attention to E004/22 Recycling on the Go and stated that as referenced earlier in the meeting, Mid Ulster residents are recycling heroes and stated that biodegradable bags were not available at Coalisland recycling centre and asked if this could be rectified. He also asked if Council would embark on a further recycling social media campaign to encourage the use of biodegradable bags.

Councillor Burton asked if dog waste bags could be made available at recreational facilities as sometimes people genuinely forget to bring a bag.

The Chair, Councillor McLean agreed that the requests would be followed up by officers.

Councillor McFlynn drew attention to E030/22 Capital Projects and in particular Iniscarn Project and stated that a resident had raised the lack of toilet facilities at the site highlighting that the closest facilities are in Moneymore. Councillor McFlynn proposed that Council investigate the possibility of including/planning toilet facilities at Iniscarn Forest.

The Chair, Councillor McLean agreed that the request would be investigated by officers.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Environment Committee held on 11 January 2022 (E001/22 – E017/22 and E031/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C007/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee Meeting held on 12 January 2022

Proposed by Councillor McKinney
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Policy & Resources Committee held on 2 December 2021 (PR001/22 – PR008/22 and PR022/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C008/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 13 January 2022

Proposed by Councillor Corry
Seconded by Councillor Kerr and

Resolved That the Minutes of the Development Committee held on 13 January 2022 (D001/22 – D014/22 and D019/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C009/22 Conferences, Seminars & Training

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

Proposed by Councillor Burton
Seconded by Councillor N McAleer

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

C010/22 Civic Recognition Nominations

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.

Proposed by Councillor Kerr
Seconded by Councillor Molloy and

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

Matters for Information

C011/22 Correspondence to Council

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

Councillor Cuthbertson drew attention to the letter received from Secretary of State for Levelling Up, Housing and Communities and said his motion later on the agenda would refer to same.

Councillor Cuthbertson drew attention to the response received from the Minister of the Department for Infrastructure and requested that Council write to the Minister and Regional Divisional Manager to seek more detail on the proposed works within the current financial year. He stated that there appeared to be money set aside and that people in housing estates and developments were crying out to have roads repaired/resurfaced.

The Chief Executive said it would be apt to seek clarity from the Regional officers.

Councillor Wilson said that Mid Ulster Policing and Community Safety Partnership had written to Council in November and it was now the end of January and the letter had not been included in the correspondence report. He asked how many people had been prosecuted by Council for drinking in public places as the PSNI did not keep a record of the number of referrals.

In response the Chief Executive said that the letter had been issued to himself and referred to various requests including consideration of drinking zones. He apologised for the delay and said that it would be referred to relevant committee.

Resolved That Council in response to DfI response on Budget Allocation for Investment in Mid Ulster roads write to the Minister and Regional Division Director/ Manager to seek more detail on the proposed works within the current financial year.

C012/22 Consultations Notified to Mid Ulster District Council

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

Councillor B McGuigan drew attention to the DfI: Consultation Inconsiderate Pavement Parking - An Options Paper be referred to the Environment Committee for response and said that Members get complaints about obstructions on footpaths

regularly and he proposed Council send a response. He said there was sufficient time as the consultation did not close until 18 March 2021 which would allow an options paper to be prepared and brought through the Environment Committee.

Resolved That Council respond to DfI: Consultation Inconsiderate Pavement Parking- An Options Paper be referred to the Environment Committee for response.

Councillor S McPeake drew attention to the DfC Draft Housing Supply Strategy 2022-2037 and proposed that it be referred to the Mid Ulster Housing Forum for preparation for response. He highlighted that an extension for response should be requested for the closing date which is scheduled for 9 February 2022. He concluded that he had spoken to the secretary of the MUDC Housing Forum and advised that much work had been done in relation to housing across the Council such as communities and planning departments.

Proposed by Councillor S McPeake
Seconded by Councillor N McAleer and

Resolved That the DfC Draft Housing Supply Strategy 2022-2037 be referred to the Mid Ulster Housing Forum for preparation for response. An extension be requested for the closing date which is scheduled for 9 February 2022.

Councillor McNamee referred to the consultation document from Antrim and Newtownabbey Borough Council and proposed that Council send them a copy of its Dual Language Street Sign Policy. He said that the policy being consulted on was very restrictive as more than two thirds had to be in favour and even to establish a petition it had to be one third. He also made reference that if a sign was refused it could not be brought back for consideration for three years and only three signs would be completed per month. He said that Mid Ulster policy worked well and there was protection for everyone.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved That Council forward a copy of Mid Ulster DC Dual Language Signage Policy to Antrim and Newtownabbey Borough Council in response to their Draft Dual Language Street Sign Policy Consultation.

Declaration of Interest

Councillor Mallaghan declared an interest as he was a farmer.

Councillor Mallaghan drew attention to DAERA: Consultation on Future Agricultural Policy Proposals for NI and said that usually there is a twelve week consultation period but in this instance it was only eight weeks and the closing date was 15 February 2022. He said he had a number of concerns such as the status of an active farmer and that the proposal is to move from 3 hectares to 10 hectares would rule many with small holdings out of the single farm payment. He said there

appeared to be a great focus on removing small farmers and that many people would be impacted with regards to planning permission. Councillor Mallaghan said there were many issues, another being the fixed penalty notices. He proposed that Council seek an extension to the closing date and prepare a response.

Councillor Cuthbertson seconded the proposal and also made reference to the Climate Bill going through the Assembly which the SDLP had supported and the fact that Mid Ulster Farmers Union had highlighted that there is a risk of reducing agricultural herds by up 50% and a response would be needed on it also.

Councillor Gildernew supported the proposal and said it is more serious than it looks and could ultimately have an impact on securing planning permission in rural areas.

Councillor Clarke supported the proposal and said he had particular concerns on the impact on small farmers as if a survey was conducted many active farms in Mid Ulster were under 10 hectares.

Councillor Kearney concurred with the proposal and clarified that the SDLP were considering the Climate Change Bill and had not at this stage supported it.

Councillor McKinney said that Council should host a workshop for Members together with the Farmers Union and Northern Ireland Agricultural Producers Association (Cookstown). He stressed the urgency in preparation of the response as the closing date of 15 February was fast approaching.

Councillor Glasgow said that at a recent meeting NILGA had a deputation from the Farmers Union which had been very supportive of the concerns raised.

The Chair, Councillor McLean said that the points had been well made and that a workshop should be held.

Proposed by Councillor Mallaghan
Seconded by Councillor Cuthbertson and

Resolved DAERA: Consultation on Future Agricultural Policy Proposals for NI:
That Council

- (i) seek an extension to the closing date; and
- (ii) prepare a response and in doing so host a workshop with Members, Farmers Union and Northern Ireland Agricultural Producers Association (Cookstown) to inform a response.
(closing date 15 February 2022)

Councillor Kearney drew attention to the Public Consultation on the Draft Special Education Strategy Area Plan 2022-2027; and Public Consultation on the Draft Strategic Area Plan 2022-2027; and requested that Council respond and seek a consultation event for Members

Resolved That Council respond to Education Authority Public Consultation on the Draft Special Education Strategy Area Plan 2022-2027; and Public

C013/22 Notice of Motion

Councillor Kerr on a point of clarity asked if it was necessary to declare an interest in NILGOSC as it was the Council's pension scheme. In response the Chief Executive said there was no direct interest and thus entitled to discuss.

Councillor Kerr moved the motion -

"This Council calls on NILGOSC to divest the Local Government pension scheme from any fossil fuel companies within 2 years. This will give NILGOSC ample time to exit the market at the best time ensuring no adverse impact on the pension fund."

Councillor Kerr said that the motion items was self-explanatory and he would ask parties to support it and advised that other Councils such as Newry, Mourne & Down, Fermanagh & Omagh and Belfast had supported the motion and that ABC Council was receiving a presentation on same. He said that Dr Seamus Campbell had outlined earlier in the week if the motion was supported Council would be joining a global movement for divestment from fossil fuels. He said that the Local Government pension scheme is investing millions of pounds in the fossil fuel industry and thus fuelling climate change through those investments. Furthermore he said it was putting pensions at risk as fossil fuel investments now pose an unacceptable long term financial risk to investors listing that climate change is having many negative effects on humanity including death and damaging the health of millions of people globally; fossil fuel industry is largely responsible for the climate change, 100 fossil fuel companies are responsible for 70% of the world's greenhouse emissions since 1988; this is leading to warmer climates increasing temperatures by 1.5 to 2°C; extreme weather patterns, heat waves, declining global food stocks, loss of ecosystems and biodiversity and life threatening sea level rises. Thus the fossil fuel industries is putting humanity in grave danger.

Councillor Kerr stated that divestment was the opposite of investment and that the motion together with the wider campaign is asking local authorities and similar institutions to move their direct and indirect investments out of the fossil fuel companies/industries as soon as possible or over a period of 3-5 years. He said that funds could be invested in a wide range of other companies and investment vehicles including green energy schemes. Globally over the world thousands of organisations and individuals have committed to the divest campaign. Continuing Councillor Kerr said that divestment is important to protect people, investors from financial risk posed by fossil fuel investments but is also playing a crucial role in addressing climate change, would reduce the social acceptability of the companies and erode political power. He said that many local authorities throughout the world have supported the campaign and local government pension schemes have also supported it.

Councillor Kerr said that local government pension schemes have a legal responsibility to invest in the best interest of fund members but that by investing in fossil fuels those pensions are being put at financial risk. He shared that some leading senior barristers show that pension fund trustees who fail to consider climate

risk could be exposing themselves to legal challenge. The Governor of a very reputable bank Mark Carney has warned that fossil fuel companies face potentially huge losses from climate change actions. In relation to communities by divesting Council are sending a clear message for a positive green future. NILGOSC has hundreds of millions of pounds invested in Shell, BP and Centrica which is poor practise and should be challenged. Councillor Kerr concluded calling for support for the motion.

Councillor Monteith seconded the motion saying that there are many initiatives that can be taken but this motion is a real action which should be taken and stated that others should be encouraged to do likewise.

Councillor Wilson stated he was not against the motion but thought it may be an idea to invite NILGOSC to make a presentation to a committee at which time Council could make its points.

The Chair, Councillor McLean said that if you look at NILGOSC website they are very much in line with the motion and have a process in place that all of those who they are investing in have to set out they are striving to do this, thus Council is asking them to continue with this.

The Chair, Councillor McLean declared the motion carried.

C014/22 Notice of Motion

Councillor Cuthbertson speaking on the motion said, on her twenty-first birthday, in a speech broadcast on the radio from Cape Town, The Queen (then Princess Elizabeth) dedicated her life to the service of the Commonwealth: 'I declare before you all, that my whole life whether it be long or short shall be devoted to your service.' This year Her Majesty The Queen becomes the first British Monarch to celebrate a Platinum Jubilee, seventy years of service, having acceded to the throne on 6th February 1952 when Her Majesty was 25 years old. The Queen has ruled for longer than any other Monarch in British history, becoming a much loved and respected figure across the globe. Her extraordinary reign has seen her travel more widely than any other monarch, undertaking many historic overseas visits. She is known for her sense of duty and her devotion to a life of service, she has been an important figurehead for the UK and the Commonwealth.

Her Majesty continues to carry out a full programme of engagements, from visits to charities and schools, to hosting visiting Heads of State, to leading the nation in Remembrance and celebratory events - all supported by other members of the Royal Family. The Queen sees public and voluntary service as one of the most important elements of her work. The Queen has links - as Royal Patron or President - with over 600 charities, military associations, professional bodies and public service organisations. These vary from well-established international charities to smaller bodies working in a specialist area or on a local basis only.

Chairman, it is only right that this Council along with every other local authority across the UK and the Commonwealth worldwide recognises this remarkable service.

As outlined in the letter from the Right Honorable Michael Gove MP received earlier on the agenda there are many ways for local authorities to participate such as beacon lighting, encouraging communities to host street parties, hosting concerts and special talks, use of the official Platinum Jubilee on website and social media channels, large screen events, we have an event space at the top of Market square and are always looking of ways to bring the public into the town, what better way to support the wonderful hospitality businesses in our town in middle of summer large screen events in town publicised for all.

Councillor Cuthbertson moved the motion,

"This year, 2022, Her Majesty The Queen will become the first British Monarch to celebrate a Platinum Jubilee, seventy years of service, having acceded to the throne on 6th February 1952 when Her Majesty was 25 years old. To mark this remarkable achievement, Mid Ulster District Council will write a letter of congratulations and best wishes to Her Majesty and also organise a programme of meaningful and respectful events to commemorate this significant occasion."

Councillor Buchanan seconded the motion and said that a big part of what makes the country great is Her Majesty The Queen's service and thus it is only natural that people want to celebrate. Councillor Buchanan concluded that Her Majesty The Queen had bridged communities and brought together many nationalities and it give him great pleasure to second the motion.

Councillor McKinney concurred with Councillor Buchanan and said he would support the motion.

Councillor Mallaghan said he did not want to deter from the motion completely but asked how the events would be dealt with. He said in Mid Ulster District area the community host such events on Council's behalf and avail of funding opportunities made available by Council. He highlighted examples of events for instance commemoration events regarding 1916 commemorations for which the community organised events and availed of funding from community festival and good relations grants. Councillor Mallaghan said he felt the same should apply to the Platinum Jubilee, that it was the Chair's discretion to write a letter but when there was an understanding in place on dealing with such events Sinn Féin would not support the motion.

Councillor Quinn concurred with regard to the letter and reiterated that there were funding streams in place for such events and thus the SDLP would not support the motion.

Councillor Monteith concurred and said whilst he understood the British Monarchy meant a lot to some people he too felt there should be no corporate events but that interested groups should seek out funding. He said he could not see how Council could support this when they had not done so for other events.

Councillor Glasgow said he fully supported the motion to mark the occasion of the Platinum Jubilee which was a remarkable achievement for which celebrations should be rolled out across the district. He said Her Majesty the Queen was a remarkable woman who had done great work for charity, was a true servant of the Lord and that the UUP would fully support the motion.

Councillor Kerr concurred with the comments of Councillor Monteith and stated he would not support the motion.

Councillor Cuthbertson said that almost ten to twelve years ago local authorities moved into a period to commemorate events through the 'Decade of Anniversaries' which was now complete and he appreciated there is funding for community festivals but said that his motion did not ask for funding but talks about encouraging through grants. He referred to the letter in correspondence received from government which highlighted ways in which local authorities could mark the occasion which would not involve great expense for example lighting a beacon, which would be a small token for unionist people in the district. He referred to £16k set aside to facilitate talks about a pipe dream to tell people how much worse off they would be financially if they were in the Republic of Ireland, yet to light beacons across the main towns would not be asking for such a pot of money. He said that right across the community the Platinum Jubilee would be a cause for celebrations including the foreign national community as indeed the events would be recognised across the world.

Councillor Ashton in response to the understanding highlighted by Cllr Mallaghan with regard to council led functions she said she was sure workshops could be held but there had been no previous arrangements it was simply that nationalist would not support unionist.

Councillor Colvin said it would be remiss of him not to speak of his late mother who was a great admirer of Her Majesty The Queen but did not enjoy the same good health. He said that Queen Elizabeth had demonstrated forgiveness and endeavoured to build bridges and thus people would want to celebrate such a magnificent lady. Councillor Colvin spoke of her visit to Dublin, a clear demonstration of her desire to build relationships. He said it was disappointing that Council would not take the step to celebrate this world wide recognised figure and said that he hoped Members across the chamber would find it in their hearts to do so.

The Chair, Councillor McLean called for a vote on the motion.

For	14
Against	24

The Chair, Councillor McLean stated that the motion had fallen.

Councillor Cuthbertson said whilst he was not surprised he was disappointed as many respected and admired Her Majesty the Queen and that the yesterday's men in the chamber were out of touch of the world stage. He spoke of the huge contribution

made by Her Majesty The Queen and how she had reached across communities even though the IRA had butchered her cousin along with many other men and women. He said there was no support for the centenary of Northern Ireland and that good relations did not exist in Mid Ulster where thousands was spent on 'Irishism'. He concluded that they only wanted a fair share and posed the question as to why any unionist household in Mid Ulster would consider an increase in the rates when they receive zero from Council.

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

The live broadcast concluded at 8.15 pm

Resolved That items C015/22 to C019/22 be taken as confidential business.

Matters for Decision

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- (i) Council Confidential minutes of meeting held on 16 December 2021
- (ii) Planning Committee Confidential minutes of meeting held on 10 January 2022
- (iii) Environment Committee Confidential minutes of meeting held on 11 January 2022
- (iv) Policy and Resources Committee Confidential minutes of meeting held on 12 January 2022
- (v) Development Committee Confidential minutes of meeting held on 13 January 2022

C020/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at Meeting 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 Planning Committee of Mid Ulster District Council held on Tuesday 1 February 2022 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Black, Chair

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

Officers in Attendance

Dr Boomer, Service Director of Planning
Mr Bowman, Head of Development Management
Ms Donnelly, Council Solicitor
Ms Doyle, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McClean, Senior Planning Officer
Miss Thompson, Democratic Services Officer

Others in Attendance

Councillor Gildernew***

LA09/2019/1119/O
LA09/2021/0307/O

Mr Cassidy*
Mr 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 7.09 pm

P013/22 Apologies

None.

P014/22 Declarations of Interest

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

All Members present (Councillors Bell, Black, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow, Hughes, Mallaghan, McFlynn, McKinney, D McPeake, S McPeake, Quinn, Robinson) declared an interest in agenda item 4.16 - LA09/2021/1380/A and agenda item 4.17 - LA09/2021/1397/LBC.

Councillor D McPeake declared an interest in agenda item 5.2 - LA09/2020/0908/O.

Councillor Corry declared an interest in agenda item 4.8 - LA09/2021/0622/F.

Councillor Cuthbertson declared an interest in agenda item 4.2 - LA09/2020/0025/F.

Councillor S McPeake declared an interest in agenda item 5.7 - LA09/2021/0822/O.

P015/22 Chair's Business

Councillor Clarke referred to PAN submitted in December related to a telecommunications installation at Ballynagilly Road, Lissan, Co Tyrone. Councillor Clarke stated he had studied the information submitted and would be concerned as he felt the information is misleading and that the proposed installation is in the wrong place. Councillor Clarke stated that five sites had been identified for the proposal and that four had been ruled out one of which was Glenviggan Road. Councillor Clarke stated he felt that site was in and around a site which was proposed and agreed approximately 5-6 years ago under a different project and was deemed suitable at that stage.

Councillor Clarke stated that the name of the project was Six Towns and was evidently aimed at the Six Towns area however the only Councillors notified were those within Magherafelt DEA. Councillor Clarke stated the proposal is within Magherafelt DEA but if the proposal is to service the Six Towns area then he felt Councillors in Carntogher and Moyola DEAs along with Cookstown DEA should also have been notified.

Councillor Clarke stated that the site at Glenviggan Road was ruled out because of priority habitat and peatland. The Councillor stated that Fair Mountain had also been ruled out as a site but highlighted that the site identified was on the other side of the mountain. Councillor Clarke stated that there also seemed to be a mix up with the maps and the information submitted and discounted reasons were not applicable to the sites being shown on the maps and that this needed to be looked at.

Councillor Clarke stated that the target area needs to be considered further as it was his belief that the target area would not be served from the site identified. The Councillor stated that there should also be consultation with local representatives as he felt there are a range of other sites which could be used.

The Service Director of Planning commended Councillor Clarke on his research and stated that the matter had only been brought to his attention prior to the meeting and he had not looked into it in great detail. The Service Director of Planning stated this was not a PAN as in a Pre Application Notification but rather is a letter which states that someone intends to exercise their permitted development rights and that, unlike a normal planning application, this will be considered under specific criteria.

Ms Doyle (SPO) stated that the planning department received notification of the proposal in December and that it has been made into a PAD (Pre Application Discussion) file and that consultations are yet to issue on this. Ms Doyle stated that the notification advised that it was a pre planning application phase and does not benefit from permitted development rights as far as she was aware.

The Service Director of Planning asked Councillor Clarke if he had got his information from the planning portal.

Councillor Clarke advised that the information was circulated to Magherafelt DEA Councillors by Cornerstone. The Councillor stated he was content that he had raised the issue for officers to investigate.

The Service Director of Planning advised Councillor Clarke to make contact with the Head of Development Management to discuss the matter further.

The Service Director of Planning referred to the addendum and the NI Audit Office report on Planning in Northern Ireland which was published today and stated he would take issue with some of the headlines stemming from this. The Service Director stated he felt planning is making decisions in Mid Ulster and that the department has dealt with nearly 9,000 applications most of which have been determined within target. The Service Director of Planning acknowledged that the report refers to the whole of Northern Ireland and whilst he felt the report is unfair in some things it is correct in others in that it is taking a long time to deal with major applications across Northern Ireland and that Mid Ulster would be one of the weaker Councils on this. However, of the almost 9,000 applications received by Mid Ulster, major applications only accounted for about 80. The Service Director of Planning stated it was best to see how performance can be improved and that he felt the implementation of the new computer system will be a great benefit going forward. The Service Director stated it was also critical of the Department to provide leadership in putting things right and also highlighted that the Department had not brought forward a change to planning fees. Since planning came to Mid Ulster there had only been a 1% increase but the cost of running the department has increased and this will be unsustainable over time. The Service Director of Planning stated that, prior to the report coming out, the Chief Executive had written to the Audit Office stating that it was felt that the research had been limited in who it had spoken to and the statistics considered and that the views of Planning Committee members should also have been taken into account but that this was ignored by the Audit Office. The Service Director of Planning stated a report on the Audit Office publication would be brought to the next Planning Committee meeting.

The Service Director of Planning referred to the addendum and the report on the Review of the Implementation of the Planning Act (NI) 2011 which was published by the Department prior to the publication of the Audit office report and concludes that planning legislation does not need to change bar a few minor items. The Service Director of Planning highlighted that the findings of the report by the Department and the Audit Office do not really tie together.

The Service Director of Planning referred to addendum and notification from DfI in respect of Proposed De-Restriction on sections of A6 Castledawson - Toome Road. The Service Director stated that this notification was not of particular concern and meant that the sections of road highlighted on the maps circulated would switch to the national speed limit.

Mr Marrion (SPO) confirmed that a 30mph speed limit applies where there are three or more street lights on the carriageway, placed not more than 185m apart and that the notification to de-restrict the sections of road highlighted on the maps will allow the national speed limit to apply along the entire A6 route.

The Service Director of Planning advised he had a further item which would be taken in confidential business.

The Service Director of Planning 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—

Agenda Item 4.1 – LA09/2018/0565/F - Housing development of 36 no. dwellings, services and infrastructure at lands N of 7 Lisnastraine Heights, Coalisland for McAvoy Roan Pension Fund – Defer for office meeting.

Agenda Item 4.7 - LA09/2021/0288/O - Site for dwelling and garage within a gap at 30m S of 174A Ardboe Road, Cookstown for James Devlin – Defer for submission of additional information.

Agenda Item 4.9 - LA09/2021/0719/F - Farm dwelling and garage at approx. 25m E of 25 Creagh Hill Road, Toomebridge, for Brendan Mulholland – Defer for office meeting.

Agenda Item 4.11 - LA09/2021/0845/O - Dwelling and garage at lands 50m SE of 13 Magherafelt Road Clooney, Tobermore, for Mark Drennan – Defer for officer 2nd opinion.

Agenda Item 4.15 – LA09/2021/1283/O - Off-site replacement dwelling and garage 50m NW of 26 Annaginney Road, Dungannon, for George McIvor – Defer for office meeting.

Agenda Item 4.18 - LA09/2021/1497/F - Retention of existing access, walls and pillars at 22 Ballynagowan Road, Stewartstown for Enda and Nuala Devlin – Defer for office meeting.

Councillor Brown requested that agenda item 4.5 - LA09/2020/1637/F - be deferred in order for additional information to be provided. The Councillor stated that both of the applicants grandparents had passed away last week and he had not got the necessary information submitted in relation to odour and noise reports.

Councillor McFlynn referred to agenda item 4.7 - LA09/2021/0288/O – and the objections received in respect of this application and that she wanted to ensure that the objectors concerns would be considered when the additional information has been submitted.

The Service Director of Planning advised that when an application is deferred it has to come back to the Planning Committee and the Committee gets to consider the objections and the additional information submitted by the applicant.

Proposed by Councillor Robinson
Seconded by Councillor Corry and

Resolved That the planning applications listed above be deferred as outlined.

Matters for Decision

P016/22 Planning Applications for Determination

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

LA09/2018/0565/F Housing development of 36 no. dwellings, services and infrastructure at lands N of 7 Lisnastaine Heights, Coalisland for McAvoy Roan Pension Fund

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

LA09/2020/0025/F Retention of timber cabin for use as storage, at site at 42 Main Street, Moygashel, Dungannon for Mr Brian Turkington

Members considered previously circulated report on planning application LA09/2020/0025/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2020/0025/F be approved subject to conditions as per the officer's report.

LA09/2020/0892/F Dwelling & detached garage at Site 177 adjacent to 1 Brookfield Road, Dungannon for NI031025 Ltd

Members considered previously circulated report on planning application LA09/2020/0892/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Corry

That planning application LA09/2020/0892/F be approved subject to conditions as per the officer's report.

Councillor Mallaghan stated it was his understanding that a name would have to be associated to a planning application and in this case a company number has been used. The Councillor asked if a name should be advertised along with the application.

The Service Director of Planning asked what was advertised.

Mr Marrion (SPO) stated that the advertisement would have been in relation to the proposed development and that the details on the planning portal are the name that has been put forward which is NI031025 Limited along with an address of 64 Hall Street, Maghera which sets out who the applicant is.

The Service Director of Planning stated that in law when a planning application is made it should indicate who the applicant is and a contactable address.

Mr Marrion confirmed that both a name and address have been provided.

The Service Director of Planning stated that an applicant's name is not always put in a press advertisement but rather the proposal and location of development.

Councillor Mallaghan stated he was content with the response but just found the situation unusual.

The Chair, Councillor Black asked if the applicants name is available why the company number had been used.

Mr Marrion clarified that the applicants name is NI031025 Limited as submitted.

The Service Director of Planning stated that the applicant can be a company but it should state who the company is and not just a number.

Councillor McKinney asked for legal opinion on the matter.

The Council Solicitor stated it appears that the number is the company name as it has a 'Ltd' at the end of it but that a Companies House search could clarify.

Mr Marrion stated that he had done a quick Companies House search and that the company name is the company number.

Councillor Colvin stated he was aware from previously working in Building Control that a contact name was required in case of any litigation however he was conscious that this may have changed. Councillor Colvin stated that he felt Councillor Mallaghan had raised an important point and he was not entirely satisfied with what was before Members tonight and that the matter required more investigation.

The Chair, Councillor Black stated that Councillor Colvin's comments were fair and that the Committee needed to satisfy itself that it is making a solid decision.

Councillor Bell stated that that he had done a company search and that this shows a list of Directors names for the company.

The Service Director of Planning stated it was his understanding that the company, provided they are the applicant, can make an application but that the applicant needs to be stated.

Mr Marrion referred to the Planning General Procedural Order Article 3 which states that an application should contain the name and address of the applicant or where an agent is acting on behalf of the applicant then their address should be given. Mr Marrion questioned whether it would be any different if it was Boots the Chemist who submitted an application as Boots is the company name.

The Service Director of Planning felt it was in order to defer the application in order to seek a legal opinion in relation to the application.

Councillor S McPeake stated he was content to defer the application in order to obtain in house legal opinion and that if all is found to be in order then the application should be approved without holding it back for a month. If an issue is found then the application should be brought back to Committee.

The Service Director of Planning felt that was sensible as applications are held for five days before they are issued in any case. The Service Director suggested that the application be approved subject to checking the validity of the application and if all is found to be in order then the approval should be issued following the five day call in period.

Proposed by Councillor S McPeake
Seconded by Councillor Colvin and

Resolved That planning application LA09/2020/0892/F be approved subject to conditions as per the officer's report and checking the validity of the application.

Councillor Colvin stated it would be important to know the outcome for the future.

The Chair, Councillor Black confirmed with the original proposer and seconder that they were content with the way forward.

Councillors Brown and Corry confirmed they were content.

**LA09/2020/1378/F 2 blocks of 5 glamping accommodation at Fishermans Walk
380m E of 23a Ballymacombs Road, Bellaghy for Ryan
McSorley**

Members considered previously circulated report on planning application LA09/2020/1378/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2020/1378/F be approved subject to conditions as per the officer's report.

**LA09/2020/1637/F Change of use of first floor of unit 12 from storage to two
apartments. Addition of a first floor over unit 11 for use as
two apartments, together with additional floorspace for
access stairs and storage at Units 11 & 12 The Diamond
Centre, Market Street, Magherafelt, for SH Watterson
(Machinery) Ltd**

Agreed that application be deferred earlier in meeting for submission of odour and noise reports.

LA09/2021/0283/F Retrospective change of use from domestic garage/store to offices and storage at rear of 81 Glen Road, Maghera, for H.M Electrics Ltd

Members considered previously circulated report on planning application LA09/2021/0283/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/0283/F be approved subject to conditions as per the officer's report.

LA09/2021/0288/O Site for dwelling and garage within a gap at 30m S of 174A Ardboe Road, Cookstown for James Devlin

Agreed that application be deferred for submission of additional information earlier in meeting.

LA09/2021/0622/F Extension and alterations to clubhouse to provide multi-purpose sports hall, associated changing facilities, community gym and associated parking and site works at 10 Corrick Road, Straw, Draperstown, for St Colms GAA Ballinascreen

Members considered previously circulated report on planning application LA09/2021/0622/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/0622/F be approved subject to conditions as per the officer's report.

LA09/2021/0719/F Farm dwelling and garage at approx. 25m E of 25 Creagh Hill Road, Toomebridge, for Brendan Mulholland

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

LA09/2021/0806/O Dwelling at site 100m W of 89 Omagh Road, Ballygawley, for Stephen Canavan

Planning Application Withdrawn.

LA09/2021/0845/O Dwelling and garage at lands 50m SE of 13 Magherafelt Road Clooney, Tobermore, for Mark Drennan

Agreed that application be deferred earlier in meeting for officer 2nd opinion.

LA09/2021/0994/O Infill site for a dwelling adjacent to 21 Tullyveagh Road, Doorless, Cookstown for Mr Patrick Conlon

Members considered previously circulated report on planning application LA09/2021/0994/O which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/0994/O be approved subject to conditions as per the officer's report.

LA09/2021/1007/O Dwelling (revised siting on block plan) at site adjacent to 113 Back Lower Road, Brockagh, Dungannon, for Owen Campbell

Members considered previously circulated report on planning application LA09/2021/1007/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1007/O be approved subject to conditions as per the officer's report.

LA09/2021/1089/O 2 dwellings (additional plans submitted) at lands to the rear of 41 Millburn Street, Cookstown for William Wilkinson

Members considered previously circulated report on planning application LA09/2021/1089/O which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/1089/O be approved subject to conditions as per the officer's report.

LA09/2021/1283/O Off-site replacement dwelling and garage 50m NW of 26 Annaginney Road, Dungannon, for George McIvor

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

LA09/2021/1380/A 2 Banner Signs fixed to front elevation on PPC aluminium frames at Ranfurly House Arts & Visitor Centre, 26 Market Square, Dungannon, for Mid Ulster District Council

LA09/2021/1397/LBC 2 Banner Signs fixed to front elevation on PPC aluminium frames at Ranfurly House Arts & Visitor Centre, 26 Market Square, Dungannon, for Mid Ulster District Council

All Members declared interest in these items earlier in meeting.

Members considered previously circulated reports on planning applications LA09/2021/1380/A and LA09/2021/1397/LBC which both had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Robinson and

Resolved That planning applications LA09/2021/1380/A and LA09/2021/1397/LBC be approved subject to conditions as per the officer's report.

LA09/2021/1497/F Retention of existing access, walls and pillars at 22 Ballynagowan Road, Stewartstown for Enda and Nuala Devlin

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

LA09/2019/1119/O Dwelling and domestic garage at approx. 50m W of 62 Reclain Road, Dungannon, for Ms Margaret Donnelly

Mr Marrion (SPO) presented a report on planning application LA09/2019/1119/O advising that it was recommended for refusal.

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

Mr Cassidy stated that it is accepted that this application is on a fully working farm and that single farm payments have been claimed in excess of six years. It is also accepted that there have been no dwellings approved under policy in the last ten years and that the applicant has never had a house on the farm approved. Mr Cassidy advised that the site is not prominent, clusters with the farm buildings and provides integration. Mr Cassidy stated that the only issue is that a site was transferred from the farm within the last ten years. The site in question was a derelict house given to a son almost ten years ago and that no money was exchanged in this gift as the son worked alongside his father on the farm. Mr Cassidy stated that the old dwelling has been renovated and in order to generate monies to complete these renovations the house was signed over to the son's wife to allow them to obtain a mortgage. Mr Cassidy stated that as the old house was gifted, the planning department deem it to be sold by the farmer. Mr Cassidy stated that, traditionally, family farms have been passed down to the next generation on death but more recently social and economic changes have meant that farms are now transferred to the next generation during the farmer's lifetime and to this end the son has been added as a full member of the farm business. As a full member, the son is now the person with day to day responsibility for managing the farm and has discretion to buy and sell stock. He is also responsible for accounts and tax and is the main worker on the farm. As previously stated, Mr Cassidy advised that the son resides in the dwelling the planning department deem to have been sold off.

Mr Cassidy stated that the objective of PPS21 is to manage growth in the countryside and to achieve an appropriate and sustainable pattern of development which meets the needs of a vibrant rural community and was not intended to deny houses on a technicality. Mr Cassidy stated that the policy refers to dwellings that are sold off the farm and that the wording suggests that money changes hands. Mr Cassidy stated that the old house was transferred as a gift and not sold and that the policy does not refer to the transfer of property. Mr Cassidy stated that no monies were exchanged and that the dwelling is still lived in by a member of the farm business who works on the farm seven days a week. Mr Cassidy stated that the applicant has also helped out on the farm her entire life and has recently got married. Mr Cassidy stated that it is her elderly father's wish that she build her house on the family land. Mr Cassidy asked Members to review the application in the spirit of the policy and allow the applicant to build her home.

The Service Director of Planning stated it is important to proceed with caution based on the facts and that facts should not be manufactured to suit. The Service Director clarified that he was not suggesting that this has occurred but he just wanted to be sure of the facts. The Service Director of Planning asked if the transferred building had been built.

Mr Cassidy advised that the transferred building was an old stone cottage which has been renovated and is now lived in.

The Service Director of Planning asked if a replacement opportunity had been transferred as the case officer had advised him that planning permission had been granted. The Service Director asked what the planning permission was for.

Mr Marrion advised that the planning appeal reference stated that the application was for a dwelling at lands approximately 80m south of 64 Reclain Road, Dungannon. Mr Marrion stated that the Commissioner's report refers to a site for a dwelling and not a replacement.

The Service Director of Planning asked if that house was built.

Mr Marrion advised that there was a house approved in 2012 and that foundations were put in place and a garage was built and has been extended.

The Service Director of Planning stated that the garage has been built and there is the ability to build the house as the planning permission is still live. The Service Director stated that the notion of transfer is if land/property goes to someone else and not whether money has been exchanged. The Service Director of Planning asked was the property transferred from one persons name to another persons name in land registry.

Mr Marrion advised that the change of name on land registry occurred on 28 September 2015.

The Service Director of Planning stated that clearly less than ten years ago a development opportunity left the farm and that planning policy refers to the transfer of property to children.

Mr Marrion stated that the amplification of the policy states that sold off will mean any development opportunity disposed of within the farm holding to any other person including a member of the family.

The Service Director of Planning stated that the policy is clear. The Service Director stated that the claim is that it was sold off but the person is now part of the farm business and asked when this happened.

Mr Marrion stated that DAERA have advised the person was added to the farm business in May 2021.

The Service Director of Planning asked when the planning application was submitted.

Mr Marrion advised the planning application was submitted in 2019.

The Service Director of Planning highlighted that the application was already in the system and had a recommendation for refusal before the person was added to the farm business. The Service Director stated it would appear that the person was added to the farm in order to aid the planning application. The Service Director stated that the property went from the farmer to the son therefore there has been a disposal and therefore the application should be refused. The Service Director stated that technicalities do not come into it and that the question could be raised as to whether a new farm has been created and whether the requisite six years have passed for the owner of the farm.

The Service Director of Planning stated he was conscious of the audit report published today which is critical of planning authorities which it claims are not implementing what it sees as being straightforward applications for houses in the countryside and the overturning of recommendations for no real reason. The Service Director stated he did not feel this applies to Mid Ulster as it has very few overturns, the lowest in Northern Ireland, and that the rationale is always very clearly set out. In this instance the Service Director stated that the agent is asking the Committee to create a precedent for the future in that all a person needs to do is register with a farm business and that he urged Members to be careful. The Service Director of Planning stated that if the Committee refuse the application the applicant can go to planning appeal and if the planning appeal accepted that all a person needs to do is register a farm holding in a son/daughters name then he would be content to implement that practice in the future.

The Chair, Councillor Black stated he would have some concerns regarding the retrospective nature in that the name has been added to the farm business a considerable time after the application was submitted.

Councillor Glasgow asked if there was a legal risk or opinion on the matter or was it just what policy states in the report.

The Council Solicitor stated she could not comment as she had not been involved with the preparation of the report. The only thing the Council Solicitor stated she could comment on was if there was a decision to overturn the officer recommendation.

The Service Director of Planning stated that the issue relates to policy rather than a legal position and that the policy sets out the rules. The Service Director stated that the policy sets out that if property is transferred to a son/daughter then it is considered as a transfer and it does not say unless they become part of the farm holding at a later date. The Service Director stated that the tests for a legal challenge would be has the Committee considered something that it shouldn't have, has the Committee failed to consider something it should have or has the Committee made a decision that no other reasonable person could have made. The Service Director stated you can never guess the outcome of a legal case but his own reading would be it would be very hard to reasonably interpret that it hadn't transferred to the son from the farm holder.

Mr Marrion stated that the person to which the property was transferred is a son in law of the farmer and not the farmers son.

Councillor Colvin stated that the agent had put the case across very well and very persuasively but that unfortunately in this situation the Committee would have to go against policy to do anything other than accept the officer recommendation. Councillor Colvin proposed the officer recommendation to refuse the application.

Councillor Robinson seconded Councillor Colvin's proposal.

Resolved That planning application LA09/2019/1119/O be refused on grounds stated in the officer's report.

LA09/2020/0908/O Dwelling and garage 25m NE of 68 Hillhead Road, Toomebridge for Mr Damian Barton

Members considered previously circulated report on planning application LA09/2020/0908/O which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2020/0908/O be approved subject to conditions as per the officer's report.

LA09/2020/1444/O Dwelling and garage adjacent to 76 Moghan Road, Castlecaulfield, Dungannon, for Brigid McElduff

Planning Application Withdrawn.

LA09/2021/0305/F Dwelling with detached garage and loft room at approx. 50m SSW of 31 Sherrigrim Road, Stewartstown for Mr Daryl Morrison and Miss Rachel Mullan

Members considered previously circulated report on planning application LA09/2021/0305/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/0305/F be approved subject to conditions as per the officer's report.

LA09/2021/0317/O Infill dwelling and garage between 23 and 27a Macknagh Lane, Upperlands, for Paddy McEldowney

Ms Doyle (SPO) presented a report on planning application LA09/2021/0317/O advising that it was recommended for refusal.

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

Mr Cassidy stated the proposal is for an infill dwelling between 23 and 27a Macknagh Lane, Upperlands. Mr Cassidy confirmed that the planning officer had visited the site and is clear that no.23, the dwelling and garage to the south east of the site has frontage to the road with the argument being that 27a does not have road frontage as it is the officer opinion that it is only an access point to the road. Mr Cassidy stated that no.27 is a large two storey house which is set back from the road and that its garden space is defined by two distinct areas, one being a formal lawn and the other being kept as a natural habitat by the owner, it was advised that there are no physical features to separate these two areas. Mr Cassidy stated that a post and wire fence separates no.27 from the application site and that this is defined on the drone images submitted. On the ground, there is no boundary feature to the front or side of no.27 that physically separates it from the road and there is no evidence that the natural habitat to the side of the dwelling has ever been used as an agricultural field and that this area has been enjoyed by the occupants of the house since construction. Mr Cassidy stated that no.27 has a road frontage of 30m. Mr Cassidy stated he felt the proposal is practically identical to another application previously recommended for approval following a site visit by Members and that these details had been circulated to Members. In that application it was felt that the buildings situated on the corner gave the appearance of a continuous built up development allowing the proposal to be considered more favourably as a gap site. Mr Cassidy stated he appreciated that each application should be determined on its own merits however he felt there are striking similarities between these two applications which should strike the balance in approving the application tonight and asked Members to reconsider the recommendation.

Councillor Brown, in referring to the previous application mentioned by Mr Cassidy, asked was that proposal considered as a gap site or a farm dwelling on a farm. The Councillor stated that the house in question in the previous approval does not front onto the Roshure Road but rather Mullaghboy Hill Road and therefore he did not see the two applications as being similar.

Mr Cassidy stated that the previous application was originally submitted as a farm dwelling but it was deemed there was no farm case and the application was subsequently considered as an infill dwelling and thats what Members went to see at the site visit and what the decision was based on.

The Service Director of Planning stated that the situation on infill is clearly set out in policy and the way it is interpreted is that a site should have road frontage with at

least three buildings. The Service Director stated that decisions are not taken based on what happened with a previous application but rather they are made based on policy. The Service Director stated that each infill development is never exactly the same because of two tests – one being road frontage and the number of buildings as stated and the other being that it does not change rural character.

Councillor S McPeake stated he had went on the site visit to the previous application and it was not a farm dwelling that was being dealt with at that time. Councillor McPeake felt there were similarities between the two applications and if agreement could not be reached tonight he would suggest a site visit as it would be helpful for Members to see the site before making a decision.

The Service Director of Planning stated that if Members felt they would benefit from seeing the site then a site visit can be arranged as it is important not to make decisions based on a previous decision but rather how they see this application. The Service Director stated that if Members are unsure of the officer recommendation it is reasonable to ask for a site visit.

Councillor Brown stated he was fairly sure that the site on the Roshure Road was a PPS21 site for a farm dwelling on a farm and that the person who applied for the site has a farm dwelling in Magherafelt town. Councillor Brown stated that the previous application is in the countryside and was to exit onto the Mullaghboy Hill Road rather than the Roshure Road. Councillor Brown stated that the previous application cannot be classed as an infill site as it was not an infill application but rather a PPS21 application so therefore infill should not be considered.

The Service Director of Planning advised that PPS21 is the whole policy for the countryside and that a house on a farm is within PPS21 along with infill dwellings. The Service Director advised that policy CTY10 deals with dwellings on a farm and policy CTY8 deals with infill. The Service Director stated that an application for a house on a farm is different to an infill dwelling as each would be considered according to its policy. The Service Director of Planning asked if the previous application had been granted as an infill or dwelling on a farm.

The Head of Development Management advised that the previous application whilst initially being submitted as a farm dwelling was considered and granted as an infill dwelling. It was argued that the house in question had two frontages – one onto Mullaghboy Hill Road and the other onto Roshure Road.

The Service Director of Planning stated that it can happen that an application is made under one policy but when it is considered it could be found that the application fits another policy under PPS.

Councillor S McPeake proposed a site visit be undertaken.

Councillor D McPeake seconded Councillor S McPeake's proposal as he stated he had been to the site visit for the previous application being referred to and it had been helpful.

Councillor McKinney stated that in relation to the previous application the decision recommended by the planning officer in their initial report was correct however by

the time the site visit was made a wall had been built along Mullaghboy Hill Road and Roshure Road. As outlined by the officer, Councillor McKinney stated that there was only slight frontage onto the Roshure Road and that the application only got through “by the skin of its teeth”.

The Chair, Councillor Black asked if Councillor McKinney had any difficulty in a site visit being undertaken for this application.

Councillor McKinney stated he did not see the circumstances as the same between the two applications but that people may want to try to manipulate the argument.

Councillor McFlynn stated that she has found since she has come onto the Planning Committee that each application is judged on its own merit, irrespective of what has happened with previous applications. The Councillor stated she agreed with Councillor S McPeake’s proposal and that a site visit should be taken.

Councillor Corry stated she also felt a site visit would be worthwhile.

Councillor S McPeake referred to Councillor McKinney’s comment in relation to potential manipulation on how this application is determined. Councillor S McPeake stated that he did not say the two applications were exactly the same but that he felt there were similarities between this application and the previous application. Councillor S McPeake stated he was not manipulating anything when he said that and made no apology.

The Service Director of Planning stated that when the Committee undertake the site visit they will be able to judge the application against policy.

Councillor McKinney stated his comments were made to the person who is representing the applicant and that it was they who were making the comments on the similarities between the applications and not him or Councillor S McPeake. Councillor McKinney stated it was the person representing the applicant who made the similarities and that Councillor S McPeake did not make any comments but stated that if he felt he had that was ok.

Councillor S McPeake stated that his comments were in relation to the request for a site visit and there was no manipulation being made.

Resolved That planning application LA09/2021/0317/O be deferred for a site visit.

**LA09/2021/0690/O Dwelling, adjoining and NE of 100 Trewmount Road,
Killyman for Briege O'Donnell**

Members considered previously circulated report on planning application LA09/2021/0690/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/0690/O be approved subject to conditions as per the officer’s report.

LA09/2021/0822/O Site for farm dwelling and garage, 60m South of 88 Gulladuff Hill, Magherafelt for Dan McCrystal

Members considered previously circulated report on planning application LA09/2021/0822/O which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/0822/O be approved subject to conditions as per the officer's report.

LA09/2021/1313/O Dwelling and garage, between 55c and 59 Cadian Road, Dungannon (site 1) for Mr R P Reid

LA09/2021/1314/O Dwelling and garage between 55c and 59 Cadian Road, Dungannon (site 2) for Mr R P Reid

Members considered previously circulated reports on planning applications LA09/2021/1313/O and LA09/2021/1314/O which both had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Corry and

Resolved That planning applications LA09/2021/1313/O and LA09/2021/1314/O be approved subject to conditions as per the officer's report.

P017/22 Receive update to Planning Officer Authorisation List

The Service Director of Planning presented previously circulated report which sought approval for Mrs Karla McKinless to be authorised to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

Proposed by Councillor Clarke
Seconded by Councillor Bell and

Resolved That Mrs Karla McKinless is nominated as an authorised officer to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

The Chair, Councillor Black stated that agenda item 7 - Minutes of Planning Committee held on 10 January 2022 would be moved into matters for decision.

P018/22 Minutes of Planning Committee held on 10 January 2022

The Chair, Councillor Black referred to discussion at the Council meeting on 27 January 2022 at which it was decided to refer this item back to the Planning Committee.

Councillor Glasgow stated he did not intend to go over the debate in relation to item P006/22 – Receive Report on Planning Performance but that there were two points he had stated at the meeting which he wanted to be included in the minute which he felt were important namely –

- 1 At the end of paragraph 5 - “I just want to make sure the infrastructure is there for them to fulfil their duties as they work from home.”
- 2 Paragraph 7, sentence 2 – “I propose a report is carried out to look into this matter to see what staff need to fulfil their duties from home”

Councillor Glasgow stated that during the previous debate of the item the Council Solicitor had put forward advice and asked as a point of clarification if this had been legal advice or procedural advice.

The Chair, Councillor Black asked Councillor Glasgow if he was content with the minute subject to the two comments being included.

Councillor Glasgow stated he was content.

The Council Solicitor stated she had offered procedural advice with regards to the forum for discussing such matters and that it was not legal advice.

Councillor Glasgow asked for confirmation that it was not legal advice that had been given.

The Council Solicitor stated she had provided Council procedural advice in relation to dealing with such matters as on the night of the meeting she had interpreted Councillor Glasgow was making a complaint and that it was not the correct forum to do so.

Councillor Glasgow clarified that he had not made a complaint but rather a request for a report to ensure that the structure was there to enable people to continue working from home on a rota basis.

The Council Solicitor stated that the Councillors comments were clear now but that on the night if it had been a complaint that was being made she wanted to ensure that it was addressed in the correct forum.

Councillor Glasgow reiterated that he had never been making a complaint.

The Service Director of Planning stated that the clarification had been helpful and that what Councillor Glasgow was asking was do officers have the facilities in order to work from home. The Service Director advised that at the introduction of lock down the planning department invested heavily and all officers got laptops which are internet linked in that when an officer is working from home they can link into the office and can open files, write reports etc. The Service Director stated that team meetings are conducted virtually and that there is a Citrix system in place whereby phonecalls can be taken on an officers laptop. It was advised that if a member of staff does not have an internet connection then they would be expected to work in the office however all staff have their own internet connections. The Service Director also highlighted that officers do not work from home all the time but rather on

alternate days. The Service Director of Planning stated that Councillor Glasgow had asked for an assurance that Council has invested in its staff to enable working from home for staff and he confirmed that this has happened. The Service Director stated that if Members have an issue and it is brought to his attention then it will be dealt with.

Councillor Glasgow stated that the comments of the Service Director were reassuring and that he was content that the issues that he had raised had all been addressed within the verbal report provided tonight and thanked the Service Director for taking the time to do so.

The Service Director of Planning stated that if he had misinterpreted what Councillor Glasgow had been asking at the Planning Committee in January then it was his fault and he apologised for that.

The Chair, Councillor Black stated that there had been some misinterpretations at the last meeting and there were aims to stop the conversation entering into areas which causes difficulties in open business. The Chair stated that everyone was now clear on what had been said and that Councillor Glasgow had received a response in relation to his question.

The Council Solicitor also offered her apologies for misinterpreting what had been presented during last month's debate and her attempt to try to steer the conversation and that no offence had been meant by this.

Councillor Colvin stated that the conversation tonight had been helpful and was appreciated.

Proposed by Councillor S McPeake
Seconded by Councillor Brown and

Resolved That it be recommended to Council that the Minutes of the Planning Committee held on 10 January 2022 (P001/22 – P012/22) transacted in Open Business having been printed and circulated, be considered and adopted subject to the following comments made by Councillor Glasgow being included within item P006/22 –

- 1 At the end of paragraph 5 - "I just want to make sure the infrastructure is there for them to fulfil their duties as they work from home."
- 2 Paragraph 7, sentence 2 – "I propose a report is carried out to look into this matter to see what staff need to fulfil their duties from home"

Matters for Information

None

Live broadcast ended at 8.40 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Brown
Seconded by Councillor Robinson 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 P019/22 to P023/22.

Matters for Decision

P019/22 Receive Enforcement Report

Matters for Information

P020/22 Confidential Minutes of Planning Committee held on 10 January 2022

P021/22 Enforcement Live Case List

P022/22 Enforcement Cases Opened

P023/22 Enforcement Cases Closed

P024/22 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.47 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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



ADDENDUM TO PLANNING COMMITTEE AGENDA

FOR PLANNING COMMITTEE MEETING ON: 1 February 2022

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

Chairs Business –

Receive details of NIAO Report into Planning in Northern Ireland

Receive report on the Review of the Implementation of the Planning Act (NI) 2011

Notification from DFI in respect of Proposed De-Restriction on sections of A6
Castledawson - Toome Road.

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.10	Agent has written to withdraw the planning application	Members to note
5.3	Agent has written to withdraw the planning application	Members to note.

Confidential business:

- Receive response to DFI request for Clarification in relation to The Councils submission of the Draft Plan Strategy 2030.

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 3 February 2022 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor Kearney, Chair

Councillors Ashton, Buchanan, Cuddy, Doris*, Elattar, Gildernew*, S McAleer*, S McGuigan*, McKinney*, S McPeake*, Molloy*, Totten

Officers in Attendance

Mr McCreesh, Chief Executive
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance
Mr Kelso, Director of Public Health & Infrastructure
Ms Mezza**, Head of Marketing and Communications
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance
Ms McNally**, Assistant Director of Finance, Legal, Governance and Transformation
Mr O'Hagan, Head of ICT
Mr Scullion**, Assistant Director of Property Services
Mr Tohill, Strategic Director of Corporate Service and Finance
Mrs Grogan, Democratic Services Officer

Others in Attendance

Councillor Brown

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

In the absence of the Chair, Councillor McKinney at tonight's meeting, the Vice Chair, Councillor Kearney took the Chair. The Chair advised that Councillor McKinney would be in attendance by remote means.

Councillor Forde, McLean and Quinn.

PR023/22 Declarations of Interest

None.

PR024/22 Chairs Business

None.

Matters for Decision

PR025/22 MUDC Response to the Department of Communities Consultation on the Local Government (Performance Indicators and Standards) (Amendment) Order (Northern Ireland) 2022

The AD: ODSP presented previously circulated report to inform members on Council's response to the consultation that covers proposals by the Department for the Economy (DfE) to amend the current (DfE) performance indicator and standards included within the Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 to include the Department for the Economy's (DfE) proposed revised performance indicator and standards in respect of economic development).

Proposed by Councillor Elattar
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council to adopt the Council's draft response to the consultation to amend the current (DfE) performance indicator and standards included within the Local Government (Performance Indicators and Standards) Order (NI) 2015 to include the Department for the Economy's (DfE) proposed revised performance indicator and standards for economic development specific to Mid Ulster district.

PR026/22 Request to Illuminate Council Properties

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

- Ehlers-Danlos Syndromes (EDS)

Proposed by Councillor Cuddy
Seconded by Councillor Totten and

Resolved That it be recommended to Council to light up the three designated Council properties on Thursday 20 May 2022 to mark Ehlers-Danlos Syndromes (EDS) – the colour to be red.

PR027/22 Reservoirs Act (Northern Ireland) 2015 – Consultation

The Director of Public Health & Infrastructure presented previously circulated report to update Members on the recent consultation launched by Department for Infrastructure on 29th November 2021 in regards to the Implementation of the Reservoirs Act (NI) 2015 and the additional controls which will be applied.

He made reference to paragraphs 3.6 and 3.7 and the wider impact of the legislation which was placing new responsibilities on Council. He indicated the consultation referenced possible financial support however no detail was provided. The two bodies of water identified for Council control were designated as high impacts. In the consultation response Council were suggesting that any support should be prioritised to those bodies of water which had been designated as high and medium impact. In regards to the risk assessment process that was referenced as part of that process, it was advised that there was already good practice in place in the UK mainlands where the legislation had been derived from and it was proposed that that this rationale should also be applied in N Ireland. The Council response referenced that the Department should undertake a structured risk assessment process on all bodies of water to determine the appropriate classification.

Councillor Cuddy referred to the two reservoirs in Dungannon, one in Dungannon Park which was the old Moygashel Mills Park Lake and hadn't been used as a reservoir for nearly 100 years. The other one was another supply lake to Moygashel Textiles and basically another redundant reservoir. He said the question would be why there was more responsibility to maintain them than any other lake or lough in the District and could understand a current reservoir that was being used which needed to be kept up to a high standard but felt that all our lakes and loughs should be kept up to the same standards.

Proposed by Councillor Cuddy
Seconded by Councillor Molloy and

Resolved That it be recommended to Council and approve the draft Consultation response on Implementation of the Reservoirs Act (NI) 2015 as outlined in Appendix 2.

PR028/22 Member Services

None.

Matters for Information

PR029/22 Minutes of Policy and Resources Committee held on Wednesday 12 January 2022

Members noted Minutes of Policy and Resources Committee held on 12 January 2022.

PR030/22 Performance Improvement Update Qtr. 1 - Qtr. 3 (2021- 2022)

Members noted previously circulated report which provided members with monitoring information on the review of Council's performance against our seven statutory and three corporate performance improvement indicators and standards, along with an overview of the Corporate Health Indicators for the first nine months of 2021/22. The report also provides a performance progress summary against the Council's four corporate improvement objectives and their associated project plans. The indicators and standards, the 4 improvement projects and corporate health indicators are contained within our Two Year Performance Improvement Plan (PIP) for 2021/22 to 2022/23.

Councillor Ashton referred to page 168, item 5 – “Increase of Council’s technological hardware i.e. it is recycled and re-used” and apologised in advance in case she missed it previously and asked that any information relating to that be issued to her. She enquired what community groups availed of this and how was the programme advertised.

The AD: ODSP advised that he would certainly take this on board and issue the relevant information sought.

The Head of ICT advised the officers were currently in the process of wiping those computers with a secure wipe software. The determination of who the recipients of those devices has still yet to be determined but would be used in community services to reference some worthy recipients.

Councillor Cuddy stated that it was a very comprehensive document with a lot of good and excellence but enquired if there was anything regarding this that could be deemed worrying in the future.

The Chief Executive advised that it was an excellent report but it wasn’t perfect, in most parts it’s good and above average and wherever there is a deficiency or red area, this would be focused upon and brought to the attention of SMT. Those areas of concern would be then considered by SMT where it is felt the Council were underperforming and the reasons why i.e. issues, internal circumstances and in some cases external circumstances. He said that Covid cannot be blamed for everything but it was a very disruptive period which had impacted on performance. Overall in relation to performance, job creation, our actions to achieve our performance targets, officers were satisfied, although not perfect, would strive for perfection and those areas which may be falling short would not be ignored and would be addressed at SMT.

The Chair stated that the page he was always interested in was Corporate Health Indicators which was on page 206 and stated that there was a lot of good work put into that one page alone.

Councillor McKinney referred to attendance and enquired if officers were satisfied with the result for the year or was there room for improvement.

The SD: ODSP stated at the minute she was satisfied with the percentage giving the current climate and difficulties which was being worked through including post-covid issues. Given the year which we had she was satisfied with the percentage outlined and hoped that this could be maintained at this level and hopefully within the next few years there may be room for improvement, but was content with the current percentages.

Live broadcast ended at 7.16 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
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 PR031/22 to PR042/22.

Matters for Decision

PR031/22 Staffing Matters for Decision
PR032/22 Staffing Matters for Information
PR033/22 Land and Property Update
PR034/22 Lands at Lisnahull, Dungannon – Lease
PR035/22 Peace IV Shared Spaces
PR036/22 Environmental Improvement Works
PR037/22 Procurement and Supply Fleet Replacements

Matters for Information

PR038/22 Confidential Minutes of Policy and Resources Committee held on Wednesday 12 January 2022
PR039/22 2022/23 Rate Estimates
PR040/22 Full Fibre NI (FFNI) Project Update Report February 2022
PR041/22 Financial Report for 9 months ended 31 December 2021
PR042/22 Contracts and DAC

PR043/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.17 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 Mid Ulster District Council held on Monday 7 February 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Members Present: Councillor McLean (Chair)

Councillors Ashton, Bell*, Black*, Brown, Buchanan*, Burton, Clarke*, Corey*, Cuddy*, Cuthbertson, Doris*, Elattar*, Forde*, Gildernew*, Glasgow*, Graham*, Hughes*, Kearney*, Kerr*, N McAleer, S McAleer, McFlynn, B McGuigan*, S McGuigan, McKinney*, McNamee*, D McPeake*, S McPeake, Milne*, Molloy, Monteith*, Mullen*, O'Neill*, Quinn*, Robinson*, Totten* and Wilson

Officers in Attendance: Mr McCreesh, Chief Executive
Mrs Campbell, Strategic Director of Environmental Services*
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SDODSP)**
Mr Kelso, Director of Public Health & Infrastructure (DPHI)**
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (ADODSP)
Mr Tohill, Strategic Director of Corporate Service & Finance (SDCSF)
Mrs Forde, Member Support Officer
Mrs Mezza, Head of Communications**
Mrs McNally: Assistant Director Corporate Service & Finance **

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor McLean 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.

The meeting commenced at 7 pm.

SC001/22 Apologies

Councillor Colvin

SC002/22 Declarations of Interest

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

SC003/22 Chair's Business

None

Matters for Decision

The Chair advised that the Director of Corporate Service & Finance (SDCSF) would go through each individual paper with comments and decisions being taken thereafter.

SC004/22 Minimum Revenue Provision Policy

The SDCSF drew attention to the previously circulated report regarding the 2022/23 Minimum Revenue Provision Policy and sought approval that the policy as detailed for year 2022/23 be retained for the incoming year.

Proposed by Councillor Cuddy
Seconded by Councillor S McGuigan

Resolved That Council confirms its existing MRP policy as being appropriate for the financial year 2022/23.

SC005/22 Rate Estimates for 2022/23

The SDCSF drew attention to the previously circulated report regarding the 2022/23 and the associated reports concerning the Robustness of the Estimates and the Adequacy of Reserves, which had also been previously circulated.

As detailed in the relevant reports, the SDCSF advised the Members that, prior to the Council considering its Rate estimates and striking a Rate for a financial year, Sections 4 and 6 of the Local Government Finance Act (Northern Ireland) 2011 required the Chief Financial Officer (the Chief Executive) to submit to the Council a report on the robustness of the estimates and a report on the adequacy of any proposed financial reserves for a financial year. These legislative provisions also required the Council to have regard to the reports when considering the estimates.

Following presentation of the reports, the SDCSF sought approval for the Rates Estimates for 2022/23.

SC006/22 Approval of Rates Estimates for 2022/23

- (i) Authorisation of the expenditure included in the Estimates
- (ii) Fixing for the Financial Year beginning 1 April 2022 the amount to be raised by means of rates and striking the domestic and non-domestic rate for 2022/23

Councillor Mallaghan thanked the officer team for the hard work and effort they had invested to enable the Council to strike a robust Rate which would ensure the rate payer receives value for money. He stated that the Council's decision last year (2021/22) to strike a Rate which reflected 0% increase in Rate from the previous year (2020/21) had been a mistake that had contributed 2.8% of the recommended 4.9% increase in the Rates this year (2022/23). He said that what happened the previous year was only pushing costs into subsequent years. Councillor Mallaghan spoke of the Council's ambitions, highlighting in particular its previous decisions taken in relation to its capital programme. He also remarked on Council's success in accessing money from various funders such as PEACE IV and central government funding, referencing Minister Poots of DEARA's recent positive comments on Council's ability to have projects shovel ready to go when funding became available. Councillor Mallaghan commended both hardworking officers and Members on their achievements in delivering projects, but remarked that perhaps the Council was not as good at planning at an early stage for the subsequent financial resourcing and maintenance of completed capital projects. He stated that the Council needs to take cognisance of these aspects of the capital programme going forward. He also suggested that he would like to see Members being given the opportunity to input into the transformation of Council going forward, suggesting that perhaps a working group should be formed to give opportunity for the tabling of new ideas and proposals for both potential service delivery developments and revenue generation. Councillor Mallaghan reflected that the upsurge in the cost of living is becoming increasingly difficult and that its impact is felt in homes and businesses alike. He stated that, although he appreciated the officers' reasoning for recommending the proposed Rate, he could not support the recommendation and proposed that the Council agree a budget and strike a Rate which would reflect a 3.9% increase from the previous year (2021/22). He suggested that the officers could deliver the necessary cost reductions by further considering the opportunity to apply the additional Rate Support Grant (RSG) funding that would shortly be received in the current year (2021/22) as transformation funding to offset projected increases in the Council's net expenditure and to revisit the potential for additional savings to be extracted from departmental budgets. He reflected on the reports presented and the SDCSF's interpretation of the Executive's current consultation on the draft 2022/25 budget which indicated that the regional Rate would be frozen at the 2021/22 level in 2022/23. He noted that, if the regional Rate was frozen, a district Rate increase of 4.94% would cause an average rate payer's rates bill to increase by £20 per annum. However, if the Council struck a Rate which reflected a 3.9% increase, the £20 would reduce to £16 and he felt that, given the current economic climate, Council should opt for the latter option.

Councillor McFlynn seconded the proposal.

Councillor McFlynn concurred Councillor Mallaghan in extending thanks to the senior management team and the efforts in of attaining funding from other bodies. She reflected on the SDLP's recent meeting with the SDCSF and the Chief Executive to discuss the officers' interim proposals. The meeting had been robust and Members had challenged the officers who had outlined that Council was in a good financial position with few loans. However, the officers had also stated at the meeting that if Council did not adequately fund its recurrent revenue expenditure and continued to apply balances to fund the deficit, its capital reserves would be depleted in five to six

years. Councillor McFlynn spoke on Council's waste management and leisure costs which were huge and noted the current initiative advancing the potential to join forces with other councils in relation to future recycling. Referring to the recent pandemic, she stated that the government had and continues to encourage people to take exercise outdoors. She said that, if the Council was going to promote outdoor exercise and recreation, there would be costs associated with this. Reflecting on the decision for a zero percentage increase in the Rate for 2021/22, she said that it had been a poor decision, the results of which were being felt now as the Council was faced with a high proposed increase in the Rate. She noted that she sympathised with rate payers who were facing increased costs generally, Council could not run on fresh air, and thus the SDLP would support Councillor Mallaghan's proposal that the Council strike a Rate the Council agree a budget and strike a Rate which would reflect a 3.9% increase from the previous year (2021/22).

Councillor Ashton thanked the officer team for their efforts and spoke of the difficult year and the unavoidable pressures incurred by residents and businesses alike and the huge impact of Covid. She stated that last year's zero percent had been the right decision at the time and that everyone needed to acknowledge what the community and businesses were enduring at the time.

Councillor Ashton said she had a counter proposal to the 3.9% increase which would seek to lower it and proposed that the Council agree a budget and strike a Rate which would reflect a 2.18% increase from the previous year (2021/22). Referring to the schedule included with the reports previously circulated, which detailed financial pressures identified by the officers, she noted the £250k set aside from RSG to fund transformation fund and referred to discussion at a recent Policy and Resources Committee meeting about the potential to apply £1m.

Councillor Ashton then suggested that proposed reduction in Rate could be funded as follows:

- Although it would increase the amount to be funded to effect the reduction, the £100k identified within the papers as being capable of generation by introducing charges for parking in Cookstown should be removed as the Council had not yet concluded its car parking strategy;
- The proposal to include £450k within the Rate estimates to contribute to the funding of revenue consequences of the capital programme should be deferred for a year as the economy is still in a difficult period. Deferral would allow the officers an opportunity to undertake proper analysis as to what additional funding would be required;
- The proposed increase of £35k to fund additional Special Responsibility Allowance for Members should be removed;
- Although she believed that the decision to strike the 2021/22 Rate had been the correct decision, the deficit on recurrent revenue funding referred to in the papers could be funded over a three year period, thereby producing a reduction in the identified pressures for 2022/23 of £833,333.

Councillor Ashton concluded by stating that she had confirmed with the SDCSF prior to the meeting that, taken together, the proposed changes would produce a revised proposed Rate increase of 2.18%.

Councillor Brown seconded Councillor Ashton's proposal.

Councillor Cuddy concurred with the thanks extended to the Chief Executive, SDCSF and their team for all the hard work. He also reflected on the departure of Mrs Paula Kerr, former Head of Finance and former director in the legacy Dungannon and South Tyrone Borough Council and extended thanks to her for her hard work especially in relation to the Rate estimates.

Councillor Cuddy said the previous and current year had been ones of exceptional circumstances which was why the Council agreed 0% increase last year (2021/22). He reflected that during that time Council had looked after both its staff and rate payers. He referred to the £20+ million cash surplus at the previous year end which had now increased to £30m and stated that this was the reason why the UUP say that striking a Rate with a zero percentage increase last year had not created a financial pressure this year. He spoke of the Covid support from Westminster and Stormont and said that he could not understand the pressures being discussed and that instead of 4.94% the UUP would propose 2.11% which will still allow Council to progress activities outlined as it was in a stronger position. He explained that the 2.11% was calculated as 4.94% less 2.83%, which was the increase attributed by the SDCSF to the decision to strike a Rate with a zero percent increase in the previous year. He said that the decision for zero rates last year had not been a mistake but the best decision the Council made.

Councillor Cuddy continued stating he would like the Council to again strike a Rate reflecting a zero percentage increase in the incoming year, but he knew that it would not be realistic. He said Council was a large organisation but the fact that approximately £60 out of every £100 incurred by Council was spent on salaries and wages was something that needed to be looked at. He acknowledged that it was difficult to significantly reduce the number of staff required to deliver Council services and noted that staff were a valuable asset, but ways needed to be found for the Council to be more efficient. Councillor Cuddy reflected that Stormont and Westminster could not be asked to cut taxes when Council was increasing Rates. He said that if the regional Rate is frozen at the 2021/22 level for 2022/23, this was an opportunity to minimise the impact of Council cost pressures on rate payers. However, it would be a hard year ahead with significant increases on board for everyone and Council should not add to the list of financial pressures experienced by rate payers. In conclusion he reiterated his proposal for 2.11% rate increase and, reflecting on the several million pounds additional income last year, he felt that it was important to send a good message out which a 2.11% rise would be.

Councillor Wilson seconded Councillor Cuddy's proposal.

The Chair, Councillor McLean invited the Chief Executive and SDCSF to speak.

The Chief Executive thanked Members for their support and acknowledged that the Members and officer team share the same challenges and desire to arrive at a affordable budget which meets ambitions. He said his job was to maintain ambition and deliver services. He spoke about delivering community projects, capital projects, supporting businesses and the money required to do this. He spoke of the satisfaction on the delivery of the corporate plan, his recent engagement with

Members to discuss the Rate estimates and the year on year increasing costs which was impacting the entire world at present. He spoke highly of the ambitions of Council and the great challenge of inflation which was at a high he had never endured in over 30 years of local government. He said a fair and balance budget was required and emphasised that organisation was financially resilient due to the good work of Members. He commended the SDCSF and other officers who secured millions of revenue funding. He said that the Council needed the reserves to deliver projects, spoke of the substantial list of capital projects of which 36 had been completed in the current year with a further 17 projects ongoing. He also spoke of 10 projects earmarked for the incoming year and the 15 sitting for years 2023-2025. The Chief Executive said these were huge projects which would serve up and coming generations, but noted that revenue funding was needed to deliver services post project delivery from the facilities and to maintain them. He believed that the proposal brought by the officer team was fair and represented value for money for the rate payer. In conclusion, he again thanked the Members for their words of appreciation and said that all officers across the organisation had high aspirations for Council.

The SDCSF echoed the Chief Executive's comments and expressed his personal appreciation of the support of Members. He spoke of the robust dialogue in recent weeks across the parties, reflected on the challenges faced in recent times, the ever increasing inflation rate, the continuing impacts of the pandemic all of which have a direct impact on the Rate. He said that, although the current economic climate was more uncertain than ever before, to date everything that Members had chosen to support had been delivered. The SDCSF said he understood the Members' aspirations to help the rate payer at this time, but advised that the figures presented by officers were reasonable and he recommended that Members should reflect upon them in great detail.

Councillor McKinney referred to earlier comments on the bad decision of the zero Rate increase last year and said that he totally disagreed with the comments as Council had obtained an additional £4m funding over the past year. He said many of the comments had been unfair as was the recommendation to increase the Rate by 2.8% on the back of the suggestion that the previous year's decision had necessitated this element of the increase.

The Chair, Councillor McLean said he believed that the zero rate last year was correct decision and that it had been known at the time the decision was taken that it would put additional pressures on the Council's finances in years to come. However, based on the circumstances prevailing at the time, it had been the right decision.

The Chair, Councillor McLean put Councillor Mallaghan's proposal to the vote:

For	25
Against	14

The Chair, Councillor McLean declared the proposal carried

Resolved That Council

- (i) Approve the estimates as revised to reflect the Council's decision to agree a budget and strike a Rate which would reflect a 3.9% increase from the previous year (2021/22) ;
- (ii) Authorise the expenditure within the estimates, which following adjustment equates to £58,777,409 gross (£49,279,866 (net));
- (iii) Strike non-domestic and domestic Rates of 24.3910 and 0.3505 respectively, which will reflect a 3.9% increase respectively from the equivalent 2021/22 district Rates;
- (iv) Authorise the Chief Executive to vire such amounts between budget headings as he deems necessary to secure Council's objectives in 2022/23.

Referring to the Council's cash reserves, Councillor Mallaghan commended the Council on its plan to build up capital reserves to finance its capital programme. The capital programme will takes years to deliver and the funds required are significant. He noted that Council could borrow to fund capital projects, but recommended that it should draw on the experience of the legacy Magherafelt District Council which planned to finance its capital from internal resources instead of borrowing as far as practicable. He said Council did not need to accumulate debt and that, although it was easy to look at a bank statement on any given day at the funds that the Council has accumulated towards its capital aspirations, but that does not give a proper understanding of how the Council operates or how its revenue or capital expenditure is financed. He concluded that funds currently held in the bank had been secured and reserved to make Council's ambitions become a reality.

Councillor Cuthbertson thanked the officers for their work and said it was disappointing that some say this is not a big increase as Council had to have a duty of care for working families whose income is at a level which does not allow benefits but cannot heat their homes. He recalled the Chair's remarks at the Council meeting regarding the success of the fuel stamp scheme and said people are scraping pennies together to buy them. He said that the legacy Dungannon Council had a zero rate increase for a number of years but in their final meetings had applied funds to purchase new bin lorries, lands at Railway Park and improve Dungannon Park. He said the legacy Dungannon Council had always been able to identify sufficient savings to keep Rates down. Now that several highly paid staff had left the Council on foot of the recent organisational restructure and had not been replaced, the savings arising therefrom should have been sufficient to keep Rates down. He concluded by stating that the decision to increase the Rate by 3.9% was disappointing for rate payers.

Referring to previous comments regarding how the Council had accumulated its current cash reserves, Councillor McKinney said that the £500k amounts included with the Rate estimates each to fund year capital projects had nothing to do with the millions he had spoken of. He said the British Government had supplied funding to support councils deal with financial losses arising due to Covid and this funding had contributed to the build-up in cash that he had spoken of.

SC007/22 Robustness of Rate Estimates 2022/23

Resolved That Members have regard to the Chief Financial Officer's (Chief Executive) comments in relation to the robustness of the estimates when considering the Rate estimates.

SC008/22 Adequacy of Council's Reserves for 2022/23

Resolved That Members have regard to the Chief Financial Officer's (Chief Executive) comments in relation to the adequacy of the reserves when considering the Rate estimates.

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

The live broadcast concluded at 7.47 pm

Proposed by Councillor Molloy
Seconded by Councillor S McGuigan

Resolved That items SC009/22 be taken as confidential business.

Matters for Decision

- (i) Appointment of Consultancy Services: Bid Writing Tender

SC010/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.50 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 Tuesday 8 February 2022 in Council Offices, Ballyronan Road,
Magherafelt and by virtual means**

Members Present

Councillor Brown

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

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment
Mr Fox, Principal Building Control Officer**
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director of Environmental
Services**
Ms Mezza, Head of Marketing and Communications**
Mr Scullion, Assistant Director of Property Services**
Miss Thompson, 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 Brown welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Brown 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.

E032/22 Apologies

None.

E033/22 Declarations of Interest

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

E034/22 Chair's Business

Councillor N McAleer stated he wanted to bring to attention concerns which had been raised with him regarding access to Lough Neagh for fishing boats in the Ardboe and Moortown areas. The Councillor stated there have been complaints in

relation to a significant build up of sand and debris and this, combined with recent low water levels, is hampering access in and out of the quays. Councillor N McAleer advised that there has historically been an agreement in place to dig out the quays and assist with access but that in recent years this has not been happening. The Councillor stated that there are some barges and boats with digging capabilities which are not being utilised and that department guidelines are preventing digging from taking place. Councillor N McAleer proposed that Council write to the Department for Infrastructure and Rivers Agency asking them to clarify their position regarding digging around the quays and also asking them how they propose to resolve the issues with access to Lough Neagh.

Councillor McNamee seconded Councillor N McAleer's proposal.

Resolved That it be recommended to Council to write to the Department for Infrastructure and Rivers Agency asking them to clarify their position regarding digging around the quays and also ask them how they propose to resolve the issues with access to Lough Neagh.

Councillor Buchanan asked for the current position of Council's Car Park Strategy which the Environment Committee approved 3-4 years ago. The Councillor stated urgent clarity was needed in relation to car parking charges in Cookstown and whether last night's rates increase proposed by Sinn Féin and SDLP included car parking charges in Cookstown and also whether last night's decision overrides the Car Park Strategy for the whole of Mid Ulster.

The Chair, Councillor Brown asked that a report on the current position of the Car Park Strategy be brought to the next meeting of the Environment Committee.

The Director of Environment agreed to bring a report to next month's meeting.

Matters for Decision

E035/22 DfI Roads Proposal to Mid Ulster District Council - A6 – Castledawson to Toome — Proposed De-Restriction Order

Members considered previously circulated report which sought agreement in relation to Proposed De-Restriction Order for the A6 Castledawson to Toome.

Councillor Milne asked what the De-Restriction Order was for as it was not clear.

The Chair, Councillor Brown stated it was his understanding that the De-Restriction Order related to the de-restriction of speed limits at junctions as outlined in the report.

Proposed by Councillor Milne
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed De-Restriction Order for the A6 Castledawson to Toome.

E036/22 DfI Roads Proposal to Mid Ulster District Council - Proposed 40mph Dungannon Road roundabout Sandholes Road, Dungannon Road, Tullywiggan Road, Grange Road and Ardculmer Road, Cookstown

Members considered previously circulated report which sought agreement in relation to Proposed 40mph Dungannon Road roundabout Sandholes Road, Dungannon Road, Tullywiggan Road, Grange Road and Ardculmer Road, Cookstown.

Proposed by Councillor Milne
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to proposed 40mph Dungannon Road roundabout Sandholes Road, Dungannon Road, Tullywiggan Road, Grange Road and Ardculmer Road, Cookstown.

E037/22 Fees for Entertainment Licences

The Assistant Director of Property Services presented previously circulated report which advised of the Department of Communities consultation exercise on a review of the current Determination issued by the Department of Communities in March 2021 in relation to Fees for Entertainment Licences.

Councillor McNamee felt that if the Executive are going to continue to meet the loss of income to Council then the current arrangement of charging £1 for the renewal of an entertainment licence could continue. However, if the Executive do not continue to meet the loss of income to Council then Council should revert to charging fees at pre April 2021 levels from April 2022. The Councillor stated it is unclear whether the Executive will continue to meet the cost of renewal of entertainment licences and clarity would be needed on this.

The Chair, Councillor Brown highlighted that the letter from the Department does not give an indication of whether costs will continue to be met and asked if Council are taking a presumption that they will be.

The Assistant Director of Property Services stated that Council would currently be taking a presumption that costs will continue to be met and suggested that Council write to the Department to seek clarity on whether this is the case.

Councillor Wilson asked when the licence fees are due.

The Assistant Director of Property Services stated it depends on when a licence expires and that licence fees are due for premises on an ongoing basis throughout the year. The officer advised that the current measure of the £1 charge for a licence renewal will run to 31 March 2022.

Councillor Wilson stated that if Council do not receive a response which clarifies the position of the Department there could be a situation in which a premises whose licence expires on 31 March will be charged £1 for a renewal and another premises whose licence runs out on 1 April will be charged at the pre April 2021 rate and that this is not very fair. Councillor Wilson asked when the funding from the Department ends.

The Chair, Councillor Brown stated that on reading the letter from the Department it looks as though funding will close at the end of March and that the letter is asking Council whether it wants to continue with the £1 charge or whether it wants to revert back to pre April 2021 levels. The Chair referred to Councillor McNamee's suggestion for Council to write to the Department to ask whether they are prepared to continue to cover the loss of income to Council.

Councillor McNamee proposed that Council write to the Department to ask whether they are prepared to continue to cover the loss of income to Council in charging £1 for the renewal of an entertainment licence.

Councillor Wilson seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council to write to the Department to ask whether they are prepared to continue to cover the loss of income to Council in charging £1 for the renewal of an entertainment licence.

E038/22 Plastic Promise

The Assistant Director of Environmental Services presented previously circulated report which sought approval to sign the Live Here Love Here Plastic Promise in order to make a commitment to reducing the consumption and usage of single use plastic items.

Councillor B McGuigan proposed the recommendation. The Councillor stated that everyone is aware of the problems caused by plastic especially in rivers and oceans and that it is important to start somewhere and that by signing up to the Plastic Promise Council is taking the initiative.

Councillor Kearney seconded Councillor B McGuigan's proposal.

Councillor Kearney referred to the previous agenda item and highlighted that there are some areas of hospitality that are only getting their monies now and that he felt this is a good enough reason to hold off in relation to fees for entertainment licences.

Resolved That it be recommended to Council to sign the Plastic Promise as outlined within the report.

Matters for Information

E039/22 Environment Committee minutes of meeting held on 11 January 2022

Members noted minutes of Environment Committee held on 11 January 2022.

E040/22 Better Recycling Grant Scheme

Members noted previously circulated report which provided outcome of a funding application submitted to WRAP under the Better Recycling Campaign.

E041/22 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for July to September 2021

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 2 of 2021/22 from July to September 2021.

E042/22 Bus Shelters Update

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

E043/22 Mid Ulster Fairtrade

Members noted previously circulated report which provided an update on Council's Fairtrade resolution to application stage for Fairtrade District Status.

E044/22 Building Control Workload

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

E045/22 Entertainment Licensing Applications

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

E046/22 Dual Language Signage Surveys

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

Live broadcast ended at 7.14 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor N McAleer

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 E047/22 to E054/22.

Matters for Decision

E047/22 Flower Bed and Roundabout Sponsorship
E048/22 Lift Maintenance and Servicing Tender report
E049/22 Entertainment Licensing

Matters for Information

E050/22 Environment Committee Confidential Minutes of meeting held on 11 January 2022
E051/22 Waste Management Covid19 Emergency Funding
E052/22 Capital Framework – ICT Contracts Update
E053/22 Capital Framework – IST Contracts Update
E054/22 Capital Projects – Scoping Contracts Update

E055/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.25 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
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- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 10 February 2022 in the Council Offices, Ballyronan Road,
Magherafelt and by Virtual Means**

Members Present	Councillor Molloy, Chair Councillors Ashton*, Black*, Burton, Clarke*, Corry*, Cuddy, Doris*, Elattar*, Hughes*, Kerr*, McNamee, Milne*, Monteith*, Quinn* and Wilson
Officers in Attendance	Mr McCreesh**, Chief Executive Ms Campbell, Strategic Director of Environment Mr Gordon, Assistant Director of Health, Leisure and Wellbeing Ms Linney**, Assistant Director of Development Mr McCance, Head of Culture & Arts Ms McKeown**, Assistant Director of Economic Development, Tourism & Strategic Programmes Mr McGinley, ICT Support Mrs Grogan, Democratic Services Officer
Others in Attendance	Mrs Maria Curran***, MEGA Councillor McFlynn***

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D020/22 Apologies

None.

D021/22 Declarations of Interest

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

Councillor McNamee declared an interest in Development Report – Strategic Grants – Cookstown AOH.

Councillor Kerr declared an interest in Development Report – DFC Emergency Funding– Coalisland Community Food Bank.

D022/22 Chair's Business

Councillor Corry said that it was a while from there was an update on the project relating to Women's Aid to provide accommodation and enquired if there was recent update on progress.

The AD: Development advised that presently there was a paper with SMT which was proposed to go to Policy & Resources Committee this month; discussions have been continuing with APEX, the partner proposed by Women's Aid, looking at the process for Council to engage with them re the provision of the housing for Women's Aid.

D023/22 Deputation: MEGA

The Chair welcomed Mrs Maria Curran, Project Director from MEGA and invited her to make her presentation (appendix 1).

Mrs Curran advised members that the MEGA Network's vision was to advance and grow world-class manufacturing and engineering by attracting, developing and retaining our people.

MEGA's mission was:

- To promote the manufacturing and engineering sector as a source of high-value, long term employment
- To create transformational career opportunities that deliver skills for life
- To support our manufacturing and engineering sector with education and skills development aligned to industry needs.

Mrs Curran updated members on MEGA 2025 Strategy which included its strategic aim, key themes, strategic objectives, key projects and measured results.

The Chair thanked Mrs Curran for her impressive presentation and congratulated the group on the work done to date and wished them well for going forward going from strength to strength. He said that he heard the piece on Radio Ulster about MEGA this evening which was very good and sells what young people were getting out of it, being able to go through a degree course and come out at the other side without any debt and actually be paid for their training and their education as they go along. He said that it was a massive thing for young people to come out of their education without the burden of huge debt for most of their working life.

The Chair asked members if they had any comments to make.

Councillor Black thanked Mrs Curran for her attendance tonight as he had proposed a number of months ago that she would be invited to provide an update to members on the project. He said that it was obvious that the organisation was doing some great work and

putting in place a real attractive alternative career path for the young people in the Mid Ulster area. With the area having such a strong reliance on the manufacturing and engineering sectors, this is bible for the future of these companies and for the local economy. He thanked Mrs Curran for all the work the organisation was doing and looked forward to supporting them the best we can as a Council and wished the organisation well for the future.

Councillor Kerr thanked Mrs Curran for her report and to take this opportunity to congratulate and offer support to all the new and existing companies within MEGA in the Mid Ulster region. He stated that we had experienced an economical crisis which helped create employment opportunities and stability through the most difficult of times. He advised that successful companies could not operate on a vacuum and also paid tribute to the employees of these companies who had worked through the most difficult of times also and felt that this may be the time for employers and employees to start forging a new era in local industry. He suggested the employers and employees have a great opportunity to lay down the foundations for long-term relationships and for long term growth and sustainability in a post Covid world of industry. He said that there was a demand from many workers he had spoken to in relation to job security and stability and he would ask all industry representatives on MEGA to explore the potential for greater representation in what we all hope will be a thriving industry and industrial culture within Mid Ulster. He stated that this would be a perfect period for our Council to initiate a forum where representatives of industry, workers and communities could meet on a regular basis to firm up ideas on pursuing wealth creation, long term stable employment, workers protection and community development. It was his belief that a successful and thriving industrial region will work much better working with trade unions, employer federations and representatives from Council and trade councils.

Councillor Monteith said that it was off a similar line to previous comments and had raised this issue before in relation to funding. He said that it was slightly disappointing to see that there wasn't much input from workers and trade unions and asked what the plans were from MEGA to integrate workers views at a strategic level and not just at a consultative level. He said that it was imperative that trade unions were involved at a strategic level regarding this project as rightly or wrongly there was a perception out in the public domain that the engineering sector was not that welcoming to trade union organisations or for workers who seek trade union representation and a message needs to go out clearly to workers that they are free to and welcome to trade union representation throughout this sector and indeed throughout all other sectors.

Mrs Curran stated that this may not be within her remit to answer Councillor Monteith's question as she represented industry and this needed to be the industry voice themselves that would need to answer this on trade unions. She said that this hadn't been a huge topic of discussion within the MEGA network.

Councillor Cuddy advised that it was a very good presentation but enquired if there was any part for the three local enterprise centres within MEGA's future plans.

Mrs Curran said that she couldn't confirm as she had only dealings with Dungannon Enterprise Centre and enquired of Councillor Cuddy how he would see the organisation partner with enterprise centres.

Councillor Cuddy advised this was working towards the manufacturing and engineering sector and the presentation talked about existing members and new businesses starting up all the time with the enterprise centres doing their best and felt they should be part of the bigger process and something that we should be thinking about in the future.

The Chair thanked Mrs Curran for her attendance at the committee tonight and she withdrew from the meeting at 7.26 pm.

Matters for Decision

D024/22 Development Report

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

- Community Grants - to agree the rolling grant awards – Local Community Festivals, Good Relations and the Strategic Events
- DFC Emergency funding – to approve the additional DFC emergency funding for the provision of the social supermarket concept
- Seamus Heaney HomePlace – to approve the new pricing plan for Seamus Heaney HomePlace and Open Ground
- Good Relations Plan 2022-2023 – to approve the plan for submission for funding under The Executive Office TBUC strategy
- Community Access and Inclusion – Accessible Benches Support – to agree the awards for accessible benches to community facilities
- DfC Real Living Wage Salary Uplift for the Welfare Reform Support Project – to approve the direct transfer of finance through the community support programme
- Generalist Advice Contract – approval sought for the tender award for the advice service
- Development - to update on Development.

Councillor Black said although this may be unrelated he wished to raise the issue of funding for Cookstown 100. He said that it had come to his attention that this year marked 100 years of this event being in operation and the organisers were quite keen to try and mark the event. He said that he was aware that the Council do support it financially, however with these further events would like this tied into the event this year and asked if it would be possible for officers to go away and have a look to see if there was any further funding which could be tapped into or potentially redirected to try and assist with this request.

The Chair said that he was confident that officers would investigate this.

The AD: Development said that in relation to the grant funding, this would be via the grants process but in relation to the additional receptions, these can be looked at.

Proposed by Councillor Doris
Seconded by Councillor Clarke

Resolved To propose the Development Report as detailed below:

- **Community Grants**

Resolved That it be recommended to Council to approve the rolling grant awards from rolling programme for Local Community Festivals (1 application £720), Good Relations (2 applications totalling £1920) and Strategic Grants (1 application £3,000). Total amount awarded £5,640 as detailed in appendix 1 of the report.

- **DfC Emergency Funding**

Resolved That it be recommended to Council to approve additional DFC emergency funding of £74,580.89 for the provision of the social supermarket concept.

The Chair referred to the social supermarket concept and said that he was aware of some social housing associations delivering social supermarkets, with a particular one in Derry which some people had visited previously. He said that foodbanks do some excellent work, but they were exclusive to those which are referred largely to them and enquired if there was anything that this Council could look into to experience some of the social supermarkets which were out there in the different areas.

The AD: Development advised that the Derry City model had been looked at and was aware that a number of local social housing associations had went down to investigate and were liaising with DfC in relation to the potential to provide a similar structure here; but with the funding which was to be allocated this year it was too early for them and not well enough developed. When Council spoke to the foodbank network i.e. the foodbanks and St Vincent de Paul, they felt they weren't at the stage to move to the social supermarket element because they were still getting quite a number of referrals in relation to the actual people experiencing emergency and food poverty. She advised that a few organisations were currently looking at the model but for them it was still a very early concept, although still on the agenda.

- **Seamus Heaney HomePlace**

Resolved That it be recommended to Council to approve the new pricing plan for Seamus Heaney HomePlace and Open Ground.

- **Good Relations Plan 2022-2023**

Resolved That it be recommended to Council to approve the plan for submission for funding under The Executive Office TBUC strategy.

Councillor Monteith advised that the Council fund and help contribute to Mid Ulster Voice and previously they had raised the issue of democratic rights and voting for young people at the age of 16 and 17. He was aware of members receiving an email a few weeks ago from Students Deserve Better Campaign and was also aware of the group being in attendance previously regarding some welfare and poverty issues of students which they were experiencing.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to Council to invite Students Deserve Better Campaign back to speak to members on their campaign to extend the democratic franchise to 16 and 17 year old. Mid Ulster Voice be also tied into that meeting and be given the opportunity to attend.

- **Community Access and Inclusion – Accessible Benches Support**

Councillor Doris said that this was greatly welcomed as there was a few places within her area of Brocagh, Donaghmore and Stewartstown which all have a disability friendly piece equipment in all of the parks. She said that this was a good addition and nice to see that we are being more conscious and going that extra mile to accommodate people so that they can be included. She thanked DfC and Minister Deirdre Hargey for the funding to implement this.

Councillor Corry declared an interest in Community Access and Inclusion – Accessible Benches Support as a member of Moneyneena & District Development Association.

Councillor Corry said that it was great to see these benches being implemented as it was a wide ranging area which would make a massive difference to people's lives.

Councillor Burton declared an interest in Community Access and Inclusion – Accessible Benches Support – family link to Bawn Silver Band.

Resolved That it be recommended to Council to agree the awards for accessible benches to community facilities

- **DfC Real Living Wage Salary Uplift for the Welfare Reform Support Project**

Resolved That it be recommended to Council to approve the direct transfer of finance through the community support programme

- **Generalist Advice Contract**

Resolved That it be recommended to Council that approval be granted for the tender award for the advice service

Councillor Monteith referred to the generalist advice and asked if the Council could get involved to get answers for a section of our community; as he knew from speaking to different agencies and advice workers there is an issue around women's pensions and money they are entitled to and struggling with the process, this includes backdated pensions some of which go back decades. He said that he had been speaking to those who may or may not be applicable for backdated money and it was impossible to get any adequate information. He said that it was imperative that this is dealt with and that accurate information needed to be provided to get a resolution.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended that Council write to DfC and the Head of the Pension Service requesting that a dedicated helpline be made available for people to obtain accurate information to make sure it was being dealt with appropriately.

- **Development Report**

Resolved That it be recommended to Council to note the update on Development.

D025/22 Sports Representative Grants

The AD: HL&W presented previously circulated report to present to Members the proposed community grant allocations for the Sports Representative Grant – Teams and Individuals (January 2022).

Proposed by Councillor McNamee
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to note the contents of the report and grant approval for the sports grant allocations as recommended to the value of two individuals £475.

D026/22 Health, Leisure & Wellbeing Scale of Charges 2022/23

The AD: HL&W presented previously circulated report to provide information to members on the proposed Scale of Charges April 2022 – March 2023 for the Health, Leisure & Wellbeing service area and to seek approval to implement from 1st April 2022.

Proposed by Councillor Wilson
Seconded by Councillor McNamee and

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

- Appendix A: Health, Leisure & Wellbeing Scale of Charges 2022/23
- The adoption of the proposals outlined in section 3.4 for the National Pool Lifeguard Qualification
- Discretionary pricing flexibility to continue to be considered as and when required under the Scheme of Delegation to allow scope for sales promotions, official Council supported events, member service issues, site specific usage trends, etc.

D027/22 Corporate Events 2022

The AD: HL&W drew attention to the previously circulated report to provide information on the proposed Mid Ulster District Council Corporate Events Programme for April 2022 – March 2023 and sought approval to proceed at risk in light of the changing circumstances with the Covid-19 pandemic.

In light of the Covid pandemic and due to the corporate events programme being “on hold” since March 2020, an opportunity exists to review the current portfolio of council corporate events within the wider tourism and economic context along with their capacity to deliver against key corporate objectives. Approval is sought to procure and engage specialist support to conduct a review and make recommendations for future consideration by Members.

Councillor McNamee wanted to thank the AD: HL&W for bringing this report tonight and would be happy to propose it. He said if the committee recalls at the last meeting in January, he had proposed that officers go away and look at this, particularly the Continental Market in Cookstown and then other members weighed in with events in their own areas. The whole thing behind this was we had to prepare ourselves like other organisations which were planning for events to take place this year and hoped with road closures and things like that, we would be well placed and was looking forward to a good few events this year.

Councillor Doris said that she would be delighted to second the report as the events had been a massive miss over the last two years and was looking forward to going to a lot of them particularly the Newell Stores 10k in Coalisland and great to have everyone back together again.

Proposed by Councillor McNamee
Seconded by Councillor Doris and

Resolved That it be recommended to Council to note the contents of the report and grant approval for officers to:

- (a) Proceed “at risk” with the enclosed schedule of Corporate Events for 2022
- (b) Procure and engage specialist support to conduct a review on the current portfolio of Corporate Events and make recommendations for future consideration by Members.

In response to Councillor Cuddy’s query, the AD: HL&W advised that it was proposed that a specification be put together, there were bespoke events management companies which a number of Councils having gone through this process in the recent months. He felt that this could be an opportunity coming into the year end as we haven’t accrued a significant amount of expenditure this year towards the corporate events. It is proposed that a quick procurement process take place within the next few weeks, relatively short process, come in look at the viability, look at demographics and members suggestion to do a workshop also and then bring back a report. He said that the aim this year was to get back to work where we were pre 2020 and this was really about looking ahead to 2023 and any opportunities which may be available to council and also what funding mechanisms which may be available also.

Councillor Burton said that Councillor McNamee reminded her of the wider community which were trying to get involved in big events and probably was like starting all over again and a lot of things can change very quickly regarding Covid. She said that it was her belief that Clogher Valley Show was planning to go ahead in July of this year and felt that it would be very important if staff could engage early with the group to provide support to the show, especially with Covid, as it has been a huge loss to the rural towns and villages as it accumulated a large gathering of people to the area. She said that it was really good to

see some of these events coming back again and important to provide the best support we can.

D028/22 Extension to the Partnership Liaison Officer Post Shared between Councils and HSENI

The AD: HL&W drew attention to the previously circulated report to provide Members with information on the extension of the Partnership Liaison Officer post between the Health and Safety Executive for Northern Ireland (HSENI) and Councils and to seek approval to continue with the Mid Ulster District Council's financial contribution until 31st March 2024.

Proposed by Councillor McNamee
Seconded by Councillor Corry and

Resolved That it be recommended to Council to note the contents of the report and grant approval to continue with the provision of annual funding towards the Partnership Liaison Officer until 31st March 2024.

D029/22 Additional Funding from the Office of Product Safety and Standards

The AD: HL&W drew attention to the previously circulated report to provide Members with information on additional funding that is available to Council from the Office of Product Safety and Standards (OPSS) to undertake a project on Construction Products and to seek approval to accept the funding letter of offer.

Proposed by Councillor Kerr
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to note the contents of the report and grant approval for Council to accept the letter of offer and funding up to £9,999 from the OPSS to complete the identified project, and that previously attached award letter between Mid Ulster District Council and the OPSS is signed and returned to OPSS.

D030/22 Economic Development Report – OBFD

The AD: EDT&SP presented previously circulated report to provide members with an update on key activities and sought approval for the items listed below.

It was

Proposed by Councillor Doris
Seconded by Councillor Clarke

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

- **Promotions and Shows 2022-2023:** The tourism team despite Covid continue to work in association with Tourism NI, Tourism Ireland and other strategic partners

to maximise tourism promotion of our key attractions, experiences and businesses targeting core ROI, UK & US markets.

These promotions are now delivered in a hybrid format with in some cases a virtual only platform while in others there may be a period of time in market and a virtual option for those not attending in person. In some cases the format of these events are yet to be finalised for 2022 – 2023, however, it is hoped with the lifting of Covid restrictions we will be back in market in the latter part of this year.

The key shows and events the tourism team plan to attend are listed as follows:

- European Tourism Association Britain & Ireland Marketplace, 1st February 2022 (online)
- Meet the Buyer, 31st March 2022
- Explore GB, 22nd March 2022 (format tbc)
- Clogher Valley Show, July 2022 (format tbc)
- Great Days Out, Autumn 2022, targeting the domestic market group business (format tbc)
- Irish Tour Operators Association workshop, November 2022 (format tbc)
- World Travel Market, London, November 2022 (format tbc)
- Holiday World, Dublin, January 2023 (in show)
- Celtic Connections, Glasgow, January 2023 (format tbc)
- Meet the Industry, networking across domestic tourism operators, January 2023

Resolved That it be recommended to Council to –

- (a) Note the contents of the report
 - (b) Approve permission for staff to attend all the aforementioned promotions and shows in 2022/2023.
- **ATCM Membership Renewal 2022-2023:** ATCM is a respected voice for town and city management at both a European and wider global level. They are a not-for-profit organisation with members across the public, private and third sectors. They include key stakeholders and thought leaders who develop and implement shared visions, strategies and action plans for town and city centres throughout the UK and Ireland.

Resolved That it be recommended to Council to approve Council's renewal membership with ATCM for 2022-2023 at a cost of £570 (excluding Vat).

- **Consultation: Statutory Performance Improvement Indicators/Standards:** Under the Local Government (Performance Indicators and Standards Order (Northern Ireland) 2015), statutory performance indicators and standards have been set as part of the performance improvement arrangements for district Councils. Performance measures have been specified for the functions of: Economic Development (specifically, in this case, Business Start), Planning and Waste management, on which to report annually, as part of the performance improvement arrangements for district Councils. The aim of the performance measures is to promote the improvement of service delivery for the functions

10 – Development Committee (10.2.22)

specified. As detailed on **Appendix 2**, Consultation Responses are to be submitted by 28 February 2022.

Resolved That it be recommended to Council to approve Council's draft response to the Consultation, subject to any comments from the Policy & Resources Committee (3 February 2022) and seek permission to submit to Department for Communities by 28 February 2022.

By way of update the AD: EDT&SP advised Members that Council's Policy & Resources Committee on 3 February 2022 recommended the report be approved and made no further comments.

- **Town Centres Cleansing:** At the Development Committee in December 2021, it was approved that a company be appointed to deep cleanse the 5 towns within Mid Ulster.

The AD: EDT&SP advised that since the report was circulated to Members there are four additional areas to be included in the Dungannon cleansing maps, these are Northland Row, Church Lane, Shambles Lane and Babe's Entry.

Councillor Doris said that she appreciated that the hand over from the contractor of the Coalisland public realm scheme to Council has yet to take place and that she understood that they should still be doing the cleansing at this moment in time but the dog dirt on some of the pavements were just clean rotten and was looking to see if the officers could put a push on them to address this huge problem.

The AD: EDT&SP advised that Fox Contracts has been requested to do the full clean of the public realm.

Councillor Monteith said that he was glad to see Babe's Entry and Shambles Lane included to the project. He referred to the top of Donaghmore Road which was a thriving retail area which consistently gets ignored despite the fact it was one of the few areas which has been a success story in the town in relation to open retail.

Proposed by Councillor Monteith

That Donaghmore Road be included in the programme of works.

Councillor Kerr said although again we were concentrating on the 5 larger settlements across Mid Ulster, he felt that the Council should be fighting for the larger villages hamlets in the area. In the Torrent area itself we have Donaghmore, Stewartstown and the Loughshore areas, there were also legacy issues there with the likes of the Cappagh Public Realm with the Council still maintaining a bit of ownership and maintenance and would like comments brought back if there were any further funding available for street cleansing can it be considered for larger villages and settlements.

Councillor Kerr advised that he had met the SD: Environment last year regarding the Cappagh Public Realm scheme and it was agreed that a report would be brought back to Environment Committee and asked that an update be provided. He said that he was

aware that powers were handed over from Environment to Development Committee and was unsure where it fell within the remit, but asked if this could be followed up.

The SD: Environment agreed to follow this matter up.

The Chair, Councillor Molloy said that he would be happy to second the recommendation as long as there was agreeability there.

Councillor McNamee said that he would like to add in other areas within Cookstown also and asked if this was an option or just the recommendation which was in front of members tonight.

The SD: Environment advised that the options outlined tonight was a specific piece of work, however it was something which has been highlighted in her role within Environment and some Councillors sitting on the Environment Committee in that. Currently, we just essentially pick up litter in the town centres and villages and not very much else. She said that now the public realms have gone in, one of the tasks she had asked her Assistant Director to look at was to put in a more proactive programme rather than reacting to issues which were raised by the public or by members. With some of the maintenance budget which was now available, a programme can be put together as part of this process to look at the main towns to see what needed to be done and how regular, as there was an onus on Council to keep these places well and a piece of work which will be engaging members views.

Councillor Wilson in following up from Councillor McNamee's comments referred to specifically Cookstown where there were a number of areas which could be added on but stated that some of these actually belonged to Road Service and was wondering if there was any piece of work which could be done in conjunction with Roads Service to try and tidy up various areas. He suggested that this should also include the Housing Executive to make it a multi-agency approach to it, due to the fact that the rates being put up by quite a bit, there might be more money available now.

The SD: Environment said that this would be followed up.

Resolved That it be recommended to Council to –

- (a) Note the contents of the report
- (b) Approve the deep cleansing of paved areas in Dungannon, Cookstown and Magherafelt as defined on the maps on Appendix 4.
- (c) Approve that Council proceed to procure the services required immediately to allow the works to be completed in this financial year at a cost in the region of £15,000. Subject to existing economic development budgets in 2021/22 being available, permission is sought to have the flexibility to increase the budget, if needed, should the said works cost in excess of the estimates, taking due care not to exceed tender threshold limits.
- (d) Northland Row, Church Lane, Shambles Lane, Babe's Entry and Donaghmore Road, Dungannon to be included on the programme of works for street cleansing.

- **Mid Ulster Labour Market Partnership (LMP):** Council previously agreed to participate in the development and delivery of a Local Labour Market Partnership (LMP) under the Employability NI Programme led by the Department for Communities. The aim of LMPs is to improve employability outcomes and labour market conditions locally by working through coordinated, collaborative, multiagency partnerships. It is the Council's intention that the Mid Ulster LMP will be industry-led; developing and delivering activities relating to skills development, training and employability programmes in the local area.

Councillor Monteith referred to LMP and said that within the document plan it talked about the membership and he did appreciate that this document wasn't written by ourselves. He said that within the document there was no mention of any worker or trade union membership on the project at this stage and sought clarification if this was correct.

The AD: EDT&SP advised there was a trade union representative sitting on the LMP.

Councillor Monteith said that when he went through the document all he seen was 'employer, employer, employer' and seen nothing about employees, work place safety, terms and conditions amongst other things and most certainly a document in his mind that has been written by employers with very little workers input and not a document that accurately reflects the needs of the working population in this area.

Councillor Kerr concurred with Councillor Monteith's comments and referred to the welding academy and comments made by himself and said this was to be very welcomed. Whilst going through individual points as Councillor Monteith alluded to, it seemed to be very employer focused upon i.e. annual employer survey, improve employer participant knowledge, existing employability and key messages. He remembered taking part in the Food for Thought session and his issues were predominately trying for workers retention was to improve workers' rights, but there seemed to be very little mention of workers' representation, trade unions or even trade union councils. He said that he would like his comments brought back as he felt there was a significant amount of public money going into this investment and at the end of the day the masses needed to be asked the question on how we were going to improve the working conditions for the ordinary working class individual. He stated that there was a need to encourage trade union representation in all sectors and there was also the need to encourage employers collectivism and when workers' rights were compared to those in mainland Europe or Scandinavian countries, we are very far behind and there is a need to have a greater focus on what we can do to help the ordinary worker instead of it being directed towards bosses and Directors.

The Chair referred to 3.5 where it did list the members of LMP, with trade union being listed there. He said that he was unsure where it featured within the group itself but it was listed on the group of members.

The AD: EDT&SP stated that the critical point this evening was that agreement was needed on the plan to draw down the money, in the event that we don't get it submitted, then we are at risk of losing the funding. She said that elected representatives sit on the LMP board as well as all the other sectors that serve on the partnership and had fed into the consultations. She advised that the nature of the funding is to develop initiatives to assist the creation of jobs, training opportunities etc to improve opportunities in the local labour

market. She acknowledged members views on worker's rights but indicated this would not be eligible for funding under the scheme.

The Chair felt that as these conversations evolve, these would come out as part and parcel of it for employability of the area and the improvement of workers' rights and would be confident that this would sit hand in hand and would be disappointed if it didn't.

Resolved That it be recommended to Council to –

- (a) Approve the draft Interim Mid Ulster Employability Action Plan 2022-23 for submission to the Department for Communities (DfC).
- (b) In the event Council receives a funding offer from DfC to support LMP activity in 2022-23 to approve delegated authority be awarded to the Chief Executive to accept the Letter of Offer and proceed immediately to procure external delivery agents to implement the range of initiatives outlined in the draft Interim Mid Ulster Employability Action Plan 2022-23.
- (c) Approve a Letter of Offer for £50,471.40 from the Department for DfC for Administration costs 2021-22 and authorise the Chief Executive to sign and return the form.
- (d) Approve an allocation of £16k within Administration and set-up costs in 2021-22 to immediately procure professional technical to support the development of specifications for the range of initiatives outlined in the draft Interim Mid Ulster Employability Action Plan 2022-23.
- (e) Approve retrospectively a Letter of Offer for £50k from the Department for the Economy (DfE) and authorise the Chief Executive to sign and return the form by 8th February 2022.

Matters for Information

D031/22 Minutes of Development Committee held on 13 January 2022

Members noted Minutes of Development Committee held on 13 January 2022.

Councillor McNamee referred matter which was raised at Environment Committee regarding the new team which was brought in to monitor littering and dog fouling and was advised that this issue would be brought to this committee now. He asked that a report be brought to a future meeting on progress to date.

Agreed that an update be brought to a future meeting.

Councillor Monteith referred to discussion raised at the last meeting regarding the railways. He advised that there was quite a good response to the ongoing consultation, but there had been quite a number of the public which had been in touch with him since the closing date who were keen to get their views brought forward.

Councillor Monteith said that as it was agreed before that we would work with ABC Council who seemed to be leading the way for this. He proposed that there should be an opportunity to carry out our own consultation to feed this through as this had captured the public imagination.

He said that it would be beneficial to build up a bit of steam on this, it would be a very worthwhile project and something the vast majority of our community and others would welcome back and something worth doing.

He said that it would be important to investigate if there were opportunities to allow the public to still feed into the process and for us as a Council to open up something on our website for a time especially when the public were so enthused on the issue and important to capitalise on that. He said that there were plenty consultations out there which was like pulling teeth to try and get people involved in them, but the railway initiative was one which has captured peoples thoughts.

Proposed by Councillor Monteith

That the Council investigate opportunities for still allowing the public to feed into the process and the possibility of this Council opening up an avenue on our website for a time to allow this.

The Chair said that it was his understanding that this Council would open the process up to the public to allow for submission with creating those responses.

Councillor Monteith agreed and said that the Council would need to liaise with the organisers first to see if it was possible and if not possible then so be it.

Councillor Cuddy advised that he had proposed this the last time and said that no-one knew whether there was any success in it or not, but there were clever people out there and may not be talking about the path which was originally there. He said that when there was a bit of a push and a feel out there, especially when there was so much work being carried out by ABC Council, it was important that this Council carries out a certain amount of groundwork. He stated that this was not going to cost an absolute fortune and would be beneficial if we could get our case in behind ABC Council which would do no harm. He said that he would have pleasure in seconding Councillor Monteith's proposal and hoped that a quality paper could be brought forward to help ABC Council.

Seconded by Councillor Cuddy

Resolved That it be recommended to Council to investigate opportunities for still allowing the public to feed into the process of the railways consultation and the possibility of this Council opening up an avenue on our website for a time to allow for this.

Councillor Burton concurred with Councillor Monteith's comments and said that she had heard in Aughnacloy the previous day from a local man who gives historical talks, that there had been a meeting with the young people. She felt if we were ever going to move ahead with better railway infrastructure we needed to push forward the best we can when there was some mention and support for it. She said that it was her understanding that ABC Council were trying to get the railway extended from Portadown to Armagh which was their main focus, which may not be the original route which may be the way of it, but by the same token she still believed that we need to try and get less people travelling in cars, as she was aware of some people saying that if it was impossible to keep the roads how were they going to bring the railways back. She said if there was ever a better

system, there was definitely more people would use it and the best way to pursue this is to have a good connection where people, good connectivity right across the board would be amazing to have the railways back and a crime that they were ever taken away in the first instance. She referred to a previous meeting regarding tourism which ICBAN attended, she had enquired if they had fed into the consultation to try to ensure that everybody's singing of the one hymn sheet. She said that this wouldn't just be beneficial to tourism but also great for families and businesses right across the board.

The Chief Executive advised that the railway discussion was prominent within the Growth Deal membership across the three Councils and said that Councillor Wilson who was a member, would be aware that it was talked at length at the last governance reference group by the members. It was agreed that we would lobby hard as a sub-regional through Councils – ABC, Mid Ulster and Fermanagh & Omagh in relation to the response to that and hoped that our voices would be heard at a more strategic level also.

He stated that the current proposal for the lines through Dungannon, even though they are reasonable, they did exclude pretty much the rest of Mid Ulster which cannot be accepted. We want a railway line which serves the A29, Mid Ulster, Dungannon, Coalisland, Cookstown, Magherafelt and Coleraine as it used to be. He referred to the group who have been lobbying hard for this in West Tyrone and suggested that it may be worthwhile if they could be invited to the next Development Committee to try and get a response in. It might generate more media air time if we get the group into the Chamber and let them pitch to the members, who will then express through this committee their views and aspirations for the railway line and traction more publicity.

Councillor Clarke agreed with what the Chief Executive had said and should be pursued. He suggested bringing up which was proposed and agreed regarding the railway line from Cookstown to Gortin which never materialised. He said that it would be useful to include this on the agenda also.

Councillor Corry said that she would be happy to support the Chief Executive's suggestion. She said that she had also commented on the reasoning as to why a lot of Mid Ulster wasn't covered on any railway checks which was a missed opportunity and felt that this Council should be having a say as loud as we possibly can.

Proposed by Councillor Corry
Seconded by Councillor Molloy and

Resolved That it be recommended to the Council invite Into the West to the next Development Committee to update the committee on their future plans in trying to bring the railway to the north-west, where rail links are largely absent, particularly in counties Tyrone, Fermanagh and Donegal.

D032/22 Update on Master Plan for Lands at Mullagh Road, Maghera

Members noted update following the appointment of Outdoor Recreation Northern Ireland (ORNI) to develop a Master Plan for the potential development of lands between Mullagh Road/Tobermore Road as an outdoor recreational green space for the Maghera area.

Councillor Corry wished to thank the team for taking the paper forward and was great to see this getting to this stage. She said that she was aware of the public survey online at the minute with a public engagement and would encourage people to participate as it was a great opportunity for the opening up of green space and recreation areas in the Maghera region.

D033/22 Economic Development - OBFI

Members noted update on key activities as detailed below:

- Mid Ulster Economic Recovery and Growth Plan
- ICBAN Report (2021/22)
- NI Apprenticeship Week (NIAW 2022)
- International Women's Events

Live broadcast ended at 8.15 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Wilson 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 D034/22

Matters for Decision

D034/22 Tender for Children's Play Park Facilities
D035/22 Appointment of an Additional Public Analyst
D036/22 Economic Development Report – CBFD

Matters for Information

D037/22 Confidential Minutes of Development Committee held on
13 January 2022.

D038/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.35 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.

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 24 February 2022
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	E Forde, Member Support Officer

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

1.0	Purpose of Report				
1.1	To consider approval of request(s) for civic recognition from members, in line with council's current <i>Civic Honour and Receptions Policy</i> .				
1.2	In the context of the Coronavirus outbreak in March 2020, the Council has been transacting essential business only from this period. Reports on civic recognition have not been considered over this period however given the relaxing of certain restrictions by the NI Executive it is hoped to reconvene civic recognition receptions where it is possible to do so in line with current guidance.				
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	<u>Recognition</u> <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></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
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					

	<div> <p>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</p> </div>
2.3	<p><u>Processing the Request</u></p> <ul style="list-style-type: none"> • Reviewed against the policy/criteria • Reviewed to identify if recognition provided for similar achievement within 3 years prior to this • Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception • Requests not meeting criteria will be recommended to receive letter from Council Chair
2.4	<p>Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.</p>
3.0	Main Report
3.1	<p>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.</p>
3.2	<p>In April 2020 it was resolved that due to COVID a letter together with an award would be posted to Civic Reception and Civic Honour recipients. Due to lifting of restrictions around COVID it is the intention going forward to cease this process and resume hosting receptions where current guidance permits.</p>
	<p>Requests from External Bodies</p>
3.3	<p>Correspondence has been received from the County Tyrone Super Cup Football Association requesting that the Council host the launch of the Super Cup in early June 2022.</p> <p>The Council Chairperson last hosted a reception for the launch for the Tyrone teams participating in the Super Cup NI tournament in 2017 which at that time cost approximately £400. It was agreed in February 2020 that a further reception would be hosted but this was cancelled due to the Covid 19 pandemic. Refer to appendix A for the request from the Secretary of the County Tyrone Super Cup Football Association.</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	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 B: Tyrone Super Cup

Appendix A: February 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
St Mary's Grammar School, Magherafelt	Danske Bank Ulster Schools MacRory Cup Winners	Cllr D McPeake Cllr Totten Cllr Corry Cllr McFlynn Cllr Kearney	<ul style="list-style-type: none"> Won first place at Competition 	For: Not Applicable Date:
St Patrick's Academy	Danske Bank Ulster Schools Corn na nóg winners 2022 Gaelic Football	Cllr Monteith Cllr Kerr	<ul style="list-style-type: none"> Won first place at Competition 	For: Under 16 Camogie Dec 21; Basketball July 20, Camogie Senior Team Feb 20 & Jul 20 (letter)
Sarah Devlin	2021 Gaelic Life Ulster Club All Star Football Team of the Year	Cllr Kerr Cllr N McAleer	<ul style="list-style-type: none"> Outstanding Achievement 	
Ryan Kelly	2021 Gaelic Life Ulster Club All Star Football Team of the Year	Cllr Kerr Cllr N McAleer	<ul style="list-style-type: none"> Outstanding Achievement 	For: Tyrone Life Young Hurler Jan 22
Laura McGuckin	Celtic Masters Dance Festival First in the Pro AM	Cllr Doris Cllr Oneill	<ul style="list-style-type: none"> Won first place at Competition 	

Derrylaughlan Kevin Barry's GAC	Ulster Club Camogie Junior B Final	Cllr Doris Cllr Oneill Cllr Kerr	<ul style="list-style-type: none"> Won first place at Competition 	For: Not Applicable Date;
Clogher Valley Rugby Club	All Ireland Junior Cup (First Team) Under 16 Boys won the Provincial League	Cllr Graham Cllr Burton	<ul style="list-style-type: none"> Won first place at Competition 	For: Not Applicable Date:
St Colm's High School	Ulster Schools Senior Medallion Shield Camogie Champions 2022	Cllr Elattar Cllr Corry Cllr B McGuigan	<ul style="list-style-type: none"> Won first place at 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
Richard Thornton (Assistant Manager Kilcoo GAA)	On the Management Board of Kilcoo GAA Co Down who won the All Ireland Club Championship. Richard resides in the Borough and is a member of GAA in Mid Ulster	Cllr Kerr Cllr Kearney
Mickey Moran (Manager Kilcoo GAA)	On the Management Board of Kilcoo GAA Co Down who won the All Ireland Club Championship. Mickey resides in the Borough and is a member of GAA in Mid Ulster	Cllr Kearney
Conleith Gilligan (Assistant Manager Kilcoo GAA)	On the Management Board of Kilcoo GAA Co Down who won the All Ireland Club Championship. Conleith resides in the Borough and is a member of GAA in Mid Ulster	Cllr Kearney
Clogher Valley Under 16 Girls	Won first round of the Cup Competition	Cllr Graham & Cllr Burton

From:

Sent: 15 February 2022 23:11

To: chair@midulstercouncil.org

Subject: Tyrone super cup

Dear Chair,

As Secretary of County Tyrone Super Cup (ex milk cup) we would like to ask Mid Ulster Council if they would kindly host a launch for our 36 players who have been selected to represent their County at this years Super Cup NI Tournament in the North Coast in July.

The tournament starts with an opening ceremony on Sunday 24th runs to the friday 29th this year.

We feel is important for our players to be supported by the council areas and its a way of showing your support by wishing them good luck at the tournament.

Each year we invite a council to host this launch, Fermanagh/Omagh did it in 2018 and Derry/Strabane in 2019 so its Mid Ulsters year in 2022.

If you would be happy to do this for us we would really appreciate it.

We would like this to take place in the week starting 27th June if possible.

Normal format would be players and parents arriving at a venue selected by yourselves to meet for buffet food at 6.30 and then let us introduce the players and few speeches from Mr Chair, our Chairman and managers.
Evening finishing by 9.30.

If you could give this some thought and let me know if its something your council would be happy to host.

Kind Regards

Secretary of County Tyrone Super Cup

Report on	Conferences, Seminars & Training
Date of Meeting	24 February 2022
Reporting Officer	Philip Moffett, Assistant Director
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 2021-22 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 A 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 B to this report is sought.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Costs to be set against Members 2021/22 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member</p>

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

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NILGA – The Future of Regeneration	10am – 3pm Tuesday 15 March 2022	Civic Centre Craigavon	Conference Fee: Nil Travel	

You are invited to a full-day conference

The Future of Regeneration

nilga
northern ireland
local government association

Highlighting the urgent need for Northern Ireland's councils to finally be transferred regeneration powers.

Where: Craigavon
Civic Centre,
66 Lakeview Road,
Craigavon BT64 1AL

When: Tuesday 15 March 2022

Time: 10am registration – 3pm

RSVP: Click here to register. For any queries, please contact events@nilga.org



Appendix B

Retrospective Approval:-

Details of Courses	Service/ Directorate	No. Attending	Cost	Date	Location
Governance & Leadership Conference	Environment	1 x Director of Environment	£185 +vat (face to face) £105 + vat virtual	23 rd February 22	Belfast/ Virtual

Approval – Conferences -

Details of Courses	Service/ Directorate	No. Attending	Cost	Date	Location
NI Procurement Conference 2022	Finance	1 x AD: Finance & Legal	£225+ vat	24/3/22	Belfast
NI Planning Conference	Planning	1 X Director of Planning	£195+ vat	2 /3/22	Belfast

DecReport on	Correspondence to Council
Date of Meeting	Thursday 24 February 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 Fermanagh & Omagh District Council</p> <p>The Chief Executive has received correspondence from Fermanagh & Omagh District Council regarding a motion carried calling for a Public Inquiry into Northern Ireland's handling of care home residents. Refer to appendix A</p>
3.2	The Chair has received correspondence from Northern Health & Social Care Trust and Southern Health & Social Care Trust following the follow up letter regarding issues raised at the Council meeting 16 December 2021. Refer to Appendix B
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Fermanagh & Omagh District Council Appendix B: NHSCT & SHSCT

Alison McCullagh
Chief Executive



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

Our Ref: Democratic Services

Date: 19 January 2022

Email: democratic.services@fermanaghomagh.com

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

Dear Chief Executive,

Re: Public Inquiry into Northern Ireland's handling of care home residents

At the Council meeting held on 11 January 2022, Fermanagh and Omagh District Council adopted the following Motion:

This Council fully supports the call by the Commissioner for Older People Eddie Lynch for a public inquiry into Northern Ireland's handling of care home residents throughout the COVID-19 pandemic, being the first and to date only local authority to call for such an inquiry.

This council restates our established position and calls on those who previously voted against such an inquiry to reconsider their stance in light of the Commissioner for Older People's remarks and the body of evidence on which this is based.

Furthermore this council calls for scrutiny of procedures under Human Rights legislation, particularly Articles 2 and 3 and demands an inquiry applies these as grounding rules within any Terms of Reference.

This council will write to all Stormont Executive Ministers and the other local authorities to seek their support for a public inquiry into this matter.

As you will note, the motion requests that all Councils support our Council's call for a public inquiry into this matter.

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

The Council asked me to write to all Stormont Executive Ministers and the other local authorities to seek their support for a public inquiry into this matter.

The Council trusts that you will give due consideration to this request.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Alison McCullagh". The signature is fluid and cursive, with the first name "Alison" and last name "McCullagh" clearly distinguishable.

Alison McCullagh
Chief Executive

MH, LD & CW DIRECTORATE

01 February 2022

Mid Ulster Council Meeting – Response to Councillor Questions raised during the meeting on Thursday 16th December 2021

Mental Health Services thank Councillor Kerr for his question in relation to services delivered in the Mid Ulster area and the opportunity to respond.

Mental health services operate across a continuum from community based services which often provide local access to counselling and early intervention; to primary care services which provide low intensity interventions through practice based councillors; to Trust based mental health services which provide medium to high intensity services to those people who experience significant mental health needs.

Mental Health Care within Community and Primary Care Services

As such, counselling services are typically provided across the Northern Trust area within GP practices and by the Northern Well-being Service. The service provider is known as LINKS. The service provides talking therapy and mental health support within the community. The team of counsellors will collaborate with service users to ensure they get the most appropriate form of treatment, helping them to build resilience and learn new mechanisms for coping with difficult emotions and situations. Following receipt of a referral (which can be a self-referral or via the GP), a Counsellor from LINKS, will contact the service user and undertake a triage phone call. Following a discussion, the Counsellor can identify what might be the best course of action and develop a tailored plan. Options might include a group programme, 1-to-1 Talking Therapy, counselling, Cognitive Behavioural Therapy and Community Programmes.



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partnership with our community"*

Community Mental Health Teams

There are nine Adult Community Mental Health Teams in the Northern Trust locality and each provide a service to a population of approximately 50,000 and are aligned to GP practices within each locality. Two are based within the Mid Ulster Locality, namely Magherafelt Community Mental Health Team based in Loughview Resource Centre, and Cookstown Community Mental Health Team based in Cookstown Health & Care Centre. The teams offer assessment, diagnosis and treatment to individuals aged over 18 years old, who are referred to the service with significant mental health needs. The teams deliver services to those with severe and enduring mental health needs, those with moderate to severe levels of health problems such as anxiety, depression, and post traumatic disorders. Mental Health Services in the Northern Trust are committed to a stepped model of care; an approach used to match service users' need to the appropriate level of support and only 'stepping up' to more intensive/specialist services as the people's needs require.

Mental Health Services for Older People

Located on Hospital Road, Magherafelt is the Magherafelt & Cookstown Community Mental Health Team for Older People. This team which is also aligned to GP practices, provides secondary mental health services to people aged 65 years and older, providing services for those with significant mental health needs or a dementia.

Psychological Therapy Services

As noted above, NHSCT Mental Health Services do not typically offer counselling as in intervention as this is largely provided within Primary Care and the Community and Voluntary Services such as LINKS. Rather, within our Trust mental health services, we offer psychological therapy in line with the Stepped Care Model and Regional Psychological Therapies Strategy (DHSSPS, 2010). Psychological therapy within NHSCT is offered across different settings (e.g. community and in-patient) and service areas. In addition, specialist services for those with addictions, an eating disorder or personality disorder also provide psychological therapy. Within the Mid-Ulster locality, these services are provided through services based at the Psychological Therapy Service on the Mid Ulster Hospital site and through a



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range of outreach clinics across the locality.

Supported Living Services

Located in the centre of Magherafelt town is Church Lane Mews. This is a Northern Trust Mental Health Supported Living Scheme provided in 14 bungalows. The service provides support to people with a severe and enduring mental illness, to maximise their potential towards more independent living, using the principles of normalisation, rehabilitation and recovery. Tenancies are not time limited, however it is envisaged that when a service user becomes more independent, they will progress to less supported accommodation in their local community. The service is registered with the Regulation and Quality Improvement Authority, which inspects and monitors the scheme to ensure it complies with the Domiciliary Care Agencies Minimum Standards.

NHSCT Mental Health Services would extend an invite to Councillor Kerr to visit the facilities mentioned above.

Dr Petra Corr

Director Mental Health, Learning Disabilities & Community Wellbeing

Bretten Hall, Antrim Area Hospital Site, Bush Road, ANTRIM, BT41 2RL
Tel: 028 94424321 Email: petra.corr@northerntrust.hscni.net



*"To deliver excellent integrated services in
partnership with our community"*



Southern Health
and Social Care Trust

Quality Care - for you, with you

Chair
Eileen Mullan

**Temporary
Accounting Officer**
Dr Maria O'Kane

Our ref: CX/ew

16 February 2022

BY EMAIL: Eileen.Forde@midulstercouncil.org

Councillor Paul McLean
Chair
Mid Ulster Council

Dear Cllr McLean

I refer to your letter dated 7 February 2022 following up on the Trust response to issues raised at the Council Meeting on 16 December 2021. My apologies for the delay in responding.

Please find attached the additional information requested. I trust this is helpful but please do not hesitate to make contact should you require any further information.

Yours sincerely

pp **DR MARIA O'KANE**
TEMPORARY ACCOUNTING OFFICER/MEDICAL DIRECTOR

Enc

Questions posed to Southern Trust for response:

Question:

**Update sought on the future of the Firs Care Home facility in Ballygawley
(Cllr S McAleer)**

Trust Response:

A Trust media release dated 17 January 2022, included information advising that the Trust continues to progress alternative options for the 6 residents of The Firs in partnership with residents, their families and with input from Independent Advocacy.

Update as of 15 February 2022: The Trust has agreed a new termination date of 24 June 2022, with the owner of The Firs. This situation is being kept under review.

QUESTION:

Mental Health Services Related

Trust Response:

The Trust welcomes the dedication of Council to promoting mental health and well-being for the citizens we both serve.

The Mental Health Strategy 2021 – 2031, is the 10-year strategic direction for mental health services in Northern Ireland, led by the Department of Health (DOH) and co-produced by a variety of stakeholders, including Trusts, Professional Bodies, Service Users and Carers and Community and Voluntary Sector agencies. The Southern HSC Trust contributed both to the development of the Strategy and in response to the consultation document. The Strategy includes 35 Actions (funding dependent) and it is expected that implementation over the next 10-years will be work-stream led and founded on the principles of co-production. The Minister has informed Trusts that for him, Action 31 is a priority for implementation: *Develop a regional mental health service, operating across the five HSC Trusts, with regional professional leadership that is responsible for consistency in service delivery and development.* A draft model for a regional mental health service is currently being developed, led by DOH and the Trust has contributed both at the design and consultation stages. The Trust is committed to the vision and ambition outlined in the Mental Health Strategy and eagerly awaits the opportunity to influence, develop and expand mental health services for our citizens in line with the region.

Current services: The Southern HSC Trust Adult Mental Health Services, in line with other Trusts, provides mental health care at Steps 2, 3, 4 and 5 of the Stepped Care Model. These are described as follows:

- Step 1: Step 1 of the model is based on education/information sharing and typically this role is provided on a population health basis by PHA commissioned services/initiatives and in conjunction with Trusts Promoting Well-Being officers.
- Step 2: Primary Care Talking Therapies: GPs will refer to the Trust for the Well-mind Hub. This is a clinical triage, advice and signposting service provided by registered health care professionals and is for individuals with mild mental health conditions. Individuals will be offered advice on the management of their condition and signposting to supports within their local communities. The Southern HSC Trust does not, at this time, commission Step 2 services, such as counselling, from the Community & Voluntary Sector. The model of Step 2 Talking Therapies varies significantly across Northern Ireland and there is significant differences between the models operated in the Southern and Northern HSC Trust. Community and Voluntary sector organisations typically provide Step 1 and Step 2 services based on funding from PHA / Victims and Survivors Service / PEACE/European Funding sources etc.
- Step 3: Specialist Community Mental Health Services: GPs will refer to the Trust for Step 3 services including:
 - Primary Mental Health Team – gateway to mental health services for adults aged 18+. Provides assessment and intervention for common mental health conditions, including anxiety and depression.
 - Support and Recovery Mental Health Team – specialist community mental health service for the assessment and treatment of severe and enduring mental health conditions, such as schizophrenia, bipolar affective disorder, severe depressive disorder.
 - Community Addictions Team – specialist community addiction service providing assessment and treatment for alcohol and substance misuse, including opiate dependence.

At present, the Trust is undertaking a significant reform of Primary Mental Health Care, in collaboration with East London Foundation Trust (EFLT) and in partnership with a range of stakeholders, including GPs, Community and Voluntary Sector

agencies and individuals with lived experience. In line with the Mental Health Strategy, the Trust is moving to embed psychological therapies into our services and ensure they are available across the Steps of Care. The Steps to Wellness Programme, based on the Improving Access to Psychological Therapies (IAPT) model successfully implemented across England, will provide evidence based, recovery focused psychological interventions to individuals referred to the Primary Mental Health Team. In time, this Programme will also be available to individuals referred to the Step 2 Well-mind Hub.

- Step 4: Highly Specialist Condition Specific Mental Health Teams: Specialist recovery focused teams to include: Adult Eating Disorder Team, Personality Disorder Service, Mental Health Forensic Services, Rehabilitation Team.
- Step 5: High Intensity Mental Health Services: Acute Mental Health Inpatient Unit at Bluestone, Craigavon Hospital and Home Treatment Crisis Response Services.

In respect to a specific question raised in relation to where the Trust would welcome Council **influence regarding the Mental Health Strategy**, as strong promoters of Personal and Public Involvement, the Trust would encourage all citizens to make themselves aware of the strategy and then to contribute to related discussions, wherever the opportunity presents. It is important that individuals realise that the promotion of good mental health is everyone's business.

In respect to a specific question raised in relation to **Investment in MH Services**, the Trust would reflect that expenditure figures in 2018/19 evidenced that in N Ireland we spend £160 per person, whilst the spend in England is £220. The level of need is estimated to be 25% greater in NI.

QUESTION:

What percentage of GPs offering Counselling Services and the waiting time for same? (Cllr Ashton)

Trust Response:

GPs working in General Practice are not employed by the Trust. Therefore, the Trust is not responsible for General Practice and the services they offer. The Trust forwarded this question in respect of GPs offering Counselling Services, to Louise McMahon,

Director of Integrated Care, Health and Social Care Board within the Health and Social Care Board (HSCB). Louise has responded that:

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“18 out of the 26 GP practices in the Mid Ulster Council area provide counselling services. This represents 69% of the Practices in the area. The HSCB does not hold data on the waiting times, however if there are particular issues in this regard of which Councillors are aware, HSCB colleagues will be happy to follow these up”.

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	24 February 2022
Reporting Officer	Philip Moffett, AD of 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 statutory agencies and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DAERA	Joint Fisheries Statement (JFS)	<p>The Joint Fisheries Statement sets out three areas:</p> <ul style="list-style-type: none"> • Protecting and, where necessary, recovering our fish stocks; • Reducing the effects of fishing on the marine and coastal environment; and • Supporting a modern, resilient, and environmentally responsible fishing industry. 	12 April 2022	
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/consultation-draft-joint-fisheries-statement		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Education	Consultation on Children and Young People's Strategy initial 3-year Delivery Plan 2021 - 2024	The Children's Services Co-operation Act (Northern Ireland) 2015 requires the Executive to adopt a Children and Young People's Strategy (CYPS). This consultation requires views and opinions to implement a co-design approach.	11 th March 2022	
	Link to Consultation	https://www.education-ni.gov.uk/consultations/consultation-children-and-		

		young-peoples-strategy-initial-3-year-delivery-plan-2021-2024		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Adult Social Care System in Northern Ireland	The Department is seeking your views on the consultation paper regarding the Reform of the Adult Social Care System in Northern Ireland.	18 May 2022	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/consultation-reform-adult-social-care		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Health	Consultation on the Draft Advance Care Planning Policy for Adults in Northern Ireland	This policy is being developed to support people to have greater choice and control over decisions, including plans for their future care and treatment.	11th March at 5pm	
	Link to Consultation	https://www.health-ni.gov.uk/consultations/consultation-draft-advance-care-planning-policy-adults-northern-ireland-and-draft-equality-impact		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		Yes	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
NI Housing Executive	Supporting People Three Year Draft Strategic Plan and	The aim of the public consultation is to ensure that the plan reflects the strategic direction of the	25th April 2022	

	COVID-19 Recovery Plan 2022-2025	Supporting People Programme, aiding recovery from the COVID-19 pandemic, working to close the gap between need and supply, and contributing to the achievement of positive housing outcomes for all.		
	Link to Consultation	https://www.nihe.gov.uk/Working-With-Us/Partners/Consultations		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No		