

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Tuesday 9 July 2024 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor Black, Chair

Councillors W Buchanan, F Burton, Clarke, Corry (7.04 pm), Forde, Gildernew, McNamee, Milne, Molloy, Monteith, Quinn, Wilson

Officers in Attendance

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

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

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

Mr McCreedy, Strategic Programmes Service Manager (SPSM)

Ms McKeown, Tourism Service Manager (TSM)

Mrs Spence, Economic Regeneration Service Manager (ERSM)

Miss Thompson, Committee and Member Services Officer

Others in Attendance

Councillor Johnston

The meeting commenced at 7.00 pm.

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

D120/24 Notice of Recording

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

D121/24 Apologies

Councillors Bell, McLernon and McQuade.

D122/24 Declaration of Interests

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

D123/24 Chair's Business

Councillor Wilson stated that the Ulster Pipe Band Championship will be coming to Mid Ulster for the first time in August and that this is the first time that a major competition will come to the area. The Councillor stated that the competition is coming to this area because other Councils have pulled out but also because of the venue and expertise in holding such an event. Councillor Wilson asked that Council contribute £5k towards this competition which he felt is cheap for what it brings to the area. The Councillor stated that the event will be held on the 1st weekend in August in Cookstown and that the press launch for the event had been held today.

Councillor Corry entered the meeting at 7.04 pm.

The Chair, Councillor Black stated that it is a great opportunity to host a major competition in the locality and he would be supportive of the request made.

Councillor Buchanan supported Councillor Wilson's request stating it is a great honour for the area.

The Strategic Director of Communities & Place (SD: C&P) stated that the request is not within budgets but if the Committee is minded to support the request he would look at how it can be facilitated within potential in year underspends.

The Chair, Councillor Black felt this is a good event to support if Council can find the funds to do so. The Councillor asked if there was any dissent to the request.

Councillor McNamee stated he was happy enough as long as the same consideration is given to any other events which may come up at the last minute.

The Chair, Councillor Black stated that every event should be considered on its own merits.

Councillor Wilson thanked the Committee for the support and stated that bands will come from all over Ireland to the competition. The Councillor stated that Council gets big events in Mid Ulster on the cheap and that he felt having a fund available for when last minute events crop up is something which should be looked at during the rate setting process next year.

Matters for Decision

D124/24 Development Report

The Assistant Director of Development (AD: Dev) presented previously circulated report which sought approval for the following –

- Community Grant Awards – Rolling Sports Representative Grant
- TRAAD - Final Design Concept
- Social Inclusion – Community Wealth Building Test & Learn Report
- Development Department - Update

The Chair, Councillor Black referred to report on community wealth building and that one of the proposals within that is suggesting an amendment to Council's procurement policy to include a clause for the National Living Wage to be paid by any contractor engaged by the Council which he felt is a positive step but could put a burden on to businesses that could be applying particularly when trying to keep business local. The Councillor felt Council needed to be mindful of the knock on impact on smaller contractors so as not to exclude from being able to apply.

Councillor Clarke proposed the recommendations.

Councillor Corry seconded Councillor Clarke's proposal stating that that it has been a good piece of work in relation to the test and learn which she was a member of the working group. The Councillor stated she would argue against the Chair's comments in relation to amending the procurement policy as she felt it will give local businesses an edge against larger businesses. Councillor Corry stated it is an exciting opportunity and it will be interesting to see the outworkings of the test and learn as time goes on.

Councillor Monteith asked for an update in relation to timescales and when movement on the ground can be expected for the Railway Park Scheme as there are issues in relation to maintenance. The Councillor stated that during storms last year trees were uprooted and that he had been advised at the time that the trees could not be replaced because Council was waiting on a contract. Councillor Monteith advised that some of the said trees are still lying where they fell and that residents are asking when the trees will be replaced and that he would also ask what stage the Scheme is at as everything seems to have stopped.

The AD: Dev advised that the Scheme has gone through Council and is then taken through the capital process. The SD: Dev advised that the Scheme went through SMT this month and will now move to appointing an IST team. The IST team will work up a detailed design concept and it is hoped to go out to contract on that by the end of September and further to this that there will be work on the ground by February 2025.

Councillor Monteith asked if it was the case that the trees will not be replaced.

The Strategic Director of Communities & Place (SD: C&P) stated he was not aware of the specific issues in relation to the trees but agreed to look at the matter separately to see if something can be done between now and the contractor going on site.

- Resolved** That it be recommended to Council to –
- Approve the Community Grant Awards for Sports Representative Grant
 - Approve the TRAAD - Final Design Concept to be taken forward under the Capital Planning process
 - Approve the Community Wealth Building Test & Learn report
 - Note the Development update

D125/24 Gortgonis Leisure and Community Health Hub Update

The Assistant Director of Development (AD: Dev) presented previously circulated report which provided update on the Gortgonis Leisure and Community Health Hub scheme and sought agreement on next steps.

Councillor Quinn stated he would propose the recommendations and referred to the issues regarding the Forever Friends playgroup over the past couple of weeks and that he assumed the playgroup has accepted the temporary provision. The Councillor referred to the design of the scheme and that this has been scaled back and that the community's expectations have been built up in the area but that he is happy to see the scheme going forward and that the EA have also now contributed monies.

The AD: Dev advised that the Forever Friends playgroup have secured their own option of temporary accommodation for 2024/25 and that Council is still working with them to secure accommodation over the longer term construction period.

Councillor Molloy confirmed that the playgroup have made their own temporary arrangement for the 2024/25 year but stated that if the development is going to take four or five years then they need to know in advance that they have accommodation over these years. Councillor Molloy referred to the other users of Gortgonis and that they also need to be kept informed on what was happening. Councillor Molloy seconded Councillor Quinn's proposal.

Councillor Wilson asked if Council is only helping the playgroup secure premises and nothing else.

The AD: Dev advised the Council is helping the playgroup in terms of liaison in securing accommodation for future years. The AD: Dev stated that if there is a request for additional support then this will be brought back to the Committee for consideration.

Resolved That it be recommended to Council -

- To decant the building and closure of the play park by 31st August.
- That formal booking of the pitch to end at 31st August.
- That the track and use of the pitch for a kick about to be determined during EA construction phase.
- That communication on building closure and usage of pitch and track to commence after the Council meeting in July.

D126/24 Economic Development, Tourism and Strategic Programmes Report - OBFD

The Economic Regeneration Service Manager (ERSM) presented previously circulated report which provided update on key activities as detailed below –

- Christmas Marketing Campaign 2024
- Christmas 2024 Town Activities
- Mid Ulster Business Welcome Pack for SME Businesses

- Tourism Trade Engagement Events October 2024
- Social Enterprise NI: Membership Renewal 2024/25

Councillor Corry proposed the recommendations and stated that there was good work ongoing. The Councillor stated that Christmas is a good opportunity for increasing footfall into the towns and asked what impact the public realm works will have on Maghera in the run up to Christmas.

The ERSM advised that officers are considering options for Maghera during the Christmas period and that it will depend what stage public realm works are at at that time. The ERSM advised that options will be brought to Maghera Town Forum for consideration but that people would still be encouraged to come to Maghera during the Christmas period.

Councillor Wilson seconded the report and referred to the welcome pack for SMEs. The Councillor stated that Council already runs a programme in conjunction with Invest NI and that most businesses setting up an SME are advised to go through that. The Councillor asked why Council is seeking to issue these welcome packs when there is a programme already in place.

The ERSM advised that new businesses coming to the District often ask Council for information during the initial stages of trading and that it is proposed that a welcome pack will be developed to provide such information and signposting to support new SMEs. The ERSM stated it also an opportunity for Regeneration Managers to visit new businesses and welcome them to the area and outline the support available and that Council is here to help.

Councillor Burton referred to the Christmas marketing and that Council also needs to ensure that villages are included in this ie. When events are taking place and the location etc. The Councillor also referred to redundant Christmas lighting and the potential reuse of this lighting by community groups.

The Chair, Councillor Black stated the issue of potential reuse of redundant Christmas lighting is being considered by the Environment Committee.

Resolved That it be recommended to Council –

- **Christmas Marketing Campaign 2024**
 - To approve the development of a strong Christmas Marketing Campaign (including the appointment of external service providers to develop and purchase marketing collateral and media e.g. video production, photography etc) that will support retail and hospitality sectors during the festive period, with an approximate cost of £30,000 from Council's Economic Development budget.
 - To approve that the Chief Executive be awarded delegated authority to appoint the successful company/ies following procurement exercises to allow work to commence as soon as possible due to timeframes etc.

- **Christmas 2024 Town Activities**
 - To approve Budget will be available from the existing Economic Development, Tourism, Strategic Programme budget 2024/25.
 - To approve that Council proceed to seek competitive quotes to appoint professional organisation to manage and co-ordinate the delivery festive trails.
 - To approve that the Chief Executive be awarded delegated authority to appoint the successful company following the procurement exercise to allow work to commence as soon as possible due to project development timeframe.
- **Mid Ulster Business Welcome Pack for SMEs Business**
 - To approve £5,000 available within the Economic Development, Tourism and Strategic Programmes budget 2024/2025.
- **Tourism Trade Engagement Events October 2024**
 - To approve Tourism Trade Engagement Events for October 2024, Meet the Expert with a familiarisation tour and the associated costs to deliver the events, circ. £2,000, to be borne by Council's Tourism Budget in 2024/2025.
- **Social Enterprise NI: Membership Renewal 2024/2025**
 - To approve Council's membership renewal of Social Enterprise NI (SENI) for the year 2024/2025 at a fee of £500.

Matters for Information

D127/24 Minutes of Development Committee held on 13 June 2024

Members noted Minutes of Development Committee held on 13 June 2024.

The Chair, Councillor Black referred to previous discussion in relation to replacement of footbridge at Lough Fea and asked for an update on this.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) advised that the old bridge has now been dismantled which has allowed a structural engineer to assess the integrity of the head wall and prepare a report and design for a new footbridge which is now with the contractor for pricing. The AD: HL&W stated it hoped to get prices from the contractor in the next fortnight and that this will then inform the route for procurement. The AD: HL&W stated there were still some steps to navigate but that he felt some time had been clawed back in relation to the timescales given at last months meeting and that he wanted to reassure Members that this matter is being treated as a priority.

The Chair, Councillor Black thanked the AD: HL&W for the ongoing hard work to get this matter resolved as soon as possible.

Councillor Monteith referred to the previous discussion in relation to facilities at Benburb and potential facilities at Drumcoo and asked if there was an update on dates for meetings in relation to this. The Councillor also referred to previous discussion in relation to young people having difficulty in getting apprenticeships

especially for those attending local colleges for plumbing, electrician and bricklaying courses. Councillor Monteith asked if there has been any feedback from the colleges or LNP in relation to this and if anything is being done to deal with the situation.

The AD: HL&W advised that in relation to Drumcoo there are a number of DEA meetings due to be held at the end of July which will look at a review of the entire capital programme and that will be the mechanism to raise any such requests. The AD: HL&W advised that in relation to facilities in Benburb both the local football club and hurling club have been invited to present to the Development Committee in September and officers are continuing to engage with the football club as per the pitches strategy.

The Strategic Programmes Service Manager (SPSM) advised that the lack of placements for young people was raised at the Labour Market Partnership and that there seemed to be issues both in respect of a lack of people coming through onto those courses and a lack of placements. The SPSM advised that a meeting has been organised with the local college to try to address those issues and that a report will be brought back to the September committee meeting.

Councillor Monteith stated that the message among young people is that there is no point enrolling on these courses as it will be a year wasted if a placement cannot be obtained. Councillor Monteith stated that young people do want to do these courses but that they want to be sure that employers are willing to take them on for apprenticeships. The Councillor referred to conversation earlier in the meeting in relation to contracts and asked should Council also be building into its contracts that contractors do take on young people. Councillor Monteith stated that young people want to be in a position that when they start a course they will also be in a position to finish the course and stated that it is the only form of education where the responsibility is put entirely on the young person to find an employer and placement and when they can't they are forced to drop out of the course. The Councillor felt it is worth looking at Council's tendering process and that if there is a meeting with South West College that this be extended to Councillors.

The SPSM stated that the invitation to meet with the College would be extended to Councillors.

The Strategic Director of Communities & Place (SD: C&P) advised that there are changes to the public procurement regulations and that one of those changes includes social value clauses and when this comes through it can be explored.

The Chair, Councillor Black stated that the underlying problem is a lack of confidence among young people. Councillor Black stated that he got the point in that it is the only form of education where the student relies on getting a placement in order to complete their course and he looked forward to the report coming back to Committee on the matter.

Councillor Quinn asked if there was an update in relation a meeting with the Minister regarding the Blackwater River. The Councillor asked if there was any movement on this issue as he had now asked several times for an update. Councillor Quinn stated he had also been speaking with local fishermen who raised issues on this Council's

side of Lough Neagh relating to poor navigation and access to public toilets. The Councillor stated there are no public toilets from Ballyronan to Oxford Island and asked that both issues be looked into.

Councillor Molloy advised that the last navigational post at Maghery was damaged last weekend and that this is the only navigational post that is at the mouth of the canal cut. The Councillor stated that there are sand banks and rock banks in that area and it is incumbent that this issue is resolved. Councillor Molloy asked if there is the same drive from Armagh, Banbridge and Craigavon Council in relation to Lough Neagh and River Blackwater and are they pushing as much as this Council is. The Councillor asked if there is a working group between the Councils working across the board as there are numerous issues that need to be sorted in order to promote Lough Neagh in both areas.

The SD: C&P advised that issues in relation to Lough Neagh are being led by the Environment Committee and that the Strategic Director of Environment is the lead officer who is co-ordinating communications between the Councils. The SD: C&P stated he will advise the Strategic Director of Environment of the issues raised tonight and seek an update for Members.

D128/24 Food Service Plan for 2024/2025

Members noted previously circulated report which outlined Council's Environmental Health Food Service Plan 2024/2025.

D129/24 Environmental Health Service Update

Members noted previously circulated report which provided update on the work of the Environmental Health Service during April and May 2024.

Councillor Buchanan referred to non farmed animal welfare and asked what steps Council are taking to pursue DAERA funding in order that it can fulfil its statutory duties.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) advised when Council became aware of the notification from DAERA last year it ringfenced £100k towards the financial share towards animal welfare. The actual costs for last year came in at £53k so was not as much as anticipated and it was advised that there is ongoing dialogue between Councils and the Minister for funding for this year 2024/25 however the outcome of these discussions is not yet known. The AD: HL&W stated it is hoped to find out more by the autumn but advised that Council may be in a similar situation this year as it was last year. It was advised that there is provision made within budget for 2024/25 but it is hoped it won't have to be used.

The Chair, Councillor Black appreciated the ongoing work to try to secure funding and that hopefully there will be a positive update in due course.

Councillor Monteith stated he had previously asked in relation to access to housing fitness inspection reports and whether or not the tenant is entitled to see this report. The Councillor stated he was aware that people who have given Environmental

Health access to their home to carry out the inspection are then told they do not have the right to see the report and that they should go their landlord or Housing Executive. Councillor Monteith stated that when the tenant does go to the Housing Executive they have also advised that they cannot see the report.

The AD: HL&W advised that there is a live enquiry on this issue at the moment and stated that the legislation element is not that clear and that Council are taking legal advice. The AD: HL&W stated that there has also been a Freedom of Information request received on this issue and that it is important to get clarity for everyone and that if Council is in a position to share information it will but he did not want to pre-empt the outcome of ongoing enquiries tonight.

D130/24 Environmental Health Update on New Legislative Control Measures for XL Bully Breed Type Dogs

Members noted previously circulated report which outlined the legislative controls being introduced for XL Bully Dogs in 2024.

Councillor McNamee referred to the fact that there are two XL Bully dogs licensed in the Mid Ulster area but that there would be concerns that there are a lot more out there and asked if there is any way of identifying these dogs either by Council Officers, Dog Wardens or by public information call to get more of these dogs registered as he stated they are a very dangerous animal.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) stated he agreed with the sentiments and that whilst there are only two dogs registered in this Council area, there are approximately 200 registered across Northern Ireland and that he believed it was the case that there are a lot more but that are not registered. The AD: HL&W stated there is an ongoing media campaign and that Dog Wardens are engaging with breeding establishments. Members were advised that on 1 August an application scheme for an exemption certificate opens and that this is important because after 31 December this year it will be illegal to have an XL Bully dog without an exemption certificate and therefore it is expected that when the application scheme opens responsible dog owners who have this type of dog will come forward. The AD: HL&W advised that there will be an ongoing media campaign and engagement but that a lot of it will come down to self-regulation.

Councillor Quinn stated that the XL Bully dogs that are unlicensed cause a particular concern and asked what the recourse is for unlicensed dogs of this type ie. Are they put in kennels or destroyed.

The AD: HL&W stated that there is still some clarification to come from the Executive on this and that it was his understanding that the 2nd stage of legislation on the Dangerous Dogs Order NI will be considered by the Executive prior to their summer recess and that it is hoped this will bring more clarity.

The Chair, Councillor Black stated that a lot of the responsibility comes down to the owner and that you don't want a situation that a dog is being punished because of the owners lack of responsibility.

Councillor Quinn referred to his disappointment that the Minister did not accept an Animal Cruelty Register some months back and that he felt this is something this Council needs to continue to push for.

The live broadcast ended at 7.45 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor F Burton
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 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 D131/24 to D135/24.

Matters for Decision

D131/24 SHHP Bellaghy Bawn Writers Residency Project
D132/24 NI Water Mast, Hill of The O'Neill, Dungannon
D133/24 Economic Development, Tourism and Strategic Programmes Report - Cbfd

Matters for Information

D134/24 Confidential Minutes of Development Committee held on 13 June 2024
D135/24 Mid South West (MSW) Region Growth Deal Update

D136/24 Duration of Meeting

The meeting was called for 7pm and ended at 8.41 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, [Cookstown/Dungannon/Magherafelt].

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast as aforesaid, 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.

I would 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 agenda.