



25 November 2021

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, 25 November 2021 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. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation: Mid Ulster Youth Voice

Matters for Decision

- | | |
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| 5. Council minutes of meeting held on 28 October 2021 | 3 - 26 |
| 6. Special Development Committee minutes of meeting held on 21 October 2021 | 27 - 40 |
| 7. Planning Committee minutes of meeting held on 2 November 2021 | 41 - 66 |
| 8. Policy and Resources Committee minutes of meeting held on 4 November 2021 | 67 - 74 |
| 9. Environment Committee minutes of meeting held on 9 November 2021 | 75 - 94 |
| 10. Development Committee minutes of meeting held on 11 November 2021 | 95 - 110 |
| 11. Conference, Training, Seminar Report | 111 - 118 |
| 12. Civic Recognition Report | 119 - 126 |
| 13. Standing Orders Amendment | 127 - 130 |

Matters for Information

14	Correspondence	131 - 154
15	Consultations	155 - 158

Notice of Motions

- 16 Councillor Buchanan to move
This Council notes the importance of Domiciliary Care as a vitally important service which supports people in their own home. We call on the Minister of Health to review staff pay and length of time for calls to service users . We want to ensure staff feel valued and patients get a timely service.

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

17. Council Confidential minutes of meeting held on 28 October 2021
18. Planning Committee Confidential minutes of meeting held on 2 November 2021
19. Policy and Resources Committee Confidential minutes of meeting held on 4 November 2021
20. Environment Committee Confidential minutes of meeting held on 9 November 2021
21. Development Committee Confidential minutes of meeting held on 11 November 2021
22. Special Environment Committee Confidential minutes of meeting held on 16 November 2021
23. Pomeroy Overflow Carpark Contract
24. Ballyronan Wood - Contract
25. Active Travel - Clonoe/Coalisland & ICT Award
Bellaghy/Clogher - Contracts

Matters for Information

26. Document for Sealing: Wayleave agreement with the Department for Infrastructure (DfI) Roads in relation to the relocation of a street lighting column onto Council owned land in Swatragh Play Park

**Minutes of Meeting of Mid Ulster District Council held on Thursday 28 October 2021
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*, Cuddy*, Cuthbertson, Doris*, Elattar*, Forde*, Gildernew*, Glasgow, Graham, Hughes*, Kearney*, Kerr, Mallaghan, N McAleer*, S McAleer*, McFlynn*, B McGuigan, S McGuigan, McKinney*, McNamee, D McPeake*, S McPeake, Milne*, Molloy*, Monteith, Mullen*, Oneill*, Quinn, Robinson* and Wilson*

Officers in Attendance Mr McCreesh, Chief Executive
Mr Boomer, Strategic Director of Planning (SDP)
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SDODSP)
Ms Campbell, Strategic Director of Environment (SDE)*
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)
Ms Ursula Mezza, Head of Marketing & Communications*
Mrs Forde, Member Support Officer

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor 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.

C201/21 Apologies

Councillor Totten

C202/21 Declarations of Interest

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

C203/21 Chair's Business

The Chair, Councillor McLean advised he had ruled out a number of items received to be heard under Chair's business.

The Chair, Councillor McLean expressed sympathy to the family of William Cuddy a gentleman who had served as a Councillor in Cookstown from 1993 to 1997 and had sadly passed away in his 90s.

The Chair, Councillor McLean reminded Members that they had received notification of a webinar by the NSPCC scheduled from 1.00pm on Friday 29 October 2021. He encouraged both Members and staff to join as it would deal with the impact Covid has had on mental health of young people.

Councillor Quinn drew attention to a recent Spotlight programme which had shown areas of Mid Ulster being used in the illegal puppy trade. He said he had spoken with the USPCA and the Animal Welfare as to what he could do as an individual, as an elected Member and also what Council could do to assist in eradicating this illegal practice. Councillor Quinn proposed that Council meet with the Animal Welfare group and the USPCA to discuss further.

The Chair Councillor McLean sought clarity from the Chief Executive as to whether the group should be invited to a committee.

The Chief Executive advised they could be invited to present at future Environment Committee.

Resolved That the Animal Welfare Group (Mid Ulster) and the USPCA be invited to make a presentation to Environment Committee.

The Chair, Councillor McLean highlighted Councillor Doris and himself had a conversation prior to the meeting and reminded Councillor Doris to be diplomatic.

Councillor Doris thanked the Chair for permitting her to speak on a significant issue. She said the previous day a child was allegedly subjected to horrific racist abuse by a council employee in a customer facing role who allegedly took an issue with an Irish mother giving her Irish son an Irish name. Councillor Doris said she accepted that the Chief Executive and Council had launched an investigation into this matter and if it is proven to be a factual account of what happened she wanted to in the strongest possible terms express her condemnation that at the age of just three weeks old, the child's very first experience of racism.

Councillor Doris stated what she felt was worse is that from the incident was highlighted she has had reports of numerous people sharing similar experiences to this whether they were Polish, Lithuanian or a different background. Councillor Doris stated that having an Irish name herself she has received comments on its spelling and difficulty on its pronunciation. She said if people wanted to understand why language is important to some it is because it is part of culture and the uniqueness and presence of one culture does not out do another's.

Councillor Doris said she hoped that all Councillors present would stand up against all racist discrimination and support a full and thorough investigation into the incident. She also requested that a meeting with the Chief Executive be facilitated at the earliest possible convenience. She concluded by expressing deep regret at the incident and

extended apologies to those impacted but assured that it was not reflective of Mid Ulster District Council nor its staff.

In response the Chair, Councillor McLean stated that the aforementioned meeting would be facilitated.

Councillor Corry drew attention to the Planning Advice Note (PAN) on the 'Implementation of Strategic Planning Policy for Development in the Countryside' (DfI 2/8/2021) which had been withdrawn by the Minister for the Department of Infrastructure. She welcomed its withdrawal and spoke of the determination of Councillor S McPeake, the Planning Manager and Council for being the first to raise issue with it. She commended Councillor S McPeake in that his prompt actions had spearheaded the review to its withdrawal.

Councillor Burton requested that the Chair, Councillor McLean forward a letter of congratulations to Fivemiletown Football Club who had received notification that they had attained a Queen's Award.

In response the Chair, Councillor McLean said he would be happy to facilitate.

Resolved That the Chair, Councillor McLean forward a letter of congratulations to Fivemiletown Football Club on attaining the Queen's Award

Councillor Cuthbertson drew attention to the government budget announcements in relation to the Government's Levelling-Up fund. He spoke of the money set aside for electric car charge points and stated that although there was one on the outskirts of Dungannon there was none in either the park or town centre. He also spoke of no other projects in the Mid Ulster area the closest being Omagh and sought clarification from the Chief Executive

The Chief Executive confirmed that the project in the neighbouring Council area was shelf ready and deliverable within the predetermined time frames. He reminded Members that Belfast City Council and Derry City & Strabane Council were further along the journey of City Deal than other Councils and advised that Mid South West projects were in embryo stage but it is hoped some will be ready and meet the criteria for the second tranche of funding in January 2022. The Chief Executive confirmed that current infrastructure applications were only acceptable from the Department itself and assured Members that every effort would be made to secure funding where applicable.

Matters for Decision

C204/21 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 23 September 2021

Councillor Monteith drew attention to C176/21 Council minutes and made reference to the meeting with the BMA and Royal College of General Practitioners in relation to GP services and the Out of Hours Doctors in Dungannon. He also drew attention to the response received from Southern Trust in relation to the Out of Hours Doctors and said the response was both dismissive and did not provide accountability. He proposed that a Member workshop be arranged to agree a list of strategic issues which should be

discussed at the requested meeting with the Southern Trust. He also highlighted issues of health care workers not in receipt of their £500 due to roles not being verified. He stated that it was the duty of members to seek answers and endeavour to address the dismay of the health services crumbling.

In response the Chair, Councillor McLean advised he had met with the Community Planning Officer who had attended the meeting and was working on compiling a list of issues raised which would be circulated to Members. He assured Members that he was not dismissive of the workshop but its intent was already in place.

Councillor Clarke drew attention to C184/21 and advised of the correct spelling of Lachlan.

Councillor S McAleer advised as part of the Local Commissioning Group she would advise that GP surgeries were open and that there was telephone consultations but much of the situation was a result of lack of funding which was brought to a head during Covid. She emphasised that GPs were working hard under extreme pressure and did see people when necessary.

The Chair, Councillor McLean said that all issues would be addressed in the meeting.

Councillor Burton drew attention to D151/12 in relation to birthing pools at Craigavon Area Hospital and spoke of a response received which had only highlighted what had been known but the issue was having the birthing pool in the midwifery led unit reinstated. She said that the space was being used for Covid positive patients and a bereavement room and clarity was required as to whether the pool removed was still there together with the time frame and cost of reinstating it. She concluded by speaking of the number of mothers giving birth to babies in baths due to the lack of birthing pools.

In response the Chair, Councillor McLean said the matter would be included on the aforementioned list for discussion with the Trust.

Councillor Colvin concurred with the comments of Councillor S McAleer and said that the situation with GP's did not occur overnight, that the problems had been known and there was not the political will to do what was required to rectify the situation.

Resolved That the SHCST Birthing Pool AT Craigavon Area Hospital to be put on agenda for meeting scheduled to take place between the Trust and Council

Proposed by Councillor Monteith
Seconded by Councillor McNamee and

Resolved That the Minutes of the Council held on Thursday 23 September 2021 (C170/21 – C186/21 and C200/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C205/21 Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on 5 October 2021

Councillor Kerr drew attention to P135/21 Correspondence from Dalradian Gold and spoke of a recent Spotlight programme which had featured the company and had highlighted detail a journalist had revealed in relation to research which had uncovered details of pollution both medium and severe at previous sites in Brazil. He further highlighted that in Brazil a trail of misery and destruction and false promises had been left. Councillor Kerr proposed that the Save the Sperrins Activist group be invited to meet with Members so that both sides of the story could be heard.

In response the Chair, Councillor McLean said he was not sure this would be the appropriate way forward but that the Councillor's comments would be noted and could be further addressed at planning. He stated that Councillor Kerr had the opportunity to bring a motion before Council if he did not agree with the approach.

Councillor Kerr said he had made a proposal and it was clear to see the side the Chair was on.

In response the Chair Councillor McLean stated that such remarks were disrespectful and that a process had been outlined.

Proposed by Councillor Black
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Planning Committee held on Tuesday 5 October (P130/21 – P138/21 and P143/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C206/21 Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 7 October 2021

Councillor Monteith drew attention to PR186/21 Non Domestic Rating Revaluation 2023 and spoke of the announcements made in the budget in relation to discounts for business rates in England. He said that there was no proposals to alleviate the impact of local businesses. He highlighted the impact of rates previous to COVID and the more recent impact of energy bills tripling in recent months. Councillor Monteith stated that an emergency support system given cognisance to current situation was needed or many small businesses would close.

The Chair, Councillor McLean said that the points were well made and referred to the motion to be moved by Councillor Graham. He stated that there was only so much Council could do but they would lobby and take every opportunity to do so.

Councillor Wilson referred to the issue Councillor Cuthbertson had raised with regard to ongoing road closures in Dungannon due to work carried out by utility bodies. He stated that similar situations had arisen in both Cookstown and Magherafelt and whilst the department appeared to be informed Council and local Members were the last to know. Councillor Wilson proposed that Council write to the Department seeking a meeting with regards to Utility Bodies carrying out works and forcing road closures throughout the district without any notification to Council or Members of the District Electoral Areas. He said that the current situation paid little respect to both Council and Members.

The Chair, Councillor McLean indicated that Members were in agreement.

Resolved Council write to the Department for Infrastructure (Roads) seeking a meeting with regard to Utility Bodies carrying out works and forcing road closures throughout the district without any notification to Council or Members of DEAs.

Councillor Ashton concurred with Councillor Monteith's comments on the non-domestic rating valuation, the impact of the budget and lack of clarity as to support systems for Northern Ireland businesses. She confirmed that she had spoken with the SD: Corporate Services and Finance who had advised he would bring forward a report.

The Chair Councillor McLean said that the points were noted and Members should await the aforementioned report.

Proposed by Councillor S McPeake
Seconded by Councillor S McGuigan and

Resolved That the Minutes of the Policy and Resources Committee held on Thursday 7 October 2021 (PR176/21 – PR187/21 and PR199/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C207/21 Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 12 October 2021

Councillor Milne drew attention to E228/21 Street Naming and Property Numbering and proposed that the site off Mullaghboy Road, Bellaghy should be known as Folly Brae View

Proposed by Councillor Milne
Seconded by Councillor B McGuigan and

Resolved That site off Mullaghboy Road, Bellaghy should be known as Folly Brae View

Proposed by Councillor S McAleer
Seconded by Councillor Graham

Resolved That the Minute of the Environment Committee held on Tuesday 12 October 2021 (E222/21 – E242/21 and E251/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C208/21 Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 14 October 2021

Councillor Kerr drew attention to D184/21 and the discussion in relation to lack of haulage drivers and expressed hope that the issues highlighted would be brought up at the Labour Market Partnership. He also highlighted that in speaking to people issues also included insurance costs for under 25s, the rising cost of fuel the back log in licensing and

suggested that if possible schemes to alleviate difficulties, where possible, should be brought forward.

Proposed by Councillor Kerr
Seconded by Councillor McNamee and

Resolved That the Minutes of the Development Committee held on Thursday 14 October 2021 (D171/21 – D187/21 and D190/21) transacted in Open Business having been printed and circulated, were considered and adopted.

C209/21 Conference Report

The AD: ODSP sought approval for the previously circulated report on conferences, training and seminars and highlighted the regional programme for NILGA courses for members who wish to avail

Proposed by Councillor Mallaghan
Seconded by Councillor McNamee and

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

C210/21 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 B McGuigan and

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

Matters for Information

C211/21 Correspondence

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

Councillor Kerr drew attention to the correspondence from Fermanagh & Omagh District Council on the motion carried in relation to 'Syringes for Cuba Campaign/End the Blockade' and proposed that Council should support the motion and invite the Ambassador to Mid Ulster.

Councillor Kerr also drew attention to the Public Health Agency response and highlighted that the detail did not reflect what teachers were reporting what was happening on the ground.

Councillor Colvin referred to the proposal to support Syringes for Cuba Campaign/End the Blockade' and stated that Council should not be issuing invitations to ambassadors to discuss issues in their country especially when it was only selective issues being raised. He spoke of the huge issue of the persecution of Christians throughout the world who were facing death, being tortured and ostracized from their families but the matter was brushed under the carpet. He said that people often lifted information from social media and Councillor Kerr looked at some issues through the lens of a certain perspective.

The Chair, Councillor McLean said he had heard comments from both.

Councillor Monteith seconded Councillor Kerr's proposal and clarified that he did not receive his information from social media. He said there were Cuban citizens living in Mid Ulster who have expressed concern on the situation with vaccines and the ability for Cuba to sustain itself. Councillor Monteith said there should be no difficulty to hear from the Cuban Ambassador as any councillor would be entitled to join but if you did not wish to do so you weren't compelled.

Councillor Mallaghan said it was important to have a view on the international affairs especially when the district has a global population and Council was a channel to raise concerns. He said he was not against the issue but just did not know enough about it. Councillor Mallaghan proposed that a report be brought back to committee to enable Members to learn more.

Councillor Quinn concurred with Councillors Mallaghan and Monteith and seconded Councillor Mallaghan's proposal as he felt he did not know enough about the situation. He said he may not share Councillor Kerr's passion for the situation but felt many across the world reached out to this country and in turn the country should do likewise.

The Chair, Councillor McLean said there were a variety of views and as Councillor Colvin had said many across the world are facing persecution. He said in reading the letter again he did not see an issue but the point of a report which could perhaps include points made by Councillor Colvin should he wish.

Proposed by Councillor Mallaghan
Seconded by Councillor Quinn and

Resolved That a report be brought to Committee to provide background on the Syringes for Cuba/End the Blockade as outlined in the motion moved by Fermanagh & Omagh District Council.

Councillor McFlynn drew attention to the letter from Home Office and said she had raised the issue of Afghanistan last month and she looked forward to learning of the outcome.

Councillor Corry drew attention to the letter from Minister for Health with regard to the Organ Donation Bill: Introduction of Soft Opt-Out Organ Donation Consultation Analysis Report. She said it had been one of the first motions she had brought to Council and the pleasure of meeting the little boy who had inspired so many. She urged all to sign up to this gift of life stating that she hoped the Bill would be completed in the current mandate

but there was concern that some health related bills would not be completed in the current mandate and proposed that the Minister for Health be invited to discuss these issues.

Declaration of Interest

Councillor Glasgow declared an interest as he worked in transporting organs for donations.

The Chair, Councillor McLean said there was a consensus

Resolved That Council write to the Minister for Health to request a meeting to discuss outstanding health related bills which may not see completion in the current mandate

C212/21 Consultations Notified to Mid Ulster District Council

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

Councillor Monteith proposed that Council forward a response to Department for Communities: Intermediate Rent Development of Policy and Model consultation.

Councillor Kerr seconded the proposal

Councillor S McPeake concurred with Councillor Monteith but said that the response should be considered by the Mid Ulster Housing Forum.

Resolved That Department for Communities: Intermediate Rent Development of Policy and Model consultation be considered by Mid Ulster Housing Forum and response submitted by Council.

Councillor S McPeake also proposed that the Department for the Economy: Mineral Prospecting Licence Applications MPLA1/19 and MPLA2/19 Consultation be referred to Planning Committee for response.

Proposed by Councillor S McPeake
Seconded by Councillor B McGuigan and

Resolved That the Dept for the Economy: Mineral Prospecting Licence Applications MPLA1/19 and MPLA2/19 Consultation be referred to Planning Committee for response.

Councillor B McGuigan proposed that Council submit a response to Council prepare a response to Department for Agriculture, Environment and Rural Affairs: Consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers.

Councillor Corry seconded the aforementioned and also requested that the Climate Action Working Group resume meetings.

Resolved That

- (i) Council prepare a response to DAERA: Consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers;
- (ii) Climate Change Working Group recommence meetings.

C213/21 Notice of Motion

Councillor Doris moved the motion as undernoted:

“This Council recognises that a lack of work life balance contributes to work related stress, low productivity and burnout amongst workers; accepts that there is a growing body of International evidence that shows that moving to a four day working week, without a reduction in income, enhances productivity and happiness amongst workers; acknowledges that many companies have trialled the concept of a four day working week and found it had positive impacts both for business and workers; calls on the Council and Department for Economy to establish working groups and pilot programmes that support employers to trial the concept of a four day working week amongst their employees”

Commenting on the motion Councillor Doris stated,

“This motion I have put forward is about time and how we spend it. It is about our employees health and their wellbeing and selfishly it is also about our staff’s productivity. Trials ran in Iceland from 2015 to 2019 by Reykjavik City Council across a variety of different work sectors including private offices, schools and public services was proven to be an outstanding success for both employee and the employer, workers and employees reported deduction in staff sickness and burnout. And unsurprisingly over all happiness. And this increase in staff happiness has proven to be the key component of productivity. Further evidence comes from Oxford University who carried out a study in 2019 with BT Communications over a 6 month period were they had staff rate their levels of happiness daily and they found happier staff are 13% more productive than unhappy staff. Therefore I recommend that this Council take this motion back to the Policy and Resources Committee to explore a pilot of a four day work week for our employees with full pay.

I realise that it would be impractical and unfair for our staff to manage our huge work force without exploring the mechanisms of how this would work in reality or a smaller scale first. I also feel it would be beneficial for us to invite Edge Innovation who moved to a 4 day week with no loss of pay in August this year to come and tell us what their experience of the scheme has been so far. I do feel that this is a win-win situation for all. People are happier and therefore better able to work as a team and provide better customer service. Loss of sick days or long periods of illness due to tension and anxiety. People are motivated to earn their day off and will therefore be more productive while in work. And people are the most valuable asset to any organisation so retaining our staff with their knowledge, experience and skills ensures we offer a better service to our constituents here in Mid Ulster.

So I hope that all Councillors here can support this motion that I have put forward tonight because it is the quality of time that you put into your job that matters but the quantity of time you have at home with your loved ones that really matters most.”

Councillor Mallaghan seconded the motion saying that it had always been said if you want to earn more work in the private sector but if you wanted a secure job with good terms and conditions work in the public sector yet on the issue of a ‘4 day week’ the private sector was leading the way. He said over the past few years companies throughout the island had looked at this and Council should consider the opportunity and explore the options to see if it would work. He concluded that Council deliver services seven days a week, morning, noon and night and this was a good opportunity to open up the discussion.

Councillor McKinney said he was totally against this as if people wanted to work 4 days they could. He said there was 168 hours in a week, 37 of which was spent working and 56 sleeping but this still left plenty of hours to do what you wanted to do. He quoted that scripture said ‘six days shalt thou labour but on the seventh day you may rest’. He said it was sad the motion coming from Sinn Féin at a time of economic problems, when companies cannot get workers. He said there had been debate regarding rates, the cost of fuel, electricity and gas and he would not want to explain to any business to add 20% onto their costs for a 4 day week. He concluded it did not add up.

Councillor S McAleer said she could see the potential outcome if you reduce employees to a 4 day week but that a pilot project was the way to go. She suggested there would be both advantages and disadvantages but it would only work if hours were reduced. She drew on the experience of nursing in the 1980s when nurses went onto 12 hour shifts and only worked three days but it was hard to maintain. Councillor S McAleer concluded that the concept was worth exploring and spoke of how Japan and other countries had successfully introduced such projects.

Councillor Ashton stated she could appreciate Councillor Doris’ comments as the concept was great on paper but thought the matter was travelling too quickly as Council had just embarked on a Labour Market Partnership which had met for the first time. She said this concept would drive a bus through it and the partnership is where such discussion should be. Councillor Ashton concurred with Councillor McKinney with regard to the lack of workforce and asked did it mean 12 hour shifts, 5 days’ work accomplished in 4 days or what. She said as someone with responsibility for 50 employees she would not want to ask people to work 12 hour shifts as after 7 hours people were ready for home. Councillor Ashton said the district had the lowest unemployment rate, businesses were struggling and reiterated that the discussion should be with the Labour Market Partnership let them hear the suggestions and lead the way.

Councillor Ashton concluded that the motion was aimed at the Department of the Economy yet it was the Department of Communities who were funding the Labour Market Partnership. She asked where the Council was with the MEGA survey in Mid Ulster, stated she would not support the motion but that she would welcome the discussion being referred to the Labour Market Partnership.

Councillor Quinn said he would have a few issues but would support the motion as there was merit behind it. He said that many companies in Mid Ulster in particular engineering companies were already working a four day week and were using it as a recruiting agent.

Councillor Quinn also said when he had proposed the living wage it had been adopted and Council had moved forward with it but he did not think it was for Council to tell other companies how to conduct their business. He said that he did not know how it would pan out but would be interested and conversations should be had with government departments and agencies. He said these things did not happen overnight but he would like to see a paper on it and would support the motion.

Councillor Cuthbertson said some of the factories worked 4 days on 3 days off but that was not to help staff but to make Saturday and Sunday normal working days, thus cutting out weekend overtime. He said when it comes to deciding the rates he would not like to tell hard pressed businesses in Dungannon there was a need to take on more staff and said the system would be a biased drawing comparisons to furlough when staff took off and worked somewhere else and if this were to happen it would defeat the purpose.

Councillor Glasgow concurred with Councillor McKinney and said that yes people would like to work 4 days a week but the cows needed milked 7 days a week. He said in his full time employment they worked four on and three off but this would be a big cost for independent retailers and that Council depended on the High street to bring in the rates. He posed the question who would support the scheme once the pilot ended and whilst he understood work life balance people had to get on with it. He reiterated that small businesses such as grocers, butchers and bakers would be hardest hit.

Councillor Monteith commended Councillor Doris on the motion and said it was an excellent initiative and it would be no surprise he would support it. He said he could not see anything in it that would hurt anyone and that modern life required flexibility which would create a resilient economy. He said in the past it was thought paid holidays, sick pay, equal pay, maternity pay and anything that would benefit the worker would be the ruination of the economy and that the argument was always used if something was going to benefit the worker. Councillor Monteith said every sector was not being asked to bring this in, that he would support the initiative but stressed it was maybe more pertinent to ensure there was sick pay for all workers. He highlighted that during the pandemic many identified as close contacts were left impoverished. He concluded that in many instances the introduction of a four day week had improved productivity and he would support the motion.

Councillor Cuddy said the debate was interesting that the private sector would introduce it if it was beneficial and asked if Council was talking about reducing hours or doing the 37 hours in four days but that ultimately the market would dictate and that he was there to represent the rate payers.

Councillor Kerr fully supported the motion and said ultimately a major overhaul was needed in workers' rights in all industries and they should have access to trade unions. He said he would encourage workers to join trade union and work towards establishing good employment schemes.

The Chair thanked everyone for their input stating there was a variety of opinions.

Councillor McKinney clarified he had no problem if people wanted to work four days but they should not be paid for five stating that if you are buying four loaves you would not want to pay for five.

The Chair, Councillor McLean put the motion to vote

For	23
Against	15

Councillor Doris thanked everyone for the debate and said the data she had worked from was taken from 2500 people over a five year period and the clear evidence was that productivity had increased. She said the private sector were not being asked to change overnight but a paper to committee was required and the 'nuts and bolts' would have to be worked out with trade unions on board. She concluded that many businesses on the Labour Market Partnership were already working a four day week and that Council owed it to all to explore the evidence base and no doubt there would be more debate in the future.

C214/21 Notice of Motion

Councillor Quinn moved the motion:

"This Council recognises that the £20 Universal Credit uplift has provided a lifeline to many families and recognises the devastating impact that its removal will have at this critical juncture of the recovery period with workers dealing with the end of the furlough scheme and massive increases in energy bills. The Council also recognises that the removal of the £20 per week payment will be devastating for those living here, will push more people into poverty, increase reliance on foodbanks, and increase homelessness, as well as having dire consequences for our local economy. The Council calls on the Communities Minister, in the absence of any further action from the Westminster government, to liaise with her colleague Finance Minister Conor Murphy, to reverse this cut for the remainder of the financial year and commit to expediting a long term strategy to tackle the shameful levels of poverty and social deprivation across Mid Ulster".

Councillor Quinn commenting on the motion said,

"Councillors this motion that I am bringing forward tonight highlights an issue affecting thousands of people across our council area. The British Government's weekly £20 cut to Universal Credit has taken £1,040 a year from the people who need it most. That's money taken from people that would be spent on groceries, heating and electricity bills and clothes for children. This cut will affect a vast array of people, from families and single people to people who are in work and single parents.

It could not have come at a worse time, many have incurred large costs as a result of their children returning to school something myself and other councillors here have highlighted in recent months, and Christmas is fast approaching. We have also seen an increase in the cost of living with the cost of food and many essential household items on the rise and utility companies increasing the price of gas and electricity. We have another motion tonight trying to tackle the rising cost of fuel, which we know is getting higher with every passing day.

The reality is this cut will leave many people with difficult decisions to make on how to heat their homes and put food on the table. They will have to make a decision, do they and their children go to bed hungry, or go to bed cold? People need much more than an extra £20 to get by – the British Government should be focusing on increasing support to help people rather than making punitive cuts. The whole Universal Credit system is unjust and was designed to save money rather than help our people. It has allowed our charity and foodbanks under pressure to help those most in need.

Over the past few months we have heard directly from Universal Credit claimants and reports from charities and research groups about the impact this cut will have. Knowing that this cut was coming has created great anxiety in people. Many are worrying how they are going to get by and it is already affecting their physical and mental health.

The figures we are told are that 134,000 people will lose out on £20 a week, with only a quarter of them in work, 44,000 of them have children. In local terms this means 1800 claimants in Cookstown, 2910 in Magherafelt and 3,880 in Dungannon. This cut will remove thousands if not millions from the local economy at a time when businesses are struggling coming out of a global pandemic.

The SDLP has consistently fought for welfare powers to be devolved. When others wanted to hand these powers to the British Government we rallied against it to ensure that our people would not be subject to the whims of the Tories. Boris Johnson's cut is unspeakably cruel and have a real impact on the most vulnerable here but we have the power to act.

The reason why we have devolved Government is so that people here in the North and make decisions for themselves, so that political reps can take decisions on issues that affect people living here. The Communities Minister Deirdre Hargey can use her welfare powers to intervene and reverse these cuts. The Department for Communities has estimated that it would cost £55m to retain the £20 a week for people here for the rest of the financial year. That's less than 0.5% of the Executive's block grant.

Minister Hargey to her credit has submitted a bid for this money but sadly it seems that our First Minister has already dismissed this bid. The Minister needs to go to her Sinn Féin colleague, Finance Minister Conor Murphy, and implore him to find this relatively small amount of money to protect the most vulnerable people within our society.

We cannot rely on the British Government to look after the best interests of people in Mid Ulster and across the North, Ministers Hargey and Murphy have the powers to reverse this cut and they have to use it. The message from the SDLP is clear – If the British Government is forcing this cut on our people and if they don't see sense and reverse the move the onus then falls on the Sinn Féin ministers to give it back.

Our people cannot be expected to take this cut, we need to see immediate action to protect this money and a strategy to address the shocking levels of poverty in our council area and across Northern Ireland, which shamefully rank among some of the highest in Europe”

Councillor Hughes seconded the motion saying that it was very important the £20 was retained as it was needed more than ever furlough had ended and there were job losses,

food and fuel price increases and that she had been inundated with requests for benefit checks.

Councillor S McPeake said the £20 increase to universal credit in March 2020 had been required long before it had been granted and the removal of it was demonstrative of the Tory government's determination to impose disparity on those who have the least in society. He highlighted that national insurance payments were set to increase at the end of furlough and the boorish behaviour needed to end and the Exchequer needed to wake up to the difficulties people were facing whilst £20 may not be much in the pocket to people in Westminster it made a big difference to many here. The increase back in 2020 highlighted that the amount was not adequate for people to live on but what had changed? he said it was imperative that the Tory government reverse their decision as there was no doubt increase poverty levels for families already struggling and in turn would impact the economy. Councillor S McPeake commended the work and efforts of the Minister for Communities Déirdre Hargey. He spoke of the attempts of the Tory government to deflect from their decision but said that if all wanted to genuinely stand up for people all must work together to halt the Tory cuts. He said that what was needed was control of fiscal destiny and highlighted that Minister Hargey had put in a bid for funding. He said some may wish to score political points all must take cognisance of the fact there is no additional money in the block grant and other ministers will not want to relinquish budget. He said there would be no quick or easy solution to the situation as suggested in the motion but the Minister was committed to deliver long term solutions. He spoke of bedroom tax, antipoverty strategy and how the Minister was prioritising the issues impacting people.

Councillor Brown thanked Councillor Quinn for bringing the motion to the Chamber saying that 130k people would waken up poorer and it was a moral stain on the government removing this money. He said Christmas was only around the corner and people were in despair and could either put the heat on or eat and posed the question how could anyone stand over the decision. He said he knew that party colleagues had called on the Minister for Communities to initiate a fuel payment but noted that it was very evident that Sinn Féin MPs were not in the house when the matter was discussed. He commended the £100 High Street Voucher initiated by the Economy Minister and reiterated that the reduction in universal credit would put further strain on hard pressed households and his party would support this motion.

Councillor Colvin said the UUP had every sympathy with the intent of the motion and the negative impact the reduction would have. He quoted that his father often said £100 was not a lot of money but it was if you didn't have it and stated he would support the motion. He reminded Sinn Féin that although they do not attend Westminster the money ultimately comes from there and the people they complain about provide the cash saying that the Brit bashing was becoming too much and that the Chancellor was very aware of the hardship and was trying to make a difference.

Councillor Monteith said he would support any initiative to alleviate poverty and he would support anyone to get this done as what was happening was both wrong and immoral. He said Universal Credit itself impoverished people and welfare reform had been born out of London. He said that dismantling the safety net decision was made by people who would never have to decide whether to put the heat on or eat. He said they had no concept as to what it was like to live hand to mouth. He stated that after the crash the bankers got

bailed out and the poor people were punished and this was a Victorian workhouse attitude.

Councillor Kerr fully supported the motion and would support any call for financial help. He said the actions of the Tory party were to be condemned especially in dealing with the pandemic. He said poverty existed before the pandemic and the Tory party was made up of the elite and concurred with Councillor Monteith in saying they did not understand what it was like for people. He said some single mothers were not eating so their children could and highlighted that it was daunting and challenging times which would get worse with the cost of living rising and wages stagnating. He said the Tory party claimed the victory of raising the minimum wage but it was still nowhere near enough for working class families to live comfortably.

Councillor Cuddy said a lot of the aforementioned was right but said that some said this was Tory responsibility but Northern Ireland received £1500 per person whilst England received £800 and the problem was that the NI Executive had wasted much of the funding he concluded that Northern Ireland needed to look at itself and how they were utilising the funding.

The Chair, Councillor McLean said there had been politically sniping and point scoring but all were in support of the motion.

The Chair, Councillor McLean declared the motion carried.

In conclusion Councillor Quinn said he had endeavoured to stay away from point scoring as the focus needed to be on people and irrespective of individual parties each member was there for the people they represented.

C215/21 Notice of Motion

Councillor Graham speaking on the motion said, “we are all only too well aware of rising prices across all energy spectrums but what some of you may know is that in Northern Ireland one in five households struggle with fuel poverty. The definition of fuel poverty is someone who spends more than 10% of their household income on fuel. There are three main factors to take into consideration, income, energy costs and the energy efficiency of the house. With the ‘perfect storm’ of rising energy prices, low incomes and inefficient housing many people are very concerned that more households are at increased risk this coming winter. With estimates of fuel poverty in Northern Ireland ranging between 22% and 42% and wholesale energy prices continuing to rise we are all facing further price hikes in the coming months. So I propose the motion:”

“That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across Northern Ireland and calls on the Minister for Communities to establish a departmental led fuel poverty task force to assist the department in developing solutions to support those impacted and prevent many more people from falling into fuel poverty”.

Councillor Colvin seconded the motion sharing the personal experience of his daughter who received a letter from the gas company to advise that the gas would increase 23% in

cost. He said he thought it was a misprint but it was going to increase by almost a quarter and said that the working poor did not have income to support this thus he welcomed the motion.

Councillor Mallaghan said that the crisis would require a significant response and the conversation would need to widen going forward. He spoke of the private Members bill raised by John O'Dowd MLA and said whilst the motion would go a long way it needed to be widened out and proposed the undernoted amendment

'That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across Northern Ireland and calls on the Utility Regulator and the Executive to establish a fuel poverty task force to assist the relevant departments in developing solutions to support those impacted and prevent many more people from falling into fuel poverty. '

Councillor McNamee seconded the amendment.

Councillor McFlynn shared statistics from 2016 when 22% had been in fuel poverty and also of the plan from 2016-2020 to address fuel poverty for vulnerable groups but how now the situation had escalated and people were relying on handouts and foodbanks. She said the Minister for Communities had introduced programmes to deliver food to people during the pandemic and many had been thankful for it. She spoke of people installing wood burning stoves and how the now rising cost of fuel would further impact families. She said salaries were not rising and the winter was approaching when heat and light would be needed in the homes. She said instead of moving forward society was going back 70 years. Councillor McFlynn concluded that the SDLP would support the motion and hoped the Minister would do all in her power to help.

Councillor Ashton said that the price of fuel had made a huge impact on prices and the real impact was felt especially for people on lower incomes who were coming under more pressure and Council should put as much pressure on central government to help to alleviate the problems.

The Chair, Councillor McLean asked Councillor Graham if she accepted the amendment. She agreed with the proviso that the Minister for Communities and the Utility Regulator was retained as follows.

That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across Northern Ireland and calls on the Minister for Communities, the Executive and the Utility Regulator to establish a fuel poverty task force to assist the relevant departments in developing solutions to support those impacted and prevent many more people from falling into fuel poverty.

The Chair Councillor McLean declared the motion as undernoted carried.

Councillor Graham thanked Members for their support.

That this Council notes with concern the significant increase in the cost of energy; recognises this will adversely affect many households across Northern Ireland and calls on the Minister for Communities, the Executive and the Utility Regulator to establish a fuel

poverty task force to assist the relevant departments in developing solutions to support those impacted and prevent many more people from falling into fuel poverty.

C216/21 Notice of Motion

Councillor Black moved the motion:

“This Council expresses their deepest sympathy to the family, friends and colleagues of Sir David Amess MP, following his horrific murder on 15th October. This tragedy again highlights the unacceptable risks faced by elected representatives and other public servants. Further, it must be recognised that toxic elements of social media continue to be a breeding ground for vile, threatening and hate filled posts, which may raise the rhetoric, and be a contributing factor in violent attacks in wider society. I call on this Council to write to the Northern Ireland Executive Office, highlighting our concerns, and ask that a review be carried out of all possible steps that can be taken to protect public servants in their roles here in Northern Ireland”.

Councillor Black speaking on the motions stated,

“I am sure all in this chamber were horrified and disgusted at the brutal attack on Sir David Amess MP on the 15th October, which tragically led to the loss of his life. As a Council, I wish to put on record and express our deepest sympathies to Sir David’s family, friends and colleagues as they grieve their loss. On a personal level, my thoughts are also very much with them at this devastating time.

As well as a great personal loss to so many, as this was an attack on a Member of Parliament, a public servant serving their community, it was also an attack at the heart of democracy itself. Sadly, this is not the first attack on public servants over the years, whether in Great Britain or closer to home here in Northern Ireland. This most recent tragedy again brings into sharp focus the unacceptable risks faced by elected representatives and other public servants as they carry out their duties.

It must also be recognised that toxic and sinister elements of social media continue to be a breeding ground for vile, threatening and hate filled posts, which has the potential to raise the rhetoric and be a contributing factor in such attacks carried out in wider society.

Here locally there have been reports in relation to the vile abuse and threatening messages directed at elected representatives. Carla Lockhart, Michelle O’Neill Nicola Mallon, Robin Swann, Naomi Long amongst others have all spoken of threats and abuse which has been directed towards them. The sinister nature of many of these puts a huge burden on those targeted, their families and colleagues. All public servants should be able to go about their job and carry out their duties free from fear of harm. As a society, we may not always agree, however such threatening behaviour and violent attacks can never be the answer. This spans right across the political parties, and is therefore an issue that I trust we can stand united against. Enough is enough. Every effort must be made to clamp down on this totally unacceptable behaviour, protect those at risk and hold those responsible to account.

I call upon this council to write to the Northern Ireland Executive Office, highlighting our concerns, and ask that a review be carried of all possible steps that can be taken to protect public servants in their roles here in Northern Ireland.

Councillor Wilson has submitted an amendment, which I believe adds value. I am therefore happy to accept it as part of this motion.”

Councillor Ashton seconding the motion expressed her sympathy to the family and colleagues of David Amess MP whose death had sent shockwaves throughout the country. She said that all should be united against such action against it.

Councillor Wilson spoke of the major problem on line hate crime was now posing to society and how many public figures including politicians, sports people and others had been targeted for online abuse. Councillor Wilson drew attention to the fact that many accounts were anonymous and stressed that social media platforms needed to take steps to ensure identities could be verified to ensure that those responsible for online abuse could be traced and brought to justice. Speaking of the tragic murder of David Amess Councillor Wilson said it was a sad reminder of the price that some in the public eye have had to pay speaking of other MPs and public representatives have been targeted by those who follow violent ideologies which justify political murder – Jo Cox, Robert Bradford, Airey Neave, Sir Norman Strong, Edgar Graham and Charles Armstrong. He concluded that Council should send a strong message out to social media and tabled the amendment.

‘This Council expresses their deepest sympathy to the family, friends and colleagues of Sir David Amess MP, following his horrific murder on 15th October. This tragedy again highlights the unacceptable risks faced by elected representatives and other public servants. Further, it must be recognised that toxic elements of social media continue to be a breeding ground for vile, threatening and hate filled posts, which may raise the rhetoric, and be a contributing factor in violent attacks in wider society. I call on this Council to write to

- (i) the Northern Ireland Executive Office, highlighting our concerns, and ask that a review be carried out of all possible steps that can be taken to protect public servants in their roles here in Northern Ireland; and
- (ii) to the Secretary of State for Digital, Culture, Media and Sport, to urge them to end anonymity on social media so that account owners can be easily traced and held accountable for sectarianism, racism, misogyny and other forms of hate speech and ensure anonymity cannot be used to peddle hate of any kind.’

Councillor Glasgow seconded the amendment.

Councillor Kearney commended Councillor Black on bringing the motion before Council and spoke of how the death of someone who had been held in such high esteem had impacted everyone. Councillor Kearney spoke of how Northern Ireland Local Government Agency had committed to promoting Civility in Public Life, positive debate and resultantly supporting the wellbeing of elected members. He suggested that these rules should be shared across Members, MLAs and MPS and spoke of how constituency office staff of Minister Mallon had been left shaken following an incident. He said if people were to be attracted to political leadership it was key that they were kept safe. In conclusion Councillor Kearney said the SDLP would support the motion.

Councillor Black accepted the amendment.

Councillor McNamee said that Sinn Féin would support the original motion over recent months and years we have seen political parties and staff receiving threats either at home, at their offices or on social media. He said it was essential that safety issues were addressed and they would support writing to the Executive.

Councillor Quinn said that his colleague Councillor Kearney had outlined the SDLP position but that he wanted to share a comment he had made when they discussed the matter in their grouping. He shared that Councillor Kearney had posed the question how many would be happy to share their Whatsapp groups to the open public and said that 'respect starts with ourselves' and each person has a role to play. He concluded that there needs to be accountability with social media.

Councillor Mallaghan said that Sinn Féin would support the original motion as he felt the amendment would pose difficulties for whistle blowers and there was occasions when anonymity was required for protection. He said that Sinn Féin wanted to support the motion but could not support the blanket approach to anonymity and sought a form of words all could agree on.

Councillor Colvin said that Councillor Wilson had developed the theme of what was an important motion and whilst he could understand Councillor Mallaghan's reservations the thrust of the motion was to stop 'trolls' who use social media platforms to spread hate which is very different to a whistle blower.

The Chair Councillor McLean said that it was close to agreement and sought comments.

Councillor Wilson said that the wording focused on 'ending anonymity on social media so that account owners can be easily traced and held accountable for sectarianism, racism, misogyny and other forms of hate speech and ensure anonymity cannot be used to peddle hate of any kind.'

Councillor Black said his reading of the motion would not create problems for whistle blowers and sought agreement.

Councillor Wilson suggested "anonymity on social media, with the exception of whistle blowers

Councillor Black suggested "with the exception of whistle blowers and those who need to retain anonymity for valid reasons"

All agreed.

The Chair Councillor McLean declared the motion as undernoted carried.

"This Council expresses their deepest sympathy to the family, friends and colleagues of Sir David Amess MP, following his horrific murder on 15th October. This tragedy again highlights the unacceptable risks faced by elected representatives and other public servants. Further, it must be recognised that toxic elements of social media continue to be

a breeding ground for vile, threatening and hate filled posts, which may raise the rhetoric, and be a contributing factor in violent attacks in wider society. I call on this Council to write to

- (iii) the Northern Ireland Executive Office, highlighting our concerns, and ask that a review be carried out of all possible steps that can be taken to protect public servants in their roles here in Northern Ireland; and
- (iv) to the Secretary of State for Digital, Culture, Media and Sport, to urge them to end anonymity on social media, with the exception of whistle blowers and those who need to retain anonymity for valid reasons, so that account owners can be easily traced and held accountable for sectarianism, racism, misogyny and other forms of hate speech and ensure anonymity cannot be used to peddle hate of any kind.

Councillor Black thanked Members for the consensus.

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 9.18pm

Proposed by Councillor Black
Seconded by Councillor M Quinn

Resolved That items C217/21 to C223/21 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 23 September 2021
- (ii) Planning Committee confidential minutes of meeting held on 5 October 2021
- (iii) Policy and Resources Committee confidential minutes of meeting held on 7 October 2021
- (iv) Environment Committee confidential minutes of meeting held on 12 October 2021
- (v) Special Planning Committee confidential minutes of meeting held on 13 October 2021
- (vi) Development Committee confidential minutes of meeting held on 14 October 2021
- (vii) Audit Committee confidential minutes of meeting held on 19 October 2021

C224/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.25 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 the Development Committee of Mid Ulster District Council
held on Thursday 21 October 2021 in the Council Offices, Ballyronan Road,
Magherafelt and by Virtual Means**

Members Present	Councillor Molloy, Chair Councillors Ashton*, Black (7.10 pm), Burton*, Clarke*, Corry*, Cuddy*, Doris*, Elattar*, Hughes*, Kerr*, McNamee*, Milne*, Monteith*,
Officers in Attendance	Mr Brown, Head of Tourism Ms Linney, Assistant Director of Development, Strategic Community Development Ms McKeown, Assistant Director of Economic Development, Tourism & Strategic Programmes Ms Grogan, Democratic Services Officer
Others in	Councillor S McGuigan***

Deputations

Empower Project re Tourettes Group
Inland Waterways Association of Ireland - Blackwater Branch
Mid Ulster Pride
Deirdre Murphy re Conflict in Gaza

* 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. Councillor 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.

D190/21 Apologies

Chief Executive.

D191/21 Declarations of Interest

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

D192/21 Chair's Business

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

The Chair advised that Councillor Kerr wished to raise an issue under Chair's Business and invited him to address the committee.

Councillor Kerr thanked the Chair and members for allowing him the opportunity to raise this important matter tonight.

He referred to the survey which was being carried out by both the Secondary Students Union and the Parent Engagement Group on the affordability of school uniforms. Both organisations were seeking school students' views on uniform costs amid huge concerns on high prices and branded PE kits.

He advised that research carried out by the Parent Engagement Group found that the average price spent on post primary school uniforms was £378 and £173 on primary school levels, with one Grammar school in the north's PE kit costing up to £259. This is a huge amount and very difficult for working class families and whilst grants were available in some cases this only covered a fraction of the cost. Over this last number of years school uniform prices had dramatically increased but the impact on students and families has been hugely ignored.

With the recent School Uniform Exchange Programme carried out by the Volunteers of the Coalisland Community Foodbank and Dungannon Youth Resource Centre which was a helping hand for hundreds of local families.

Proposed by Councillor Kerr

That the Council write to all Primary and Secondary Schools within our Council area to make them aware of this survey and encourage their students to participate and to invite the Secondary Students Union and Parents Engagement Group into a future committee meeting to educate Council more on the School Uniform campaign and other pressing issues.

Seconded by Councillor Corry

Councillor Corry said that she was happy to second Councillor Kerr's proposal as she was aware of the Students Union currently carrying out a campaign on it which was a very worthwhile campaign. She agreed that the rising cost of school uniforms was a huge struggle for families to take on and the whole branding of PE kits and socks etc. was very expensive. She referred to the discussion around gender neutral uniforms where people would have a choice and very important for Council to carry this work forward.

Resolved That it be recommended to Council to:

- 1) Write to all Primary and Secondary Schools within our Council area to make them aware of this survey and encourage their students to participate.
- 2) Invite the Secondary Students Union and Parents Engagement Group into a future committee meeting to educate Council more on the School Uniform campaign and other pressing issues.

The Assistant Director of Development, Strategic Community Development advised that she would take this matter on board.

D193/21 Empower Project re Tourette's Group

The Chair welcomed to the committee Ms Josie McGuckin from Empower Project and Ms Louise and Deaglan McCallion re Tourette's Group (appendix 1).

Ms McGuckin advised that the Empower Project was a community project funded by The National Lottery Community Fund NI. The Empower Project is led by a community organisation called DADS (Dyslexia, Autism, Dyspraxia Support) which has been operating for over 20 years and was originally set up as a self-help group for parents who have children with learning difficulties.

Councillor Black entered the meeting at 7.10 pm.

She advised that the Empower Project had recently been supporting a local family whose child was being monitored for ASD. His parents became concerned about his involuntary body and vocal tics as these behaviours were causing problems for the child both at school, at home and in all social situations. The Empower Project began to suspect Tourette Syndrome and they tried to get statistical evidence about this condition in Northern Ireland. It was discovered that no statistics were actually available so it was felt that there was little/no support for these children with Tourette's. A call was made on social media to find out if there were many families locally with children who had Tourette's and to everyone's amazement, 10 families contacted the Empower Project. Tourette Syndrome is a neurodevelopmental (brain condition) which can be lifelong or children can grow out of it. Tourette's is not rare as many as 1 in 100 individuals show signs of Tourette Syndrome, most of them remain undiagnosed, misdiagnosed, and/or misunderstood. Tourette's is genetic and affects males more than females with no cure and no medical test that can tell you if you have it. These children are referred to CAMHS for intervention and are often prescribed drugs to help the condition. Tourette Syndrome begins in childhood between the ages of 2-18, with the average age of onset is between the ages of 6-8. Most people associate Tourette's with verbal or physical Tics and found that:

- Criteria for Diagnosis
- Diagnosing Tourette Syndrome is a long and difficult process
- There are few experts in this field

Environmental factors that may impact Tourette Symptoms:

Stress	Anxiety
Fatigue	Excitement
Holidays	Illness
Hunger	Life & School Transitions

Ms McGuckin advised that Deaglan and his mother Louise would like to speak to committee to outline his experience of Tourette's Syndrome.

Deaglan thanked the committee for allowing him to opportunity to tell his story and his personal experiences of dealing with Tourette's Syndrome on a daily basis. He updated the committee on his daily challenges and said that he had one short and simple point to make "Be Kind".

Mrs McCallion said that her family would like to see more awareness and more understanding for what her son went through on a daily basis. She said that they were lucky that people were there to help like Empowerment Group and Councillor Milne who had done so much for them as a family. She said that doing normal family things like going shopping and other things makes it so much harder for them when staff members were pointing fingers, laughing, sniggering and being refused from cinemas and many other places and stressed that Deaglan had a human right to be a child too. She said that her family would really appreciate help and support with getting awareness in the public domain of Tourettes. She commended the support from Ms McGuckin and her team at Empower which they done for her family alone, which has been a lifeline for them as there was nowhere else they could turn to as there was nothing there for Tourettes Syndrome and pleaded for help for her family.

The Chair thanked Deaglan and his mother for their comments and said that he knew from their presentation that everyone which was online tonight wouldn't have been emotionally affected by this and have empathy for the family and thanked them for bringing this to members attention. He said that awareness and education will bring down barriers and was amazed at some of the statistics that 1 in 100 develop some kind of symptom and advised that a few members wished to come in and make some comments/questions.

Councillor Milne said that he was pleased to see the McCallion family again and stated that this situation was really well explained by them tonight and an excellent presentation as this was the reality of life for Deaglan and his family. He said that for 10 years this family hasn't had a break as there was no respite or nothing else and all built in around family. He referred to this Council which was very caring, supportive and recognised all the needs of people and asked that Council Officials make contact with Ms McGuckin and the McCallion family to see what they could do to further support to raise awareness from the Council and do whatever we can do to further look out. He stated that on behalf of his own party he had brought the matter to the attention of Stormont and they were currently researching and prepare statistics and said that a meeting with Ms McGuckin and the McCallion family would be coming to the fore very soon. He concluded by saying that this presentation was excellent and very heartfelt and thanked them all for coming into tonight.

Councillor Elattar thanked Ms McGuckin for the presentation and also Deaglan and his parents for their contribution including the videos and said that there definitely needed to be a lot more awareness of Tourettes Syndrome and stated what stuck in her mind the most from this evenings presentation was Deaglan's words "Be Kind" and this should be a message which should be taken away for everyone in every aspect of life. He felt that the Council and other organisations within the local community could do with having awareness raised and an education event and thanked Deaglan for his input tonight.

Councillor Monteith shared previous members sentiments and thanked Ms McGuckin, Deaglan and his family for an excellent presentation and commended Councillor Milne on his work so far in bringing this forward to the Council as some good work was going on. He said that it was an area he would have some knowledge off but not an awful lot and thanked Deaglan's parents for allowing members to see the closed videos which were made public, but felt it was important that the videos were shared to raise awareness. He felt that it was important to have Deaglan and others like him to educate and teach the Council and staff about raising awareness about the difficulties which they face and felt it may be an encompassing thing which may be worked upon as months go on especially when he heard Deaglan's mother saying that they weren't allowed into the cinema and shops amongst other things. He advised that the Council would have provided funding over the years for retail staff and felt it may be worth investigating about building this into the staff training and also building into our Economic Development funding about Tourette friendly shops and Tourette friendly staff and across our different venues and definitely thinks that this was something that could be taken forward. He felt it was important to get the bit between the teeth and take forward in conjunction with Deaglan's family and indeed the many other families out there. He commended the presentation and well done to Ms McGuckin, Deaglan and his family for all the work which was already going on and something that the Council could really take a grasp of.

Ms McGuckin thanked Councillor Monteith and said that they welcomed his comments.

Councillor Corry thanked Ms Guckin, Deaglan and his parents for the fantastic presentation and concurred with previous comments. She said what has come out of this tonight was awareness and education from what Deaglan had said on the video about when it was explained to his class about his condition their understanding and acceptance went a long way. He said if there was anything the Council could do amongst staff and leisure centres and putting the programme out further for awareness regarding cinemas and retail sectors etc. then we should try our best to accommodate that.

Ms McGuckin advised that the Empower Project can also provide training to staff and to any other members which need it.

The Chair thanked Ms McGuckin, Deaglan and his parents for coming along tonight and providing the presentation to make members aware of this condition and empowering the Council to possibly do something about it. He asked that Ms McGuckin and Council Officials to make contact to see what Council could do in the future to help out. He thanked the star of the show Deaglan for coming along and letting members know the difficulties he endured on a daily basis.

Deaglan said that he found the whole experience tonight amazing as everyone on the zoom call was just so kind.

The group withdrew from the meeting at 7.30 pm.

D194/21 Inland Waterways Association of Ireland - Blackwater Branch

The Chair advised that no representation was in attendance tonight from Inland Waterways Association of Ireland - Blackwater Branch.

D195/21 Mid Ulster Pride

The Chair welcomed to the committee Ms Molly Farrell and Mr Joshua Cuddy from Mid Ulster Pride and invited them to make her presentation (appendix 2).

Ms Farrell advised that statistics provided in 2019 by Queen's University Centre for Children's Rights and Common Youth found that 60% of students who received the RSE was not useful. 73% said that they rarely or never received the RSE and even more shockingly 1 in 5 male teenagers do not think consent is required for sex.

She said that Mid Ulster Pride represented Celebration, Loving and Belonging.

She highlighted their short term and long terms goals:

Short term goals were: Training from the Rainbow Project, HEReNI and other charities; Bring that training into the community; Work with businesses or the Council in creating an LGPTQ+ Safe Space.

Long term goals were: Bring the training into schools; Establishing a Safe Space Class within schools of Mid Ulster; Working with parents to improve their knowledge.

The Chair thanked Ms Farrell for her impressive presentation and was inspiring to hear what the group were doing and how she was affected herself growing up and her development as a person.

Councillor Corry thanked Molly and Josh for their presentation. She advised that she had met Molly at Mid Ulster Pride a few times and felt it was heart-breaking that people have to leave their own homes and move to another country to be who they are and felt that this needed to change as everyone needed to be treated with equality and respect and be who there are in the place in which they live in and where they were from. She said that she was looking forward to the Coffee Morning on Saturday and said that when you were at a Pride Event it was great to see so many people together happy, the music and the buzz and stated that the group were doing brilliant and was looking forward to the events next year and wished them every success. She said that it was important that Council do everything they possibly could to support the group.

Councillor Kerr thanked Molly and Josh for their presentation and advised that he had recently attended their fundraiser in Coalisland. He referred to their annual Pride event in Cookstown and said that it was unfortunate that he couldn't stay longer due to other

commitments, but wished them every success going forward and looked forward to attending future events. He said that he was very sorry to hear that Molly had to leave home due to her sexual orientation, it's the 21st century and people needed to realise that discrimination like this was no longer acceptable as everyone was equal and love is love. He referred to comment regarding the education system and sexual consent and said that he wholeheartedly agreed with her and believed that the education system needed an overhaul as sexual consent needed to be taught in schools and also acceptance from the LGPTQ+ community. He said that there was a great focus after the devastating murder of Sarah Everard regarding sexual consent and misogyny towards women and totally agreed but said that these were conversations for another time. He thanked the group for their presentation and hoped going forward that the Council could be a progressive organisation helping the group out.

Councillor Hughes echoed her fellow colleagues comments and thanked Molly and Josh for attending the meeting tonight to update the committee. She said that on behalf of herself and SDLP colleagues they would like to do anything they could to help the group out and was a great honour to walk with Mid Ulster Pride in Cookstown in September and looked forward to the next event.

Councillor Burton thanked Molly and Josh for coming along tonight and welcomed them to the committee tonight. She advised that she wished to come across humbly and respectfully but also wanted to say about her understanding. She said that she knew that the group were seeking to have respect for their community and for their beliefs and she asked for the same as someone who believes the Bible and would put a lot of faith on what the Bible tells us about what's best for our lives and believed that it had the ultimate wisdom, guidance and truth for all our lives. She said that she would like to say that where we all wish to seek dignity and respect, she would also want to have that for people who were different from the beliefs of others with different opinions and not the popular choice in today's society which has already been said in the meeting to hold fast to what was Biblical teaching. She said that she really believed that where your life was concerned, she really enjoyed having her faith, praying and reading her Bible and really believed that the living word of God which can really change lives and from that prospective, she also believed that God created man and woman and that was the first marriage between Adam and Eve and really believed that this was like a prototype of how marriage was set up in the Lord's eyes. She felt that the Bible was a really good teaching point to come from and said that she believed that the Vatican held the same views and certainly defended the freedom of personal rights and said that the group had their beliefs and she had hers and whilst she wished to be respectful, thoughtful and really say this passionately with conviction but also with empathy as she wouldn't want to come across as someone who was harsh. She believed that too much of the past was around religion and that religion was man's attempt to reach God, but felt that Jesus and his love was God's way to reach man and thanked the committee for listening to her.

Councillor Monteith welcomed Molly and Josh to the Development Committee and commended them for their presentation which was very well spoken and a daunting process which took a lot of courage. He said that it was great to hear the experiences the group has had but also distressing to hear some of the other experiences which had been expressed very eloquently and was saddened to hear that Molly felt the need to leave her home because of who she was, but thankfully she was back now and hoped

that she felt a little bit more comfortable and hoped that events which were being run help towards that. He advised that when he spoke to Josh on the day of Pride he was very complimentary of the Council Officers already about working closely with them which he was glad about and hoped that this may continue in the future. He referred to the previous presentation from the Tourettes Group and said that this also needed to be a process rather than a one-off as relationships needed to be built on compassion and working together to get the message. He referred to the presentations here tonight and summed up the words described by Deaglan earlier which epitomised as “Be Kind” and felt this was very appropriate to the experiences of what the group was going through. He said it was fair play to the group which has been a beacon as he was aware of a number of people within the group’s community locally which did not feel in a position at this stage to attend Mid Ulster Pride events as he had been talking to a few of them in the run up to the event but were appreciative that these were taking place. He said that these people hoped that possibly next year may be the year for them and said that it was a great thing that they were doing and wished the group all the best.

Councillor Elattar wished to thank Molly and Josh for coming along to the committee meeting tonight to make their presentation. She said that like the other speakers, she found it very sad that young people including Molly had to move away for their local community because they cannot be who they are within their own local areas. She commended to group on the work they were doing and hoped to attend the next event organised by Mid Ulster Pride and was unfortunate she was unable to attend this year. She enquired where the group’s events were advertised.

Ms Farrell advised that events were advertised on Facebook and Instagram. She said that the group were slowly getting the hang of Twitter and hoped to start looking at formulating a newsletter to provide updates as often as possible.

Mr Cuddy also added that Mid Ulster Pride had a website – *midulsterpride.com* – which was up and running but not fully populated with events yet but was a good place to go to get all the relevant information.

Councillor Cuddy congratulated the group on their fantastic presentation and said that they were young people coming through this part of the outside world and was aware that they were following their passion and wished them well. He said if Mid Ulster Council could help them in any way then they would.

Mr Cuddy thanked Molly for providing the presentation and let the committee know how pleased the group were to have had great help from Mid Ulster Council, especially from Good Relations Department who were very good to them and hoped that this could continue going forward. He reiterated with what Molly had said about the group providing training and hoped that this would be a bit better sorted for the group also. He commended Councillor Burton and said that it was a hard thing for her to say and did it very well with a lot of eloquence and everyone at Mid Ulster Pride respect everybody’s views and encourage people to go even when there was protests, everyone was entitled to their views and entitlement to be existence and hoped that a favourable arrangement can be reached without stepping on each other’s toes. He advised that the group was founded by a member of the Church of Ireland Andrew Rawding and he thought the message that Jesus left us was “*do unto others as you would have them do unto you*”

which was a message of love and acceptance and that was one of the group's guiding principles were; belonging, love and celebration. He said that everyone was entitled to their views and everyone at Mid Ulster Pride had great respect for that and had a broad diverse range of people with religious views on their committee and can be a very divisive issue, religion and LGPTQ+ matters, and this was left for people to make up their own minds. The group just wants to make the world a bit safer and habitable for people who were living this life as it was not a choice that the person gets to make and a hand which has been dealt, much in the same way as any other form in which life takes which there was no choice in and were just here to try and make it more easy and comfortable as possible for everyone.

Ms Farrell advised that she left this country when she was 19 to go and live in a foreign country that didn't speak English and that was the first country she felt safe and comfortable enough to hold a girl's hand as she walked down a street. She advised the committee that she was of a very strong faith which she had a deep love and compassion and she felt that through that love she was able to come back to this country and do what she was doing and not be as scared as she had been. She said at the start it was not easy to do Mid Ulster Pride and often a long night of wanting to hide due to shame and that burning desire for nobody to know you and thought to herself if this was how she was going to feel, then how do people feel who have not lived as she has and said that this was something she wanted the committee to think about. She said she wished to feel comfortable living in her country but still couldn't bring herself to hold a girl's hand, but would support anyone who wished to try and thanked the committee for listening to her and being so courteous.

The Chair thanked the group for their presentation and their words and hoped in time there would be a situation where a person can walk down a street with whoever they love in this country very soon and would fully support the group on that. He thanked the group for coming along tonight and wished them all the best for the future.

Representatives from Mid Ulster Pride left the meeting at 8 pm.

D196/21 Deirdre Murphy re Conflict in Gaza

The Chair welcomed to the committee Ms Deirdre Murphy re Conflict in Gaza and invited her to make her presentation.

Ms Murphy advised that in 2015 she visited Palestine as part of a Trade Union delegation to witness the situation first-hand. The group met with a variety of people in Palestinian society from teachers and farmers to doctors, as well as members of the Bedouin community. She said what shocked her with all of these people was the lengths to which Israel goes to make their lives impossible i.e. stopping an ambulance and holding it up for hours, likewise holding doctors and nurses at some of the numerous checkpoints which you find around the Occupied Territory.

The farmer, for instance, had guns trained on him constantly while he was trying to grow his produce and at night the army would come in, wreck everything he had and pull up all his produce, but still he persevered.

One night her group went at 2am to a large area of wasteland where Palestinians queue for hours to enter what could only be described as cattle cages to enter Israel for menial badly paid jobs. This process, which involves them being fingerprinted, searched and delayed, can take up to three hours. Were it not for the arrogance of the Israelis in charge, from countries around the world, whose role is to make this experience as unpleasant as possible for the workers, this process would take just minutes. These workers barely see their children in the week.

That was one of the images that could never be forgotten. The other image was while visiting Hebron, a once vibrant Palestinian city, now a ghost city where it's impossible to see a Palestinian in its commercial centre as they are being ethnically cleansed from there. The Israeli Defence Force clear them from their homes and move the settlers in instead, thus ensuring the city's economy is destroyed.

She advised that during this visit, they encountered settlers who denied there had ever been a place called Palestine, their guide, a Palestinian university professor, was not allowed to escort them in certain parts of Hebron, although it has always been a Palestinian city. She said that her group had to be led by young Israeli guides, ex-members of the IDF, who had left the IDF as they refused to continue persecuting Palestinians. When they met back near the coach, the guide was frogmarched away by the IDF and had to take a taxi to meet them later. He had been walking a few metres on a road that Palestinians were not allowed to use and the image of that gentle man's face as he was dragged away will forever encapsulate Israel as an apartheid state in her mind.

She stated that the group also visited a reservoir that used to supply the Palestinians with their water and is now redirecting it to the many illegal settlements so they can have swimming pools and lush green grass. What was most shocking was to see that they had employed a Palestinian to oversee the reservoir knowing he could never avail of this water for himself and his people and this was the only way he could earn a living. Palestinians have to buy their own water back from the Israelis where it is stored on the roofs of their homes in tanks.

She referred to another memory while staying in Bethlehem the group asked a taxi driver if he could drive them to Jerusalem, a twenty-minute drive away, were it not for checkpoints, he said he was unable to do so and broke down as he told us why. Even though his wife had cancer he could not take her to hospital in Jerusalem as only men of over 65 could travel there, he had family in Jerusalem and could not visit the city, but our group which came from thousands of miles away could. The illegal settlers have their own apartheid roads connecting them directly to Jerusalem, while Palestinians travelling to work or to study or to visit family or hospital might take up to six hours to travel through the network of checkpoints.

Ms Murphy said that like everyone who visits the Occupied Territory and East Jerusalem (it is impossible to visit Gaza) she was traumatised by the inhumanity of the occupation and the casual cruelty of the way Palestinians were treated. This is something will stay with her forever and is impossible to forget. In Ramallah there is a mural that says, 'now you have seen, you are responsible.' That is true for everyone I know who has been to

Palestine, and there are many. When you return you feel an obligation to tell the truth of what you saw and would urge people to visit for yourselves and to tell that truth.

The Chair thanked Ms Murphy for her presentation and her personal experiences which made it all the more heart-rendering, especially when it was witnessed with her own two eyes. He said that this took us back to the previous presentation regarding humanity and people coming back here and nothing changes. He referred to people from all around the world observing this but this still continues to go on and have to ask yourself why nothing has changed.

Councillor Kerr thanked Ms Murphy for providing the committee with her very emotive account of her business to Palestine. He agreed with comment regarding the deliberate dehumanisation of the Palestinian people from the Arabs and the account Ms Murphy has portrayed does not be mentioned by the mainstream media and a one-set narrative where it was self defence against Palestinian militant groups but more to do with dehumanisation, it's supremacist, fascism and the exact same way a certain state treated other people in the 40's and just textbook tactics and nothing has changed.

He wished to thank Ms Murphy for carrying out her humanitarian work and for outlining her account and it may be the case that some Councillors saying that as a Council in the North of Ireland how could we help the Palestinian people, he said that this was done by challenging the mainstream narrative and educating people and letting people know about the horrific events and the living hell the Palestinian people endure on a daily basis. He said that in Gaza, missiles and fighter jets swooped overhead and was aware that previously Council had passed a motion supporting the BDS Movement as a corporate position and hoped that engagement could take place with Council Officers on how they maximise that motion and also to help Ms Murphy and other activists on the telling of the Palestinian peoples cause.

The Chair thanked Ms Murphy for coming along to the meeting tonight to provide her personal experience and said that awareness and education was key to make people aware of the situation on the ground and wished her and other activists the best of luck.

Ms Murphy advised that every single person could help the Palestinian people by just being human beings and said that this was not about religion but more to do with pure inhumanity and genocide of the Palestinian people. She said that everyone could help by reading all the Jewish/Israeli authors like Ilan Pappé, Abby Stein, Gideon Levy and Mikhal Dekel. If members wished to read about Palestine or to know more then she would encourage everyone to read a book by Miko Peled called 'The General's Son' which was a brilliant book and really easily read as this was about Miko's father who was a General in the Israeli army and this can also be listened to on YouTube or audio. She said that everyone can all help by boycotting Israeli produce and boycotting Hewlett Packard, Puma and McDonald's who were all huge contributors and all these companies were keeping the occupation and the absolute inhumanity towards these people who had done nothing other than being born and reared on their own land. She advised that no-one was saying that Israel cannot occupy piece of the land as it was given to them by the British state, but when Israel was committing genocide in such a dreadful, blatant way and being supported by America with \$4 billion a year then this was the issue. She concluded by quoting the Reverend Bill Shaw from Belfast as she went to a talk that he

done a few years ago after he went with a cross community delegation of people years previous to Palestine and he said *'I saw and it was my duty to come back and speak'*.

Ms Murphy thanked the committee for listening to her presentation and inviting her along tonight.

The Chair advised that this concluded the presentation for this evening and thanked everyone for their attendance this evening.

D197/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.22 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 2 November 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Black, Chair

Councillors Brown, Clarke*, Colvin*, Corry, Cuthbertson, Glasgow, Hughes*, Mallaghan, 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

Councillors Gildernew, S McGuigan and Molloy***

LA09/2018/1258/F
LA09/2020/0804/O

Mr Cassidy*
Mr Nugent

* 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

P149/21 Apologies

Councillor Bell.

P150/21 Declarations of Interest

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

The Chair, Councillor Black declared an interest in agenda items 4.2 to 4.5 – LA09/2019/0815/F, LA09/2019/0816/F, LA09/2019/0819/F, LA09/2019/0820/F.

All Members present (Councillors Black, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow, Hughes, Mallaghan, McKinney, D McPeake, S McPeake, Quinn, Robinson) declared an interest in agenda item 4.15 - LA09/2021/0033/F.

P151/21 Chair's Business

The Service Director of Planning referred to the addendum circulated and the correspondence received from the Minister for Infrastructure in relation to the withdrawal of the Policy Advice Note on the Strategic Planning Policy on Development in the Countryside and felt that Members could be satisfied with the representations made in regard to this and the outcome. The Service Director of Planning also highlighted correspondence from the Chair of the Infrastructure Committee urging local authorities to engage with the Department in regard to the Minister's decision and stated that he could not see how Members would not want to engage going forward. The Service Director of Planning suggested that a letter of response be sent to the Minister for Infrastructure welcoming the decision taken in relation to the withdrawal of the Policy Advice Note. The Service Director further suggested that a letter be sent to the Chair of the Infrastructure Committee stating that any further changes to the policy should be brought through the Development Plan process rather than the issue of further guidance. The Service Director of Planning also highlighted that the Council's Development Plan was submitted five months ago and that, to date, there has been no indication of when it will be put to the Planning Appeals Commission and felt that this should be highlighted to the Chief Planner and Director of Regional Planning and copied to the Minister for Infrastructure and Chair of the Infrastructure Committee.

The Chair, Councillor Black stated that the withdrawal of the Policy Advice Note is welcome.

- Resolved** That correspondence be sent to –
- Minister for Infrastructure - welcoming the withdrawal of the Policy Advice Note.
 - Chair of Infrastructure Committee – welcoming further engagement in relation to Development in the Countryside Policy and that this should be brought through the Development Plan process.
 - Chief Planner and Director of Regional Planning – regarding timescales for Development Plan to be brought to Planning Appeals Commission.

The Service Director of Planning stated that performance in relation to processing of major applications could be improved and that one of the reasons for delays with these applications is receiving consultation responses from DfI Roads. The Service Director advised that he wrote to the Divisional Roads Manager expressing concern at the delays and highlighted the response received in the addendum. The Service Director of Planning stated he felt the response received was inappropriate.

The Service Director of Planning highlighted an enforcement appeal decision, as per addendum, and noted that the planning department successfully defended the enforcement notice and the compliance period.

The Service Director of Planning advised of Judicial Review involving Derry City and Strabane District Council relating to a decision made by the Council. The Service Director advised that the Review concluded that, following a Planning Committee, there needs to be a five day period in order to allow for potential Call In to Council. It

was advised that this is not currently included in the Standing Orders and will require some work going forward but allows opportunity to look at the Planning Protocol and Scheme of Delegation. The Service Director of Planning stated that, in order to protect Council, decisions of the Planning Committee will not be issued until after they have been through Council until further consideration has been given to Review. In relation to delegated applications, the Service Director of Planning advised he was content to issue these as they are not contentious and any Member can call them in to the Planning Committee in any case.

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 for an office meeting –

Agenda Item 4.6 – LA09/2019/0946/O - Replacement of disused Greenhouses and footings of approved dwellings with a Housing Development at lands S of 31 Brough Road, Castledawson, for D&D Loughran.

Agenda Item 4.7 - LA09/2019/1051/O - Site for a dwelling and garage at approx. 80m S of 103 Mayogall Road, Magherafelt, for Mr. Conor O' Neill.

Agenda Item 4.8 - LA09/2020/0343/F - Residential development of 6 detached dwellings at 62 Glen Road, Maghera, for Danny Mc Master.

Agenda Item 4.14 - LA09/2020/1444/O - Dwelling and garage on a farm adjacent to 76 Moghan Road, Castlecaulfield, Dungannon, for Brigid McElduff.

Agenda Item 4.16 - LA09/2021/0319/F - Change of house type (M/2004/0778/F) from a detached to a pair of semi-detached on site 2 Opposite 114 Killyliss Road Eglish, for TG Developers Ltd.

Agenda Item 4.17 - LA09/2021/0380/F - Housing development (1 detached bungalow and 4 detached 2 storey houses) with foul water treatment plants and associated site works adjacent and E of 88 Roughan Road and 48 Drumreagh Crescent, Newmills, Dungannon, for Firtree Developments Ltd.

Agenda Item 4.19 - LA09/2021/0691/F - Change of house type (approved I/2011/0514/RM) and garage at Killycanavan Road 170m NE of Junction with Brookend Road Ardboe Dungannon for Hannah Quinn.

Agenda Item 4.22 - LA09/2021/0905/O - 3 detached dwellings to the rear of 9-11 Killyveen Park, Granville, Dungannon, for Mr Jim Fay.

Agenda Item 4.23 - LA09/2021/1036/F - New entrance in substitution to LA09/2020/0631/F at approx. 60m SW of 137 Lurgylea Road Galbally Dungannon, for Mr Damian Corr.

Agenda Item 4.28 - LA09/2021/1274/F - Dwelling with 6.5m Ridge height at site between 87 and 91 Kinrush Road Cookstown for Dwayne Mc Kenna.

The Service Director of Planning advised that in relation to agenda item 5.3 - LA09/2020/0024/F - the agent has agreed to provide further information and that this application should be held for the further information to be submitted.

The Service Director of Planning advised that agenda item 5.8 - LA09/2020/1140/O has been withdrawn from the agenda as the description does not now match the reason for the application.

Councillor Cuthbertson advised that the applicant of agenda item 4.29 - LA09/2021/1275/O had spoken to him and that there had been a mix up with the agent with regard to requesting speaking rights/deferral and that no request was submitted. Councillor Cuthbertson requested that this application also be deferred for an office meeting.

The Service Director of Planning stated he had no objection to this.

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson and

Resolved That the planning applications listed above be deferred for an office meeting/held for further information/withdrawn from agenda as outlined.

In response to Councillor S McPeake's question the Service Director of Planning advised that although agenda item 4.19 – LA09/2021/0691/F was listed for approval the applicant had an issue with one of the conditions which was why a deferral was being sought.

Matters for Decision

P152/21 Planning Applications for Determination

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

LA09/2019/0144/F Housing development (16 units), at lands opposite 9 Strifehill Road, Cookstown for Mr Adrian Milliken

Members considered previously circulated report on planning application LA09/2019/0144/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Brown and

Resolved That planning application LA09/2019/0144/F be approved subject to conditions as per the officer's report.

The Chair, Councillor Black declared an interest in the following applications and withdrew to the public gallery.

Councillor S McPeake took the Chair.

LA09/2019/0815/F Retention of existing E car parking area at existing Clay Pigeon Shooting Range at Lands at 27 Tamney Martin Road Maghera for Mr Johnathan Crawford

Members considered previously circulated report on planning application LA09/2019/0815/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2019/0815/F be approved subject to conditions as per the officer's report.

LA09/2019/0816/F Retention of change of use of field for Clay Pigeon Shooting Range at Lands at 27 Tamney Martin Road Maghera for Mr Johnathan Crawford

Members considered previously circulated report on planning application LA09/2019/0816/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2019/0816/F be approved subject to conditions as per the officer's report.

LA09/2019/0819/F Retention of Change of Use of field for Clay Pigeon Shooting at Existing Clay Pigeon Shooting Range at Lands at 27 Tamney Martin Road Maghera for Mr Johnathan Crawford

Members considered previously circulated report on planning application LA09/2019/0819/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2019/0819/F be approved subject to conditions as per the officer's report.

LA09/2019/0820/F Retention of Safety Mound at Existing Clay Pigeon Shooting Range at Lands at 27 Tamney Martin Road Maghera for Mr Johnathan Crawford

Members considered previously circulated report on planning application LA09/2019/0820/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Cuthbertson and

Resolved That planning application LA09/2019/0820/F be approved subject to conditions as per the officer's report.

Councillor Black rejoined the meeting and took the Chair.

LA09/2019/0946/O Replacement of disused Greenhouses and footings of approved dwellings with a Housing Development at lands S of 31 Brough Road, Castledawson, for D&D Loughran

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

LA09/2019/1051/O Site for a dwelling and garage at approx 80m S of 103 Mayogall Road, Magherafelt, for Mr. Conor O' Neill

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

LA09/2020/0343/F Residential development of 6 detached dwellings at 62 Glen Road, Maghera, for Danny Mc Master

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

LA09/2020/0493/F Conversion of garage to bedroom with en-suite and retention of shed and vehicular access at 17 Old Moy Road, Donnydeade, Dungannon for Mr & Mrs Stephen McDowell

Members considered previously circulated report on planning application LA09/2020/0493/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2020/0493/F be approved subject to conditions as per the officer's report.

LA09/2020/0763/F Silo with agricultural access provided to fields at the rear at 29 Crancussy Road Cookstown for Mr Peter McNally

Members considered previously circulated report on planning application LA09/2020/0763/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/0763/F be approved subject to conditions as per the officer's report.

LA09/2020/0820/F Grass silage clamp alteration (from LA09/2015/0240/F) to include roof enclosure / steel frame, plant storage shed and extension to curtilage associated with an operational Anaerobic digestion plant at land approx. 155m NE of 72 Kilmascally Road Kinrush Dungannon for Ardboe Agri Energy Ltd

Members considered previously circulated report on planning application LA09/2020/0820/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2020/0820/F be approved subject to conditions as per the officer's report.

LA09/2020/0880/F Application to vary condition 19 of Planning Permission M/2007/1407/F to extend the operational lifetime of the wind farm from 25 to 30 years at Shantavny Scotch, Omagh Road, Ballygawley for Brookfield Renewable

Members considered previously circulated report on planning application LA09/2020/0880/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved That planning application LA09/2020/0880/F be approved subject to conditions as per the officer's report.

LA09/2020/1323/F Split level dwelling & attached garage between 65 & 85 Drumgrannon Road, Dungannon, for Lauren Wylie & Andrew Murry

Members considered previously circulated report on planning application LA09/2020/1323/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/1323/F be approved subject to conditions as per the officer's report.

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

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

LA09/2021/0033/F Public realm improvements comprising of new paving to pedestrian footpaths and Pomeroy Square at Main Street Pomeroy for Mid Ulster District Council

Members considered previously circulated report on planning application LA09/2021/0033/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0033/F be approved subject to conditions as per the officer's report.

LA09/2021/0319/F Change of house type (M/2004/0778/F) from a detached to a pair of semi-detached on site 2 Opposite 114 Killyliss Road Eglis, for TG Developers Ltd

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

LA09/2021/0380/F Housing development (1 detached bungalow and 4 detached 2 storey houses) with foul water treatment plants and associated site works adjacent and E of 88 Roughan Road and 48 Drumreagh Crescent, Newmills, Dungannon, for Firtree Developments Ltd

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

LA09/2021/0686/O Dwelling and garage immediately W of 210 Washingbay Road, Dungannon for Paul and Michelle O'Hagan

Members considered previously circulated report on planning application LA09/2021/0686/O which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/0686/O be approved subject to conditions as per the officer's report.

LA09/2021/0691/F Change of house type (approved I/2011/0514/RM) and garage at Killycanavan Road 170m NE of Junction with Brookend Road Ardboe Dungannon for Hannah Quinn

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

LA09/2021/0773/F New vehicular access to existing Quarry at 130m E of 120 Feegarran Road, Cookstown (opposite Corby Road Junction) for Wesley Hamilton

Members considered previously circulated report on planning application LA09/2021/0773/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2021/0773/F be approved subject to conditions as per the officer's report.

LA09/2021/0882/O Two storey dwelling and garage at 50m SE of 115a Ruskey Road, Loup, for Nuala McVey and Enda McLaughlin

Members considered previously circulated report on planning application LA09/2021/0882/O which had a recommendation for approval.

Proposed by Councillor Corry
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/0882/O be approved subject to conditions as per the officer's report.

LA09/2021/0905/O 3 detached dwellings to the rear of 9-11 Killyveen Park, Granville, Dungannon, for Mr Jim Fay

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

LA09/2021/1036/F New entrance in substitution to LA09/2020/0631/F at approx 60m SW of 137 Lurgylea Road Galbally Dungannon, for Mr Damian Corr

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

LA09/2021/1048/O Site for off-site replacement dwelling and detached garage at 50m SE of 22 Tirgan Road, Tullynagee, Moneymore, for Malachy McCrystal

Members considered previously circulated report on planning application LA09/2021/1048/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/1048/O be approved subject to conditions as per the officer's report.

LA09/2021/1050/O Site for dwelling & domestic garage / store at 60m E of 80 Drumaspil Road, Drumhorrik, for Ryan McKenna

Members considered previously circulated report on planning application LA09/2021/1050/O which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/1050/O be approved subject to conditions as per the officer's report.

LA09/2021/1225/F 2 detached two storey dwellings with shared dual site entrance at lands directly adjacent to 31 Whitelough Road Aughnacloy, for Alan Campbell

Mr Marrion (SPO) presented a report on planning application LA09/2021/1225/F advising that it was recommended for refusal.

Proposed by Councillor Mallaghan
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1225/F be refused on grounds stated in the officer's report.

LA09/2021/1265/O Infill site for 2 dwellings (renewal of LA09/2018/0977/O) adjacent to and immediately SE of 26 Whitetown Road Newmills, Dungannon, for Mrs Muriel Magee

Members considered previously circulated report on planning application LA09/2021/1265/O which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Colvin and

Resolved That planning application LA09/2021/1265/O be approved subject to conditions as per the officer's report.

LA09/2021/1274/F Dwelling with 6.5m Ridge height at site between 87 and 91 Kinrush Road Cookstown for Dwayne Mc Kenna

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

LA09/2021/1275/O Dwelling on a farm at 75m W of 125 Bush Road, Dungannon, for Mr Paul Cranston

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

**LA09/2021/1313/O Two storey dwelling between 55c and 59 Cadian Road
Dungannon (site 1), for Mr R P Reid**

**LA09/2021/1314/O Two storey dwelling between 55c and 59 Cadian Road
Dungannon (site 2), for Mr R P Reid**

Mr Marrion (SPO) presented a report on planning applications LA09/2021/1313/O and LA09/2021/1314/O advising that they were recommended for refusal.

Councillor Cuthbertson proposed the officer recommendation.

Councillor S McPeake asked for the widths of curtilages of adjacent sites.

Mr Marrion advised that in relation to the dwelling and garage to the south there is a frontage of 50m. The frontage of the dormer bungalow to the north is 70m.

The Service Director of Planning asked if the case officer was including the gap to the north in their considerations which was why they felt the site could accommodate three dwellings.

Mr Marrion felt this was the case.

The Service Director of Planning stated that taking into consideration the character to the south of the site he would not be adverse to offering an office meeting in this case.

Councillor Mallaghan stated he felt the offer of an office meeting was fair and that he would also like to get a better understanding regarding the access to the north of the site. Councillor Mallaghan proposed that an office meeting be held for both applications.

Councillor McKinney seconded Councillor Mallaghan's proposal.

The Chair, Councillor Black asked Councillor Cuthbertson if he wanted to leave his proposal on the table.

Councillor Cuthbertson stated that the will of the meeting seemed to be for an office meeting but felt that there should be some contact from the applicant.

The Service Director of Planning stated he felt the applications were worthy of more investigations in this instance.

The Chair, Councillor Black stated that Councillor Cuthbertson's comments were fair but that he also felt the applications merited an office meeting.

Resolved That planning applications LA09/2021/1313/O and LA09/2021/1314/O be deferred for an office meeting.

LA09/2018/1258/F Storage building and infilling of land at approx. 110m NE of Portafill International Ltd, Dungannon Business Park, Killyliss road, Dungannon, for Acrow Formworks NI

Mr Marrion (SPO) presented a report on planning application LA09/2018/1258/F 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 advised that Acrow Foamworks operate out of several sites in the Granville Industrial Estate and that the company has seen unprecedented growth over the past five years. Mr Cassidy advised that the company operates throughout the UK and Europe and employs 70 people at the Granville site. Mr Cassidy referred to the Council report in relation to the redevelopment of the former Maghera High School site which states that the shortage of development land is the single most important development constraint for medium and large sized companies in Mid Ulster and that this lack of land is a barrier to growth of local businesses. Mr Cassidy states that this is more than evident in the Dungannon area where companies are crying out for land. Mr Cassidy advised that Acrow Foamworks owns the entire area of what is known as the Black Lough and is a total of 70,000 sq m and that they have maintained this area at their own expense over the years. Mr Cassidy stated that the proposal is for a storage unit in the western edge of the area and is adjacent to Portafill International. Mr Cassidy advised that not all of the development is within the Site of Local Nature Conservation Importance (SLNCI) and the area of the SLNCI affected equates to 4% of the total area. Mr Cassidy advised that a number of surveys were undertaken to establish that the SLNCI would not be affected, an ecology report and report on breeding birds were commissioned and both reports concluded that there would be no significant impact. Mr Cassidy advised that a drainage assessment concluded that the development would have no impact on the Black Lough. A habitat management plan for the site was also drawn up with schemes agreed to ensure the future of the site. Mr Cassidy stated that the proposal meets the core policy tests and that the scale of the development does not harm the nature of the area and that there would be environmental benefits as a result of the redevelopment and the management plan being adopted. Mr Cassidy stated that the proposal will allow the company to remain in the area where it already employs 70 people and will see a further 10 jobs created. Approval will also secure the future regeneration of the remaining 96% of the grasslands. Mr Cassidy advised that NIEA were contacted with a view to seeking a solution but they advised that they had no resources to do this, further to this, Mr Cassidy stated that communication with NIEA has proved frustrating and he believed the management plan can address NIEA concerns and could be secured by conditions. On this basis, Mr Cassidy asked the committee to reconsider the recommendation.

Councillor S McPeake stated that Mr Cassidy had quoted a number of reports which had been submitted and asked what area is concerning officers and what do they feel is absent.

Mr Marrion stated that the application was last brought to Committee in October 2019 and was deferred at that time to allow for further information to be submitted.

Mr Marrion advised that nothing further has been submitted since then despite requests. Mr Marrion advised that the last response from NIEA is in relation to a habitat conservation management plan and that they state it fails to adequately address the concerns raised regarding the permanent loss of the priority fen habitat and the significant effect on the Black Lough area. Mr Marrion stated that the NIEA position remains unchanged.

The Service Director of Planning advised that the development limit was drawn in such a way so as to protect the Black Lough area. The Service Director stated he was conscious that a lot has been done to expand development in that area but that he was also conscious of COP26 currently taking place and that a key theme is wetlands and how they help to absorb CO2 from the atmosphere and that the Black Lough is close to an industrial estate. The Service Director felt that a precautionary approach should be taken in relation to the application as NIEA are stating they have concerns and if the applicant is dissatisfied with the decision to refuse the application then this can be taken to the Planning Appeals Commission.

Councillor Colvin stated that the Service Director of Planning has explained why the site is outside of the development limit and current concern for the environment. Councillor Colvin proposed the officer recommendation.

Councillor Mallaghan stated that there have been previous conversations in relation to the Granville site and its importance to the economy and asked if it is a case there will never be any further expansion at this location or what mitigations can be put in place as a long term strategy is needed for industrial space in Mid Ulster.

The Service Director of Planning advised that the Draft Plan Strategy indicates some additions to Granville on the opposite side of the road and also on the main road and stated that a planning application has already been allowed on the main road through Granville. The Service Director felt that Granville is reaching saturation point and hoped there will be new opportunities along the A4 in the future and that there will be further expansion in this area in the future. The Service Director of Planning stated that the Committee have allowed for development outside settlement limits as an exception in the past and that this may happen again in the future but that he did not feel an exception was appropriate in this case due to the specifics of the site. The Service Director of Planning again stated that if the applicant is dissatisfied with a refusal then the application can be brought to planning appeal.

The Chair, Councillor Black stated he understood Councillor Mallaghan's comments but that the Service Director of Planning has indicated other avenues for expansion at Granville in the future and that the application site under consideration was not included in the settlement limit due to the particular environmental issues.

Councillor McKinney seconded Councillor Colvin's proposal.

Resolved That planning application LA09/2018/1258/F be refused on grounds stated in the officer's report.

**LA09/2019/1105/O Site for a farm dwelling and double domestic garage
approx. 70m W of 25a Corrycroar Road, Pomeroy for Mr
Connor Carberry**

Ms Doyle (SPO) presented a report on planning application LA09/2019/1105/O advising that it was recommended for refusal.

It was advised that a request to speak on the application had been received however the agent was not present at the meeting either online or in person to address the committee.

The Service Director of Planning stated there are clusters of shelters on the farm but that these are not buildings and should not be considered as such. The Service Director stated that if there was a reasonable argument an exception could be made but, in this case, there didn't seem to be an argument other than the applicant doesn't like the other options.

Councillor Mallaghan stated he was aware of the alternative site location and felt that the topography of the site, particularly field 8, does not lend itself to build a house on. The Councillor also stated that, although not a planning consideration, he did not think a mortgage would be obtainable for fields 2, 3, 4, 6 and 7 and further to this a river runs behind field 4. Councillor Mallaghan stated that the area is not an easy location to build a house and felt there is an opportunity for a site visit to understand the reason why the applicant may not want to build on the suggested location. Councillor Mallaghan proposed that the application be deferred for a site visit.

Councillor Brown seconded Councillor Mallaghan's proposal.

The Chair, Councillor Black felt it would be beneficial to see the site and in the interests that the agent has not been in attendance tonight.

Councillor Glasgow stated it would not be easy to make a decision based on the map shown tonight and that he could concur with Councillor Mallaghan's comments in relation to the topography of the site. Councillor Glasgow stated he would support a site visit.

Resolved That planning application LA09/2019/1105/O be deferred for a site meeting.

**LA09/2020/0024/F 3 lodges for short term accommodation to facilitate access
to adjacent lough shore nature area at 210m SW of 35
Brookend Road, Ardboe for Donal Coney**

Agreed that application be deferred for further information to be submitted earlier in meeting.

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

Ms Doyle (SPO) presented a report on planning application LA09/2020/0804/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 Nugent to address the committee.

Mr Nugent stated that the application is based on a 165 acre farm and is run by the applicant's father and brother. Beef cattle, poultry and sheep are farmed and the objective is to sub divide the 165 acre farm into two sustainable stand alone farms. Mr Nugent stated that this is a bona fide working farm and that the two brothers both attended Loughry College to study farming. Mr Nugent stated that the case officers report dating back almost a year clearly indicates that the site is suitable for a two storey house and felt that the information brought tonight is contradictory. Mr Nugent referred to planning policy paragraph 5.41 which states that if an existing building group is well landscaped planning permission can be granted for a new dwelling even though visual linkage is limited or virtually non existent. Mr Nugent stated that there is a substantial landscaping around the existing cluster of farm buildings and the site and therefore he felt that the proposal meets with this statement. Mr Nugent went on to refer to planning policy paragraph 5.42 which asks for verifiable information to be offered in relation to farm expansion and environmental or welfare reasons as to why the client needs to look for a site other than the principal farm. Mr Nugent stated that numerous documents have been submitted along with a supporting letter from the Ulster Farmer's Union. Photographic evidence has also been provided showing current and new buildings being erected on the farm, copy of an up to date flock book was also submitted which shows a substantial increase in growth of flock in recent years. Mr Nugent felt that this all goes to show the growth of this farm and that this can be seen on the ground. Mr Nugent stated that it is felt that the application meets the terms of the policy in full and that a lot of evidence has been submitted to support the application.

Councillor Robinson stated that it is evident that the applicant wants to expand the farm business and if he wants to farm at this location he will need a dwelling. Councillor Robinson stated that taking into consideration the expanding farm this may be the only viable site to build a dwelling on and felt that, although difficult, the Committee should be doing everything it can to assist the applicant.

The Service Director of Planning referred to the three agricultural buildings and asked what these were.

Mr Nugent stated these were poultry houses.

The Service Director of Planning asked where the farm house is.

Mr Nugent advised that it was to the south of the poultry houses.

The Service Director of Planning stated he could understand why someone would not want to build next to poultry houses but that there appeared to be fields all over and asked why a house could not be built towards the existing houses on the farm.

Mr Nugent stated that the principal farm holding is where the farm expansion is happening at the moment.

The Service Director of Planning stated there were numerous other fields which would still be close by.

Mr Nugent stated that the objective is to separate the farm geographically so that the two farms can be run independently of each other.

The Service Director of Planning stated that an argument to subdivide the farm is not helpful. The Service Director stated it is clear a viable site could be achieved if there was willing.

Mr Nugent stated that he was open to suggestions.

The Service Director of Planning suggested that the application be deferred in order for the applicant to consider an alternative site.

Councillor McKinney stated he understood the argument being made by the agent and since a site meeting has already been agreed for the Pomeroy area he stated he would like to see this site. Councillor McKinney proposed that the application be deferred a site meeting.

Councillor Robinson seconded Councillor McKinney's proposal.

Councillor Glasgow agreed that since Members will be in the area a site meeting for this application would be useful.

The Chair, Councillor Black stated he felt the proposal is a sensible way forward.

Councillor Mallaghan felt that both an office meeting and site meeting would be required.

Councillor McKinney clarified that his proposal was for a both an office meeting and site meeting.

The Service Director of Planning stated that he did not feel an office meeting would be beneficial. The Service Director stated that the agent is aware tonight of the need to look at alternative sites and to have that conversation with the applicant. The Service Director stated that Members should undertake a site meeting and that the Head of Development Plan will then brief him on the situation with a view to reaching a resolution.

Councillor McKinney agreed to amend his proposal to undertake a site meeting only.

Resolved That planning application LA09/2020/0804/O be deferred for a site meeting.

LA09/2020/0864/F Car parking and block of semi detached dwellings at lands approx 50m W of 39 Charlemont Street, Moy for Hemel Ltd

Members considered previously circulated report on planning application LA09/2020/0864/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2020/0864/F be approved subject to conditions as per the officer's report.

Councillor Glasgow referred to the addendum and letter from NI Water regarding connection to public sewer.

Mr Marrion stated that there is a capacity issue at Moy waste water treatment works and that there has been a condition attached to the approval in relation to connection to the waste water treatment works. Mr Marrion advised that the letter included in the addendum has been received by the agent to advise them that, provided they meet certain criteria, they can connect to the NI Water infrastructure.

Councillor Glasgow stated this was positive.

LA09/2020/0888/O Site for dwelling & garage (re-advertised and neighbour notified due to amended address) at Drummurrer Lane 90m NE of 20 Annaghnaaboe Road, Coalisland for Mr Paul Henry

Members considered previously circulated report on planning application LA09/2020/0888/O which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2020/0888/O be approved subject to conditions as per the officer's report.

LA09/2020/0890/O Infill site for dwelling & garage (re-advertised and neighbour notified due to amended address) at Drummurrer Lane 60m N of 20 Annaghnaaboe Road, Coalisland for Mr Paul Henry

Members considered previously circulated report on planning application LA09/2020/0890/O which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2020/0890/O be approved subject to conditions as per the officer's report.

LA09/2020/1140/O Infill dwelling and detached garage between 104 Ballygawley Road and an agricultural building 100m NE of 104 Ballygawley Road Glenadush, for Bernard McAleer

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

Councillor S McPeake asked why this application was deferred.

The Service Director of Planning advised that the application is described as infill dwelling however the siting has changed which means it is no longer an infill dwelling but rather a dwelling on a farm. The Service Director advised that if the application was approved with its current description it could be perceived to be unsound and that it would be better to amend the description.

LA09/2020/1157/O Site for 2 storey dwelling and domestic garage 90m SE of 46 Airfield Road, Toomebridge for Centrum NI Farms Ltd

Members considered previously circulated report on planning application LA09/2020/1157/O which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Corry and

Resolved That planning application LA09/2020/1157/O be approved subject to conditions as per the officer's report.

LA09/2020/1308/F 2 detached dwellings at lands between 8 and 12 Findrum Road, Ballygawley, for Jonathan Kirkland

Members considered previously circulated report on planning application LA09/2020/1308/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2020/1308/F be approved subject to conditions as per the officer's report.

LA09/2020/1371/F Replace cycle/footpath approved under M/2004/0778/F to a 2m wide footpath at Shanmoy Downs, Eglish, Dungannon for T G Developments Ltd

Members considered previously circulated report on planning application LA09/2020/1371/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Corry and

Resolved That planning application LA09/2020/1371/F be approved subject to conditions as per the officer's report.

LA09/2021/0096/F Retention of existing agricultural shed on lands to the E of 15 Tamlaghtmore Road, Cookstown for Mr and Mrs Hutchinson

Members considered previously circulated report on planning application LA09/2021/0096/F which had a recommendation for approval.

Proposed by Councillor Brown
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0096/F be approved subject to conditions as per the officer's report.

Matters for Information

P153/21 Minutes of Planning Committee held on 5 October 2021

Members noted minutes of Planning Committee held on 5 October 2021.

P154/21 Receive report on Planning Performance

The Service Director of Planning presented previously circulated report which outlined Council's performance in relation to planning, progress against national statistics and in comparison to other Councils.

The Service Director of Planning also highlighted some staffing issues however he stated that three permanent planning officers had recently been appointed and that he would be speaking to HR further on the matter. The Service Director advised that some planning officers and staff had also been diverted to assist with the configuration of the new planning portal. The Service Director of Planning stated he was conscious that agents may feel there have been delays however he stated that these delays are often caused by agents themselves having to resubmit information and again referred to the delays in receiving responses from consultees such as DfI Roads. The Service Director stated that there are a mixture of factors which are causing delays and that he suspected that targets for this year will not be met however he was not unduly concerned as the department has managed to weather the storm of Covid and the staffing issues and that he felt performance is good given the circumstances.

The Chair, Councillor Black stated there were issues indicated however steps are being taken to address these. The Chair took the opportunity to highlight the good job being done by the planning department particularly in difficult circumstances.

Councillor Glasgow concurred with the comments of the Chair however he stated that he had been approached by a number of agents in relation to delays in processing of applications. The Councillor stated he was satisfied with the Service

Director's explanation tonight and that he would relay the message back to those agents. Councillor Glasgow stated he had a concern and not a criticism in relation to continued working from home whereby communication can be difficult. The Councillor stated he had been waiting for a response for two weeks in relation to an application and felt that lines of communication need to be strengthened and asked that this be looked into.

The Service Director of Planning stated that Councillor Glasgow's comments concerned him and that it is not normal to have to wait that long on a response. The Service Director advised that if a query is copied into himself or the Head of Development Management they will ensure that a timely response is provided. The Service Director advised that officers working from home are contactable and he was glad the Councillor had raised the issue.

Councillor Glasgow stated that it was not a criticism of staff but that he wanted to ascertain if officers working from home needed to be better resourced.

The Chair, Councillor Black highlighted that if an officer is working from home they have access to email, phone and computer systems the same as if there were in the office therefore it should be business as usual.

The Service Director of Planning stated that Covid has changed the world and has encouraged remote working. The Service Director advised that remote working reduces the need to travel which in turn reduces pollution in the atmosphere however officers do need to be in the office some of the time. The Service Director stated there are opportunities for efficiencies and highlighted that an applicant/agent will be able to upload revised plans to the new planning system when it is operational and that he felt this will help to speed things up greatly.

Councillor Brown referred to objections to applications and amended plans being sent in and the timescale taken to get these uploaded to the portal when people are not in the office and asked if this can be improved. Councillor Brown also spoke in relation to the number of applications in the system and asked if it is possible to get a breakdown report on this.

The Service Director of Planning advised that the number of live applications can be seen online – what has been submitted over 6 months or a year – and that this can be contrasted against previous years. The Service Director advised that, at the moment, there are approximately over 1000 live applications in the system and that he would see a normal figure for this as being 600. The Service Director stated he did not foresee any problem in being able to work through these applications.

Councillor Brown asked if there is a way of getting a breakdown of these applications ie. how many have been in the system for a long time.

The Service Director of Planning advised that a breakdown of figures can be seen online, in the last quarterly report.

Councillor Mallaghan stated that he felt remote working works well and even the amount of travelling for Members has been vastly reduced through being able to use

different platforms to attend meetings. The Councillor stated that attending meetings remotely offers Members more time at home with their families and where it can be used it should be going forward. Councillor Mallaghan echoed the positive comments made about planning officers and stated that he would also like to mention the admin staff as they also respond to queries and do so in great detail. Councillor Mallaghan stated he did have a concern whereby an application is submitted and goes through the process and if it is a refusal it is put on the agenda for the Planning Committee without any further communication with the applicant/agent and opportunity to submit further information.

Councillor Cuthbertson left the meeting at 8.40 pm

The Service Director of Planning stated that applications are regularly put back if it is felt there is a solution. The Service Director referred to his earlier comments in relation to the Judicial Review and that this gives an opportunity to look at the Planning Protocol and Scheme of Delegation and that it would be useful to have a workshop on this in the future.

Councillor Mallaghan stated that Council is a customer facing organisation and when an applicant has spent money on submitting a planning application and doesn't even receive a phonecall to say an application is up for refusal he felt this was concerning.

The Service Director of Planning stated that planning applications often involve more than one party and all need to be treated equitably. The Service Director advised that the way this is dealt with is to put all recommendations on the website and that everyone has the same opportunity to request to speak at the committee or seek a deferral and that this protects Council. The Service Director of Planning stated although he felt there are difficulties with what Councillor Mallaghan was referring to he would look into the matter a bit more.

The Chair, Councillor Black stated that there were some interesting suggestions being made and that this can be discussed further at a workshop meeting.

Councillor S McPeake echoed the previous commendation of staff and stated that he always found them courteous and amenable in bringing back information although he realised that planning can be complex and there can be delays in getting responses back from other parties which can hold things up. Councillor S McPeake stated he had some concern in relation to the loss of staff from the Magherafelt team which he felt is going to compound issues and that officers should not be afraid of investing in additional resources.

The Service Director of Planning noted concerns of Members with regard to staffing issues at present which have been compounded due to the backlog of applications and Covid but highlighted that the three officers on leave from the Magherafelt team would be returning in due course. The Service Director advised that a further officer from the Magherafelt team has recently taken a career break and that other staff will get the opportunity to act up during this time however he would look to see whether there is a need to hold to Councillor S McPeake's comments in relation to the assertion of the need for staff.

Proposed by Councillor Brown
Seconded by Councillor S McPeake and

Resolved To note the content of the report.

Live broadcast ended at 8.50 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Glasgow
Seconded by Councillor Corry 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 P155/21 to P159/21.

Matters for Decision

P155/21 Receive Enforcement Report

Matters for Information

P156/21 Confidential Minutes of Planning Committee held on 5 October 2021

P157/21 Confidential Minutes of Special Planning Committee held on 13 October 2021

P158/21 Enforcement Cases Opened

P159/21 Enforcement Cases Closed

P160/21 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.56 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: 2 November 2021

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

Chairs Business

Receive letters from NI Assembly Committee for Infrastructure and Minister Mallon in relation to Policy Advice Note on the Strategic Planning Policy on Development in the Countryside.

Enforcement appeal decision 2020/E0029- The appeal on ground **(g)- period for compliance** fails. The Enforcement Notice is upheld. The appellant wanted 4 months, however, the Commissioner ruled 60 days was sufficient to comply with the notice. The enforcement team will monitor the situation on the ground. The appeal was for the alleged unauthorised material change of use of the land for storage purposes including the storage of motor vehicles, end of life vehicles, motor vehicle parts, trailers, plant, miscellaneous items and other materials. the alleged unauthorised laying of hardcore on land associated with the unauthorised use. the alleged unauthorised widening of two access points to serve the alleged unauthorised use on the land at lands approx 65m south east of 38 Aghnagar Road, Ballygawley. Co Tyrone BT70 2HP for Mr Ryan Mulgrew.

Receive response from DfI Divisional Roads Manager following concerns raised by Dr Boomer at consultation response delays.

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.24	Map with siting condition not uploaded with the report	Members to note
5.5	Agent has provided further details relating to waste water treatment	Members to note
5.6	Agent has submitted an indicative layout showing a proposed access	Members to note

5.7	Agent has submitted an indicative layout showing a proposed access	Members to note

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 November 2021 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor McKinney, Chair

Councillors Ashton, Buchanan, Cuddy, Elattar*, Forde*, Gildernew*, Kearney, S McAleer*, S McGuigan*, S McPeake*, Molloy, Quinn*, Totten*

Officers in Attendance

Mr McCreesh, Chief Executive
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance
Mr Browne**, Head of Tourism
Mrs Donnelly**, Council Solicitor
Mrs Dyson**, Head of HR
Mr Gordon**, Assistant Director Health, Leisure & Wellbeing
Mr Kelso, Director of Public Health & Infrastructure
Ms Mezza**, Head of Marketing and Communications
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance
Mr McCance**, Head of Culture and Arts
Mr O'Hagan, Head of ICT
Mr Scullion**, Assistant Director of Property
Mr Tohill, Strategic Director of Corporate Service and Finance
Mrs Grogan, Democratic Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

PR200/21 Apologies

Councillor McLean.

PR201/21 Declarations of Interest

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

Councillor Cuddy declared a non-pecuniary interest in agenda item 14 – Dungannon Lands.

PR202/21 Chair's Business.

None.

PR203/21 Update on Department for Communities Access and Inclusion Programme 2021/22

The Head of Culture and Arts presented previously circulated report to:

- Provide members with an update on the 2021/22 Department for Communities Access and Inclusion Funding Programme
- Provide members with the list of projects approved for funding by Department for Communities
- Seek approval to set up specific finance codes to incur expenditure for each project where required
- Seek approval to utilise the approved Council framework contractors, where required
- Seek approval to initiate a tender process to appoint a suitably qualified contractor to install automated doors at the five locations as identified within section 3 of this report

Proposed by Councillor Cuddy
Seconded by Councillor S McGuigan and

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

(i) Update on the 2021/22 Department for Communities Access and Inclusion Funding Programme

Noted.

(ii) List of projects approved for funding by Department for Communities

Noted.

(iii) Set up specific finance codes to incur expenditure for each project where required

Resolved To set up specific finance codes to incur expenditure for each project where required.

(iv) Utilise the approved Council framework contractors, where required

Resolved To utilise the approved Council framework contractors, where required, to deliver the projects identified.

- (v) **Initiate a tender process to appoint a suitably qualified contractor to install automated doors at the five locations as identified within section 3 of this report**

Resolved To initiate a tender process to appoint a suitably qualified contractor for the installation of automated doors at the following five locations - Bridewell, Mid Ulster Sports Arena, Maghera Leisure Centre, Cookstown Leisure Centre and Tobermore Golf Club.

PR204/21 Cahore Playing Fields, Draperstown

The Assistant Director Health, Leisure & Wellbeing presented previously circulated report to provide information to members on a paper which was approved at the Development Committee in October 2021 and to seek a budget allocation of £55,000 towards Cahore Playing Fields.

Councillor Cuddy advised that there had been a discussion at the last Development Committee regarding this and whilst he didn't vote against it, felt it was down to the process again. He said that he didn't realise until towards the end of the meeting that there was other funding coming from other Departments which was good to see but would still be concerned about Council improving pitches which could be developed into 3G pitches anyway.

Councillor Cuddy enquired how much the landlord was being paid for the site in the first instance as he would have concerns about the process as quite a few pitches which the Council own was well below standard. He was aware of the Pitch Strategy 5 Year Plan and said it important to avail of any investment that was coming from anywhere but felt that it was important to treat everyone the same as there were other pitches identified long before this one which hadn't availed of any support.

The Assistant Director Health, Leisure & Wellbeing advised that full costings and details were outlined within the appendix but stated the Landlord rental costs were £7072.65 per annum but anticipated that there would be a saving to be derived with the leasing and a potential payback within a four year term. He said that it was worth noting that whilst Officers were seeking approval for £55,000 tonight, only a proportion would be spent at the start on the GAA pitch with or without leasing as these works were likely to be required. He advised that this was being brought ahead of the Pitch Strategy as this proposal was brought before the commencement of the Pitch Strategy and also to help the local soccer club with their bid into a funding scheme to help develop a floodlit 3G pitch as proof of tenure likely to be a requirement but Officers would be working hard to make sure there was a mechanism within the Pitch Strategy to deal with other requests throughout the District. He stated that a good workshop had taken place last Monday night and hoped to convene another workshop with members in the coming weeks with a view to bringing forward the Pitch Strategy early in the New Year and hoped that this would outline a mechanism for future upgrades for the remainder of the assets across the District.

The Chair referred to comment about savings and asked how this payback over 4 years was going to come into place as this would be very welcome.

The Assistant Director Health, Leisure & Wellbeing advised that currently Council were paying rental costs to the Landlord, ongoing maintenance fees, staff costs, equipment, cutting and maintenance of the three pitches and also the pavilion. In addition there was staff costs every time the pavilion was opened and closed and each time the pitches were facilitated for bookings, so by moving towards the leasing model where the clubs would be taking on responsibility over the opening, closing, staffing, supervision and general upkeep, this would negate the need for Council staff to attend site as this would be facilitated by the two local clubs. Taking all this into consideration this would be the basis where annual savings would be made and also generate some income derived from the LPS valuations which the clubs agreed to meet and income from the hire of the pavilion on an annual basis also.

Councillor S McPeake stated that he would have no hesitation in proposing the recommendation as works at this site was long overdue. He referred to the workshop last Monday night which had taken place and advised that the request for this site was made some time ago. He said that he knew the pitch well and the difficulties for children to play on it within the last year as it was well below standard and stated that the Assistant Director Health, Leisure & Wellbeing had outlined the savings well which were going to be accrued over the next number of years and the fact that the Clubs were going to take it on with LPS valuations and take all the maintenance and work out of our hands which could only be beneficial to the Council.

Councillor Cuddy said that by listening to comments tonight, it was his understanding that Council staff would not be involved in the cleaning and maintenance of the pavilion and asked if this was the case.

The Assistant Director Health, Leisure & Wellbeing advised that outside of Councils statutory duties around legionella, etc that's all that would be proposed by Council staff. The opening, closing and cleaning of the pavilion would be the responsibility of the two Clubs which would be managed on an account management basis to ensure that the terms of the agreement were carried out as required. He clarified that the Council would have little to no involvement moving forward.

Councillor Elattar said that she would be happy to second the recommendation as it was a good idea. She referred to last Development Committee where the issue was raised and commended Officers on outlining the case very well and advised that this project would be a huge benefit to the community and a good payback for Council.

Proposed by Councillor S McPeake
Seconded by Councillor Elattar and

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

- (i) Proceed to progress to the next stage by drafting, agreeing and executing terms with the successful submissions in line with LPS valuations for pitch 1, 2 and 3 for a period of 25 years with option to extend
- (ii) Proceed to engage with the landlord and extend the term where relevant to ensure agreements are co-terminus
- (iii) Assign a rental value of £1,000 per annum to the pavilion for a separate key-holding agreement – subject to annual review and monitoring

- (iv) Agree budget allocation of £55,000 for the upgrade of the pitches to an acceptable standard.

PR205/21 Sport NI Multi Facility Fund Application

The Assistant Director Health, Leisure & Wellbeing presented previously circulated report to update members of the progress of the Sport NI Multi Facility Fund Application and to seek approval for match funding allocation from the Council's Capital Framework 2020-2024.

Proposed by Councillor Buchanan
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to note the progression of the project and to grant approval for Council to provide match funding of £1.6 million as part of the Council's Capital Framework 2020-2024.

PR206/21 Elected Members Development Working Group

The Assistant Director of Organisation Development, Strategy and Performance presented previously circulated report which asked for members to consider meeting of the Elected Member Development Working Group held on 26 October 2021.

Proposed by Councillor Kearney
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to approve the report of the Elected Member Development Steering Group meeting and actions contained, held on Tuesday 26 October 2021.

PR207/21 Member Services

No issues.

Matters for Information

PR208/21 Minutes of Policy and Resources Committee held on 7 October 2021

Members noted Minutes of Policy and Resources Committee held on 7 October 2021.

**PR209/21 Local Government Partnership on Travellers Issues:
Subscription 2021-22**

Members noted update on request from the Northern Ireland Local Government Partnership on Travellers Issues for annual subscription for period 2021-22.

Live broadcast ended at 7.16 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Cuddy
Seconded by Councillor Molloy and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR210/21 to PR223/21.

Matters for Decision

PR210/21 DFI Roads – Wayleave Agreement – Play Park
PR211/21 Augmented Reality and Trail Interpretation for Davagh Forest (Cookstown), Slievemore (Mayo) and Ballyronan Marina (Magherafelt)
PR212/21 Cookstown – Lands
PR213/21 Dungannon – Lands
PR214/21 Staffing Matters for Decision
PR215/21 2022/23 Rate Estimates
PR216/21 Banking Services

Matters for Information

PR217/21 Confidential Minutes of Policy and Resources Committee held on 7 October 2021
PR218/21 Financial Report for 6 months ended 30 September 2021
PR219/21 Contracts and DAC
PR220/21 Leisure Services VAT Update
PR221/21 Rate Support Grant Update
PR222/21 Staff Matters for Information
PR223/21 Recovery of Building Control Fees

PR224/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.20 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 9 November 2021 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present

Councillor McNamee, Chair

Councillors Buchanan, Burton, Cuthbertson, Glasgow,
Graham*, Kearney, N McAleer*, S McAleer*,
B McGuigan, S McGuigan, Milne*, O'Neill* (7.18 pm),
Totten*, Wilson* (7.17 pm)

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment
Mr Gordon, Assistant Director of Health, Leisure and
Wellbeing**
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director of Environmental
Services**
Mrs McClements, Head of Environmental Health**
Mr Scullion, Assistant Director of Property Services**
Mr Wilkinson, Head of Building Control**
Miss Thompson, Democratic Services Officer

**Others in
Attendance**

**Agenda Item 4 – Deputation – NIHE Cavity Wall
Insulation**

Messrs Blythe and Kennedy*** – NIHE

* 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

In the absence of Councillor Brown - Chair, Councillor McNamee Deputy Chair took the Chair.

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

E252/21 Apologies

Councillor Brown.

E253/21 Declarations of Interest

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

E254/21 Chair's Business

None.

E255/21 Deputation – NIHE Cavity Wall Insulation

The Chair, Councillor McNamee welcomed Messrs Blythe and Kennedy from Northern Ireland Housing Executive (NIHE) and invited them to make their presentation.

Mr Kennedy offered apologies from Mr Isherwood, Director of Asset Management who was invited to speak tonight but is unable to attend. Mr Kennedy introduced himself as Assistant Director of Asset Strategy and his colleague Mr Blythe, Quality Improvement Manager. Messrs Kennedy and Blythe went on to make their presentation on the NIHE Cavity Wall Insulation Action Plan (appendix 1).

The Chair, Councillor McNamee asked what monies are available for this programme of works and also referred to those who have previously purchased an NIHE property and if there will be any funding available for them.

Mr Kennedy advised that there are approximately 70,000 cavity wall stock within the NIHE portfolio and that the average cost of works per property is £2,000 with the cost of a full remediation programme for cavity wall insulation properties being in the region of £140 million. Mr Kennedy stated that there is a shortfall in funding to undertake works at present and that there are other investment priorities which cavity wall insulation has to be ranked against such as single skin properties. Mr Kennedy advised that a small amount of money is allocated each year for the annual cavity wall insulation programme to test the process up until the funding position is resolved.

Mr Blythe advised that the Minister for Communities has launched the Revitalisation Programme and that the determination of that will have to be decided next March. Depending on the outcome there may be opportunity to raise private finance in the future as rental income is solely depended on at the moment to fund all programmes. Mr Blythe referred to grant schemes for the private sector and advised that NIHE are hoping to undertake a mixed tenure pilot next year and hope to demonstrate that this will be the best approach to take going forward with funding for the scheme to be determined.

Councillor Cuthbertson referred to complaints from tenants being mainly about damp and heating problems and that these issues come down to both heating and ventilation of a property. Councillor Cuthbertson stated it is good to see the action plan and that things are moving forward but that tenants want to see works now. The Councillor stated that he is aware funding is an issue and a scheme is not ready to start but that he could identify a pilot scheme in the Dungannon area to undertake when funding is available.

Councillor S McGuigan referred to single skin properties and asked how many of these properties there are and what condition they are in as there are a lot of complaints received about same.

Mr Blythe estimated that there are 15,000 of these properties made up of pre fab, aluminium bungalow, no fines construction and tower block. Mr Blythe stated that there is a programme ongoing at present which undertakes external wall insulation and ventilation to approximately 2,000 no fines properties. Some external insulation work has also be done to aluminium bungalows and tower blocks. Mr Blythe stated that cavity wall properties with some insulation are performing better than the solid block wall properties and that NIHE realise it is an issue.

Councillor B McGuigan stated that the information tonight is useful and referred to the Housing Working Group within Council and that this issue should be kept on the agenda of this working group as a lot of money will be required to roll out the cavity wall action plan and funding for same will be difficult. The Councillor felt it is also important for Council to hear updates from NIHE and information about pilot schemes etc. Councillor B McGuigan also stated that Council has a Member who sits on the Housing Council.

Mr Blythe stated that NIHE officers would be happy to come back to provide update.

The Chair, Councillor McNamee thanked Messrs Blythe and Kennedy for their presentation following which they left the meeting at 7.34 pm.

Councillors O'Neill and Wilson joined the meeting during the above presentation.

Matters for Decision

E256/21 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report which considered the naming of new streets within residential Housing Developments within Mid-Ulster.

Site off Ballymacombs Road, Portglenone

Councillor Milne felt that The Fishermans Walk is appropriate but that it could be improved to The Fishermans Walk View as the site looks on to the fishermans walk. Councillor Milne proposed that the development be named The Fishermans Walk View.

Councillor Kearney seconded Councillor Milne's proposal.

Resolved That it be recommended to Council to name development off Ballymacombs Road, Portglenone as The Fishermans Walk View.

Site off Sycamore Drive, Dungannon

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name development off Sycamore Drive, Dungannon as Sycamore Court.

Site off Sycamore Hill, Dungannon

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council to name development off Sycamore Hill, Dungannon as Sycamore Green.

E257/21 The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021

The Head of Building Control presented previously circulated report which advised of The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 which came into operation on 1st October 2021.

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved That it be recommended to Council that Entertainment Licensing premises may have permitted hours to 3.00 am where requested by the applicant and where PSNI have no comments in relation to Public Order or Disturbance.

E258/21 A Request regarding the Societies' Lotteries Renewal Fee

The Head of Environmental Health presented previously circulated report which considered a request regarding the fee required for continued registration for societies' lotteries.

Councillor Cuthbertson referred to the number of competitions over lockdown to win holidays, cars, houses etc and asked if these type of competitions are covered under this legislation.

The Head of Environmental Health advised that the legislation regarding lotteries etc is complex but that smaller matters, as outlined in the report, are dealt with by Environmental Health and that larger competitions, such as the ones referred to by Councillor Cuthbertson, would be dealt with by the Police.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to waive the renewal fee required to maintain societies lotteries registration for the year 2021 and permit those societies registered in 2020 to apply for the grant of their 2022 registration at a reduced fee of £17.50 (instead of £35).

E259/21 DAERA consultation on a Northern Ireland Food Strategy Framework

The Head of Environmental Health presented previously circulated report which advised of DAERA consultation on a Northern Ireland Food Strategy Framework.

Councillor Glasgow proposed the recommendation and stated that the response is well detailed and appropriate.

Councillor Buchanan seconded Councillor Glasgow's proposal.

Resolved That it be recommended to Council to respond to the consultation from DAERA as set out at appendix 2 of report. Draft response to be submitted in advance of the deadline of 19 November 2021.

E260/21 Community Resuscitation / AEDs

The Head of Environmental Health presented previously circulated report which provided update on the procurement and provision by Council of additional AEDs across the Mid Ulster District Council area and on the ongoing Community Resuscitation work. Further to the report, the Head of Environmental Health advised that discussions have taken place with the boxing club at Gardners Hall and that it is proposed that Council assist with moving the defibrillator currently sited inside the boxing club to outside the building and that Council take over responsibility of this defibrillator.

Councillor Kearney referred to the high footfall at Portglenone River Walk and that if someone needed an AED at this location the nearest one is some distance away. The Councillor also referred to the poor mobile phone signal, or not having a phone, and that some signage identifying where the nearest AED is located would be beneficial as it is a vulnerable site.

The Head of Environmental Health stated the first action in an emergency should be to call 999 who will then guide a person if an AED is required. The officer stated that as there is an electricity connection in close proximity to the walkway the potential for siting an AED can be explored further with the developer going forward.

Councillor Kearney asked if signage at the walkway would be a first step option as it is a very busy location.

The Chair, Councillor McNamee stated that these issues would be best discussed at the Mid Ulster Community Resus Group and felt that there should be some Councillor representation on this group.

Councillor Cuthbertson referred to no community grants being available for maintenance of an AED and highlighted that grants are provided every year for running costs of community venues. Councillor Cuthbertson asked if Community Development would consider the submitting of an invoice for maintenance of an AED as a running cost for a community venue when they already pay for costs such as insurance and oil.

The Head of Environmental Health agreed to raise this with Community Development.

Councillor S McAleer stated that when an AED device is registered with The Circuit they will come out and check it. Councillor McAleer referred to recent issue with an AED in Ballygawley in which when checks were being carried out by The Circuit they noted that the device had a low battery and took it off The Circuit meaning that the

device could not be accessed in an emergency. Councillor McAleer stated that it is vitally important that community groups act on updating and maintaining equipment, the Councillor further stated that when a device is used equipment needs to be replaced and that this can be costly and some clawback on costs would be beneficial if a device is used.

The Chair, Councillor McNamee stated that Councillor Corry had raised a similar situation at Council and the concern of needing a device in an emergency and it is not working.

Councillor B McGuigan referred to the number of AEDs and whether community/sporting groups or those in control of the device are notified when a device needs serviced.

Councillor S McAleer advised that if an AED is registered with The Circuit they will send reminders of when an AED needs serviced. Battery checks should be carried out by whoever is responsible for the device.

Councillor Glasgow referred to the campaign to get defibrillators registered and asked when this will be rolled out by Communications. Councillor Glasgow stated it was good to see progress in relation to the defibrillator at Lough Fea and asked if there is a timescale for getting this device in place.

The Assistant Director of Property Services stated he would come back to the Councillor Glasgow tomorrow in relation to the AED for Lough Fea.

Councillor S McGuigan expressed concern in relation to when membership of a community group may change and there is a break in connection regarding contact details in relation to an AED.

The Chair, Councillor McNamee stated that Councillor representation on the Mid Ulster Community Resus Group would be beneficial as issues could be directed to this group. The Chair stated that two Members could be nominated to the group.

The Director of Public Health and Infrastructure felt this would be an excellent idea and would be well received by the group as a positive way forward.

The Chair, Councillor McNamee proposed Councillor S McGuigan be nominated to sit on the Mid Ulster Community Resus Group.

The Director of Public Health and Infrastructure stated that the nomination process for a further Member would be facilitated.

Proposed by Councillor B McGuigan
Seconded by Councillor Milne and

Resolved That it be recommended to Council to nominate two Councillors to the Mid Ulster Community Resus Group.

E261/21 Ageing Well initiative proposed development of tendering process and application to World Health Organisation for Age-Friendly Cities and Communities

Councillor Burton declared an interest in this item.

The Head of Environmental Health presented previously circulated report which provided update on progress with the Ageing Well Initiative as part of community planning and sought approval for support for the development of a tender process to support the Age Friendly Co-ordinator for the future delivery of the initiative. The report further sought approval for an application to the World Health Organisation with commitment to the network cycle of continual improvement.

Proposed by Councillor S McGuigan
Seconded by Councillor Kearney and

- Resolved** That it be recommended to Council –
- To agree to the procurement of external expertise to support the development of the Age Friendly Alliance, Age Friendly Strategy and Action Plan.
 - To approve the application to the World Health Organisation with commitment to the network cycle of continual improvement and that the Chair of Council forwards the letter of commitment and formal application.

E262/21 Environmental Services Proposed Scale of Charges for 2022/23

The Assistant Director of Environmental Services presented previously circulated report which sought approval for a proposed scale of charges in relation to Environmental Services for the period 1st April 2022 to 31st March 2023.

Councillor Cuthbertson referred to commercial waste kerbside collection charges and stated that the majority of businesses in Dungannon use private waste collections. Councillor Cuthbertson stated he could not understand how these private firms can collect the waste more cheaply taking into consideration their travel costs and then payment to the local authority to dispose of the waste. Councillor Cuthbertson asked if any comparison work had been done in relation to what the private firms are charging compared to Council. Councillor Cuthbertson also referred to the collection of a second brown bin and proposed that Council do not charge for this. The Councillor stated that he did not believe there are very many who use a second brown bin and that the charge for its collection is encouraging people to put the material into the black bin.

The Assistant Director of Environmental Services stated that there are a number of private waste collectors operating across Mid Ulster and that their charges for collection are lower but highlighted that this is sometimes only for an introductory period and that prices are then increased. The officer stated he was aware of businesses who had come back to Council for their collections after a price increase. The Assistant Director of Environmental Services also stated that the methods of disposal for the private firm may be different in that it may not be landfill but rather waste going for treatment.

In relation to the charge for collection of second brown bin, the Assistant Director of Environmental Services referred to a report brought previously to the Environment Committee which outlined the rationale for the charge. The officer highlighted that even if the charge is zero then the policy should remain that only one brown bin will be collected from each household.

Councillor Graham seconded Councillor Cuthbertson's proposal as she did not feel the number of people using a brown bin was that high. The Councillor stated that the charge should at least be waived for pensioners if it cannot be done for every household.

Councillor Burton concurred with the previous speakers as she had dealt with calls from elderly residents who were affected by the charge for the second bin collection. Councillor Burton felt that there are a number of households who don't use their brown bin at all and asked how many second bin households there are. Councillor Burton stated that given there are so many people who don't use the brown bin at all the issue of the charge for a second brown bin collection needs to be looked at.

The Chair, Councillor McNamee asked what the cost implications are for Council if there is no charge for the collection of a second brown bin.

The Assistant Director of Environmental Services advised that the cost implications were outlined in the paper brought previously. The officer stated there are currently between 50-60 who pay for a second brown bin collection and highlighted that the paper tonight deals with charges and that the policy for brown bin collection was dealt with at a previous meeting where it was decided that the policy for the collection of additional brown bins would remain unchanged pending further review of the entire waste collection policy in September 2022.

The Strategic Director of Environment stated she would like some time to review the policy brought previously and consider it in context with the other collection processes within Council and that a report be brought back on the issue.

Councillor Cuthbertson stated it was his recollection that Members were previously advised that a paper in relation to charges would be coming to a future meeting and that therefore the policy in relation to brown bin collection would be deferred until this time.

Councillor Burton stated her understanding was similar and that the policy would be considered at the same time as the review of charges.

The Chair, Councillor McNamee asked if Members were content to wait on a report being brought back to Committee on the issue of brown bin collection.

Councillor Cuthbertson stated that the detail was brought to a previous meeting and that he would keep his proposal on the table.

The Strategic Director of Environment asked for the opportunity to review the matter.

Councillor Cuthbertson agreed to take his proposal off the table as long as a report is brought back to the January Environment Committee meeting.

Proposed by Councillor Cuthbertson
Seconded by Councillor Burton and

Resolved That it be recommended to Council that the proposed scale of charges as outlined in report be approved for 2022/23 with the exception of the charge for collection of a second brown bin to which a report is to be brought back to the Environment Committee in January.

Councillor Glasgow stated he had recently attended a funeral and referred to the number of dogs running around the graveyard unattended and that this needs to be investigated.

Councillor Burton left the meeting at 8.21 pm.

E263/21 DfI Roads Proposal to Mid Ulster District Council - Proposed Extension of Traffic Calming Measures at Gortgonis Road, Coalisland

Members considered previously circulated report which sought agreement in relation to Proposed Extension of Traffic Calming Measures at Gortgonis Road, Coalisland.

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

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to Proposed Extension of Traffic Calming Measures at Gortgonis Road, Coalisland.

Matters for Information

E264/21 Minutes of Environment Committee held on 12 October 2021

Members noted minutes of Environment Committee held on 12 October 2021.

E265/21 Building Control Workload

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

E266/21 Entertainment Licensing Applications

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

E267/21 Dual Language Signage Requests

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

E268/21 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.

Councillor Cuthbertson highlighted another survey returned with no responses and that this is a further waste of money of Council and time and effort of Councillors. The Councillor stated that Irish Street is in the town centre and is not a residential area and should therefore be treated differently.

The Chair, Councillor McNamee stated that consideration should possibly be given to how street names in town centres are dealt with going forward.

E269/21 To provide an update to Elected Members on the EH business plan at the 6 months stage

Members noted previously circulated report which provided update on the work undertaken by the EH department during the first six months of the current business plan.

E270/21 Bus Shelters Update

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

E271/21 COP26 Climate Change Conference

Members noted previously circulated report which advised of Council's contribution to the COP26 Climate Change Conference.

E272/21 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 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 1 of 2021/22 from April to June 2021.

Councillor B McGuigan highlighted the figures and that Mid Ulster had the second highest recycling and energy recovery rates and lowest rate of waste going to landfill for the period. The Councillor stated that this is an excellent result for Mid Ulster and thanked the officer and team for driving the initiatives consistently.

The Assistant Director of Environmental Services advised that whilst Council was second that quarter Council still has the highest overall recycling rate over a rolling twelve month period.

Live broadcast ended at 8.24 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor B McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E273/21 to E279/21.

Matters for Decision

- E273/21 Installation of Memorial Bench and Tree on Council Property
- E274/21 Electric Vehicle (EV) Charging Infrastructure

Matters for Information

- E275/21 Confidential Minutes of Environment Committee held on 12 October 2021
- E276/21 Capital Framework – ICT Contracts Update
- E277/21 Capital Framework – IST Contracts Update
- E278/21 Capital Projects – Scoping Contracts Update
- E279/21 Town and Village Awards 2021

E280/21 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.43 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.

NIHE Cavity Wall Insulation Action Plan Mid Ulster District Council Environment Committee 9th November 2021

Andy Kennedy

Assistant Director, Asset Strategy, NIHE

Adrian Blythe

Quality Improvement Manager, NIHE

Background

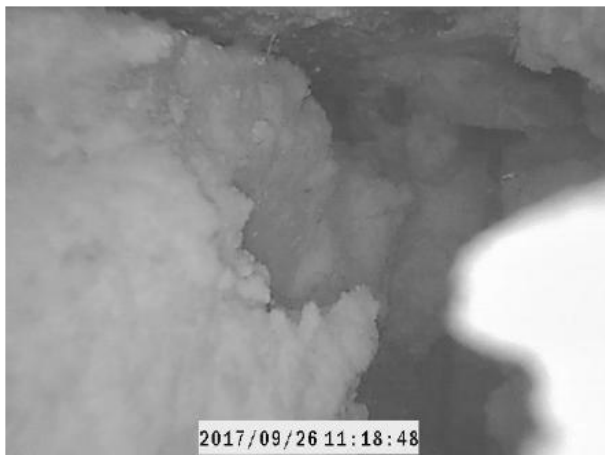
- **NIHE major CWI installation programme in 1980s**
- **National concerns about condition of CWI**
- **NIHE SERC CWI research report in 2013**
- **Savills' Stock Condition Survey Report 2015**
- **British Board of Agreement (BBA) CWI report 2019**
 - **Surveyed small representative sample of NIHE (and private) dwellings – age/type/location**
 - **Overseen by Insulation Performance Panel**
 - **Findings and recommendations presented to NIHE Central Housing Forum, Elected Representatives & Insulation Industry**

BBA's key findings & recommendations



- **Findings:**
 - 63% had CWI that is non-compliant with current industry standards (i.e. voids, debris in the cavity)
 - 84% had defects in external facades
 - 1% had internal damp issues (noted as 'Class 1')
- **Recommendations:**
 - CWI extraction/replacement process
 - Remediation programme
 - Training for NIHE employees
 - Advice for residents
 - Recompense for past installations

Non-compliant CWI



Mortar & Pointing



Action Plan preparation

- **Issues:**
 - **No discernible pattern on which to target action**
 - **Fabric First approach of Energy Efficiency Strategy**
 - **Stock investment funding shortfall / prioritisation against other workstreams**
 - **Sequencing of remedial works to CWI and facades**
 - **Insulation industry practices and supply chain capacity**
- **Draft Action Plan sent out for formal consultation on the 22nd December 2020**
- **Final Action Plan proposals presented to NIHE Board in August 2021**
- **Final Action presented to Board for approval**

CWI Action Plan

- **Remediation/Replacement**
 - Short Term (Class 1 properties investigated and remedied)
 - Medium/Long Term - CWI programme once funding allows
 - Interim position: investigate instances and address where there is a detrimental impact on the structure
 - Small annual CWI programme to test new process
- **External Cyclical Maintenance**
 - Aim to bring scheme cycle down to 8 years in the short term and 5 years in medium to long term
- **CWI Extractions/Installations**
 - Review and develop extraction/installation process
 - Review specifications and guarantees duration

CWI Action Plan



- **Stock Surveys and Data**
 - Annual sample of boroscope and thermal image surveys
 - Map patterns of failure & remediation works
- **NIHE staffing & Training**
 - Set up a specialist team in NIHE responsible for QA, inspection, compliance and monitoring activities
 - Develop CWI training for specific staff
- **Residents Advice and Information**
 - Determine how best to obtain and reflect tenants' views
- **Research**
 - Engage with insulation industry, research bodies and other parties on developing potential CWI research projects

Questions

**Minutes of Meeting of the Development Committee of Mid Ulster District Council
held on Thursday 11 November 2021 in the Council Offices, Circular Road,
Dungannon and by Virtual Means**

Members Present

Councillor Molloy, Chair

Councillors Ashton, Black*, Burton (7.08 pm), Clarke*,
Cuddy*, Doris*, Elattar*, Hughes*, Kerr, McNamee*, Milne*,
Monteith, Wilson*

**Officers in
Attendance**

Mr McCreesh, Chief Executive
Ms Campbell, Strategic Director of Environment
Mr Browne**, Head of Tourism
Mr Gordon, Assistant Director of Health, Leisure and
Wellbeing
Mr Hill**, Head of Parks
Ms Linney**, Assistant Director of Development, Strategic
Community Development
Mr McCance**, Head of Culture & Arts
Ms McKeown**, Assistant Director of Economic
Development, Tourism & Strategic Programmes
Mr Brown**, ICT Support
Mrs Forde, Member Support Officer

**Others in
Attendance**

Cllr S McGuigan***

* 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.

D191/21 Apologies

Councillors Corry and Quinn.

D192/21 Declarations of Interest

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

The Chair, Councillor Molloy declared an interest in item 6 – Community Development – Grant Awards.

The Chair, Councillor Molloy declared an interest in item 9 - Economic Development Report – OBFD – Board Member of Dungannon Enterprise Centre.

Councillor Clarke declared a non-pecuniary interest in item 10 - Extension to Davagh Forest Service Level Agreement – involved with Broughderg Development Association.

Councillor Cuddy declared an interest in item 9 – Economic Development Report – OBFD – Dungannon Enterprise Centre – Independent Member.

D193/21 Chair's Business

The Chair extended best wishes to Coalisland Fianna for their forthcoming Championship Final against Dromore.

He referred to recent visit to Davagh Dark Sky Park & Observatory and wished to congratulate staff on their work to date. He said that this was a fantastic facility which members were allowed to see and wished them all the very best for the future of the centre.

Councillor McNamee extended congratulations to Cookstown Father Rocks GAA on winning the Tyrone Junior Football Championship when they beat Eskra by 2-10 to 1-06, lifting the Pat Darcy Cup. He also extended best wishes to the Club in the first round of the Ulster Junior Club Championship on Saturday 20th November where they play the Monaghan Champions, Sean McDermott's in Clones and hoped that this would also be another good run for the Club, representing Cookstown, Tyrone and Mid Ulster. He too extended best wishes to Coalisland Fianna.

Councillor Kerr thanked Members for wishing his home team Coalisland Fianna all the best of luck on Sunday and would like to pass on his congratulations to Cookstown Father Rocks also. He said that he would also like to see Moortown and Coalisland prevail in the intermediary final and said it would be great if three teams within the district could bring glory to Mid Ulster.

Deputation – Coalisland Development Association

The Chair advised that due to unforeseen circumstances the deputation from Coalisland Development Association were unable to attend to make their presentation tonight.

Matters for Decision

D195/21 Upcoming Tourism Trade Shows, Holiday World, Dublin

The Head of Tourism presented previously circulated report to inform Council of planned tourism promotion at Holiday World, RDS, Dublin 26-31st January 2022 and sought approval to attend the shows as outlined within the report.

He advised that this would be Tourism's first outing into the public domain after Covid to try and sell Mid Ulster as a tourist attraction and would also be proposing to be part of the Tourism NI Village, looking very carefully at the staycation market. He said that it was proposed to liaise with trade and attractions in regards to Mid Ulster Tourism and Industry to try and put together deals which could be put onto Tourism department's new website to try and sell staycations.

Proposed by Councillor Kerr
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approve purchase of stand, associated costs and staff expenses and mileage to work at this exhibition.

D196/21 Community Development

The AD: DSCD presented 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 Decade of Anniversaries, and to agree to open the Strategic Events Grant
- VPRS Storage Scheme - to approve request from DFC Syrian Refugee Team to Contribute towards the VPRS storage scheme
- Community Development - to update on Community Development

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That it be recommended to Council -

- (i) **Community Grants - Rolling Grant Awards - Local Community Festivals, Good Relations and Decade of Anniversaries, Open the Strategic Events Grant**

Resolved To agree the rolling grant awards - Local Community Festivals, Good Relations and Decade of Anniversaries, and to agree to open the Strategic Events Grant.

- (ii) **VPRS Storage Scheme - Request from DFC Syrian Refugee Team to Contribute towards the VPRS Storage Scheme**

Councillor Monteith referred to the Syrian Refugees and said that he was aware that some of these people were here for quite a while and said it would be good to receive an update from them on their progress. He suggested that it would be beneficial for members to possibly meet some families which may live locally to get an understanding of the issues which they face day to day.

Councillor Burton entered the meeting at 7.08 pm.

Resolved That it be recommended to Council to

- (a) approve request from DFC Syrian Refugee Team to contribute towards the VPRS storage scheme; and
- (b) that Officers explore the opportunity of an updated on how Syrian Refugee families are progressing in the area.

(iii) Community Development

Noted.

D197/21 Northern Health and Social Care Trust – Consultation on ‘How we Propose to Purchase Domiciliary Care Provided by Non-Statutory Providers’

The AD: DSCD presented previously circulated report to inform Members of the Northern Health and Social Care Trust Consultation on ‘How we propose to purchase domiciliary care provided by non-statutory providers’ and to seek Members’ approval for Mid Ulster District Council’s Response. She noted two further areas for inclusion; the importance of direct payment care provision and the importance of the person receiving the care having a say in provision e.g. bed times etc.

Councillor Elattar commended officers on the comprehensive report welcoming the mention of direct provision and highlighted that Emma Sheerin MLA had met with families in recent days regarding the issue. She highlighted that the cost of direct care is in excess of the benefits allocated and families are having to pick up the costs. Councillor Elattar further highlighted the issue of lack of travel time allowed to carers travelling from call to call which in turn impacts care time especially when PPE has to be refreshed at each call, this is especially significant in rural areas where distance between calls is greater and stressed that the Carer was not paid for this time. Councillor Elattar said that to many it was a vocation as the terms and conditions are not feasible. She also made reference to bed blocking due to the inability to put care packages in place and the additional stress experienced by the patient and their families emphasising that the flip side of the coin which is a place in a care home was not what people wanted and if the patient signed themselves out of hospital their care package was in jeopardy. Councillor Elattar concluded that there was many problems but few answers but one would be recognition of the value of a domiciliary carer and that people should be trained and paid accordingly.

Councillor Wilson advised he had been contacted by a number of elderly people from Cookstown and Moneymore who had been told their care package was being changed for example if someone was receiving a call in the morning they would not get one at night. He spoke of one instance where a lady was going to have to sleep in the chair, that the Northern Health and Social Care Trust (NHSCT) had indicated there was a shortage in personnel and whilst she had been offered a care home place this was not what she wanted. Councillor Wilson also highlighted care packages being cut whereby people needed assistance with medication and family did not live nearby to help. He expressed grave concern at what was taking place and proposed that an urgent meeting be sought with the NHSCT to discuss the current crisis. He emphasised this request should be with immediate effect and should not have to await Council approval.

The Chair, Councillor Molloy said the situation was replicated in the Southern Health Social Care Trust and the entire situation was despairing.

Councillor Burton concurred with previous speakers saying that at every roundabout you see advertising board for jobs in the caring profession and many people were moving between companies and spoke of one company who had lost 10 employees recently. She said that the impact of the situation was that the client built a rapport with the carers especially when it was maybe the only person they saw in a day then this was all changed and an elderly person is left devastated at the loss of someone they classed as a friend. Councillor Burton also spoke of very rural calls late at night when carers had to have shovels in the car in poor weather conditions to clear the road or shovel gravel. She reiterated earlier comments that the domiciliary carer role is a vocation which many doing it would be better off in other jobs and stressed council should do all in its power to support care workers and ensuring they get a fair deal. Councillor Burton also highlighted the disparity between those employed directly by Trusts and those in the private sector.

The Chair Councillor Molloy said the issues were overlapping with the next item of business.

The AD: DSCD said that the areas highlighted could be incorporated in the issues for health in the next item of business, the matters expanded which were apt to the current consultation response and seek a meeting with the Director of Domiciliary Care to highlight the issues in the interim.

Proposed by Councillor Elattar
Seconded by Councillor Burton and

Resolved That it be recommended to Council to

- (i) Approve the draft Response to the Northern Health and Social Care Trust Consultation on 'How we propose to purchase domiciliary care provided by non-statutory providers'. as outlined in appendix and to include/expand on following issues:
 - Carers travel time between calls;
 - The cost of direct care is in excess of benefits allocated to it;
 - No travel time built into carers day thus impacting on care time;
 - Bed blocking due to lack of care packages and the additional stress experienced by patient and families;
 - The cut in current care packages and the impact on the clients;
 - Disparity in pay, terms and conditions between trusts and private providers;
 - Lack of continuity in personnel.
- (ii) Council immediately seek a meeting with the NHSCT Director of Domiciliary Care to discuss ongoing crisis in care provision.

D198/21 Health Issues for Mid Ulster

The AD: DSCD presented previously circulated report to inform Members of the key health issues for Mid Ulster to support lobbying and engagement with the health trusts. She highlighted that issues raised in the previous item of business would be included in relation to domiciliary care and also the matter of the birthing pools in the midwifery led unit at the Southern Trust Craigavon Area Hospital site.

Councillor Monteith commended the paper but said that he would have concern with the ambulance response and the mention of the station at Desertcreat. He said that people in nearby towns would be very concerned if the ambulance stations were removed from same and Council's message should not be the centralisation of ambulance services as response times would be impacted.

Councillor Monteith also proposed that the matter of poverty be expanded and said that the crisis in the NHS was creating further poverty. He told of a man in his 40s who needed a hip replacement who had a 4 year wait which meant he lost his job. When he eventually got one hip replaced due to compensating with the 'good hip' its condition had deteriorated and he had to wait a further 3 years to have that replaced. He highlighted that what should have been a short waiting time had left the man unable to work for a decade. He reiterated that poverty was being created by a broken system as without access to care, people lost jobs, households suffered yet if they had had a salaried post this may not have happened. He spoke of a recent meeting with credit unions when it had been revealed that one of the biggest reasons for loans was to pay for private health care, thus people were getting into debt to endeavour to access care and retain their jobs.

Councillor Kerr concurred with Councillor Monteith and made reference to GP services. He said more personnel were needed to answer telephone calls as it was near impossible to get a response when ringing a GP practise. He spoke to of the need for multi disciplinary teams, access to local practises both day time and out of hours' services. Councillor Kerr also stressed the importance of mental health services and investment in same. He praised the role of local charities but said that the situation was worsening especially in mental health services and much investment was needed. Referring to ambulance services he said that improved road signage, Councillor Kerr concluded that working class people were suffering and many had listened to situations similar to that raised by Councillor Monteith and stressed access to care was a must.

The AD: DSCD said she would update the paper and circulate it to Members.

Councillor Wilson concurred with previous speakers but said Desertcreat should remain with the stipulation that the upgrade does not decimate other stations. He said Members had a duty to lobby in relation to domiciliary care especially for carers who worked so hard to maintain quality of life for the vulnerable. He stressed the need for an immediate meeting regarding domiciliary care highlighting that the wider issues would not be addressed until the December meeting of Council.

The Chair, Councillor Molloy concurred.

Councillor Burton stressed the importance of keeping the situation with birthing pools in midwifery led units on the agenda highlighting again that at the Craigavon Area Hospital site the pool was removed from the unit and the room now doubles up for an area for

bereaved parents in instances where babies have died. She again requested that the question be asked if the pool could be reinstalled as although the response said there was extra large baths which could be utilised this was not ideal and many women were highlighting the issue.

The Chair, Councillor Molloy advised that as well as Dungannon where GP services had reached a chronic stage, the Moy too was experiencing problems especially in relation to telephone response times. He said it should be clarified if these issues were district wide.

The AD: DSCD advised that she would incorporate aforementioned issues in the paper.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That it be recommended to Council to note the key health issues for Mid Ulster to support lobbying and engagement with the health trusts. An update to be provided to Members to include:

- Domiciliary Care Crisis;
- Birthing pool issue in Southern Trust
- The need to retain and improve current ambulance basis as well as further provision/training centre at Desertcreat;
- Expand on issue of health crisis creating further poverty in the community;
- The need for additional GP services, a multi disciplinary team in the practice as well as the retention of services in locally. Mid Ulster wide GP services Dungannon & Moy chronic, are other areas across the district the same
- Increase funding and improved services for Mental Health;
- Ambulance Assistance: improved road signage, house numbering and updating of GIS Systems;

D199/21 Economic Development – OBFD

The Assistant Director of Economic Development, Tourism & Strategic Programmes presented previously circulated report to provide members with an update on key activities and sought approval for the following:

Councillor Ashton sought clarity as to whether Moygashel would meet the criteria.

In response the AD: EDTSP said Moygashel was included with Dungannon settlement limit but she would clarify with the Department if Moygashel could be considered.

The Chair, Councillor Molloy stated that there would be projects shelf ready which could be considered in the scheme.

The AD: EDTSP said the team was looking at a range of options.

Councillor Kerr asked if these could be brought back to stakeholders and also sought clarity as to what would happen if populations of settlements was below 1000. Councillor Burton said numbers of populations in settlements had raised issues in the past mentioning Caledon and Aughnacloy which was a border town. She also asked if for example footpaths in Castlecaulfield could be considered.

Councillor Monteith said a strong case needed to be made for the smaller settlements emphasising that Mid Ulster is made up of rural communities and highlighted hamlets such as Killeeshil which had a vibrant community centre, Edendork, Brantry and Cabragh who would not reach the numbers. He said the larger towns and villages had received funding and now these smaller communities would be looking equal treatment and it was Councils duty to fight for them.

The Chief Executive reinforced the comments made by the Assistant Director and said whilst they could concur with Members comments Council should welcome the funding opportunity. He also highlighted that the criteria was across three government departments all with their own agendas for example Department for Infrastructure would be focus on active travel, Department for Communities would be urban regeneration and DEARA would be for village investment. He further highlighted that Maghera may be another area of concern in relation to the criteria. He concluded that this funding was not a replacement for Rural Development Programme and clarity would be sought on all issues.

The Chair Councillor Molloy drew attention to the wording outlined at item 10 “there will be no firm rule that precludes projects in settlements below the 1000 threshold” which may provide scope for negotiations.

Proposed by Councillor Kerr
Seconded by Councillor Burton

Resolved: That it be recommended to Council:

(a) COVID Recovery Small Settlements Regeneration Programme

- Resolved**
- (i) To note details on the new COVID Recovery Small Settlements Regeneration Programme.
 - (ii) To approve that officers work up proposed options and bring back a report to Members for discussion.

(b) Request from Dungannon Enterprise Centre

The Chair, Councillor Molloy stated he had declared an interest in the item but would facilitate discussion.

Councilor Monteith said he was aware of this from the recent Dungannon DEA meeting regarding capital projects and he would be reluctant to committing to a 10 year lease given that Council has ambitious plans for lands adjacent to the area to be leased.

The Chief Executive said officers had discussed the issue also and whilst they would want to show good will and work with the Enterprise Centre a 10 year lease would not sit

comfortable with Councils plans and perhaps a year on year lease may be a better way forward.

Councillor Ashton proposed that officers, Dungannon Enterprise Centre and Dungannon DEA Members meet to negotiate how best to progress the matter.

Councillor Burton seconded the proposal.

Councillor Ashton also stated that there had been issues with the rollout of broadband in Maghera and Coalisland and as chair of the working group she had spoke with officers to call a meeting to discuss same.

Councillor Cuddy suggested that perhaps a five year lease may sit comfortable with both Council and the Enterprise Centre. He said as a trader he would not want to halt anything that could take place currently while larger plans were being progressed. He said he would be keen to have a meeting as soon as possible.

Councillor Monteith supported the proposal for a meeting with all parties concerned but said that Council should not bind itself to a timescale. It could be agreed in principle perhaps as the land is key to Council's plans.

The Chair, Councillor Molloy said there is an understanding in relation to Council's future plans for the lands.

Councillor Clarke thanked officers and Councillor Ashton for the prompt response regarding a meeting of the broadband group.

Resolved That Council seek a meeting with Dungannon Enterprise Centre and Dungannon DEA Members to discuss the way forward on requested lease of Council for lands at Feeney's Lane, Dungannon.

D200/21 Extension to Davagh Forest Service Level Agreement

The Head of Parks presented previously circulated report to review current Service Level Agreement (SLA) with Broughderg Area Development Association to include caretaker and cleansing duties within the OM Visitor Centre.

Proposed by Councillor McNamee
Seconded by Councillor Kerr and

Resolved That it be recommended to Council -

- (i) To note the content of the report in relation to the extension of current duties and activities associated to the current Service Level Agreement with Broughderg Area Development Association.
- (ii) To approve the extension of on-site support services on a daily basis equating to 11 hours per week on a flexible rota. The calculated cost of this service equates to £104.50 per week/ £5,434 per annum.
- (iii) To agree to amend the current annual Service Level Agreement

with Broughderg Area Development Association to reflect a total annual SLA payment of £11,434.00 for services provided at Davagh Forest and OM Dark Skies Park & Observatory.

D201/21 Greenlough Greenway Path Creation

The Head of Parks presented previously circulated report and sought Council approval to enter into nine Permissive Path Agreements with nine different landowners in relation to lands in and around Clady River, Inishrush and Greenlough for the creation of a path network, known as Greenlough Greenways.

Councillor Milne commended the group on their forward thinking.

Proposed by Councillor Milne
Seconded by Councillor McNamee and

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

- (i) To enter into nine Permissive Path Agreements with nine landowners in relation to the development of the path network along the Clady River, Inishrush and Greenlough, known as Greenlough Greenways.
- (ii) To investigate the potential of establishing a service level agreement with Bann Valley Community Group. A future detailed report to be submitted to committee for consideration/ approval in due course.

D202/21 Pedestrian Bridge, Seyloran Land, Dungannon

The Head of Parks presented previously circulated report to and sought Council approval to accept the transfer of a pedestrian footbridge crossing the River Rhone from Seyloran Lane, Dungannon, from Department of Infrastructure (DfI).

The Chair advised that he had taken a walk around this way after receiving the paper and stated that it was evident that work had been done to the bridge. He said that the landowners would be more than appreciative if it was kept open as a walkway as it was a public right of way used by numerous people in a circular route and also formed an old ancient public right of way.

Proposed by Councillor Clarke
Seconded by Councillor McNamee and

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

- (i) For ownership transfer regarding the bridge at Seyloran Lane over the River Rhone from DfI to Council.
- (ii) To further investigate existing and potential public access opportunities along the River Rhone, Seyloran and bring a public path proposal in due course for committee consideration.

D203/21 Feasibility study – Reopening disused tunnels linked to Great Northern Railway and Northland Estate for Off-Road cycling and walking routes

The Head of Parks presented previously circulated report and sought Council approval to appoint a qualified consultancy to develop a feasibility study for the potential re-opening of disused tunnels linked to Great Northern Railway and Northland Estate for Off-Road cycling and walking routes (Appendix Map).

Councillor Burtons said she had initially thought the report was about the railways lines as opposed to the tunnels and referred to a recent television programme about former railways and that it was her understanding that ABC Council were exploring the possibilities of re-opening of wider railway network. Councillor Burton said if the aforementioned was the case she would like to see the Clogher Valley included in the scope of the study.

Councillor Cuddy advised that he knew the two tunnels reasonably well and said that the Water Service had plans to put a large sewage pipe through the subway under the main Moy Road. He referred to Developers on both sides of the road and the potential for Council to take control/ownership to connect Dungannon Park with Windmill Wood and continue to Linear Park in which Council wished to develop a path right around the town for cyclists and walkways off all main roads. He said that it would be important to work quickly as there could be a chance the site could be lost to the Water Service which would be unfortunate as it was on the maps from the 1830s and still in very good shape.

Councillor Cuddy also referred to the other railway line at the Moy Road also with the two tunnels right beside each other, with one end closed over due to the Killymerron Road. He said that both tunnels had a lot of history in Dungannon and well worth investigating and said that he would be happy to propose the feasibility study, especially the subway to make sure that other utilities do not run a waste pipe through it and make sure that these pipes are at least put underground as now was the time to work to try and link the two parks with agreement from landowners.

Councillor Monteith said that it looked like a good idea to him and assumed as there was and that Council take the opportunity to look at this and work within the guidelines which were given even if there was no bespoke policy in place with regard to adoption of tunnels.

The Chair said that like the railway, when it was gone it was gone and well worth trying to preserve these tunnels for the future otherwise they would be lost forever once they were exploring the issue of reinstating railway networks with the possibility of enhancement, with a report being brought back on what ABC were actually doing and if something that this Council could be involved in as it had been an act of vandalism to remove the railways.

Proposed by Councillor Cuddy
Seconded by Councillor Monteith and

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

- (i) To progress with the procurement and appointment of qualified consultancy to develop a Feasibility Study/Business Case for the potential re-opening of disused tunnels linked to Great Northern Railway and Northland Estate for Off-Road cycling and walking routes in conjunction with potential future Active Travel development opportunities for Dungannon town.
- (ii) For P&R committee approval for all identified capital expenditure associated to project as presented.

Resolved That it be recommended to Council that Officers bring a report to future meeting in relation to ABC Council plans with regard to regenerating Railway provision in the west and the possibility of MUDC doing likewise.

D204/21 Sports Representative Grants

The Assistant Director Health, Leisure & Wellbeing presented previously circulated report to present to Members the proposed community grant allocations for the Sports Representative Grant - Team and Individuals (October 2021).

Proposed by Councillor Clarke
Seconded by Councillor McNamee 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 £650 in respect of the 2 applications.

Matters for Information

D205/21 Minutes of Development Committee held on 14 October 2021

Members noted Minutes of Development Committee held on 14 October 2021.

Councillor Monteith referred to D148/21 regarding ongoing roadworks and advised that a meeting had been held with utilities the previous week. He said that it was disappointing that SGN had not attended and it was mid November and no progress had been made. He advised that areas of Dungannon continued to be operating on a one way system due to works ongoing at for example at night on the Newell Road noting neither local residents or nearby business had received notification despite assurances that disruptions would be during the hours of 9.30 to 4.30 pm. He said that there was a need to keep going as they talked about a moratorium and how works were to be completed before that time. He suggested that a meeting be raised with Roads Service stating that if the moratorium was going to raise a bottleneck every year, then it defeated the purpose and a better rule and guideline would be that only so many roads can be worked on at a particular time. He felt that the moratorium had now become counterproductive as it seemed like 'hell for leather' to get roads closed and works completed.

Councillor Monteith proposed that Council write to Roads Service in relation to the moratorium to ask that a more effective use of the moratorium would be to stagger or plan work better rather than having an onslaught.

Councillor Kerr seconded Councillor Monteith's proposal.

Councillor Wilson concurred with previous comments and experiences in Cookstown at the moment. He advised if someone wished to get a gas connection, then the road goes into a single lane traffic system which was a nightmare.

Resolved That Council write to DfI in relation to the moratorium requesting them to revise their working practices to ensure road works are phased throughout the year in our towns and rural areas.

Councillor Kerr referred to D184/21 regarding Playparks and advised that a local resident had contacted him in relation to a family relative having a severe nut allergy and having to leave the playpark due to other users eating nuts within the vicinity. He said that whilst Council's responsibility to tell parents and children what to eat it may be worthwhile highlighting the issue via by social media and a public campaign asking the public to be mindful of children and other users with allergies using the playpark.

The Strategic Director of Environment advised that this would be followed up.

Resolved That Council explore the possibility of a social media campaign highlighting the need for users of facilities such as play parks to have consideration of those with severe allergies eg nut allergy.

D206/21 Minutes of Special Development Committee held on 21 October 2021

Members noted Minutes of Special Development Committee held on 21 October 2021.

D207/21 Economic Development Report – OBF

Members noted update on key activities as detailed below:

- Cookstown Town Centre Forum Minutes 01.09.2020 & 22.09.2020
- Magherafelt Town Centre Forum Minutes 05.08.2020 & 22.09.2020
- Coalisland Town Centre Forum Minutes 10.05.2021 & 28.06.2021
- Maghera Town Centre Forum Minutes 06.08.2020 & 21.09.2020
- Irish Central Border Area Network (ICBAN) - QUB Report: 'The Border After Brexit'

D208/21 Pitch and Recreational Spaces Strategy Update

Members noted update on progress to date in relation to Pitch and Recreational Spaces Strategy.

Live broadcast ended at 8.13 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Kerr
Seconded by Councillor Cuddy and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider item D209/21.

Matters for Decision

Matters for Information

D209/21 Confidential Minutes of Development Committee held on 14 October 2021

D210/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.15 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Conferences, Seminars & Training
Date of Meeting	25 November 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
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.</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 Officers Conferences, Seminars & Training

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NAC – Local Government Conference	26-28 November 2021	In Person	£350+plus vat Plus travel and accommodation	
NILGA Climate Emergency Training for Councillors	2pm-5.30pm 9 & 13 December 2021	Virtual	£10	Cllr S McPeake Cllr McFlynn
<u>Local Economic Growth Conference</u> <u>Local Economic Growth Conference 2022: Driving Forward the Levelling Up Agenda</u> (insidegovernment.co.uk)	9am – 1pm 26 & 27 January 2022	Virtual	£295 + vat	

NATIONAL ASSOCIATION OF COUNCILLORS
Local Government Conference
Environment, Climate Emergency & National AGM

The Dalmeny Hotel, Lytham Saint Annes 26th-28th November 2021

Delegate Booking Form

Name of
Delegate.....
.

Organisation
.....

Delegate's
Address.....

Postcode.....Telephone
Number.....

Authorising Signature.....Order No if
reqd.....

Printed
Name.....
....

Position.....Organisation.....
.....

To Register – Complete the delegate details above, and either: -Email a copy of this form to Cllr Brian Nelson Generalsecretary@nationalassociationofcouncillors.org

or Post form to NAC Bookings, Council Offices, 6 Goatbeck Terrace, Langley Moor, Durham DH7 8JJ

Delegate Fees: £350 plus VAT – Metropolitan, County, Unitary, Borough & District Councils

£295 plus VAT - Town, Parish and Community Councils

INVOICE – please send invoice to
.....

Accommodation is available for delegates at the Conference Hotel at the special NAC Conference Delegate rate of £70 plus VAT per night. The accommodation fee is payable by delegate on departure from the hotel unless otherwise indicated on the booking form.

Delegate Accommodation Friday & Saturdays nights YES / NO

Local Authority to be billed direct for accommodation YES / NO



Climate **EMERGENCY**

Climate Change Training for NI Councillors

In partnership with NILGA

9th & 13th December 2-5.30pm

Online—Zoom

Climate Emergency is a one day's worth of interactive training (7 hours in total), delivered over two days (3.5 hours/day). The training is aimed at councillors working within a local authority environment in Northern Ireland. It equips Councillors with the information they need to mobilise change within their constituency and to communicate climate change effectively to hard-to-reach

Outcome

Councillors will have:

- Gained an understanding of the basic science of climate change and how climate change will affect us both globally and locally.
- Gained an understanding of how you, as an elected member, can mobilise change.
- Explored the low carbon and climate resilience objectives in the Local Government Sector
- Explored strategies for influencing others to take action on climate change.
- Created an action plan to help reduce the carbon footprint and create a well-adapted local authority

Certificate

The training is accredited by the Carbon Literacy Project. Elected Members taking part will need to attend and complete both sessions and commit to taking climate action of their choice to receive the accreditation. There is a £10 fee to be paid to receive the accreditation.

Day 1: Understanding Climate Change	Day 2—Exploring Climate Actions
1—Climate science	1—The role of Councils (Onus NI)
2—Global local impacts	2—Climate change and COVID 19
3—Climate projections	3—Green recovery and Doughnut economics
4—Pathways to our future	4—Co-benefits of climate action
5—Climate policies	5—Talking about climate change
6—Climate action	6—Levers of influence
7—the carbon budget	7—Taking action

Hosted by NILGA with support from the LGTG

(Local Government Training Group), this event is open to all councillors. The session will be delivered online via zoom, details will be provided to all registered delegates. To register please email s.little@nilga.org

Local Economic Development Growth Conference

Overview

📅 26 Jan, 2022 9:00 am - 1:00 pm

📅 27 Jan, 2022 9:00 am - 1:00 pm

📍 Online Conference

The Local Economic Growth Conference 2022 will provide leading policy and strategy updates to support you in delivering the Levelling Up agenda, driving local economic growth, and recovering from the Covid-19 pandemic. Attendees will be given the opportunity to learn how to drive economic growth across their local area by working in partnership across councils, universities, LEPs and businesses. Additionally, participants will hear from policy makers, best practice case study examples, and participate in workshops to develop the ability to effectively design and evaluate economic strategies.

Policy Background

The Levelling Up White Paper is expected in Autumn 2021, outlining the Government's landmark policy to support the development and levelling up of local economies. As the UK emerges from the Covid-19 pandemic, local recovery is clearly a Government priority, with the rebranding of MHCLG to focus on levelling up as the Department for Levelling Up, Housing, and Communities. The Government have set out to make 'the biggest changes to the way we support local economic growth in a decade, in order to regenerate our town centres and high streets, support individuals into employment, improve local transport links and invest in local culture, while giving communities a stronger voice to take over cherished local assets that might otherwise be lost.' (Gov.uk)

Boris Johnson's "Plan for Growth" speech made it clear that Levelling Up goes far beyond just attempting to improve individual's incomes. The levelling up agenda is a complete programme addressing inequalities in health, infrastructure, and education across communities is expected to be announced. Furthermore, the White Paper is expected to devolve further powers to Local Authorities and LEP's, empowering them to set priorities according to local needs to drive economic growth.

Alongside implementing the Levelling Up Agenda, many communities face a pressing need to support local economic recovery in the wake of the pandemic. Despite the easing of restrictions, in July 2021, GDP remained 2.1% below its level in February 2020, with the construction and service industries remaining below February 2020 levels (Office for National Statistics). With the Levelling Up Fund and UK Community Renewal Fund offer almost £5 billion to support place-based economic strategies through funding for local infrastructure, high street regeneration, and skills development.

Sustainable and long-term local economic growth will rely on both recovery strategies, involving collaboration between Local Authorities, Universities, Local Enterprise Partnerships (LEPs), BIDs, Combined Authorities and private sector businesses, and the effective implementation of the Levelling Up Agenda.

Appendix B

Retrospective Approval - Conferences

Details of Courses	Service/ Directorate	No. Attendin g	Cost	Date	Location
NILGA Conference	Chief Executive's	2	1 @£35+vat 1@£99 + Vat	24 th November	Virtual Bangor

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 25 November 2021
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					

2.3	<div>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</div> <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 <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	Implementation of the policy allows the Council in acknowledging the achievements of organisations and persons from the district, as put forward by members. Recognition requests received from Members have been categorised, details of which are set out within appendix A to this report.
3.2	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.
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
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Appendix A: November 2021 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
Tyrone Masters Over 40s	Dr Mick Loftus Cup All Ireland Over 40 Competition	Cllr Monteith Cllr Kerr Cllr S McGuigan Cllr Mallaghan	<ul style="list-style-type: none"> Won first place at a competition 	Tyrone senior Team Sept 2021 Civic Honour for winning All Ireland
St Patrick's College Maghera	Winners of the Ulster Schools' Camogie Cup Under 15s	Cllr B McGugian Cllr Kearney	<ul style="list-style-type: none"> Won First place at a competition at the highest level at a Northern Ireland or Provincial level 	For: Team awarded June 2018 out of 3 year
Kathryn Mullan Robert Emmets GAC Slaughtneil	Solo Singing at the Ulster Senior Scór Competition	Cllr Kearney	<ul style="list-style-type: none"> Won First place at a competition at the highest level at a Northern Ireland or Provincial level 	Slaughtneil various team awards none for Solo singing
Céili Dancing Team Watty Graham GAC	Céili Dancing Title Scór Sinsir Uladh 2020 Ulster Title	Cllr Kearney	<ul style="list-style-type: none"> Won First place at a competition at the highest level at a Northern Ireland or Provincial level 	For: Team awarded April 2018 out of 3 year

			•	
Fivemiletown United Football Club	The Queen's Award for Voluntary Service	Cllr Burton	• Outstanding Achievement	For: N/A Date: N/A
Moira Shaw	Alzheimer Society UK People Award	Cllr Wilson	• Outstanding Achievement	For: N/A Date: N/A
Conan McHugh	Irish Novice Irish Light Heavy Weight Champion	Cllr Kerr	• Won first place at a competition	For: N/A Date: N/A

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
Karl McGee Alskea Ltd	Northern Ireland Building Council Pride in the Job Quality Award Pride in the Job Seal of Excellence Awards	Cllr Kerr
Cathal Brannigan Alskea Ltd	Northern Ireland Building Council Pride in the Job Quality Award Pride in the Job Seal of Excellence Awards	Cllr Kerr

Dylan McVeigh Alskea Ltd	Northern Ireland Building Council Pride in the Job Quality Award	Cllr Kerr
Naomh Colum Cille Under 13s	Tyrone U13 Championship Shield	Cllr Kerr
Naomh Colum Cille Hurling Team	Hurling Junior Championship	Cllr Kerr
Watty Graham's Glen Maghera GAC	Senior Football Team John McLaughlin Cup Derry Senior Football Championship	Cllr B McGuigan
Donaghmore Horticultural Society	Queen's Award for Voluntary Service	Cllr Burton Received Civic Award in 2017 for coming 2 nd place Ulster in Bloom Received letter in 2018 for coming first in Ulster in Bloom Received letter in 2019 for 1 st place Village Category Ulster in Bloom Received Civic Award in October 2021 for coming 1 st place Village Category Ulster in Bloom
Leah Lewis	Ulster Championship 49kg Competition	Cllr Kerr Leah received civic recognition as Novice Champion in November 2019
Naomh Treas Ballymaguigan GAA Girls Féile Team	Represented Derry in the John West Féile 2021 Won Derry 2021 Championship Cup	Cllr McFlynn Cllr Kearney

Chrissie Devlin	Co Tyrone Team Talk All Star	Cllr Kerr Cllr N McAleer
Moortown GAA	<ul style="list-style-type: none"> • Division Two Senior Championship Co Tyrone • Tyrone JFC County Champions • Ulster JFC Runners Up Senior Ladies 	Cllr Kerr Cllr N McAleer
Clonoe O'Rahilly's	Fundraising Activities in Aid of Motor Neurone	Cllr Doris

Report on	Amendment to Standing Orders
Date of Meeting	Thursday 25 th November 2021
Reporting Officer	Adrian McCreesh, Chief Executive
Contact Officer	Kathryn Donnelly, Council Solicitor Philip Moffett, Assistant Director

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 an amendment to the Standing Orders on the regulation of council and committee business in light of Council being made aware of a judgement made following a Judicial Review formally published on 2 nd November 2021. The purpose of this report is to bring to member's attention the proposed amendments to be made to the Standing Orders for Council, in line with the judgement.
1.2	In line with standing order 30.2 concerning amendments to Standing Orders discussion on this shall stand adjourned until the next ordinary meeting of Council, once proposed and seconded.
2.0	Background
2.1	<p>To date, Council has been working on the basis that certain decisions of Council and committee are not subject to 'call-in'. This is in line with the model standing orders adopted by Council as recommended by the then Department for the Environment (DoE) now Department for Communities. The following is an extract from standing order 21.2 confirming those matters which are not subject to call-in</p> <p><i>(2) The following decisions shall not be subject to call-in:</i> <i>(a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;</i> <i>(b) a decision which is deemed to be a case of special urgency in accordance with regulation 26 of the 2014 Executive Arrangements Regulations;</i> <i>(c) a decision where an unreasonable delay could be prejudicial to the council's or the public's interests;</i> <i>(d) a decision taken by an officer or officers which is not a key decision;</i> <i>(e) a decision by the executive which serves only to note a report from or the actions of an officer or officers.</i></p>
2.2.	This matter primarily impacts upon the workings of the Council's planning committee and in instances where Committee may have delegated authority over

	specific business. As such, the Planning Manager updated committee members on same at the November planning meeting.
3.0	Main Report
3.1	Given the determination provided on the Judicial Review brought against Derry City & Strabane DC a review has been carried out of the Council's Standing Orders and it has been considered that amendments are required to comply with the ruling.
3.2	As per the comments given in the determination, there is currently no legislative provision to allow for discretion to exclude a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism from being called in. This discretion is currently reflected in our Standing Orders.
3.2	It was however acknowledged in the determination that there may be good reason for the exceptions that were previously recommended to be adopted by all Councils, such as urgency or the availability of a further appeal which would allow further consideration of the decision.
3.3	<p>Reflecting on the recommendations from the judicial review it is proposed that:</p> <ol style="list-style-type: none"> 1. Council agree to deletion of Standing Order 21.2 (2)(a) where it currently states that a decision on a regulatory or quasi-judicial function shall not be subject to call-in 2. Council agree to amending Standing Order 21.2 to now read <p><i>A decision where an unreasonable delay could be prejudicial to the council's or the public's interests and in urgent situations.</i></p> <p>Amendment 2 in particular, provides scope in relation to dealing with matters in which an unreasonable delay could be prejudicial to the Council, or to a member of the public, which would allow for an emergency response, such as a threat of serious damage to human welfare and/or the environment. Members should note that the absence of justifiable legislative provision to allow for such an exceptions, may lead to a challenge of such a decision.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: none identified
	Human: none identified
	Risk Management: The adoption of the proposed amendment(s) will ensure that council is compliant with the determination in the case as referenced above.

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable on this occasion
	Rural Needs Implications: not applicable on this occasion
5.0	Recommendation(s)
5.1	It is recommended that any discussion on these amendment(s) shall stand adjourned without discussion until the next ordinary meeting of the Council, in line with standing order 30.2 concerning amendments. Thereafter they will be recommended for approval.
6.0	Documents Attached & References
	Not applicable

Report on	Correspondence to Council – October 2021
Date of Meeting	Thurs 25 November 2021
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 Northern Ireland Assembly – Committee for Infrastructure</p> <p>The Chief Executive has received correspondence from the NI Executive to advise the Minister for Infrastructure has taken the decision to rescind the PAN on the Strategic Planning Policy on Development in the Countryside. Refer to Appendix A</p>
3.2	<p>Correspondence from Northern Ireland assembly – Executive Office</p> <p>The Council Chair has received correspondence from the Executive Office in response to letter forwarded following the motion carried by Council into the proposed opening of a Ministry of Housing Communities and Local Government office in Belfast. Refer to Appendix B</p>
3.3.	<p>Correspondence from Commission for Victims and Survivors</p> <p>The Chief Executive has received correspondence from the Commission for Victims and Survivors offering the opportunity for Members and/or Officer teams to receive a presentation providing an update qualitative research projects and a quantitative population survey. Refer to Appendix C</p>

3.4	<p>Correspondence from Department for Communities</p> <p>The Council Chair has received a letter from the Department for Communities in response to the letter sent from Council regarding the delivery of Universal Credit. Minister Hargey had deferred the letter to Deputy Secretary for Work and Health who has responded. Refer to Appendix D</p>
3.5	<p>Correspondence from Department of Finance</p> <p>The Council Chair has received a letter from the Department of Finance in response to the letter sent from Council regarding the delivery of Universal Credit. Refer to Appendix E</p>
3.6	<p>Correspondence from Department of Finance</p> <p>The Council Chair has received a letter from the Department of Finance in response to the letter sent from Council regarding a requested meeting to discuss the matter of rate setting and ongoing legal procedures. Refer to Appendix F</p>
3.7	<p>Correspondence from NILGA</p> <p>The Council Chair has received a letter from NILGA Chief Executive Derek McCallan, who is retiring from post. Refer to Appendix G</p>
3.8	<p>Correspondence from Department for Health</p> <p>The Council Chair has received a letter from the Department for Health in response to a request for a meeting. Refer to Appendix H</p>
3.9	<p>Correspondence from Department for Communities</p> <p>The Council Chair has received a letter from the Minister for Communities seeking Councils views on whether there are any reasons that the Executive decision in 2014 to dissolve the Commission should be reconsidered. Refer to Appendix I</p>
3.10	<p>Correspondence from Department for Infrastructure</p> <p>The Council Chair has received a letter from the Department for Infrastructure in response to letter regarding Utility Works. The Minister has offered a meeting with Road Networks Western Maintenance Manager. Refer to Appendix J</p>
3.11	<p>Correspondence from The Utility Regulator</p> <p>The Council Chair has received a letter from the Utility Regulator in response to Councils letter regarding prices increases. The Utility Regulator has offered a presentation to Council. Refer to Appendix K</p>

3.12	<p>Correspondence from Department for the Economy</p> <p>The Council Chair has received a letter from Minister of Department for the Economy in response to Council's letter regarding 4 day week pilot working scheme. Refer to Appendix L</p>
3.13	<p>Correspondence from Local Government Boundaries Commissioner NI</p> <p>The Chief Executive has received a letter from the Local Government Boundaries Commissioner NI regarding the publication and consultation of the Revised Recommendations of the Boundary Review. Refer to Appendix M</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	<p>Appendix A: NI Assembly</p> <p>Appendix B: NI Assembly –</p> <p>Appendix C: Commission for Victims and Survivors</p> <p>Appendix D: Department for Communities</p> <p>Appendix E: Department for Finance</p> <p>Appendix F: Department for Finance</p> <p>Appendix G: NILGA</p> <p>Appendix H: Department for Health</p> <p>Appendix I: Department for Communities</p> <p>Appendix J: Department for Infrastructure</p> <p>Appendix K: Utility Regulator</p>

	Appendix L: Department for the Economy Appendix M: Local Government Boundaries
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**Northern Ireland
Assembly**

**Mr Jonathan Buckley MLA, Chairperson
Committee for Infrastructure**

Adrian McCreesh
Chief Executive
Mid Ulster Council
chief.executive@midulstercouncil.org

21 October 2021

Dear Adrian,

At its meeting yesterday, the Committee for Infrastructure discussed and welcomed the Minister for Infrastructure's decision to rescind the Policy Advice Note on the Strategic Planning Policy on Development in the Countryside. The Minister has advised that she wishes to take stock of the concerns raised and to further engage with stakeholders on this matter.

The Committee agreed to write to all local authorities urging you to engage with the Department in respect of the Minister's decision to reconsider the implementation of the Development in the Countryside policy.

Yours sincerely,

A handwritten signature in black ink, reading 'Jonathan G. Buckley'.

**Jonathan Buckley MLA
Chairperson**

Committee for Infrastructure

Room 427, Parliament Buildings, Ballymiscaw, Stormont, Belfast BT4 3XX
Telephone: (028) 9052 1970
E-mail: cfi@niassembly.gov.uk



Stormont Castle
BELFAST
BT4 3TT
Tel: 028 9037 8228
Email: ps.ministers@executiveoffice-ni.gov.uk

Councillor Paul McLean
Chair, Mid-Ulster District Council
chair@midulstercouncil.org

CORR-0397-2021
29 October 2021

**PROPOSED OPENING OF A MINISTRY OF HOUSING, COMMUNITIES AND LOCAL
GOVERNMENT OFFICE IN BELFAST**

The previous Chair of Mid Ulster Council, Councillor Cathal Mallaghan, wrote to us on 7 April sharing a motion passed by the Council expressing concern at a proposed move by the Ministry of Housing, Communities, and Local Government to open an office in Belfast.

There is no agreed joint position on the matter.

We note your Council's position and intend to keep this matter under review.

PAUL GIVAN MLA
FIRST MINISTER

MICHELLE O'NEILL MLA
DEPUTY FIRST MINISTER



Ms Adrian McCreesh,
Mid Ulster District Council Dungannon
Issued via email: adrian.mccreesh@midulstercouncil.org

22 October 2021

Dear Mr McCreesh,

The Commission for Victims and Survivors has recently completed a number of qualitative research projects and a quantitative Population Survey. The latter provides us with data on a council by council basis, and all provide material in relation to issues that may assist in thinking around social cohesion and good relations including issues related to community planning and areas of the display of identity, culture and tradition.

The Commission is keen to work more closely with Councils, Peace Partnerships and Council Officers on these particular areas, not least as we prepare for Peace Plus.

We presented a regional oversight of this to the TEO Committee in October and write to ask if you feel it would be helpful for us to schedule a presentation to your Councillors and/or teams of officers?

Yours sincerely

A handwritten signature in dark ink that reads 'Andrew Sloan'.

Andrew Sloan
Chief Executive



An Roinn
Pobal

Department for
Commonities

Cllr Paul McLean
Chair Mid Ulster District Council

Paddy Rooney
Deputy Secretary
Work and Health Group
Level 9
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG
e-mail: paddy.rooney@communities-ni.gov.uk

Our ref: CST-1023-2021
9 November 2021

Dear Councillor McLean

UNIVERSAL CREDIT UPLIFT

Thank you for your letter dated 4 November to Minister Hargey. As I have responsibility for the delivery of Universal Credit, your letter was passed to me to reply.

Throughout her time in office, Minister Hargey has repeatedly demonstrated her absolute commitment and determination to protect the most vulnerable people in our society. You will be aware that the Minister has stated many times that she is vehemently opposed to the uplift being removed and recognises the enormous hardship it will cause for people who are already struggling financially with job losses, reduced hours and less income.

The Minister's priority has always been for Westminster to retain the uplift. Indeed, she wrote to Therese Coffey MP, Secretary of State for Work and Pensions, on four separate occasions, calling for the uplift to be retained and made permanent. On two of these occasions, she was joined by her colleagues in the Scottish and Welsh devolved administrations.

In all of her letters, the Minister stressed the importance of retaining this critical support. She escalated the issue to the First and deputy First Minister who joined with the Scottish and Welsh First Ministers in making the same call to the Prime Minister at the end of September.

Disappointingly, despite the calls from Minister Hargey, the First and deputy First Minister and the Scottish and Welsh First Ministers, Therese Coffey confirmed that the uplift was temporary and it has now been removed.

You may know that the Minister submitted a bid for £55m in October monitoring to mitigate withdrawal of the £20-per-week Universal Credit uplift but this bid was not met by the Executive.

In terms of progressing long-term strategies to address poverty, I can confirm that development work began on the Department's Social Inclusion Strategies, including the Anti-Poverty Strategy, following Executive approval in September 2020.



Progress on the Anti-Poverty Strategy continues at pace. Minister is committed to the co-design process and wants to ensure that stakeholders' voices are heard and articulated in the development of the strategy. The Minister remains committed to delivering the strategy within this Assembly mandate.

I trust this is helpful.

Yours sincerely

Paddy Rooney
Deputy Secretary Work and Health Group

From the Minister of Finance

*Paul McLean,
Mid Ulster District Council*

Private Office
2nd Floor
Clare House
303 Airport Road West
BELFAST
BT3 9ED
Tel: 028 9081 6216
Email: private.office@finance-ni.gov.uk

Your reference: C214/21
Our reference: CORR-1395-2021

Date: 9 November 2021

Dear Paul

**CORR-1395-2021: MID ULSTER DISTRICT COUNCIL - UNIVERSAL CREDIT:
REMOVAL OF THE £20 PER WEEK UPLIFT**

Thank you for your letter of 4 November 2021, requesting that I liaise with Minister Hargey to uphold the uplift of £20 per week for those in receipt of Universal and Working Tax Credit for the remainder of the financial year and commit to a long term strategy to tackle poverty and social deprivation across Mid Ulster.

As you may know, my colleague Deirdre Hargey MLA, the Minister for Communities, along with the other devolved administrations, has written to the British Government Minister responsible, calling for this additional payment to be retained and to be made permanent. I fully support the Communities Minister in this initiative and in the first instance it is important that the devolved administrations, as well as Councils, continue to keep the pressure on the British Government to reinstate its uplift.

Minister Hargey also submitted a bid of £55m to continue the £20 per week uplift as part of October monitoring. After the £200 million was allocated to Health as part of the Monitoring Round there was only £23 million of Resource available. This was not enough to meet the DfC Universal Credit bid. Meeting the Universal Credit bid from the Monitoring Round would be incompatible with the public commitment of all Executive parties to prioritise Health. In addition, it would be important to replace the Universal Credit uplift on a long-term basis, not just until the end of March. The costs of this are expected to rise to £200m per year as people are migrated from legacy benefits to Universal Credit to maintain the £20-per-week uplift.

In order to adequately fund Health and Universal Credit I therefore set out the pro rata contributions needed from Departments other than Health to fund the Universal Credit uplift not just for this financial year, but also for future years. The Executive did not support this option.

On your wider point, the need for an Anti-Poverty strategy has never been more significant. Pre-existing inequalities in our society have been exacerbated by the effects of the pandemic and its impact on the economy. It is therefore essential that we focus on how to help those most in need and address inequalities across our society.

As part of the commitments under New Decade, New Approach and the Executive's Programme for Government it was agreed that a suite of strategies would be developed in relation to Anti-Poverty, Disability, Gender Equality and Sexual Orientation. These strategies will aim to address a range of barriers and inequalities not just in the Mid Ulster Council area, but across the North. The Department for Communities is responsible for driving the Anti-Poverty policy on behalf of the Executive and I will continue to endeavour to provide the financial resources necessary to assist that effort.

Is mise le meas,

A handwritten signature in black ink, reading "Conor Murphy". The signature is written in a cursive style with a large initial 'C' and a trailing flourish.

CONOR MURPHY MLA
MINISTER OF FINANCE



From the Minister of Finance

*Councillor Paul McLean
Mid Ulster District Council*

Private Office
2nd Floor
Clare House
303 Airport Road West
BELFAST
BT3 9ED
Tel: 028 9081 6216
Email: private.office@finance-ni.gov.uk

Your reference: C174/21
Our reference: INV-0354-2021

Date: 11 November 2021

Dear Councillor McLean,

**MEETING TO DISCUSS THE MATTER OF RATE SETTING AND ONGOING
LEGAL PROCEEDINGS**

Thank you for the agenda and associated papers for the proposed meeting to discuss your Council's Judicial Review proceedings against my Department.

Given that legal proceedings have been initiated, it would not be appropriate for me in my role as Minister to meet your delegation to discuss these issues at this time.

However I am content that my officials meet with a delegation from your Council to discuss the issues raised in the agenda and I will ensure arrangements are made for that.

Is mise le meas

A handwritten signature in cursive script that reads "Conor Murphy".

**CONOR MURPHY, MLA
MINISTER OF FINANCE**



the voice of local government

Councillor Paul McClean
Chair
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
BT71 6DT

11th November 2021

Dear Chair

As advised to your Chief Executive and your local authority's NILGA Executive members, earlier this year, I wish to formally confirm to Council that I will step down from the NILGA CEO role at the end of November 2021.

This follows a mutually agreed position reached following my need to assess some medical and non-medical advice and to act upon it.

Continuity, succession management and recruitment processes are all in situ with a replacement Chief Executive anticipated to be in post by March 2022.

I am sincerely indebted, and genuinely thankful, to all in Mid Ulster District, who have worked with and gained from cross-council, practical partnership on matters of common concern, whether council finances, strategic policies, a Vision & Programme for Local Government, the economy, learning & development, Stormont lobbying, Westminster negotiations, Planning workshops, Partnership Panel, Ulster in Bloom, and many more. The approach from Council – including the excellent office bearers of NILGA, past and present, has always been personable, innovative and thorough, leadership traits which I know will continue.

It has been a personal and professional privilege to work with your Officer Team and so many Elected Members, today and in the past 21 years of local government work, and I hope to engage with you and add value in the future in different ways.

My sincere good wishes to the Council for 2022 and beyond, and my renewed thanks for your continued collegiate and productive work with NILGA.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Derek McCallan', written over a horizontal line.

Derek McCallan
Chief Executive

Northern Ireland Local Government Association

Bradford Court, Upper Galwally, Castlereagh, BT8 6RB

Tel: 028 9079 8972 email: office@nilga.org web: www.nilga.org twitter: @NI_LGA

FROM THE MINISTER OF HEALTH



Department of
Health

An Roinn Sláinte

Mánnystrie O Poustie

www.health-ni.gov.uk

Councillor Paul McClean
Chair
Mid Ulster District Council
Dungannon Office
Dungannon
BT71 6DT

Castle Buildings
Stormont Estate
BELFAST, BT4 3SQ
Tel: 028 9052 2556
Email: private.office@health-ni.gov.uk

Your Ref:

Our Ref: INV/0729/2021

Date: 11 November 2021

By email: Eileen.Forde@midulstercouncil.org

Dear *Paul,*

Thank you for your correspondence of 4 November 2021, requesting an urgent meeting to discuss concerns that the Organ and Tissue Donation (Deemed Consent) Bill may run out of time prior to approval in the current Assembly mandate.

I regret that I am unable to accept your invitation at this time. You will appreciate the priority currently being afforded to a number of urgent health issues requiring immediate Ministerial oversight including the coronavirus response which is expected to continue for some time.

However, I can advise that the second reading of the Bill took place on Monday 20 September 2021. The session concluded with the Assembly passing a milestone vote allowing the Bill to move to the next phase of the legislative process.

The Bill is currently in the Committee phase and the committee have advised that they aim to report back to the Assembly no later than 21 January 2022. Reporting by this date will ensure that the Bill can complete the remainder of the legislative process before the end of the current Assembly mandate.

I can assure you my Departmental officials are working to ensure plans are in place for flexibility in delivery timeframes where possible, by working with the Assembly Business office to expedite certain processes during the passage of the Bill, and they would be happy to meet with you to update you on this work. Please contact Ian Plunkett, Head of the Organ Donation Bill Team at ian.plunkett@health-ni.gov.uk to arrange a suitable time and date.

Yours sincerely

ROBIN SWANN MLA
Minister of Health



From: The Minister

**Level 9
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**

Telephone: (028) 9082 3476
e-mail: private.office@communities-ni.gov.uk
Our ref: SUB 0766 2021
Date: 11 November 2021

Councillor Paul McLean
Chair
Mid Ulster District Council
Council Offices
Circular Road
DUNGANNON
BT71 6DT

Via e-mail chair@midulstercouncil.org

Paul, a chara,

DISSOLUTION OF THE LOCAL GOVERNMENT STAFF COMMISSION

In July 2012, the Department of the Environment initiated a review of the Local Government Staff Commission (Commission). Following consultation, the Minister of the Environment concluded that, although the Commission had performed well in a necessary and challenging role for 40 years, other developments meant that a statutory body of that type was no longer required. As a consequence, in 2014, the Executive agreed that the Commission should be dissolved on 31 March 2017.

Given the passage of time that has evolved since the review in 2012, I have decided to carry out a follow-up consultation in order to ascertain if there are any reasons that the Executive decision to dissolve the Commission should be reconsidered.

Therefore, I would appreciate your views on whether there are any reasons that the Executive decision in 2014 to dissolve the Commission should be reconsidered.

I would be grateful if responses could be forwarded to Jeff Glass (jeff.glass@communities-ni.gov.uk) by 26 November 2021.

Is mise le meas,

**Deirdre Hargey MLA
Minister for Communities**



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

From the office of the Minister for Infrastructure
Nichola Mallon MLA

Councillor Paul McLean

Eileen.Forde@midulstercouncil.org

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

Your reference: XXXX
Our reference: INV-0528-2021
16 November 2021

Dear Paul,

UTILITY ROAD WORKS MID ULSTER

Thank you for your letter of 4 November regarding the management of utility street works in the Mid Ulster Council area.

I acknowledge the disruption these essential works can cause and the need to manage them with due regard to the constraints and circumstances at a given location. I am also aware that there are many street works ongoing within your district to put in place enhance telecommunications and mains gas supplies, and while it is acknowledged there may be disruption at times, this is to be welcomed and will bring significant benefits to the community and public.

There are well-established procedures in place to manage street works on public roads and I am aware that your Council has also been consulting with utility companies directly. In the circumstances I have asked my officials to make themselves available to discuss any concerns you may have. In this regard please contact Michelle Greer, Roads Western Network Maintenance Manager who can be contacted at michelle.greer@infrastructure-ni.gov.uk.

NICHOLA MALLON MLA
Minister for Infrastructure



From the office of the Chief Executive

By email only

Councillor Paul McLean
Chair
Mid Ulster District Council
Magherafelt Office
Ballyronan Road
Magherafelt
BT45 6EN

16 November 2021

Dear Mr McLean,

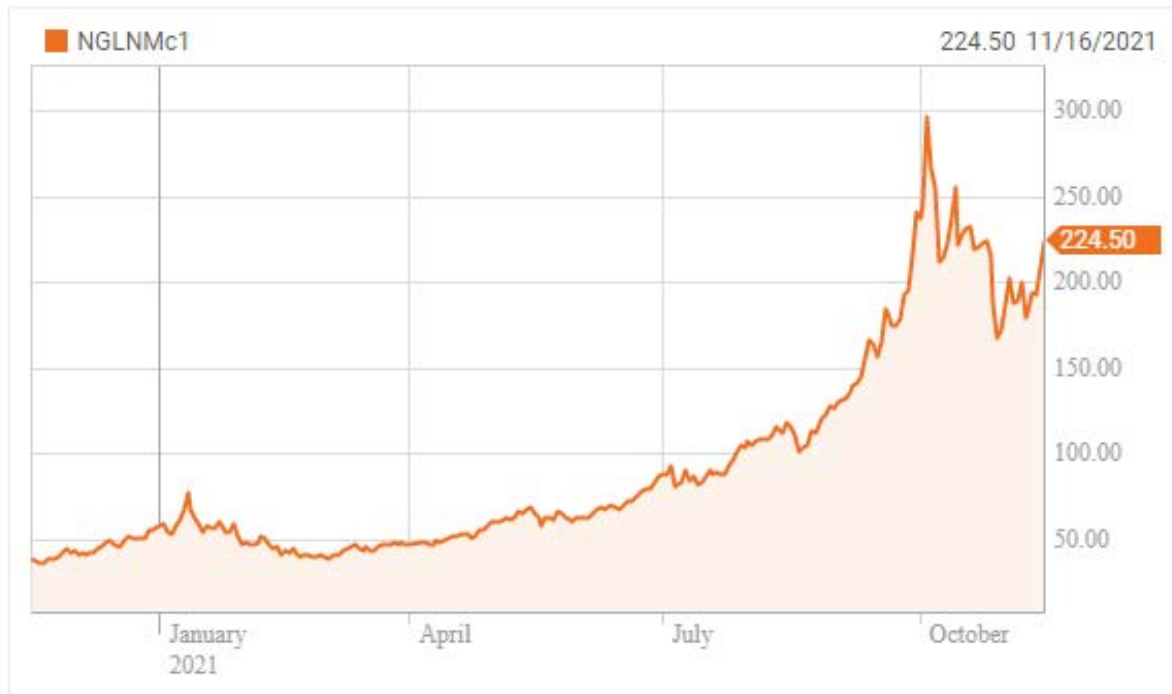
Thank you for your letter of 9 November 2021 detailing the recent council motion in relation to the increases in the cost of energy and support for consumers.

Unfortunately, the tariff increases have come about due to unprecedented rises in international wholesale energy market costs widely reported across not just Northern Ireland, but the UK and across Europe. Wholesale gas prices have reached record levels in recent months. We have seen particularly steep increases since July 2021 with wholesale gas trading at almost five times the level it was back in March 2021.

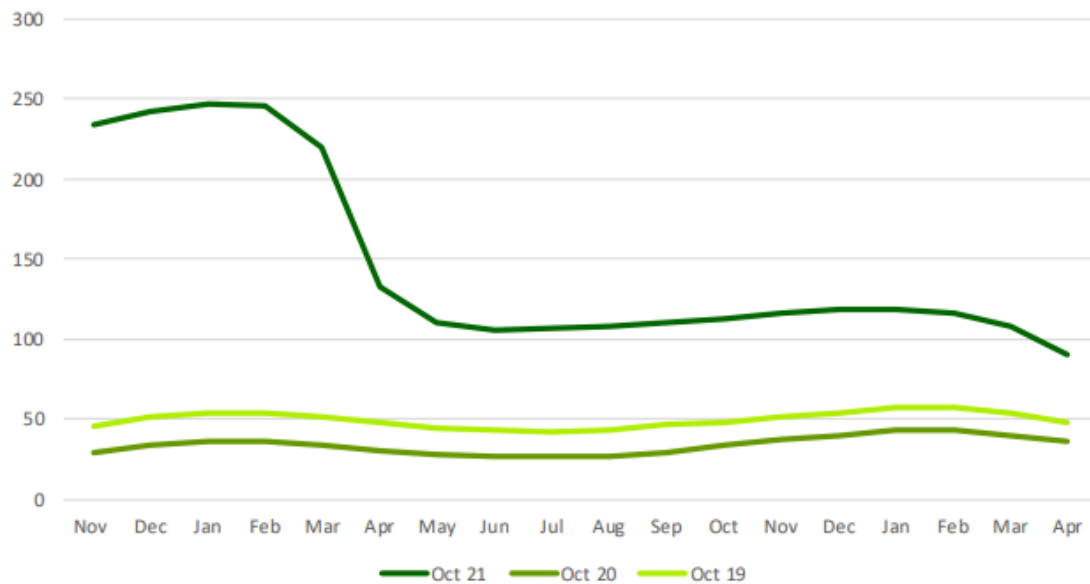
As you can see from the graphs overleaf, the cost of wholesale gas has risen by over 390% across the past seven months and continues to rise further as we head into the winter and across 2022. This is not a short-term problem. Unfortunately projections for forward prices of wholesale gas continue to forecast high prices for many months ahead.

The wholesale fuel cost makes up over 50% of the final bill paid by natural gas consumers. Natural gas also continues to be the dominant fossil fuel for electricity generation which makes up over 50% of the final consumer bill. These international wholesale fuel increases are therefore directly reflected in end consumer prices.

Utility Regulator
Queens House, 14 Queen Street, BELFAST, BT1 6ED
T: +44 (0) 28 9031 1575 F: +44 (0) 28 9031 1740 W: www.uregni.gov.uk



Gas Forward Prices Oct 21 v Oct 20 v Oct19



It is the role of the Utility Regulator, in consultation with the Department for the Economy and the Consumer Council, to fully scrutinise the tariff submissions from the dominant gas and electricity supply companies to ensure they accurately reflect the costs they have incurred. We have no statutory powers to ask a company to sell gas or electricity below the market cost price.

Although we have no control over these international cost drivers, we are working alongside partners such as the Consumer Council, Department for the Economy, Department of the Communities and industry to see how we can work together to mitigate some of the effects of these increases.

In addition, we have written to all energy suppliers in Northern Ireland to remind them of their regulatory obligations in regards of consumers struggling with their bills. Our letter stressed to energy companies, the importance of clear communications with customers in debt and licence requirements that seek to protect consumers in times of difficulty.

If you feel it would be beneficial, I would be happy to attend a future meeting of the Council to provide further detail or address any outstanding questions. Please do let me know and we can facilitate arrangements.

All the very best,



John French
Chief Executive

From the Office of the Minister
Gordon Lyons MLA



Councillor Paul McLean
Chair
Mid Ulster District Council
Mail to: Eileen.Forde@midulstercouncil.org

Netherleigh
Massey Avenue
Belfast BT4 2JP
02890 529250
email: private.office@economy-ni.gov.uk

Our Ref: CORR-1360-2021

Your Ref: C213/21

17 November 2021

Dear Cllr McLean,

Work Life Balance and Four-Day Working Week

Thank you for your correspondence of 4 November informing me of the Motion which your Council carried at its October meeting regarding work life balance and which calls on my Department to establish working groups and pilot programmes that support employers to trial the concept of a four-day working week.

Employers and their workforces are free to develop and participate in such pilot schemes, or indeed adopt a four-day work week on a permanent basis, should they wish and agree to do so.

In addition, the current legislative framework to support flexible working and the individual right to request it, already facilitates a wide range of working patterns. This right has been available since 6 April 2015 to all employees who have worked for their employer for at least 26 weeks. Employers are obliged to consider such requests seriously.

I am aware of pilots being carried out and completed in other jurisdictions in relation to a four-day working week and it will be interesting, in due course, to consider the outcomes of these and to see the range of consequences such arrangements may have for workers and businesses. All employers can, however, choose to trial or implement a four-day working week but it is for them to determine which model best meets the needs of their business and the customers they support. In the meantime, I would encourage all employers and workers to make the best possible use of the existing framework of measures to support work life balance and staff retention.

My priority and focus at this time, however, is to protect jobs and rebuild our economy following the devastating impact of COVID-19, and the Economic Recovery Action Plan which my Department is delivering will help achieve this.

Yours sincerely,



GORDON LYONS MLA
Minister for the Economy



Local Government
Boundaries Commissioner
for Northern Ireland

An Coimisinéir um
Theorainneacha Rialtais
Áitiúil do Thuaisceart Éireann

Mairches o Hamelt
Government Commissioner
fer Norlin Airlan

Chief Executive of District Councils
By email:

**Office of the Local Government
Boundaries Commissioner**
C/O Local Government Division,
Department for Communities,
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

19 Nov 2021

Local Government Boundaries Review

Dear Chief Executive,

I am writing to update you on my Review of the Local Government Boundaries in Northern Ireland.

Public hearings on my Provisional Recommendations were held in each of the 11 Local Government Districts in September and October this year, chaired by my Assistant Commissioners. I am now formulating Revised Recommendations in response to the written and oral submissions received.

It is my intention to publish these Revised Recommendations for a 6 week period of public consultation on 18th January 2022. You can access information on the Review including the timeline for completion on my website at www.lgbc-ni.org.uk. I should be grateful if you would share this information with your members. My team will provide some promotional material with you in advance of the consultation.

If you should wish to discuss this or any aspect of the Review with me please contact my team at info@lgbc-ni.org.uk to make the necessary arrangements.

I look forward to hearing from you.

Yours faithfully

Sarah Havlin

Local Government Boundaries Commissioner

cc Jenny McGuigan, LGBC Office.

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	Thursday 25 November 2021
Reporting Officer	Philip Moffett, Assistant Director of OD, Strategy & 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, statutory agencies and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the 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
Education Authority	Equality Scheme	The Education Authority has completed a review of its Equality Scheme and changed the formatting, screening tools used and consultation engagement.	14 January 2022	
	Link to Consultation	https://www.eani.org.uk/about-us/equality/equality-schemes		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DAERA	Draft Environment Strategy	Environment Strategy is intended set out Northern Ireland's environmental priorities for the coming decades and will form part of the Green Growth agenda. The Environment Strategy will form the basis for a coherent and effective set of interventions that can deliver real improvements in the quality of the environment and thereby improve the health and well-being of all who live and work here.	18 January 2022	
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/environment-strategy-consultation		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed

Department for Infrastructure	Proposals for the Railways (Safety Management) (Amendment) (EU Exit) Regulations (Northern Ireland) 2022	This consultation relates to proposals to introduce legislation to streamline the safety certification process for Railway Undertakings operating on the rail network.	3 February 2022	
	Link to Consultation	www.infrastructure-ni.gov.uk/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)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Electoral Commission (Northern Ireland)	Equality, Diversity and Inclusion Strategy	This consultation is on the Electoral Commission's draft Equality, Diversity and Inclusion Strategy, and new Equality Impact Assessment documents to ensure that their strategy demonstrates commitment to equality, diversity and inclusion.	Friday, 28 January 2022	
	Link to Consultation	https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-consultations/consultation-equality-diversity-and-inclusion-strategy		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Dept for Agriculture, Environment & Rural Affairs	Consultation on Amending Options for the Assessment of Technical Competence under the Northern Ireland Waste Management Licensing and Permitting	This consultation is on amending options for the assessment of technical competence under the Northern Ireland Waste Management Licensing and Permitting Regime. This will be relevant to organisations requiring a	10 January 2022	

		waste management licence or permit.		
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/consultation-assessment-technical-competence-under-ni-waste-management-licensing-and-permitting		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?			