

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 12 October 2023 in the Council Offices, Burn Road, Cookstown and by Virtual Means

Members Present

Councillor McNamee, Chair

Councillors Bell* Black (7.03 pm), W Buchanan, F Burton (7.05 pm)*, Clarke, Corry, Gildernew, McLernon, McQuade*, Milne*, Molloy* Monteith*, Quinn, Wilson

Officers in Attendance

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

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

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

Ms McKeown, Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP)**

Ms McCartney, Strategic Programme Development Manager (SPDM)

Mr John Kennedy, ICT Support

Mrs Grogan, Committee and Member 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 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.

D144/23 Notice of Recording

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

D145/23 Apologies

Councillor Forde.

D146/23 Declaration of Interests

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

Councillor Clarke declared an interest in agenda item 8 – Sperrins Partnership Update.

D147/23 Chair's Business

The Chair, Councillor McNamee advised that he had attended the Housing Forum meeting last week and it was brought to his attention that landlord registration would be transferred to Local Government in December 2024. The member advised that he had raised a few questions enquiring whether it had been through Council or not.

The Strategic Director of Communities & Place (SD: C&P) stated that he was aware of ongoing conversations around the potential for the landlord registration scheme to transfer to local government from Department for Communities (DfC). The SD: C&P said that as far as he was aware that this has progressed to the stage where the department had formed a group to look at this and had recently written to SOLACE seeking a nomination to sit on that group, an appointment from SOLACE was agreed in September. The SD: C&P was not aware of the individual attending their first meeting yet but would link in with the appointee to seek an update and when further information is received this would be brought back for members consideration.

Councillor Molloy wished to raise a matter in relation to planning an event in Meadowbank, Magherafelt. The member advised that he had been approached by a member of the public seeking to run a charity event for children at Meadowbank as he works with seriously ill children and was advised by Council Officers that a certain type of licence needed to go through before this could be held. The member advised that this person wished to hold the event before Christmas and was more than willing to work with Officers and do whatever he can do to get it over the line. The member said that it would be helpful to provide any assistance possible to speed the process up.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) said that Officers were aware of the booking request and will keep engagement open with the group and follow up again tomorrow. In relation to specifics, the type of event is proposed to be held requires an entertainment licence but would look at all possible avenues to try and explore and expedite that to include working within all the relevant policies in place.

Councillor Black entered the meeting at 7.03 pm.

Matters for Decision

D148/23 Walking for All Project

The Assistant Director Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report to update members on the proposal that Outdoor

Recreation NI (ORNI) is currently engaging with all local Councils. Their aim to apply to the Peace Plus funding programme for the placement of a “Walking for all Project Co-ordinator” to be based in the Mid Ulster area.

Councillor McLernon said that she would be happy to propose the recommendation and welcomed it as it was a great initiative and looked forward to seeing it rolled out.

Councillor Corry seconded the proposal as it was evident over this last number of years the great walking trails which were there throughout Mid Ulster including Davagh, Moydamlaght etc and goes to show how popular they have been and great to see an extension to this being recognised.

Councillor F Burton said that by reading through the report and thinking back to the night that Dfl were in attendance, our Chief Executive spoke very well in trying to ensure that any possibility with safer routes travel in which Council work with Dfl, would fit in very well with that. The member enquired from the AD: HL&W if this could be a possibility as she had a couple of places in which she may be able to try and push as she was aware of talk about rural areas but wanted to ensure the safety of people who were out walking on the road and the best way to link up people who live in rural areas who may not have safe access to walk into their village, church hall or sports facilities. The member felt that anything that Council could do to support this would be very welcome and she would be happy to come on board also.

The AD: HL&W advised that this was currently out for procurement for the appointment of the appropriate expertise to develop a district wide Active Travel Masterplan. He advised that the fundamental components of that would be to scope out all the possible routes and paths for this district area that may have the potential to lend itself from an Active Travel perspective in the future and working very closely with Dfl around that. He hoped that when procurement had run its course in the next number of weeks a paper can be brought back to committee for consideration and hoped to be in a position to move forward with the project.

Proposed by Councillor McLernon
Seconded by Councillor Corry and

Resolved That it be recommended to Council to approve ORNI request from Council to:

- 1) Formally support the project by being a named partner in the forthcoming application to Peace Plus
- 2) Agreeing in principle and subject to due diligence to act as the employing authority for the WFA Local Co-ordinator
- 3) Agreeing in principle and subject to due diligence to providing office space and administrative support as required throughout the length of the project
- 4) Proportionate office support throughout the project when required to assist the Co-ordinator

D149/23 Development Report

The Assistant Director of Development (AD: Dev) presented previously circulated report to update members and to seek approval for the following:

- Community Grants Rolling Programme
- Social Supermarket Concept, via the DfC Hardship Fund
- DfC Welfare Reform Support
- Cookstown Town Twinning
- Women's Night Safety Charter
- Seamus Heaney Homeplace Sandford Award
- Development Update

Councillor Gildernew said that she would be happy to propose the recommendation.

The member advised that however, in relation to the DfC hardship funding for foodbanks, she understood the need for foodbanks and funding for them but felt that we as a society should not be happy to let foodbanks become normality. We need the Executive restored to support workers and families through passing legislation to ban zero-hour contracts which make people's income insecure and uncertain. An incoming Executive should also be adequately funded to improve public services and provide better wages to public sector workers as well as power being devolved to set minimum wages rates. People in the North are being hit with increases in fuel, food, energy, mortgage repayments and heat. The cost-of-living crisis means that those on low pay or minimum wage are at risk of falling into debt and being unable to pay for basic essentials. Sinn Féin supports the 'Living Wage Foundations' call for a real living wage of £10.90 to be paid to workers as the minimum standard of pay.

Councillor McLernon seconded the recommendation. The member wished to comment in relation to the Women's Night Safety Charter and felt that anything that Mid Ulster District Council could do to provide safe spaces for women and promote safety for women should be done and would wholly support the signing of the Charter.

Proposed by Councillor Gildernew
Seconded by Councillor McLernon and

Resolved That it be recommended to Council to –

- Agree the Community Grants Rolling Programme awards
- Agree the Social Supermarket funding application
- Agree the allocation the DfC Welfare Reform Support
- Agree the Cookstown Town Twinning support
- Agree to sign up to the Women's Nigh Safety Charter
- Agree to representation at the Seamus Heaney Homeplace Sandford Award
- Note the Development Update.

Councillor Quinn declared an interest in St. Vincent de Paul, Coalisland as they share part of Clonoe in which he is part of.

Councillor Quinn advised that Colette Campbell had put in for an individual sports award in October to attend an international event in Birmingham and was delighted to say that she was part of a successful act of Irish Ladies Bowls Team that won the British and Irish Championships at the weekend.

Councillor Monteith declared an interest in Mid Ulster Advice Service.

Councillor Monteith referred to page 9, where Water Service had appointed a contractor or consultant to deal with issues around the mast at the Hill of The O'Neill. He said that it was disappointing that this was only at this stage now as it was a good few months ago that commitment was made that this would be done. The member felt that the only people that was going to put any impetus or enthusiasm into this would be members themselves.

Councillor Monteith proposed that contact be made with Water Service again requesting that a meeting take place with the consultant at the earliest opportunity. The member said that his fear would be that this could run into 12 months after members felt was a reasonably positive meeting with Water Service and will eventually die with a lack of enthusiasm on their behalf.

Councillor Molloy seconded Councillor Monteith's proposal. The member said that he was present at the meeting with Water Service and disappointing to see it only slowly progressing. There is talk about redeveloping the Hill of The O'Neill and the black spot that was on top of it with the mast and any further work which can be achieved for the better would be welcomed.

The Strategic Director of Communities & Place (SD: C&P) said that he appreciated and understood the frustrations in relation to how long it has taken to get to this stage with NI Water. The SD: C&P wished to reassure members that engagement with NI Water has been ongoing and a lot of backwards and forwards in relation to trying to agree the terms of reference and the scope of work which has thankfully been completed and the final costs being received. The commission of the contractor is a joint commission and jointly being paid by this Council and NI Water and we will be heavily involved and will members at the right juncture in relation to inputting into the study in advance of the final report.

Resolved That it be recommended to Council to keep the impetus on the matter and continue to engage with the Water Service to move this work forward at pace.

D150/23 Economic Development Report – OBFD

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) presented previously circulated report to update pm key activities as detailed below:

- **Lough Neagh Partnership (2023/24)**
- **Tourism Autumn/Winter Campaign 2023**
- **Donaghmore Historical Society – Letter of Support**
- **Social Enterprise NI: Membership Renewal 2023/24**
- **Dungannon Traders Association Proposal**

Proposed by Councillor McLernon
Seconded by Councillor Gildernew and

- **Lough Neagh Partnership (2023/24)**

Resolved That it be recommended to Council to:

- Note content of report, including Lough Neagh Partnership's Progress Partnership's Report for 2022/23 (appendix 1) outlining actions completed against their 2022/23 Service Level Agreement Targets
- Approve Council funding of £22,000 to Lough Neagh Partnership for the 2023/2024 financial year and release funding, subject to Council being provided with the requisite documentation.
- Approve Council's Draft Service Level Agreement with Lough Neagh Partnership for the 2023/2024 financial year (appendix 2)

- **Tourism Autumn/Winter Campaign 2023**

Resolved That it be recommended to Council to approve the content and mediums proposed for the Mid Ulster Tourism Autumn/Winter Campaign 2023 and associated budget of £10,000.

- **Donaghmore Historical Society**

Resolved That it be recommended to Council to approve that Council facilitates the request from Donaghmore Historical Society and provides the organisation with a letter of support to accompany their funding bid to the Heritage Lottery Fund.

- **Social Enterprise NI: Membership Renewal 2023/24**

Resolved That it be recommended to Council to approve Council's membership renewal with Social Enterprise NI (SENI) for the year 2023/24 at a fee of £500.

- **Dungannon Traders Association Proposal**

Resolved That it be recommended to Council to approve the request from Dungannon Traders Association for a contribution of £2,500 towards Dungannon Jingle Ball Run event, which is proposed, will take place on Saturday 16 December 2023.

Councillor Gildernew referred to Jingle Ball Run event and advised that Eoghan Ruadh Hurling Club were involved last year which didn't seem to be the case this year and also Aodh Ruadh Ladies Football Club. The member enquired if this was a case of being missed and if so could they be included if they are willing to do so.

The AD: EDT&SP advised that this can be investigated with Dungannon Traders Association to check this out and advise the member.

D151/23 Sperrins Partnership Update

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) presented previously circulated report to provide members with an update on the Sperrins Partnership Project.

The Chair congratulated Councillor Clarke on being elected as new Chairman of Sperrin Partnership.

Councillor Clarke thanked the AD: EDT&SP for the good report and stated that this was a historic opportunity as Sperrins had been declared an AONB in 1968 which was 55 years ago and within the last 30 years he has been involved in the different stages to try and have a management plan brought into place and eventually this has been received. The member advised that we were the last and the earliest, but we were here now and will make a huge difference in delivering the key benefits of an AONB and would be delighted to accept the recommendations as outlined within the report.

Councillor Corry seconded the recommendations and would be happy to reiterate what Councillor Clarke alluded to as this was something that people have been waiting on for a long time and we all realise and see the potential for the beauty the Sperrins has to offer and great to see the final outcome.

Councillor Wilson advised that as a point of order that the Chair of Sperrins Partnership, Councillor Clarke should not be proposing the recommendations.

The Chair said that he seen no issue as a conflict of interest.

Councillor Corry said that she would be happy to propose the recommendations.

Proposed by Councillor Corry
Seconded by Councillor Quinn and

Resolved That it be recommended to Council to:

- Note content of report.
- Approve in principle that Council continue to provide financial support to Sperrins Partnership when their financial request is made to Committee in the 2024/25 financial year, subject to Council budgets being confirmed for next year, and reciprocal financial contribution being made available from all Partner Councils. The financial request should be accompanied by a refreshed Partnership Agreement.

- Approve realignment of Sperrins Partnership financial requests to Partner Councils to mirror financial years (1 April – 31 March).
- Accept the terms and conditions of the DAERA Environment Fund Strategic Strand 2023 – 2028. Letter of Offer attached at Appendix 1.
- Support recruitment of an AONB Project Officer to assist with development of the Sperrin AONB Management Plan and Action Plan.
- Approve the suggested amendment to the current Sperrins Partnership Structure as set out on Appendix 2 and budget allocation to salary costs as detailed in the report.

Matters for Information

D152/23 Minutes of Development Committee held on 14 September 2023

Members noted Minutes of Development Committee held on 14 September 2023.

Councillor Quinn referred to D126/23 and said that he was aware that discussions had taken place regarding the Blackwater barmouth last month and was agreed that legal advice would be brought to the Environment Committee, which didn't happen but Council did receive the legal advice. The member stated that this time last year this Council did discuss options in relation to dredging and core sampling and was also aware of the committee going against paying for it but felt that that it had now come to the situation where ABC and ourselves are not willing to do it, that we take it upon ourselves to do it as it wasn't a lot of money. The member suggested that a report be brought back to environment or development in whichever committee it falls under, with costings of what is going ahead or what is proposed for the committee to look at and felt that this would be the best interest going forward. The member was aware of meetings taking place with ABC in relation to issue on the Blackwater and when meeting took place 2 years ago it was to have Maghery/Ferry Bridge looked at and repaired and all the land cleared away which was within ABC's gift. Discussions also took place regarding the jetty which was on the Maghery side and nothing on the Derrylaughan side and if people were trying to board the boats it can be quite a long journey from one side to the other especially by car, this had been discussed before and the people from the local community were basically asking why Maghery has got everything including more development and nothing on their side at all. From a historical point of view from the ferry going across the Blackwater going back generations and if a jetty was put there for people getting on and off is vitally important and hoped that this could possibly be raised at the next meeting with ABC Council in joint committee. The member was aware of other groups around Moy enquiring about a jetty also, but felt there was a lot of delaying, stalling, a lot of talk but there was a need to turn this into a result and would like to push to a result if not next month but certainly before the end of the year as there was a lot of toing and froing and people getting angry and felt it this was within Mid Ulster Council's gift to do the jetty or core samples then this should be progressed.

The Chair advised that Councillor McLernon had raised this issue at the last Development Committee meeting where it was decided that a report be brought back to Environment committee.

Councillor McLernon clarified that she had raised this issue at the last Development committee where it was agreed that a report be brought back to Environment committee as the issue is very important and as there was no mention of it in the Environment report, enquired if there was any update. The member reiterated what Councillor Quinn had stated and said that this goes along the whole Lough Shore and had huge potential to be opened up for tourism.

Councillor Molloy concurred with previous two speakers comments and advised that a feasibility study was presented in Autumn last year on the Blackwater and this was part of it for development of facilities on the Mid Ulster side of the river. The member said that whilst talking to local people there is a group prepared to do core samples at the barmouth regardless of whatever happens in the cut on the ABC side, a group prepared to carry out the testing of the soil samples and then up to ourselves along with ABC to get the action carried out in relation to the dredging. The member felt that this is the time to push this on and get it sorted as it was going on for far too long and if need be would propose if this was a funding issue, to look at power of general competence to get this over the line. The member advised that the facilities on the Mid Ulster side of the river were dire as Moy jetty was in a fairly bad state in comparison to provisions which were at Tamnamore and Maghery, it was a stark contrast to what we were providing on our side of the river. We have lots of groups using the river and want to use the facilities and felt there was a lot of work to be done. This Council has paid a significant amount of money for a feasibility study to be done and whilst looking through the paper for Lough Neagh Partnership (Item 2E in addendum) – *Development of Blackwater River providing technical advice associated with dredging*, which also states that there was a number of engagements regarding the Blackwater study and things moving on in the background and whilst he appreciated that, felt that this was going on too long as there is local anxiety around it on how long this was taking and Local Government and Central Government is seen now to be inactive and not delivering on what they should be delivering.

Proposed by Councillor Molloy
Seconded by Councillor McLernon and

Resolved That it be recommended to Council to look at the Power of General Competence to get the issues relating to Blackwater over the line.

Councillor McQuade reiterated what Councillor Quinn alluded to regarding Moy and advised that when water levels rise which is quite frequent, the rescue and safety services cannot access the concrete quay which was vitally important. The member stated that this was not just Moy but the requirement to have them all upgraded and whatever help the relevant Councils can provide would be welcome as ABC was also in a bad state of repair and also needs upgraded. The member advised that this was the gateway to the Ulster Canal which was currently being worked upon and soon to be completed and we need to be up to scratch by the time this happens.

Councillor F Burton said members may recall matters which may be going on for a few years including Dredge Bridge in Caledon which was rusting in parts. The member advised that this was a bridge which was off a huge significant historical importance and a report brought to committee in the hope that funding would be

sourced and when we talk about the link between our Council and ABC enquired if there was any possibility where this could all be looked at in the round as we meet together as two neighbouring Councils. The member felt if this bridge was not looked about, it would soon be that there is no bridge of significant heritage and when report was brought by the Officers, it was clearly seen from that time the bridge is well rusted in different parts. The member recalled years ago in Bertie McMinn's era, it was himself that helped that this was not lost to the locality and right beside riverside walk and gateway into Mid Ulster from ABC area. The member enquired if there was any way that this could be brought all together into the round to ensure that all of these things are discussed as Councillors all need to push for improvements within their own patch which is the gateway into their own areas.

The Strategic Director of Communities & Place (SD: C&P) said to reiterate the message which was presented at the last meeting in that the Strategic Director of Environment has been seeking legal advice in relation to the River Blackwater. The SD: C&P stated that he understood members frustration here tonight in relation to how long this was taking, but felt it was very important that we review the legal advice and make sure we are clear before we make recommendation to committee. That being said members views will be fed back from this evening and see where we are in terms of how this can be moved forward.

In response to Councillor Burton's query regarding Dredge Bridge, Caledon, the SD: C&P advised that he was not aware of the background regarding this but would like to pick up a conversation offline and link in with Assistant Director of Property Services (AD: PS) on any work which has been done historically on that or how we can move that forward.

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) said she wished to follow up on what SD: C&P said regarding Blackwater River and advised that Mid Ulster District Council had convened a meeting last week with Officers from Lough Neagh Partnership, Armagh City, Banbridge and Craigavon Borough Council and Antrim & Newtownabbey Borough Council; these being the Councils with the largest Lough Neagh shoreline and which contribute the greatest share of core funding towards Lough Neagh Partnership.

The AD: EDT&SP said that whilst Mid Ulster District Council has been clear in its support for Lough Neagh and the River Blackwater, it is a matter for each neighbouring Council to determine the emphasis and priority they place on such issues. She added that a joined up partnership approach is much needed so that Councils speak with one voice. In addition, she advised at the meeting with Council partners last week, it was agreed that Mid Ulster District Council would convene a further meeting with Department for Infrastructure (DfI) to discuss the dredging issues and advised that Lough Neagh Partnership would be invited also. The AD: EDT&SP indicated that there were at least 3 different types of surveys that needed to be undertaken prior to any potential dredging works taking place. She stated that Lough Neagh Partnership said they may be able to bid directly to DfI to obtain funding to undertake the surveys and would investigate this.

The AD: EDT&SP confirmed that a lot of work is taking place behind the scenes and advised the Strategic Director of Environment will bring a composite report to the Environment Committee to provide Members with an update on the project. This will include the advice received from Council's solicitor on the legal vires of Council undertaking the proposed dredging works, which Members had previously sought.

The Chair said that it was quite clear that there was an awful lot going on around the Lough and the urgent need for action and the sooner a meeting takes place around the table with these people the better.

Councillor Monteith advised that he had three items he wished to raise as follows:

- D126/23 - agreed last month that a standing item would be on the agenda for Environmental Health report and asked that this be up and running for next month.
- D131/23 - agreed last month that Council resume Railway Park/Ballysaggart Lough initiative which has yet to take place and asked that this be done as a matter of urgency as this was now coming up to 12 months from last DEA meeting.
- D134/23 – cost of free carparking and enquired if Officers had a chance to investigate this.

The Chair advised that D134/23 would be raised in Confidential Business.

The SD: C&P advised that we are live in relation to Railway Park, there are revised drawings in relation to that site visit and did appreciate that this had taken some time but hoped to review those as an Officer team some time next week, with a DEA meeting date being put into the diary.

In relation to Environmental Health report being included as a standing item on the Development Report, the SD: C&P advised that this report will be brought back on a regular basis regarding Environmental Health matters.

D153/23 Age Friendly Update

Members noted update on the event to mark Mid Ulster Loneliness Network 2nd birthday along with the formal launch the Mid Ulster Age Friendly Strategy and action plan. In addition, information is also provided on Positive Ageing month taking place during October.

D154/23 Sunbed Test Purchasing Exercise

Members noted update on the outcome of two sunbed test purchase exercises carried out on 3rd August and 24th August 2023 under the Sunbeds Act (Northern Ireland) 2011.

D155/23 Economic Development Report – OBFI

Members noted previously circulated report which provided an update on key activities as detailed below:

- Christmas 2023 Town Activities
- ICBAN – Peace Plus Funding
- Digital Transformation Flexible Fund (DTFF) Update
- Mid Ulster Enterprise Week 2023

The live broadcast ended at 7.42 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor McLernon and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public in accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D156/23 to D163/23.

Matters for Decision

- D156/23 Public Right of Way
- D157/23 SHHP Bellaghy Bawn Writers Residency Project
- D158/23 Cahore Playing Fields, Draperstown
- D159/23 Animal Welfare
- D160/23 Economic Development Report - Cbfd

Matters for Information

- D161/23 Confidential Minutes of Development Committee held on 14 September 2023
- D162/23 Update on New 11 Council NI Enterprise Support Service ('ESS')

D163/23 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.25 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- 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