



20 January 2023

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, 15 December 2022 at 19:00 to transact the
business noted below.

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

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | | |
|----|---|---------|
| 5. | Council minutes of meeting held on 24 November 2022 | 5 - 16 |
| 6. | Policy & Resources Committee minutes of meeting held on 1 December 2022 | 17 - 26 |
| 7. | Environment Committee minutes of meeting held on 5 December 2022 | 27 - 36 |
| 8. | Planning Committee minutes of meeting held on 6 December 2022 | 37 - 60 |
| 9. | Development Committee minutes of meeting held on 7 December 2022 | 61 - 70 |

10.	Conference Report	71 - 76
11.	Civic Recognition Report	77 - 84

Matters for Information

12	Consultations	85 - 90
13	Correspondence Report	91 - 106

Notice of Motions

- 14 Councillor Kerr to move -
This Council recognises the current cost of living crisis facing our community with health workers, including nurses, now taking industrial action. This Council commits to continuing its engagement with local workers and trade union representatives on their concerns.
- 15 Councillor Mallaghan to move -
This Council is deeply concerned that the £600 energy support payment due to people across the North of Ireland who are enduring severe cost-of-living pressures has not yet been made, despite DUP assurances it would be paid in November.
Notes that as a result of the DUP boycott of power-sharing, responsibility for delivering this payment rests with the British government.
Is further concerned that as temperatures drop and winter deepens many families struggling to pay soaring energy bills will have budgeted for this payment being made before Christmas as promised.
And therefore calls on the British government to urgently provide clarity on the delivery of the payments, it is well past time that these were delivered with no more broken promises.

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

16. Council Confidential minutes of meeting held on 24 November 2022
17. Audit Committee confidential minutes of meeting held on 29 November 2022
18. Policy & Resources Committee confidential minutes of meeting held on 1 December 2022
19. Environment Committee confidential minutes of meeting held on 5 December 2022
20. Planning Committee confidential minutes of meeting held on 6 December 2022

21. Development Committee confidential minutes of meeting held on 7 December 2022
22. Document for Sealing - Brocagh & District Council Regeneration Group (BADGER) to Mid Ulster District Council CLC001-0025

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 24 November 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Corry
Members Present	Councillors Ashton, Black, Brown, Buchanan, Burton, Clarke*, Colvin, Cuddy, Cuthbertson, Doris*, Elattar*, Forde*, Glasgow, Graham, Kearney, Mallaghan, N McAleer*, McFlynn, B McGuigan, S McGuigan, McKinney, McLean*, McNamee*, D McPeake*, S McPeake*, Milne*, Molloy*, Monteith, Mullen*, Oneill*, Robinson, Totten* and Wilson*
Officers in Attendance	Mr McCreesh, Chief Executive Ms Campbell, Strategic Director of Environment** Mr Black, Strategic Director of Communities and Place (SD: C&P) Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD:ODSP)** Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E) Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP) Mr Tohill, Strategic Director of Corporate Service and Finance (SD:CSF) Mrs Forde, Member Support Officer

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C223/22 Notice of Recording

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

C224/22 Apologies

Councillors Gildernew, Kerr, Martin, S McAleer* and Quinn

C225/22 Declarations of Interest

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

C226/22 Chair's Business

The Chair, Councillor Corry stated that it was hard to believe the countdown to Christmas was on when it has been only a matter of weeks since the start of November and the final Halloween celebrations of the year. She said it had been wonderful to see residents sharing the fun and fireworks across the district which set the scene for seasonal events to commence.

The Chair highlighted that as well as working hard to deliver these events, staff involved in the planning and those based in The Bridewell, Magherafelt and OM Dark Sky Park and Observatory have been working to create a more autism friendly environment for their customers. As a result, these facilities and services have this month received the Autism NI Autism Impact Award. The Chair commended staff and said as a result Council staff are now much better equipped to understand visitors to the Centre's or those attending event's, and those who have sensory or other requirements that need to be considered. The training has also helped in the design of Council services and events in order to ensure that they are as safe, welcoming and inclusive as possible.

The Chair, Councillor Corry shared that she had been pleased to host Mid Ulster Disability Forum's AGM at Ballyronan, a site which has benefited from the co-design approach with the Forum. She spoke of the valuable feedback and direction in relation to the redevelopment of the site, which has ensured that pan-disability approach has been taken throughout.

The Chair reflected on the two civic receptions which took place in November, where local teams and individuals were recognised for their achievements in fields as diverse as sport, broadcasting, business and the arts. We really do have amazing talent throughout the district. She also highlighted that a total of over 370 businesses attended events as part of Enterprise Week, returning this year from Monday 14 to Friday 18 November. During the week, 13 events for local businesses, both online and in person, took place under the theme - Adapt, Evolve, Overcome. Businesses used words like 'motivational', 'inspirational', 'fantastic', 'insightful' and 'thought-provoking' in their feedback about the week which showed the programme really did have a positive impact. All in all, it was an excellent week which shows that Mid Ulster's enterprising spirit is very much alive and well even during the most challenging of times.

Speaking of that enterprising spirit the Chair said that Christmas is by far one of the busiest times of the year for town centres and independent traders, and this year especially when businesses and households are under ever increasing financial pressures, Council want to make shopping easy, accessible and affordable for those who are supporting our local economy, shops and traders. She welcomed the return of the 10p parking promotion that will assist with this. The added time means shoppers can fully explore what local town centres have to offer with no pressure.

The Chair, Councillor Corry reminded members that the forthcoming weekend would see the return of Christmas light switch-on in the five main towns of Cookstown, Dungannon, Magherafelt, Maghera and Coalisland after an enforced break of two years. She said that residents report that civic events help family and friends to come together and share in this most special of seasons, and she too would enjoy participating in these events (with the help of Santa of course) and encouraged everyone to see what's on offer on Council's web site to get into the festive spirit!

The Chair, Councillor Corry drew attention to letter received from Department for Infrastructure, Western Division DfI Western Division regarding the A5 Western Transport Corridor (A5WTC) Consultation. The Chair proposed that Council respond to the consultation.

Councillor Mallaghan spoke of a meeting with the Department for Infrastructure and emphasized that everyone in support of the A5 Western Transport Corridor should respond as objectors were particularly vocal. He suggested that Council communications section should promote the consultation, in order that those who like himself thought the road was important for the district would be encouraged to respond.

The Chair, Councillor Corry concurred.

- Resolved** That Council
- (i) respond to the DfI Western Division - A5 Western Transport Corridor (A5WTC) Consultation; and
 - (ii) The DfI Western Division - A5 Western Transport Corridor (A5WTC) Consultation be highlighted on Council social media platforms.

Matters for Decision

C227/22 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on 27 October 2022

Councillor Wilson drew attention to letters received from Northern Ireland Environment Agency (NIEA) and Department for Infrastructure (Roads) regarding delays in planning consultations. He particularly remarked on the date range of the statistics and highlighted that the planning application that he had referred to at the October meeting was prior to 1 April. Councillor Wilson again stressed the importance of the planning application to the district and stated that the Chief Executive of the NIEA should be invited to a meeting as it is important that he is aware of the implications of the delay.

- Resolved** That Council invite Chief Executive of the Northern Ireland Environment Agency to meet with Council to discuss delays in planning application consultation responses.

Proposed by Councillor Wilson
Seconded by Councillor Brown and

Resolved That the Minutes of the Council held on Thursday 27 October 2022 (C197/22 – C214/22 and C222/22) transacted in Open Business having been printed and circulated were considered and adopted.

C228/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 1 November 2022

Proposed by Councillor Brown
Seconded by Councillor Mallaghan

Resolved That the Minutes of the Planning Committee held on Tuesday 1 November 2022 (P133/22. P138/22 and P143/22) transacted in Open Business having been printed and circulated were considered and adopted.

C229/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 3 November 2022

Proposed by Councillor S McGuigan
Seconded by Councillor Doris

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 3 November 2022 (PR204/22 – PR213/22 and P225/22) transacted in Open Business having been printed and circulated were considered and adopted.

C230/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 8 November 2022

Proposed by Councillor B McGuigan
Seconded by Councillor Kearney

Resolved That the Minutes of the Environment Committee held on Tuesday 8 November 2022 (E254/22 - E268/22 and E276/22) transacted in Open Business having been printed and circulated were considered and adopted.

C231/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 10 November 2022

Councillor Cuthbertson drew attention to D169/22 Chair’s Business – lack of swimming coaches and stated whilst he was aware the SD: C&P had responded to the queries raised he would like an update regarding same. He said that many children had missed out on swimming lessons due to the covid pandemic and resources needed to be in place going forward. In response the SD: C&P said that recruitment was challenging across the sector but some progress had been made

and a casual list had been compiled. He also advised that a further recruitment exercise was in place to specifically target coaching and it was hoped it would be successful. He concluded that Members would be kept up to date with progress.

The SD: C&P referred to D175/22 Social Inclusion - Hardship Support paper considered by committee and requested delegated authority for the Policy and Resources Committee to make the decision on the final paper on 1 December 2022.

Councillor Monteith proposed the request and stated that the matter highlights that Council decision making processes are not fit for purpose. He stressed the importance of getting the funding to those who needed it most.

Proposed by Councillor Monteith
Seconded by Chair, Councillor Corry and

Resolved That approval be granted to provide delegated authority to the Policy and Resources Committee to consider and make the final decision with regard to Social Inclusion - Hardship Funding.

Councillor Ashton drew attention to the request for a list of elected foodbanks detailed in the minute and said she did not recall receiving it.

Resolved That a list of the main foodbank groups in the District be circulated to Members.

Proposed by Councillor Clarke
Seconded by Councillor McNamee

Resolved That the Minutes of the Development Committee held on Thursday 10 November 2022 (D166/22 - D180/22 and D184/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C232/22 Civic Recognition Requests

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

Councillor McFlynn drew attention to the nomination for McNicholl Caravans and stated that she felt the award merited a civic reception.

In response the AD: ODSP said officers would review the nomination and with the agreement of Council if it deserves to be uplifted officers will progress same.

Proposed by Councillor McFlynn
Seconded by Councillor Mallaghan

Resolved That approval be given to submitted requests for civic recognition detailed at appendix A as outlined in the report and McNicholl Caravan nomination be reassessed with a view to elevating to Civic Reception status.

Matters for Information

C233/22 Consultations

Members noted consultations received for attention of Council.

Councillor Mallaghan drew attention to the Education Authority: Draft Interim Language Policies, Public Consultation and requested that officers who specialise in the language prepare Council's response.

Proposed by Councillor McFlynn
Seconded by Councillor B McGuigan and

Resolved That Council respond to Education Authority: Draft Interim Language Policies, Public Consultation: Closing date 27 February 2023

Councillor McKinney drew attention to to DAERA: Consultation on Herd restrictions for Bovine Viral Diarrhoea (BVD) and said whilst he would make a personal response he felt Council too should send a response.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That Council respond to DAERA: Consultation on Herd restrictions for Bovine Viral Diarrhoea (BVD): Closing date 20 December 2022

C234/22 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Mallaghan drew attention to email received regarding Education Authority contacts for school transport issues. He highlighted the detail was provided through community planning partners and he felt it was still imperative that the Education Authority respond to letters sent by Council following October meeting.

Resolved That Council send a further letter to the Education Authority seeking a response to the concerns expressed regarding the difficulty in speaking directly to officials in the Education Authority in relation to school transport issues; request a list of contact details for District Electoral Areas to include mobile telephone numbers were applicable.

Councillor Colvin concurred and noted the Department of Education's response to the letter. He highlighted that the Education Authority have offices in Ballymena and Armagh both of whom deal with areas in the district. He said unlike health who work collaboratively across areas the Education Authority still worked in 'silos'. He told

how he had emailed both offices and been consistently ignored by both highlighting that this was not acceptable and as elected members correspondence should be responded to and answers should be available. He proposed a meeting with senior officers with responsibility for areas of the district.

The Chair, Councillor Corry seconded the call for a meeting.

Resolved That Council seeks a meeting with the Education Authority to include officials from regional offices whose remit is for areas within the Mid Ulster District.

Councillor N McAleer drew attention to the correspondence from Newry Mourne and Down call on Council to support the notice of motion in relation to the cost of living crisis.

Proposed by Councillor N McAleer
Seconded by Councillor Mallaghan and

Resolved That Council

- (i) supports the motion carried by Newry, Mourne, Down District Council in relation to Cost of Living Crisis; and
- (ii) Council writes to the Prime Minister and Chancellor of the Exchequer supporting the motion.

C235/22 Notice of Motion

Councillor Colvin moved the motion

Statistics shared by our Planning Department demonstrate that Mid Ulster District Council is in the top three in Northern Ireland for development applications received. However, this growth has not been matched by investment by NIW in our district in appropriate sewerage infrastructure resulting in many developments relying on 'temporary treatment plants' which in some cases have been in place for several years. In our modern world we should not be relying on such systems which only 'kick the can down the road' until a sustainable system is installed. This Council calls for NIW to make funding available and install appropriate sewerage infrastructure in our district. Moreover, this Council seeks an urgent meeting with NIW to discuss specifically its sewerage infrastructure plans to speedily address this issue.

Councillor Colvin added a few personal observations from his own district electoral area drawing attention to people living adjacent to treatment plants and having to put up with unpleasant odours. He spoke of a new development in Newmills where a temporary treatment plant was being proposed and again people would have to tolerate unpleasant owners. Councillor Colvin also drew attention to the issue of a NI water pumping station plant and whilst there is no odour it is in a position which is inhibiting the natural expansion of the centre of the village for community and outdoor recreational facilities. He said whilst in the past its situ may have been acceptable this is no longer the case and as a comprehensive review of current

infrastructure it should be removed. Its current location inhibits the organic expansion of the village where people wish to spend time and enjoy community space which is so important to wellbeing and mental health.

Councillor Wilson seconded the motion and said that the current sewerage system is hindering development at the north end of Cookstown. He said that NI Water have agreed to improve the system in 2024 but this is money dependent so it is important that Council lobby NI Water.

Councillor Wilson highlighted that a housing development in Cookstown was under construction, houses sold and then the works halted by NI Water due to sewage issues. He said that people had paid deposits and then were advised of the sewage issues which is totally unacceptable. He said that some of these buyers were spending a second Christmas in alternative accommodation. Councillor Wilson said the latest update indicated that the problems may be sorted in the new year but buyers then received a letter to say the agreed price might not stand. He continued that this is a failure by the developer but NI Water and planning also have a part to play in allowing the development to be passed and works started without a proper sewage system in place. Councillor Wilson concluded that it was important to have everyone around the table to discuss the issues.

Councillor Cuthbertson said that the lack of space and capacity in Waste Water treatment plans in Dungannon and Clogher Valley have been raised repeatedly. He referred to the presentation to Council in March 2022 at which NI Water had said more money was needed and the request was made that Members lobby for same. Councillor Cuthbertson stressed it was a major issue prohibiting development of Dungannon and that DfI infrastructure and NI Water is simply not fit for purpose. He reported that following recent rains sewage had come up a manhole in the Bush which had been lifted by storm waters. He reflected that DfI do not clean gullies regularly and said wider discussions were needed. Councillor Cuthbertson said he was happy to support the motion and sought clarity as to when NI Water would present next to Council.

Councillor McFlynn thanked Councillor Colvin for bringing the motion and stated that planners do a brilliant job approving schemes for contractors to build much needed homes but the current situation could not continue. Continuing Councillor McFlynn said that the sewage system at full capacity was not fit for purpose and was inhibiting development, homes were flooding and the impacts could be seen across the country. She reflected that no Minister was in place and thus people were reliant on senior civil servants. Councillor McFlynn concluded that she was happy to support the motion and emphasised a meeting was needed.

The Chair, Councillor Corry concurred with comments and reflected that NI Water had at their last meeting requested Council put pressure on Executive to endeavour to secure funding.

Councillor Mallaghan said in the past you would have said there was a postcode lottery on the situation but now the impact was felt everywhere. He said the current situation was a barrier to growth in the development of decent homes. He said housing stock could not be increased, homelessness was on the rise and whilst in a

rural community may not feel the same level of impact it would be interesting to establish if the district was receiving a proportionate level of investment. He said the situation had become a merry go round, as Council lobby NI Water, who in turn ask them to lobby for more money.

Councillor Mallaghan posed the question, would NI Water be eligible for levelling up funds and if sewage treatment would meet the criteria. He said money was needed but the level of same was way beyond the NI Executive budget. Councillor Mallaghan stated Sinn Féin supported the motion.

The Chief Executive said he thought NI Water would be eligible for funding as at a recent growth deal briefing it had been confirmed that DfI had made a submission for the Enniskillen bypass and thus NI Water could likewise apply. He said that given the gravity of the situation a single item agenda, with issues pre identified would be more productive. He concluded that a meeting date for January should be the aim.

Councillor Clarke said that supposedly there has been development in sewage systems in the last 20 years and queried how much had been invested. He said that despite investment the infrastructure was years behind what it should be. He concluded that the idea that developers spend money on temporary sewage systems is ridiculous that house purchasers would pay the cost and have to subsidise a temporary system.

Councillor Wilson following on from Councillor Clarke's comments stated 'a lot of money went down the toilet!' He reflected that the good news he spoke of for home owners was based on a temporary sewage system and that house purchasers would ultimately be paying for it. He emphasised that everyone needed to work collaboratively to identify better solutions.

Councillor Burton concurred and spoke of houses partially built in Aughnacloy for which people had put down deposits and two years later told the houses could not be finished. She also highlighted that in Fivemiletown manholes had lifted with storm waters and sewage had flowed into people's gardens. She concurred that all statutory agencies needed to come together to find a way forward.

Councillor B McGuigan speaking on the special interim systems expressed concerns that if some of these short-term solutions should fail, who is responsible for repairs and interim works. He said in many instances the developers would be long gone and the residents would be immediately contacting elected members. He said it was a dangerous route to take and much more thought was required.

Councillor Wilson highlighted that the motion requested an urgent meeting.

Councillor Colvin thanked Members for their support and said the initiative impacts all and that the motion is wide enough to embrace comments regarding special meetings and flooding.

The Chair, Councillor Corry declared the motion carried.

The live broadcast concluded at 7.40 pm

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

Proposed by Councillor Mallaghan
Seconded by Councillor McFlynn

Resolved: That items C234/22 to C241/22 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 27 October 2022
- (ii) Planning Committee confidential minutes of meeting held on 1 November 2022
- (iii) Policy & Resources Committee confidential minutes of meeting held on 3 November 2022
- (iv) Environment Committee confidential minutes of meeting held on 8 November 2022
- (v) Development Committee confidential minutes of meeting held on 10 November 2022
- (vi) 19. Document for Sealing - Greenvale Leisure Centre Improvement Works
- (vii) Document for Sealing - Appointment of an Integrated Consultancy Services associated with Ballysaggart Lough Reservoir Repairs
- (viii) Document for Sealing - Financial Contribution Deed of Supplemental Agreement – Connecting Pomeroy Project

C242/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.45 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 Policy and Resources Committee of Mid Ulster District Council held on Thursday 1 December 2022 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor S McAleer, Chair

Councillors Ashton, Buchanan, Cuddy, Doris*, Elattar*, Gildernew*, S McGuigan, McKinney*, McLean, S McPeake*, Molloy (7.10 pm), Quinn*, Totten*

Officers in Attendance

Mr McCreesh, Chief Executive*
Mr Black, Strategic Director of Communities & Place (SD: C&P)*
Mrs Campbell, Strategic Director of Environment (SD: Env)
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP)
Mrs Dyson, Head of Human Resources (HoHR)*
Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)
Ms McNally, Assistant Director of Corporate Service and Finance (AD: CS&F)*
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP)
Miss Thompson, Democratic Services Officer

Others in Attendance

Deputation – Communications Workers Union
Mr Hannaway*** and Mr McKane

* 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 S McAleer welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor S McAleer 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.

PR226/22 Notice of Recording

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

PR227/22 Apologies

Councillors Forde and Kearney and Strategic Director of Corporate Service and Finance.

PR228/22 Declarations of Interest

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

Councillor Buchanan declared an interest in agenda item 17 – Connecting Pomeroy – Contract Award as a member of the Connecting Pomeroy Committee.

PR229/22 Chairs Business

None.

PR230/22 Deputation – Communications Workers Union

The Chair, Councillor S McAleer welcomed Messrs Hannaway and McKane from Communications Workers Union and invited them to address the Committee.

Mr McKane thanked Council for their invitation and the interest shown in the Royal Mail strike action. Mr McKane advised that he was the Communications Workers Union representative for the Dungannon office and works to ensure staff are treated properly and that procedures are followed by management. Mr McKane stated that staff have been involved in industrial action since August this year due to the fact that a pay deal was requested in March to deal with the cost of living. At that stage Royal Mail advised they had no money however they later announced a £758 million profit of which £500 million was then distributed to shareholders. Staff were advised there was no money for new uniforms or vehicles, modernisation or investment. Mr McKane stated that management are also trying to change staff terms and conditions and public service benefits such as sick leave. Mr McKane stated that management wanted to destroy the union and anything that made the job worth having. Mr McKane stated that management want to introduce annualised hours which would mean working less hours in the summer and more in the winter. Management also want staff to work Sundays and are trying to recruit owner drivers. Mr McKane highlighted that this is all on the back of Royal Mail staff being key workers during the pandemic. Mr McKane stated that staff worked right through this period which was the busiest time for the postal service and generated massive profits for Royal Mail and that management now want to hammer staff instead of rewarding them. Mr McKane stated that staff have been engaged in ten strike days to date but that he felt the dispute was getting more bitter as time progresses and that management are trying to intimidate staff in order to break the strike and morale.

Mr Hannaway stated that the introduction of annualised hours would mean that staff would have set pay with no overtime and that hours during the summer could be banked with staff left owing hours during the winter. Mr Hannaway stated that currently sick pay is six months full pay and six months half pay and that management are trying to do away with this and introduce statutory sick pay for the first week of illness and then normal pay from the second week however staff have not been advised how long that would then continue for. Mr Hannaway stated that Sunday working is currently voluntary with a payment allowance but that management want to remove that payment allowance so there would just be a set pay for working Sunday as well. Mr Hannaway stated that there is currently an option of ill health retirement but that again management are trying to do away with this by removing a weeks ill health retirement

payment for every week a person is off. Mr Hannaway stated that staff have a connection with the community and may be aware of people sick who are waiting on hospital letters but that due to overtime being banned staff are being told by management to leave letters and prioritise packets.

Councillor Molloy entered the meeting at 7.10 pm.

Councillor Cuddy thanked the representatives for coming in and hoped that management, staff and unions can get a resolution soon.

Councillor Elattar thanked Messrs Hannaway and McKane for their presentation and that she felt most people are supportive of the action being taken. Councillor Elattar stated that the Royal Mail staff are not alone and that as an employee of the health service there is a lot of solidarity with them.

Councillor S McGuigan thanked the representatives for the presentation and stated it was good to get clarity on the issues. Councillor S McGuigan asked if there was any practical support Council could offer.

Mr McKane stated that all Members are welcome to visit the picket line and to have a conversation with postal staff. Mr McKane advised that the next strike day is Friday 9 December. Mr McKane stated it would be appreciated if some heat or protection from the elements could be arranged ie. gas heater or canopy.

The Chair, Councillor S McAleer thanked Messrs Hannaway and McKane for attending the meeting and providing an update.

Councillor Doris expressed solidarity with the Royal Mail staff and stated there were very few organisations who had done so well out of the pandemic and it is now a disgrace that management are letting down those who were on the front line. Councillor Doris referred to the personal relationships postal staff have with the community and the importance of hospital letters.

Messrs Hannaway and McKane left the meeting at 7.15 pm.

Matters for Decision

PR231/22 Social Inclusion – Hardship Fund

Policy and Resources Committee have delegated authority to deal with this matter.

Strategic Director of Communities & Place (SD: C&P) presented previously circulated report which sought approval for use of Covid reserves funding, following the announcement by the former Communities Minister which provides greater flexibility for this funding. The use of the funding will be to enhance existing funding for the delivery of a hardship fund.

Councillor Molloy welcomed the money going to the hardship fund and felt that it would be good for Council governance if a report was brought back outlining how the money has been spent, the amounts distributed to each of the groups and how the groups

distribute the money in the community. Councillor Molloy stated that similar reports are provided for other services Council contribute towards.

Councillor S McGuigan stated he would be supportive of Councillor Molloy's comments and that it is important to get the money out to people but that it is also important that it is clear where the money has gone to. In relation to the earlier presentation, Councillor McGuigan asked if it is appropriate for Council to do something in relation to supporting the postal staff in their strike action.

The Strategic Director of Environment (SD: Env) advised that she would have to look into that matter and how appropriate it would be and report back.

Councillor Doris stated she would also concur with the previous comments and that she did not have a full understanding of the breakdown of monies being spent. The Councillor agreed that a report should be brought back on a breakdown of the money distributed and the number of people it has supported. Councillor Doris stated she did not want to delay any monies being distributed but that it is important to look at the legacy.

Councillor McKinney agreed that a report should be brought back which provides detail on the monies distributed to each group and how many people are supported and to give an idea of the scale of hardship. Councillor McKinney proposed that when a report is brought back that it is taken in confidential business.

Councillor Quinn declared an interest in this item as a member of St Vincent de Paul.

Councillor Quinn agreed with the previous comments and would like to see a breakdown of the funding and that this should be brought back in confidential business. The Councillor stated that without the Council funding being proposed now and funding provided over the previous two years there would be a lot of people in difficulties.

The Chair, Councillor S McAleer asked if a report would be brought back to the P&R Committee.

The SD: C&P advised that it may be more appropriate for the report to be brought back to the Development Committee as it is the parent committee of the overall fund but that there is no issue in getting a cumulative report in terms of all of the elements of the hardship fund and the previous monies which has gone out to strategic partners.

Councillor McLean stated there seemed to be a lack of understanding as to where all the monies are going. The Councillor referred to representation made to himself and that he spoke to officers on this and that he felt Council made the best judgement based on the information they had. Councillor McLean stated he concurred with the previous comments and that it would be good to get feedback which can be built upon for the future but that there should be no delay in getting the monies distributed now.

Proposed by Councillor Molloy
Seconded by Councillor S McGuigan and

Resolved That an allocation of up to £124,000 from Council Covid reserves be allocated as a one off contribution towards the agreed Council Hardship Fund and that report be brought back detailing breakdown of monies distributed to groups and the number of people this helped to support. This report should be brought back under confidential business to the Development Committee.

PR232/22 Response to Consultation Provision of Dementia Inpatient Services in SHSCT

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval for Council's draft response to the consultation on the provision of Dementia Inpatient Services in SHSCT.

Councillor Ashton thanked the officers for the response and that the consultation highlights the pressures on the health service and that Dementia is now another area falling short of the resources required. The Councillor stated that there is a problem in the West in relation to staffing and that this comes across in the consultation and is something the health service needs to get a grip of.

Councillor S McGuigan stated he had attended the workshop which discussed the consultation and felt that the response captures that discussion.

Proposed by Councillor S McGuigan
Seconded by Councillor McLean and

Resolved That it be recommended to Council to approve the draft response as circulated at appendix A of report for submission to SHSCT by 23 December 2022.

PR233/22 Requests to Illuminate Council Properties

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval to illuminate and light up the Council's three designated properties to raise awareness for the following:

- Holocaust Memorial Day Trust: Purple
- Congenital Diaphragmatic Hernia International: Diaphragmatic Hernia Awareness Day: Blue
- Encephalitis Society: World Encephalitis Day: Red

Proposed by Councillor Buchanan
Seconded by Councillor Molloy and

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

- Friday 27 January 2023: Holocaust Memorial Day Light of Darkness Campaign – Purple.
- Wednesday 22 February 2023: Encephalitis Society: Worle Encephalitis (Inflammation of the Brain) Day – Red.

- Wednesday 19 April 2023: Congenital Diaphragmatic Hernia International: Diaphragmatic Hernia Awareness Day – Blue.

PR234/22 Civic Recognition Working Group

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which provided the outworkings of the most recent Civic Recognition Working Group meeting held on Tuesday 22 November 2022.

Councillor S McPeake referred to the addition of industry category and asked if business will come under this and if not he would suggest a business and industry category as there had recently been a number of businesses awarded through civic recognition and he did not want these to be excluded going forward.

The Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP) stated that it was his understanding based on discussion at the working group that industry and business were one in the same and therefore business would be included in the industry category but that consideration needs to be given to the other awards ceremonies already held within the Mid Ulster area. The AD: ODSP stated that the report tonight details the outworkings of the working group meeting held on 22 November and that further detail on the way forward will need to be discussed.

Councillor S McPeake stated he was content with the response and that business was included.

Councillor Quinn stated he had been at the working group and that when industry was raised it was to engulf business as well.

Councillor Ashton asked that the working group be reconvened as early as possible in the New Year in order to move forward.

Proposed by Councillor Quinn
Seconded by Councillor Ashton and

Resolved That it be recommended to Council to approve the report of the Civic Recognition Working Group meeting held on Tuesday 22 November 2022.

PR235/22 Member Services

None.

Matters for Information

PR236/22 Minutes of Policy and Resources Committee held on 3 November 2022

Members noted Minutes of Policy and Resources Committee held on 3 November 2022.

PR237/22 Performance Improvement Six Month Progress Update (Q1 to Q2 - 2022/23)

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

Councillor McLean stated that a lot of work goes into providing this update which should not be glossed over and that it was good to see Council was heading in the right direction.

The Chair, Councillor S McAleer concurred with the remarks and that the work that goes into providing the report is appreciated.

Live broadcast ended at 7.28 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor Molloy
Seconded by Councillor Buchanan 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 PR238/22 to PR248/22.

Matters for Decision

PR238/22	Gortgonis Health and Wellbeing Hub
PR239/22	2023/24 Rate Estimates
PR240/22	Staffing Matters for Decision
PR241/22	Land and Property Matters
PR242/22	Connecting Pomeroy – Contract Award
PR243/22	Derrynoyd / Drumcairn – Contract Award

Matters for Information

PR244/22	Confidential Minutes of Policy and Resources Committee held on 3 November 2022
PR245/22	Financial report for 7 months ending 31 October 2022
PR246/22	Contracts and DAC Registers - Update
PR247/22	Financial Statements 2022/23 Update
PR248/22	Staffing Matters for Information

PR249/22 Duration of Meeting

The Chair, Councillor S McAleer wished everyone a Happy Christmas.

The meeting was called for 7.00 pm and ended at 8.10 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 Monday 5 December 2022 in Council Offices, Circular Road,
Dungannon and by virtual means**

Members Present

Councillor S McGuigan, Chair

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

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment (SD:
Env)
Mr McAdoo, Assistant Director of Environmental Services
(AD: ES)
Mr Scullion, Assistant Director of Property Services (AD:
PS)**
Mr McGowan, Waste Facility Service Manager
Mr O'Hagan, ICT Support
Mrs Grogan, Democratic Services Officer

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

E277/22 Notice of Recording

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

E278/22 Apologies

Councillors Milne and Totten.

E279/22 Declarations of Interest

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

E280/22 Chair's Business

None.

Matters for Decision

E281/22 DfI Roads Proposal – Traffic Calming, Old Omagh Road, Ballygawley

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval from Members in relation to a proposal from DfI Roads to introduce traffic calming measures at Old Omagh Road, Ballygawley.

Councillor S McAleer welcomed the speed calming in Ballygawley which had been sought after for many years and said that everyone was delighted that they were now going to get it, especially past the primary school on that busy road.

Proposed by Councillor S McAleer
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by DfI Roads.

E282/22 DfI Roads Proposal – No Waiting, Derramore Park, Magherafelt

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval from Members in relation to a proposal from DfI Roads to introduce three stretches of no waiting at any time (loading and unloading permitted) at Derramore Park, Magherafelt.

Proposed by Councillor S McAleer
Seconded by Councillor Cuthbertson and

Resolved That it be recommended to Council to endorse the proposal submitted by DfI Roads.

E283/22 Renaming and Renumbering Existing Streets

The Assistant Director of Property Services (AD: PS) presented previously circulated report to seek approval to undertake the surveys of all applicable residents on the street/road in question:

- From: Fairview Park, Drumcoo, Dungannon –
- To: Fairview, Drumcoo, Dungannon

Proposed by Councillor Brown
Seconded by Councillor Buchanan and

Resolved That it be recommended to Council that approval be granted to proceed with the Street Renaming Survey of Fairview Park, Drumcoo, Dungannon to all occupiers of each property as listed on the Electoral Register of the road, in accordance with the Policy for Street Naming and Numbering.

E284/22 Street Naming and Property Numbering

The Assistant Director of Property Services (AD: PS) presented previously circulated report to ask for consideration regarding the naming of new streets within residential Housing Developments within Mid Ulster District Council.

Development 1 – Site Adjacent to Shanmullagh Park, Draperstown

Options submitted for consideration:

- 1) Flax Field View**
- 2) Manor Mills**

Councillor B McGuigan referred to Development 1 – Site Adjacent to Shanmullagh Road, Draperstown and requested that this proposal be deferred. He advised that there were issues relating to this and had spoken to the Agent to advise that the proposed names were not acceptable within the area. He stated that there was no consultation carried out and that there was a very strong historical group and also a heritage group which did not accept the proposal and felt that this cannot proceed. He said that he would liaise with the Agent who is working on behalf of the Developer to try and agree a suitable name.

Proposed by Councillor B McGuigan
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to defer the above application until discussions take place with the Agent of the Developer on a more suitable name relative to the area of the site.

Development 2 – Site Off Coolshinney Road, Magherafelt

Options submitted for consideration:

- 1) Coolshinney Lane**
- 2) Coolshinney Hill**
- 3) Coolshinney Drive**

Proposed by Councillor Brown
Seconded by Councillor Wilson

Resolved That it be recommended to Council to name the site off Coolshinney Road, Magherafelt as Coolshinney Lane.

E285/22 Off Street Car Park: Accessible Parking

The Assistant Director of Property Services (AD: PS) presented previously circulated report to update Members on accessible parking in Council's Off Street Car Parks and to seek approval to implement feasible parking accessibility improvements.

Councillor Cuthbertson said that he would be happy to propose the recommendation of accessible carparking spaces but was mindful of our own Carparking Strategy being 5 to 6 years overdue. Whilst this was not a large costing to install these spaces he would be wary about spending any more money on our carparks until we figure out what we are doing with them in the long run i.e. are we making provision for paying on foot or implementing a barrier system etc., free carparking via the barrier system. He felt that going forward that rather than bringing small reports back to committee, there was a need to figure out what we were going to do with the Carparking Strategy. He said that it would be also important to be mindful if carparks were staying the way they were in Dungannon for instance, was there an equal split of accessible carparking and disabled bays in both the free and charging sections and felt that this should be kept in mind going forward also.

The AD: Property Services in response to member's comments said that regardless of what future directions we take in terms of the carparks it still didn't remove the need or desire to have adequate accessible parking provision but certainly would take into account on how to proceed going forward on carparking.

Councillor B McGuigan said that he was aware of a bigger piece of work in terms of the overall carparks within our district, but part of the recommendation is for additional spaces on Union Street and felt that this should be proceeded regarding this element part of it. He felt that this was going to take a lot longer to sort out the issues around what direction of travel we are proceeding in relation to parking and whether this is going to be a barrier system etc. which was not going to happen overnight. He said that a test was about to be conducted in one of the carparks in Magherafelt which would provide some data back on how this operates. He said that in terms relating to part of this recommendation, that this should be progressed.

Councillor Wilson agreed with the recommendation and felt it was important to pull together legislation and provide enough carparking spaces for disability and family parking. He said that the issues which need to be raised is that these designated spaces are specifically marked for those people who genuinely need them and if you go to the large supermarkets you witness quite a number of people parking in bays which are designated solely for disabled or family parking only. He said that he would be happy to second the proposal, but when Council was looking at the overall Carparking Strategy, there was a need to look at the provisions for electric charging points also.

Councillor Brown advised that he would be happy to support what members had said but enquired about the central carpark in Magherafelt where wiring was installed and enquired if there was any update on what was happening.

The AD: Property Services concurred with member's comments and advised that civil works had been completed with wiring and data points installed and currently engaging with Contractor to get an installation date. He said that this would be followed up and a report brought back on a more comprehensive update to committee.

Proposed by Councillor Cuthbertson
Seconded by Councillor Wilson and

Resolved That it be recommended to Council to approve the implementation of improved accessible parking across Mid Ulster Off Street Car Parks in the future, including the implementation of up to three additional non-designated family friendly spaces car parking spaces in Union Street Car Park, Magherafelt.

E286/22 Darren Clarke Signage Update

The SD: Environment presented previously circulated report to update members on the signage proposals for the gateway entrance to Dungannon for Darren Clarke. Darren has recently achieved another golfing title in winning the Senior Open Champion in 2022. Members had asked that the current gateway signage be updated to reflect his recent victory.

Councillor Cuthbertson said that he was pleased to see this proposal to recognise Darren Clarke's achievements in Dungannon. He referred to Greiner Packaging supplying the signage the last time and felt that this may be an opportunity for Officers to approach them again, but if not, the budget was in place to put them up ourselves. He said that previously Greiner Packaging had sponsored the signage.

Proposed by Councillor Cuthbertson
Seconded by Councillor Graham and

Resolved That it be recommended to Council to approve the new replacement signage as annotated in Section 3.4 of the report.

E287/22 Bus Shelters Update

The SD: Environment presented previously circulated report to update members on the current bus shelter status.

Councillor N McAleer enquired if there was any update in relation to St Colman's Park on the lease which was to be provided by the Housing Executive.

The SD: Environment advised that this was currently with Legals, but would investigate and provide an update to member.

Councillor B McGuigan said that he wished to raise a separate note in relation to bus shelters. He referred to DfI road scheme on the A6 Glenshane Pass at Ranaghan Road junction and said that previously there had been a bus shelter which had to be

removed to provide a right-hand turning lane and also was in very poor condition and basically fell apart. He advised that Dfl had approached him in relation to the base measurements which were linked in directly with the Head of Technical Services (HoTS) and he provided the size to Dfl. He said that it was the remit of Council to replace the bus shelter as the previous one was in too poor of a condition. He said that it was important to have this ready to go onsite quickly when need be due to the area where whether conditions are poor especially at this time of the year and the high number of children getting the bus from this location. Ordering of bus shelters can take some time and would be important to move this forward.

The SD: Environment advised that Officers would check in terms of timescales for delivery as she was aware of experiencing delays in relation to certain things, but would investigate if there were any in stock.

Councillor Burton advised that she was happy to see this progress as she had enquired about it at the last meeting regarding Clogher. She also commended staff who worked with the people of Primrose Hill.

Proposed by Councillor Burton
Seconded by Councillor S McAleer and

Resolved That it be recommended to Council to note the progress made on bus shelters within the District and grant approval to progress the shelters listed below:

3.2 – New Shelter Applications

- Lisnaclea Road, Killeen (additional Shelter, increased passengers)
- Primrose Hill, Clogher
- Cullion Road, Desertmartin

3.4 – Request to Move from Stage 5 of the Applications Process

- Cullion Road, Desertmartin

Matters for Information

E288/22 Environment Committee minutes of meeting held on 8 November 2022

Members noted minutes of Environment Committee held on 8 November 2022.

E289/22 Environmental Services – Christmas Working Arrangements

Members noted working arrangements in respect of refuse/recycling collection and operation of Recycling Centres during the Christmas and New Year holiday period.

The Chair stated that the only change was that bins due to be lifted on Monday 26th December would now be lifted on Saturday 24th December.

E290/22 Town Centre Footpath Snow/Ice Clearance Agreement

Members noted the rolling annual agreement with DfI in relation to the treatment of footpaths in the main town centres within Mid Ulster District following heavy snowfall or prolonged freezing.

Councillor Burton advised that there was quite a number of our footpaths which were mossy and commended staff which had come out to Caledon and carried out a very good job as there was a lot of moss buried deep down into the base. She said that yesterday she had attended an event at Clogher Cathedral and as people will be aware the footpath around the Cathedral was very narrow solely because the road wasn't wide enough and was gritty and mossy. She asked if this could be flagged up with the team to see if this could be cleaned as the double yellow lines run alongside the very narrow footpath on the side of the Cathedral. She referred to people attending Church services and attending one of our oldest graveyards over special times like Christmas and said that it was important for visitors safety as it was an area of concern in the event of someone falling onto the road.

Councillor Wilson following on from Councillor Burton's comments advised that this was an ongoing issue all the time over who cleans and salts the footpaths. He said that he recalled the legacy Cookstown Council staff going out to clean the footpaths and someone was very close to taking an action against the Council as they believed that they weren't cleaned properly. He asked if it would be possible to set up a meeting with DfI Roads to discuss the entire issue as people assume if they see our staff cleaning, then it is our responsibility when indeed it is not and feels that something needs to be done, not just in Clogher but in other areas also. He felt that it would be important to be holding this meeting sooner rather than later.

Councillor Burton said that it was her understanding that it was not the case that Council cleans the footpaths, but if there is work to be done then DfI Roads replace, resurface or carry out whatever is needed. She felt that it may be more beneficial to seek clarity before proceeding any further as it was her understanding that we clean and they maintain.

The AD: Environmental Services clarified that the Council was responsible for cleaning and removing litter from footpaths, but not responsible for spraying weeds or moss. However, if leaves and loose moss form on the footpath and become what's known as detritus then Council is responsible for removing it. If it was ingrained as the Councillor alluded to in Caledon, this was a degraded service and not a matter for this Council but a matter for DfI.

E291/22 Building Control Workload

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

E292/22 Dual Language Signage Surveys

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

E293/22 Dual Language Signage Requests

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

E294/22 Entertainment Licensing Applications

Members noted update on Entertainment Licensing applications across Mid Ulster District Council.

E295/22 Determination of Fees for Entertainment Licences from 2023/24

Members noted update on the Determination of Fees for Entertainment Licences from 2023/24 following fees easement introduced as a result of Covid 19.

E296/22 Internal Bi-lingual Signage Mid Ulster District Council Facilities

Members noted update on the new bi-lingual signage for Mid Ulster District Council facilities accessed by the public.

Councillor McNamee referred to bi-lingual signage and advised that he had raised this issue at the Regional and Minority Working Group at the beginning of last month. He said that he did not see anywhere on the chart the completion date of the Heaney Centre and enquired if there was a specific date when this was to be completed.

The SD: Environment advised that she didn't have the information in front of her but would come back to the Councillor with an update.

Councillor Graham enquired if there was any real need for all this signage during these financially difficult times. She felt that this was a waste of money as there were illustrations to indicate whether it was a male or female toilet and a waste of resources as half the people cannot read the writing anyway.

Councillor Cuthbertson was he was off the similar view and referred to the cost-of-living crisis. He said that it was agreed earlier in the meeting regarding the implementation of signage in recognition of Darren Clarke, but he also highlighted the fact that there was previously a sponsor to cover the costs associated with that. He felt that it was a total waste of money to add additional signage to tell a person where a toilet or changing room was located, which was absolutely ridiculous.

Live broadcast ended at 7.26 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor B McGuigan
Seconded by Councillor Brown and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E297/22 to E307/22.

Matters for Decision

E297/22	Council Strategic Waste Management Arrangements
E298/22	Award of Contract for Works at Coolhill Cemetery
E299/22	Application to Install a Memorial Plaque on Council Property
E300/22	Tender Report for the Appointment of Vehicle Suppliers
E301/22	Entertainment Licence – Gribben's Bar

Matters for Information

E302/22	Confidential Minutes of Environment Committee held on 8 November 2022
E303/22	Off Street Car Parking: Quarter 2 2022/2023
E304/22	Capital Framework – ICT Contracts Update
E305/22	Capital Framework – IST Contracts Update
E306/22	Capital Projects – Scoping Contracts Update
E307/22	Biodiversity – Q3 Update – October to December 2022

E308/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 7.55 pm.

The Chair wished everyone a safe and peaceful Christmas.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 6 December 2022 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present	Councillor Mallaghan, Chair	
	Councillors Bell, Black*, Brown, Clarke, Colvin*, Corry*, Cuthbertson, Glasgow, Martin*, McFlynn, McKinney, D McPeake, S McPeake, Quinn*, Robinson	
Officers in Attendance	Dr Boomer, Service Director of Planning (SD: PI) Mr Bowman, Head of Strategic Planning (HSP) Ms Doyle, Head of Local Planning (HLP) Mr Marrion, Senior Planning Officer (SPO) Ms McKinless, Senior Planning Officer (SPO) Mr McClean, Senior Planning Officer (SPO) Ms Scott, Council Solicitor Miss Thompson, Democratic Services Officer	
Others in Attendance	Councillor Gildernew***	
	LA09/2021/0800/F	Mr Kearney***
	LA09/2021/1423/O	Mr Tinsley
		Ms Given***
	LA09/2022/0605/F	Mr Murray
		Ms Given***

* 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

P144/22 Notice of Recording

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

P145/22 Apologies

None.

P146/22 Declarations of Interest

The Chair reminded members of their responsibility with regard to declarations of interest and declared his own interest in agenda item 6.1 – LA09/2020/0850/F.

Councillor Corry declared an interest in agenda item 5.21 - LA09/2022/0605/F.

P147/22 Chair's Business

The Service Director of Planning (SD: PI) drew Members attention to the addendum circulated and referred to the following therein –

A5 Western Transport Corridor – Consultation on Supplementary Information to the Environmental Statement – The SD: PI stated that to date the planning department have not been involved with the public inquiry related to Transport Corridor and did not propose making a response to the consultation.

Northern Ireland Housing Council – Lifetime Homes – The SD: PI stated he would acknowledge the correspondence and that the planning department would welcome working with them.

Northern Ireland Housing Executive – Research on Viability Assessment – The SD: PI proposed to write back and welcome the research and that Council would be willing to participate in such research but that it was felt the remit of the research could be widened.

Planning Appeal Decision – Motorsport activities, Drumearn Road, Cookstown – The SD: PL advised that the appeal was not successful and that the Enforcement Notice was upheld, with some amendments.

Planning Appeal Decision – Builders Yard, Dungannon Road, Cookstown – The SD: PI advised that this appeal did not succeed and that the Enforcement Notice stands, with some minor amendments.

DAERA Consultation – Consultation on afforestation at Lisnahoy/Coash, Dungannon – The SD: PI advised that the project did not give cause for concern and proposed responding to the consultation as outlined in the addendum.

The Chair, Councillor Mallaghan stated that to receive such a bulk of information at 5.30 pm just prior to a planning meeting is not ideal. The Chair stated that if the information is essential for the meeting it should be included in an addendum otherwise the information could be emailed out during the month or added to the agenda for the next meeting.

The SD: PI recognised the Chair's concern but unfortunately Council had been given limited time to respond to some of the consultations. He stated the information was before Members and if there were any issues they wished to raise they could bring them to his attention and he would see how they could be addressed in any response.

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

Agenda Item 5.10 - LA09/2022/0041/F - Farm shed for storage of farm machinery adjacent to existing farm building 139 Gulladuff Road, Bellaghy.

Agenda Item 5.11 – LA09/2022/0121/F - Retention of farm machinery and animal feed store at 55m N of 199 Glen Road, Maghera.

Agenda Item 5.12 – LA09/2022/0235/F - Farm dwelling and garage to supersede LA09/2017/0867/O at approx. 65m S of 130 Coolreaghs Road, Cookstown.

Agenda Item 5.17 – LA09/2022/0380/F - Dwelling and garage between 70B and 72 Gortlenaghan Road, Dungannon.

Agenda Item 5.23 – LA09/2022/0662/O - Dwelling and domestic garage at 95m SW of 6 Moss Road, Coagh, Cookstown.

Agenda Item 5.27 – LA09/2022/1112/F - Replacement dwelling with attached garage and carport at 39 Drumaspil Road, Drumaspil, Dungannon.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That the planning applications listed above be deferred for an office meeting.

Matters for Decision

P148/22 Planning Applications for Determination

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

LA09/2020/1156/F Carpark at approx. 5m S of 30 Coleraine Road, Maghera for Walsh's Hotel

Members considered previously circulated report on planning application LA09/2020/1156/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Bell and

Resolved That planning application LA09/2020/1156/F be approved subject to conditions as per the officer's report.

LA09/2020/1211/O Residential development comprising 38 units (comprising 24 semi-detached and 14 detached) open space, private amenity space, landscaping, access onto Moneymore Road and ancillary site works at lands at 93 Moneymore Road, Magherafelt for Mrs Julie Gray and Mrs Susan Roulston

Ms McKinless (SPO) presented a report on planning application LA09/2020/1211/O advising that it was recommended for approval. Ms McKinless referred to correspondence within addendum which was submitted on behalf of the applicant of an adjacent site which is currently under consideration. The letter seeks assurance

that the outcome of the application before Members tonight will not prejudice the ability of, or act as an impediment to, the zoned site to which their client has made an application. Ms McKinless stated that this relates to the access arrangements for both sites. Ms McKinless advised that the access arrangements have been agreed by both applicants and DfI Roads and that DfI Roads have stated that this is the only position at which both access points can exist without impacting on road safety and that they are agreeable in principle with the proposed location and stagger between to two access points and that there is no flexibility for any relocation of any of the indicated accesses.

Proposed by Councillor McFlynn
Seconded by Councillor McKinney and

Resolved That planning application LA09/2020/211/O be approved subject to conditions as per the officer's report.

LA09/2021/0800/F Conversion of 2 existing terrace houses to 4 apartments with existing Boyne Row streetscape being unaltered 2 existing on street parking spaces to be reused with an additional 3 private parking spaces to the rear along with shared private amenity space at site at 8-9 Boyne Row, Castledawson for John Donnelly

Ms McKinless (SPO) presented a report on planning application LA09/2021/0800/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 Kearney to address the committee.

Mr Kearney advised that the properties are currently both 3 bedroom properties and that the proposal is for 4 single bedroom apartments. Mr Kearney stated that the main issue is frontage onto a public road to which the applicant has opposed any changes. Mr Kearney advised that rear access is via public road which also provides access to a Council play park, pitches and numerous houses. This road extends to Davison Villas and is maintained by DfI street lighting which provides a safe access to anyone who wishes to use the car park at the rear of the property. Mr Kearney questioned how this is any different to a private road and a new development. Mr Kearney stated that the historic fabric of the property is important and that Boyne Row is seen as a high value architectural area. Mr Kearney stated there have been limitations due to the historic build of the property and that any proposed cuts or new openings would result in major structural works to which it would be cheaper to knock the building down and rebuild it which the applicant would be against. Mr Kearney referred to anti social behaviour in the area and advised that all the Boyne Row properties have their gardens covered therefore it was felt that a dual frontage will add protection and remove the blight of anti social behaviour. Mr Kearney stated that he did not believe the rear access should be an issue and that it has been done many times on other buildings and that there is a private access road with street lighting. Mr Kearney felt that if this was a new development then accesses could be obtained from the existing road.

The Service Director of Planning (SD: PI) stated that the agent referred a number of times in their presentation to beliefs and that the committee needs to look at the facts. The SD: PI referred to the claim that in order to provide access to the upper floor of the property the front of the properties would require major works. The SD: PI stated that both properties have a staircase going to the first floor and that access could easily be provided and that this is a better arrangement as people are entering and exiting the property from the street rather than going around the back of the property. The SD: PI asked the agent if they would like the Committee to make a decision on the application tonight or would he and his client like the opportunity to defer the application in order to rethink the internal layout of the application.

Mr Kearney stated he was agreeable for the application to be deferred for an office meeting.

Councillor S McPeake stated he felt a site visit may also be beneficial in order for Members to see for themselves the rear access arrangements to the properties and proposed that a site visit be arranged.

The SD: PI stated he had no objection to Members going on a site visit and that this would be facilitated however he did not get into negotiations with applicants/agents etc at such visits.

Councillor D McPeake seconded Councillor S McPeake's proposal.

The Chair, Councillor Mallaghan stated that it was being proposed that the application be deferred for an office meeting and site meeting.

The SD: PI stated that the situation could become tricky and suggested that the office meeting be held first and depending on the outcome of this a site meeting could then be arranged. The SD: PI highlighted that Members can also attend office meetings.

Councillor S McPeake stated he was content that the office meeting be held first but that the SD: PI seemed to be ruling out a rear entrance to the property.

The SD: PI stated that a back entrance was not a sensible way forward as it can lead to disturbance and anti social behaviour and is why policy exists as to why access should be to the front of the property although there may be some occasions when this is not feasible and every application should be determined on its merits.

Councillor S McPeake stated he would still like to see layout at the back of property.

The SD: PI stated he had no issue with Members viewing the site however he believed there was a sensible solution which will not be held against the Committee in the future and is in line with how other decisions are taken. The SD: PI stated that he was not discouraging development but felt access from the front would make a better property in the future.

Resolved That planning application LA09/2021/0800/F be deferred for a site visit and office meeting.

LA09/2021/0913/F Turbine with hub height 50m, blade diameter 52m at lands approx. 575m SE of 71 Rockdale Road, Sandholes, Dungannon for Mr Thomas Kelso

Members considered previously circulated report on planning application LA09/2021/0913/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2021/0913/F be approved subject to conditions as per the officer's report.

LA09/2021/1010/RM Dwelling and detached domestic garage between 12A Drumconor Road and 15 Lisnagleer Road, Lisnagleer, Dungannon for David Craig

Members considered previously circulated report on planning application LA09/2021/1010/RM which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved That planning application LA09/2021/1010/RM be approved subject to conditions as per the officer's report.

LA09/2021/1423/O Demolition of former dwelling and outbuildings and replacement with single dwelling and garage at 150m N of 17 Corvanaghan Road, Cookstown for Oliver McKenna

Mr Marrion (SPO) presented a report on planning application LA09/2021/1423/O advising that it was recommended for approval and referred to addendum which provided photographs related to the application.

The Chair advised the committee that requests to speak on the application had been received and invited Mr Tinsley to address the committee in the first instance.

Mr Tinsley stated he was a planning consultant at Quarryplan and that they are planning agents for P Keenan and that he was in attendance tonight to speak on the proximity of the proposal to a quarry extension application at Corvanaghan quarry which has been submitted to Council. Mr Tinsley stated that P Keenan is the main contractor to DfI Roads for asphalt resurfacing in Mid Ulster and that Corvanaghan quarry is the primary location for the company's production of asphalt. Mr Tinsley stated that P Keenan first made DoE aware of its intentions to extend Corvanaghan quarry in 2012 when they undertook an EIA scoping exercise and that these intentions were reaffirmed to Mid Ulster Council via representation to the Local Development Plan in 2019. Mr Tinsley stated that since making representations substantial information has been gathered as required by statutory consultees and preparing the planning application and EIA. Mr Tinsley advised that the quarry extension application was submitted in February 2021 and is now at an advanced stage, it was advised that P Keenan have spent in excess of £150k in order to get to

this point. Mr Tinsley stated that the application under consideration tonight was submitted 6 months after the quarry extension application was submitted. Mr Tinsley stated that his client did not object to the principle of a replacement dwelling and that it is accepted that the application accords with planning policy however the policy does allow for alternative positioning nearby where it would be of benefit. Mr Tinsley stated that an alternative positioning of the dwelling would be more beneficial to all parties rather than on the quarry extension boundary where it is currently proposed. Mr Tinsley stated that P Keenan have invested heavily in the planning process to date and are asking for fairness in regards to the timing of the replacement dwelling application which was submitted 6 months after the quarry extension application, the siting of the replacement dwelling and its proximity to the area of rock extraction.

Ms Given stated she was supportive of the officer recommendation which is for a replacement dwelling and meets principles of policy CTY3. Ms Given stated that the application not only meets policy but has been assessed in relation to the surrounding landscape, the neighbouring quarry and natural heritage and has been found to be acceptable. In terms of the presence of the existing quarry, environmental health have stated no objection and the proposed dwelling would have no impact to the continuing operation of the quarry. Ms Given stated that this application was ready for approval in May 2022 but was not brought to Committee due to the objection received. Ms Given stated that the objection relates to due regard being taken for the undecided application for extension to the neighbouring quarry. Ms Given stated that the quarry extension application is still going through the planning process and that it should not be a determining material consideration to this application. Ms Given stated that the application tonight is ready for a decision to be taken and should not be held until the quarry extension application is decided as to do so would compromise Council's impartiality and prejudice her client. Ms Given stated that the planning team have assessed the objections raised and that the recommendation now is all the more robust. Ms Given stated that the application has been in the system for 14 months and that the client has been waiting on a decision being taken so they can proceed with reserved matters. Ms Given stated that the application is for an in curtilage dwelling and that planning have found this acceptable and there is nothing to stop Members taking a decision tonight. Ms Given stated that it is not for a third party to suggest that the applicant provide an alternative site. Ms Given stated that the application should be judged on its own merits and that in terms of fairness she did not feel it mattered what investment the quarry owners have put into their application. Ms Given stated that the quarry extension application is still under consideration and should have no impact in terms of the decision being taken tonight.

The Service Director of Planning (SD: PI) stated there seemed to be a view by both parties that they cannot take each other into consideration and he advised that this is not true. The SD: PI stated that the application for quarry extension was submitted first and is a material consideration in relation to the dwelling. Equally the dwelling is a material consideration to determining the quarry extension application. The SD: PI asked Ms Given if her client had made objection in relation to the quarry.

Ms Given advised that her client has submitted an objection but that this should not be material to the Committee taking a decision on the application before them.

The SD: PI stated it was for the Committee to decide to what extent it is a material consideration. The SD: PI asked if there was anything to stop someone moving into the dwelling as it exists currently.

Ms Given stated there would be works required to the dwelling to make it habitable.

The SD: PI asked if the dwelling has been abandoned in the legal sense.

Ms Given stated in her view abandonment was not a policy issue within CTY3 which makes no judgement on whether a dwelling is abandoned or not.

The SD: PI stated that he asked the question in a legal term and not a policy term. The SD: PI stated that abandonment is a consideration. He asked again whether the dwelling had been abandoned, and asked Ms Given to give a yes or no answer. Ms Given stated no. The SD: PI asked if the officer took the view that the dwelling, with adaptations, could be lived in.

Mr Marrion stated that if someone wanted to live in the property as exists then it could be adapted but that it may not be up to standards.

The SD: PI stated that one of the key tests of abandonment is intention. The SD: PI stated there is currently a dwelling on site and whether this is adapted or replaced it did not change the situation that someone could live there and based on the answer given it would seem the intention was not to abandon the dwelling. The SD: PI referred to consultations with HSE in relation to the quarry extension application and asked what their view is in relation to the quarry and existing dwelling.

The Head of Strategic Planning (HSP) advised that Council have consulted with HSE and that they state they have no objection to the quarry extension application. HSE were also consulted in relation to the application before Members tonight and have stated that if the Committee are minded to approve the application then they would request a condition is applied to the quarry extension in that there should be no blasting within 100m of the dwelling once constructed and occupied.

The SD: PI asked if such a condition would impact the quarry significantly.

The HSP advised that up to the gravel extraction area appeared to be 60m and there was another 20-30m to the hard rock extraction area so there would be some impact on the ability to blast within that part of the extension area of the quarry.

The SD: PI stated that the situation was complicated and there is an issue for the two parties to work out a sensible way forward between them. The SD: PI stated he was prepared to facilitate a meeting between the two parties to discuss a sensible way forward otherwise both parties will be in dispute which will end up being costly. The SD: PI asked if both parties would be willing to meet.

The Chair, Councillor Mallaghan stated that the Committee would return to this application when both parties had an answer as to whether they wanted to meet.

LA09/2021/1686/O Residential development of five dwellings, a private roadway and ancillary development at lands approx. 30m NE of 22 Littlebridge Road, Drummullan for Mr D Howard

Members considered previously circulated report on planning application LA09/2021/1686/O which had a recommendation for approval.

Councillor Bell stated there were objectors to this application in relation to over development and overlooking and asked if these objections had been considered.

Ms McKinless advised that seven objection letters were submitted in relation to this application and that the objections related to – land ownership issues, road safety issues, increase in density of homes along private laneway, dwellings would change character of rural setting and impact on natural light and privacy. Ms McKinless advised that this is an outline application and that exact details on design, layout and massing are not available. Ms McKinless advised that a concept plan was submitted which provides an indicative layout and from this it was considered that the addition of five dwellings on the site will have no detrimental impact in terms of residential amenity in terms of overlooking or loss of privacy however the final layout and design will be determined and window placement will be considered under reserved matters.

Councillor Bell stated that the report advises that the application site is within the settlement limits of Cookstown. Councillor Bell stated that the application site is outside of Drummullan but that he was not aware that there were other settlement limits outside of the village.

Ms McKinless advised that this site is located within the settlement limits of Drummullan and that there was a typo error within the report.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2021/1686/O be approved subject to conditions as per the officer's report.

LA09/2022/0027/F Residential development of 7 dwellings (5 detached and 2 semi-detached) with associated garden amenities and garages. (H/2009/0275/F amended description and plans) at land opposite 55-57 Sixtowns Road, Straw, Draperstown for O'Kane Developments NI Ltd

Members considered previously circulated report on planning application LA09/2022/0027/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Clarke and

Resolved That planning application LA09/2022/0027/F be approved subject to conditions as per the officer's report.

LA09/2022/0040/F Change of house type on 8 sites (approved LA09/2018/1551/F) at land E of 44 Moy Road, Mullaghnaugh, Dungannon for Mr Neil Badger F P McCann

Members considered previously circulated report on planning application LA09/2022/0040/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/0040/F be approved subject to conditions as per the officer's report.

LA09/2022/0041/F Farm shed for storage of farm machinery adjacent to existing farm building 139 Gulladuff Road, Bellaghy for Mr Paul McCorry

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

LA09/2022/0121/F Retention of farm machinery and animal feed store at 55m N of 199 Glen Road, Maghera for Mr John O'Kane

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

LA09/2022/0235/F Farm dwelling and garage to supersede LA09/2017/0867/O at approx. 65m S of 130 Coolreaghs Road, Cookstown for Mr K Black

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

LA09/2022/0287/LBC Conversion of existing barn outbuildings to provide living accommodation over 2 storeys at 23-23A Main Street, Caledon for John Hassard

LA09/2022/0288/F Conversion of existing barn outbuildings to provide living accommodation over 2 storeys at 23-23A Main Street, Caledon for John Hassard

Members considered previously circulated reports on planning applications LA09/2022/0287/LBC and LA09/2022/0288/F which both had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor S McPeake and

Resolved That planning applications LA09/2022/0287/LBC and LA09/2022/0288/F both be approved subject to conditions as per the officer's report.

LA09/2022/0349/RM Dwelling and garage at 90m SE of 2 Scribe Road, Bellaghy for Mr Paul Scullion

LA09/2022/0355/RM Dwelling and garage at 20m SE of 2 Scribe Road, Bellaghy for Mr Paul Scullion

Members considered previously circulated reports on planning applications LA09/2022/0349/RM and LA09/2022/0355/RM which both had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor D McPeake and

Resolved That planning applications LA09/2022/0349/RM and LA09/2022/0355/RM both be approved subject to conditions as per the officer's report.

LA09/2022/0380/F Dwelling and garage between 70B and 72 Gortlenaghan Road, Dungannon for Joe Doherty and Dervla McGonnell-Doherty

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

LA09/2022/0443/F 1 storage unit at 83 Sixtowns Road, Straw, Draperstown for Pat McNamee

Members considered previously circulated report on planning application LA09/2022/0443/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McKinney and

Resolved That planning application LA09/2022/0443/F be approved subject to conditions as per the officer's report.

LA09/2022/0444/F Change of use from offices to child care facilities at Sperrin House, 43 Queens Avenue, Magherafelt for Galgorm Developments Ltd

Members considered previously circulated report on planning application LA09/2022/0444/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2022/0444/F be approved subject to conditions as per the officer's report.

**LA09/2022/0603/F Dwelling at 53M SE of 10 Lisgorgan Lane, Upperlands,
Maghera for William Drennan**

Members considered previously circulated report on planning application LA09/2022/0603/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2022/0603/F be approved subject to conditions as per the officer's report.

LA09/2022/0605/F Remove Condition No.5 of LA09/2019/0944/F to retain infill dwelling and garage between 90 and 92 Iniscarn Road, Desertmartin and new access laneway 130m west from the junction of Iniscarn Road/ Gortahurk Road, existing access onto Iniscarn Road to be permanently closed at 90A Iniscarn Road, Desertmartin for Paul Bradley

Ms Doyle (Head of Local Planning) presented a report on planning application LA09/2022/0605/F advising that it was recommended for refusal. The HLP also highlighted addendum which included some additional information.

The Chair advised the committee that requests to speak on the application had been received and invited Mr Murray to address the committee in the first instance.

Mr Murray referred to the request for deferral and stated he did not want to waste his speaking opportunity now if a deferral was going to be granted.

The Service Director of Planning stated there was a request for deferral however the reality of this situation is that there was a decision previously taken by the Committee to allow a dwelling on condition that be culverted. The SD: PI stated that the Committee can listen to the points made tonight and then take a decision on how it wants to move forward. The SD: PI advised that if Mr Murray wanted to put forward his view now was the time to do it.

Mr Murray stated it was evident that the applicant cannot meet the criteria set out in policy FLD4 and despite submitting reports also cannot demonstrate why the culvert should remain in situ. Mr Murray stated that if the culvert should be removed the applicant claims that there will be subsidence to his house as it is 7m from the culvert. Mr Murray advised that his own home was located 3m from the culvert and having lived there for 25 years he has experienced no such trouble. Mr Murray referred to the claim from the applicant that there is sewerage in the culvert and advised that a report he submitted from NIEA states that this is no longer the case. Mr Murray stated the applicant claims there is rat infestation, smell and risk of weill's disease. Mr Murray stated that the site is regularly used as a farm and activities such as liking sheep, keeping calves, poultry and having holding pens along with dogs roaming freely is where the smell emanates. Mr Murray referred to concerns raised by the applicant in relation to health and safety and a drowning hazard yet the applicant himself has constructed a tree hut and swing for his children which is located beside a fast flowing river. Mr Murray referred to the petition of support

submitted by the applicant today which he felt is irrelevant and that none of those who have signed the petition have been directly affected by the flooding. Mr Murray stated that the only thing that is clear that those having signed the petition find it acceptable that his home remains a flood risk. Mr Murray stated that the latest report submitted by Ms Given is misleading and inaccurate particularly with regards to correspondence from Dfl Rivers. Mr Murray stated that Dfl Rivers have issued a schedule 6 permission which is nothing to do with the culvert or this planning application. Mr Murray stated that Dfl Rivers are the statutory consultee with regards to planning and flood risk and that their response is clear – that this culvert does not comply with planning policy FLD4. Mr Murray stated that Ms Given's report uses words such as 'unreasonable' 'unnecessary' and 'unenforceable' and it is his belief that it is reasonable to want to live in peace in his family home and not have to worry about flooding. Mr Murray stated it is necessary for the applicant to adhere to planning policy FLD4 and that this condition is enforceable. Mr Murray stated he stood before the committee 16 months ago and agreed with what he felt was a fair compromise in that the applicant keeps his dwelling intact and that flooding issue is sorted by means of removing the culvert. Mr Murray stated that the applicant has been advised he must remove the culvert and has ignored all advice and instruction from this planning authority. Mr Murray felt it was now time to act decisively and make a clear statement of intent and that planning conditions are put in place for a reason in order to adhere to planning policy and protect his own family amenity.

Ms Given stated that the reason for refusal would be legitimate if the Council had granted a planning permission for a culvert however that was not the case as the previous planning permission was for a house, garage and access and the question is why existing pipework over a drain must be removed in order make the house, garage and access acceptable. Ms Given stated that the purpose of a planning condition is to ensure that development that might be considered unacceptable is made acceptable and that conditions should meet legal tests. Ms Given stated that it is being requested that condition 5 be removed as it is not necessary nor is it relevant to the development that is granted. Ms Given referred to the report and reference to policy FLD4 which is concerned with the modification of a watercourse and as an operation the piping of the drain would engage that policy but that is the case regardless of whether planning permission is sought for the house or not. Ms Given stated that the building of the house does not cause the pipework to be contrary to policy FLD4. Ms Given stated that the house, garage and access have been found to be acceptable under all of the relevant planning policies and the fact that a drain along the site of the property has been culverted does not make the property any less acceptable to planning. Ms Given stated it was not her view that the pipework should be removed in order for the house, garage and access to remain and that the report states that culverting is contrary to policy in its own right, not because of the construction of a dwelling and garage. Ms Given stated that the condition requiring the removal of the pipework is unnecessary and unrelated to the planning permission for the grant of the dwelling. Ms Given stated that it appears that in applying the condition Council is trying to enforce against the culvert however she did not feel this is an appropriate use of a planning condition under the Planning Act. Ms Given stated that should Council wish to enforce against development which it thinks is unauthorised then the correct route is to issue an enforcement notice. Ms Given stated she did not believe the condition is relevant to the grant of planning permission for a house, garage and access and questioned whether it

made a difference if the culvert is there or not and that the condition could be safely removed.

The SD: PI stated he was not content to offer a deferral on this application as the debate has already been had on a previous occasion. The SD: PI stated that Members would recall at that meeting that he had felt it was a bit harsh that the applicant could lose their house because of a drain when a ditch could be put in and this was felt to be a sensible solution. The SD: PI stated that that applicant did not raise issue at the meeting with putting a ditch in and that there are forums if someone is not happy with a condition and that is a planning appeal. The SD: PI stated that if someone does not meet a condition there are also forums and that is the courts. The SD: PI stated that Council made its view clear at the time and that the applicant has had ample opportunity in the intervening period to lodge a planning appeal but equally given the passage of time action could be taken against the applicant for failing to meet the condition to remove the culvert. The SD: PI stated he had heard nothing tonight which changes his view of the situation.

Councillor McFlynn stated that this matter has been discussed previously on several occasions, that it has been deferred, enforcement action has been taken and that this cant keep going on. Councillor McFlynn stated that there was a recommendation to refuse the application and that she was happy to propose the recommendation as she felt the Murray family have been through enough.

Councillor Brown seconded Councillor McFlynn's proposal.

Resolved That planning application LA09/2022/0605/F be refused on grounds stated in the officer's report.

LA09/2022/0675/F Glamping Pods (6 units), parking, landscaping and access at lands approx. 100m W of 85 Deerpark Road, Bellaghy, for Genmark Developments Ltd

Members considered previously circulated report on planning application LA09/2022/0675/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2022/0675/F be approved subject to conditions as per the officer's report.

LA09/2022/0662/O Dwelling and domestic garage at 95m SW of 6 Moss Road, Coagh, Cookstown for Ryan McGuckin

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

LA09/2022/0674/F 2 storey dwelling and double garage at site approx. 30m SW of 9A Ballymoghlan Lane, Magherafelt for John Donaghy

LA09/2022/0676/F 2 storey dwelling and double garage at approx. 40m SE of 9 Ballymoghlan Lane, Magherafelt for John Donaghy

Members considered previously circulated reports on planning applications LA09/2022/0674/F and LA09/2022/0676/F which both had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning applications LA09/2022/0674/F and LA09/2022/0676/F both be approved subject to conditions as per the officer's report.

LA09/2022/1012/F Alterations and extensions to existing offices at Sperrin House, 43 Queens Avenue, Magherafelt, for Galgorm Developments Ltd

Members considered previously circulated report on planning application LA09/2022/1012/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2022/1012/F be approved subject to conditions as per the officer's report.

LA09/2022/1112/F Replacement dwelling with attached garage and carport at 39 Drumaspil Road, Drumaspil, Dungannon for Mr Lee McFarland

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

LA09/2022/1183/O Site for dwelling on a farm at 250m NE of 19 Derrylattinee Road, Dungannon for Caolan Gildernew

Members considered previously circulated report on planning application LA09/2022/1183/O which had a recommendation for approval.

The Service Director of Planning advised that a late objection had been received and asked that time be allowed for further consideration of the application.

Councillor S McPeake asked what the nature of the objection is.

The SD: PI advised that the objection is contained within the addendum but stated that there could be a flaw in that in making the assessment officers have wrongly assumed that the house behind the site is related to the farm and it isn't.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/1183/O be withdrawn from tonight's schedule in order to further consider the application.

LA09/2022/1307/F Development of Derrynoyd Forest including upgrade of existing trail network (approx. 5km) to multi-use trails and drainage as required. Layout and increase, as necessary, car and bicycle parking, road passing points etc. Creation of a carpark for horse riding access within the main forest block. Develop an orienteering trail to include survey and map way- marking, signage, interpretation, visitor monitoring and associated furniture. Site storage at Derrynoyd Forest, Draperstown for Mr Johnny McNeill

Councillors Bell, Black, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow, Mallaghan, Martin, McFlynn, McKinney, D McPeake, S McPeake, Quinn and Robinson declared an interest in the application.

Members considered previously circulated report on planning application LA09/2022/1307/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/1307/F be approved subject to conditions as per the officer's report.

LA09/2022/1308/F Development of Drumcairne Forest (total site 70 ha) will be completed in Phases. Phase 1 in the development of the site will include the restoration of two-looped way-marked trails as multi-use trails, approx. 1.5km & 3.25km, formal layout of car and bicycle parking, road passing points etc. Vegetation clearance to reveal the former features of the terrace gardens, outline of the ponds and associated surveys. Way-marking, signage, interpretation, visitor monitoring and associated furniture at Drumcairne Forest, Stewartstown, Dungannon for Mr Johnny McNeill

Councillors Bell, Black, Brown, Clarke, Colvin, Corry, Cuthbertson, Glasgow, Mallaghan, Martin, McFlynn, McKinney, D McPeake, S McPeake, Quinn and Robinson declared an interest in the application.

Members considered previously circulated report on planning application LA09/2022/1308/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/1308/F be approved subject to conditions as per the officer's report.

LA09/2022/1440/F Amended access arrangements to serve dwelling approved under LA09/2021/0640/F (access point onto Aughrim Road remains unchanged) at lands W of 60 Aughrim Road, Magherafelt for Mr and Mrs J McKenna

Members considered previously circulated report on planning application LA09/2022/1440/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Clarke and

Resolved That planning application LA09/2022/1440/F be approved subject to conditions as per the officer's report.

LA09/2022/1487/F Extension and alteration to dwelling at 33 Desertmartin Road, Moneymore for Mr Gregory and Miranda Stewart

Members considered previously circulated report on planning application LA09/2022/1487/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Brown and

Resolved That planning application LA09/2022/1487/F be approved subject to conditions as per the officer's report.

LA09/2022/1500/F Application under Section 54 of the Planning Act (NI) 2011 to remove condition No.3 of LA09/2019/0597/O on lands to rear of 110 Bush Road, Dungannon for Silverford Property Ltd

Members considered previously circulated report on planning application LA09/2022/1500/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2022/1500/F be approved subject to conditions as per the officer's report.

**Continuation of
LA09/2021/1423/O Demolition of former dwelling and outbuildings and replacement with single dwelling and garage at 150m N of 17 Corvanaghan Road, Cookstown for Oliver McKenna**

The Chair, Councillor Mallaghan asked if both agents had opportunity speak to their clients.

Mr Tinsley thanked the Service Director of Planning for the offer but that his client was not prepared to meet the other party.

The SD: PI stated that both parties needed to be willing to meet.

Councillor Glasgow proposed the recommendation to approve the application.

Councillor McFlynn seconded Councillor Glasgow's proposal.

Resolved That planning application LA09/2021/1423/O be approved subject to conditions as per the officer's report.

The Chair, Councillor Mallaghan advised that agenda items 6.2 – LA09/2020/1630/O and 6.6 - LA09/2021/1751/O were being withdrawn from tonight's schedule in order to give further consideration to the applications.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning applications LA09/2020/1630/O and LA09/2021/1751/O be withdrawn from tonight's agenda to allow for further consideration.

The Chair, Councillor Mallaghan referred to his earlier declaration of interest in the following application and withdrew from the Chair to the public gallery.

The Deputy Chair, Councillor Brown took the Chair.

LA09/2020/0850/F Agri food processing unit housed within a portal framed building with weighbridge, car parking, HGV turning and parking, treatment plant and concrete yard with gates entrance at 140m NE of 21 Sandholes Road, Cookstown for Wesley Hamilton

Members considered previously circulated report on planning application LA09/2020/0850/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Glasgow and

Resolved That planning application LA09/2020/0850/F be approved subject to conditions as per the officer's report.

Councillor Mallaghan retook the Chair.

LA09/2020/1630/O Farm Dwelling and Garage at 200m NE of 51 Gulladuff Road, Magherafelt for Mr Eoin Patrick Bennett

Agreed that the application be withdrawn from tonight's schedule in order to further consider the application.

LA09/2021/0507/O Site for dwelling and garage at approx. 50m NE of 73 Reenaderry Road, Derrytresk, Coalisland for Mr Thomas Hagan

Members considered previously circulated report on planning application LA09/2021/0507/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2021/0507/O be approved subject to conditions as per the officer's report.

LA09/2021/0885/O Site for dwelling and domestic garage at 30m W of 102 Craigadick Road, Maghera for Mrs Sharon Crooks

Members considered previously circulated report on planning application LA09/2021/0885/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0885/O be approved subject to conditions as per the officer's report.

LA09/2021/1425/F Dwelling and domestic garage at approx. 140m SW of 93A Ballynagarve Road, Magherafelt for Mr Darren McIvor

Members considered previously circulated report on planning application LA09/2021/1425/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2021/1425/F be approved subject to conditions as per the officer's report.

LA09/2021/1751/O Dwelling as part of a cluster at lands SW of 46&46A and NW of 44 Annaghmore Road, Castledawson for Frances Taylor

Agreed that the application be withdrawn from tonight's schedule in order to further consider the application.

LA09/2022/0685/O 2 storey dwelling and garage at an existing cluster to rear of 68 Drumconvis Road, Coagh for Frances Harkness

Ms McKinless (SPO) presented a report on planning application LA09/2022/0685/O advising that it was recommended for refusal.

The Chair, Councillor Mallaghan felt a site visit may be appropriate for this application and proposed same.

Councillor McKinney seconded Councillor Mallaghan's proposal.

Resolved That planning application LA09/2022/0685/O be deferred for a site visit.

P149/22 Receive Report on Validation Checklist Consultation

The Head of Strategic Planning (HSP) presented previously circulated report which advised Members that DFI have initiated a consultation process on its plans to introduce Statutory 'validation checklists' with the aim of improving the quality and completeness of planning applications coming into the system.

Councillor S McPeake felt that the proposal to introduce a checklist is a good idea and that something needs to be done as it is currently too easy to submit an application and then protract the process regarding what is required however he stated that there was a need to strike a balance and not make things overly cumbersome. Councillor S McPeake proposed the response outlined in the report and appendix.

Councillor McKinney seconded Councillor S McPeake's proposal and there was a need for people to do their homework before submitting an application.

The Service Director of Planning stated that a checklist may speed things up in terms of statistics and time however it will not speed up the time from initiating a project to the time starting on site. The SD: PI stated that the checklist will give a person an idea of what money they will need to spend on assessments etc prior to paying a planning fee for the assessment of the application.

Resolved That it be recommended to Council to accept the recommended responses as indicated at paragraph 3.8 of report and as completed in the Public Consultation paper as per appendix and that a reply to this consultation is issued to the Department by the 6th January 2023 confirming this position.

Matters for Information

P150/22 Minutes of Planning Committee held on 1 November 2022

Members noted minutes of Planning Committee held on 1 November 2022.

Live broadcast ended at 8.45 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Brown
Seconded by Councillor McFlynn 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 P151/22 to P155/22.

Matters for Decision

P151/22 Receive Enforcement Report

Matters for Information

P152/22 Confidential Minutes of Planning Committee held on 1 November 2022

P153/22 Enforcement Live Case List

P154/22 Enforcement Cases Opened

P155/22 Enforcement Cases Closed

P156/22 Duration of Meeting

The meeting was called for 7 pm and concluded at 9.18 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: 6 December 2022

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

- **A5 Western Transport Corridor - Consultation on Supplementary Information to the Environmental Statement**
- **Correspondence Re Lifetime Homes**
- **Response to NIHE Re Research on Viability Assessment**
- **PAC Decision – Motorsports Drumearn Road Cookstown**
- **PAC Decision – Builders Yard Dungannon Road Cookstown**
- **DAERA Consultation re Afforestation Lisahoy/Coash**

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.2	Correspondence about access to adjacent zoned site	Members to note
5.6	Report with photographs	Members to note
5.21	Support information from applicant	Members to note
5.28	Letter of objection	Application to be deferred for further consideration considering objection received.
6.6	Applicant proposes to amend the application for consideration of a farm dwelling case	Application is withdrawn from the December schedule for further consideration

In confidential business: Updated report on LA09/2019/0111/CA

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 7 December 2022 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor Clarke, Chair

Councillors Ashton, Black*, Burton, Corry*, Cuddy, Doris* Elattar*, Kerr, McNamee*, Martin*, Milne*, Molloy, Monteith, Quinn*, Wilson

Officers in Attendance

Mr Gordon, Assistant Director of Health, Leisure Wellbeing
Ms Linney, Assistant Director of Development
Ms McKeown**, Assistant Director of Economic Development, Tourism and Strategic Programmes
Mr Ciaran McKeown, ICT Support
Mrs Forde, Member Support Officer

Others in Attendance

Councillor McKinney*

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7 pm.

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

D185/22 Notice of Recording

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

D186/22 Apologies

None

D187/22 Declarations of Interest

The Chair, Councillor Clarke reminded Members of their responsibility with regard to declaration of interest drawing attention in particular to agenda item on grants. He stated that if Members had already declared the interest it did not need reiterated. Councillor Burton declared an interest in Agenda Item 16 Agewell Project

D188/22 Chair's Business

None

Matters for Decision

D189/22 Social Inclusion – NIHE Draft Corporate Plan 2022/23

The AD: Development presented previously circulated report and sought approval for Council's response to NIHE's Consultation on their Draft Corporate Plan 2022/23 – 2024/25.

Councillor Monteith drew attention to the penultimate paragraph of the response in relation to the methodology of 'Latent Demand Testing' and proposed that the paragraph should include that it was not serving its purpose and should be discarded.

Councillor Kerr seconded the proposal and said that the Northern Ireland Housing Executive had failed in providing homes for people in rural areas and that all Councillors would concur that they were contacted regularly by residents about repetitive issues.

Proposed by Councillor Monteith
Seconded by Councillor Kerr and

Resolved That the penultimate paragraph be amended include that latent demand process and not fit for purpose from delivering for rural communities.

Proposed by Councillor Molloy
Seconded by Councillor Wilson

Resolved That it be recommended to Council to approve the Council's response NIHE's Draft Corporate Plan 2022/23 – 2024/25 with the addition of referencing latent demand process and not fit for purpose from delivering for rural communities.

D190/22 Development Report

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

- Rolling Community Grants
- PEACE IV Connecting Pomeroy Project – modification to the Programme Partnership Agreement
- Vulnerable Persons Resettlement Scheme (VPRS) – Storage Scheme Support
- Good Relations Funding
- Development Department Update

It was

Proposed by Councillor Monteith
Seconded by Councillor Kerr

- **Rolling Community Grants**

Resolved That it be recommended to Council to approve the assessment panel recommendations under the Community Festival & Good Relations Grants.

- **PEACE IV Connecting Pomeroy Project – modification to the Programme Partnership Agreement**

The AD: Dev drew attention to detail in the report advising that one partner had withdrawn.

Councillor Monteith sought clarity regarding Peace Funding and said that community groups were confused as to why they were being consulted regarding capital projects if they could only be built on council lands.

The AD: Dev outlined that there is three areas to the plan and currently Council was consulting on all to identify programme themes. The community led projects including their shared space capital projects would be under the regional grants programme, which will be opened by SEUPB, two bodies are being identified to deliver this and support groups with applications, An Phobal and another partner to be identified. She said that Council would advise the community groups when the grants would open and funding would include capital projects, health and wellbeing, cultural diversity. As above Council will advise community groups when these open and direct them to the identified bodies who will support them through the application process.

Councillor Monteith said that the community was not capturing the facts explained and said they had the impression funding could only be spent on council lands. He said he would redirect groups to officers for further explanation.

Resolved That it be recommended to Council to approve the update to the Peace IV Connecting Pomeroy Partnership Agreement.

- **Vulnerable Persons Resettlement Scheme (VPRS) – Storage Scheme Support**

Resolved That it be recommended to Council to approve the contribution to the VPRS Storage Scheme.

- **Good Relations Funding**

The AD: Dev advised that a further small amount of funding had become available and clarified that as raised by a Member the previous month an additional partner was now included.

Resolved That it be recommended to Council to approve the allocation of the additional Good Relations funding to the CAP Debt Management Project.

- **Development Department Update**

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

D191/22 Liaison Agreement for the Investigation of Work-Related Deaths within Northern Ireland

The Assistant Director of Health, Leisure & Wellbeing (AD: HL&W) presented previously circulated report and sought Council agreement to the updated 'Investigation of Work-Related Deaths – Northern Ireland Agreement for Liaison' arrangements.

Councillor Cuddy proposed the recommendation saying that there had been work related deaths across the province and with the industry in Mid Ulster this would be a good approach.

Proposed by Councillor Cuddy
Seconded by Councillor Burton

Resolved That it be recommended to Council to agree the 'Investigation of Work-Related Deaths Agreement for Liaison' between Council, Health & Safety Executive for Northern Ireland, Police Service for Northern Ireland and the Police Ombudsman for Northern Ireland.

D192/22 Mid Ulster Red Squirrel Group Request

The AD: HL&W presented previously circulated report to bring Members attention to request from the Mid Ulster Red Squirrel Group and to seek Member's opinion as to whether to grant permissions for FSNi and Woodland Trust to enter into licence agreements with Mid Ulster Red Squirrel Group for the management of red squirrels and the control of grey squirrels within Derrynoyd, Moydamlaght, Iniscarn, Davagh, Knockmany, Brantry, Glenone, Pomeroy, Drumcairne and Cabin Wood.

The Chair, Councillor Clarke asked if the group would be active in other forests throughout the district that Council did not hold licence agreements for.

In response the AD: HLW said that it was his understanding that the Mid Ulster group is to spread awareness and raise the issues with others.

Councillor Molloy said he had met with the group recently and that people were aware of the plight of red squirrels and the invasive greys and this approach would help the situation across the district.

Councillor Wilson said he was happy with the approach and asked how the group propose to get rid of the grey squirrels. He said he would welcome an increase in red squirrels especially in Cabin Wood.

Councillor Clarke made reference to pine marten which was a known predator of the grey squirrels.

Councillor Quinn asked if there was plans to introduce more pine martens in the area and said it would be good to establish if more was to be introduced in the district.

Councillor Kerr proposed that the Mid Ulster Red Squirrel group be invited to make a presentation to Council.

Proposed by Councillor Kerr
Seconded by Councillor Molloy and

Resolved That the Mid Ulster Red Squirrel Group be invited to make a presentation to Council.

Proposed by Councillor Wilson
Seconded by Councillor Molloy and

Resolved That it be recommended to Council to note the request from the Mid Ulster Red Squirrel Group and to grant permissions for FSNI and Woodland Trust to enter into licence agreements with Mid Ulster Red Squirrel Group for the management of red squirrels and the control of grey squirrels within Derrynoyd, Moydamlaght, Iniscarn, Davagh, Knockmany, Brantry, Glenone, Pomeroy, Drumcaine and Cabin Wood.

D193/22 Consultation on proposed changes to the Food Law Code of Practice (Northern Ireland) in relation to the new Food Standards Delivery Model

The AD: HL&W presented previously circulated report to inform Members about the Food Standards Agency's Consultation on proposed changes to the Food Law Code of Practice (Northern Ireland) in relation to the new Food Standards Delivery Model and to seek any comments/amendments from Members on the enclosed Mid Ulster District Council draft response.

The AD: HLW drew attention to the content of response at question three and highlighted that Council was not in agreement as the proposed six and ten years was too long of a time frame without inspection.

Proposed by Councillor Kerr
Seconded by Councillor Molloy

Resolved That it be recommended to Council to grant approval for previously circulated draft consultation response on the proposed changes to the Food Law Code of Practice (Northern Ireland) in relation to the new Food Standards Delivery Model, and to send the consultation response to the Food Standards Agency before the deadline of 9th January 2023.

D194/22 Sports Representative Grants

The AD: HL&W presented previously circulated to present to Members the proposed Community Grant Allocations for the range of:

- Sports Representative Grant – Individuals (November 2022)

Proposed by Councillor Kerr
Seconded by Councillor Wilson

Resolved That it be recommended to Council to approve the Sports Grant Allocations as listed in appendix A of the report.

D195/22 Economic Development Report – OBFD

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

- Room Hire Charges at Bridewell, Magherafelt
- Renewal of Membership with NI Chamber of Commerce 2023
- Market Led Product Development Programme 2022/23

- **Room Hire Charges at Bridewell, Magherafelt**

Councillor Ashton asked if the proposed changes was the best approach given the current pressures.

In response the AD: EDTSP said that the Bridewell currently hires the room based on an hourly rate and to bring it into line with other similar Council facilities, it is recommended an hourly, half day, full day and out of hours hourly rate is introduced.

Councillor Ashton said she appreciated the officer's comments but Council needed to be looking at what other Councils were charging and conduct a review prior to the rate setting.

Councillor Cuddy asked if occupancy had come back to pre covid levels.

In response the AD: EDTSP said she did not have the occupancy figures with her this evening and agreed to forward these to the Member.

The AD: Dev said in some other buildings room hire was reaching close to pre covid levels.

Councillor Wilson said that in light of the current pressures should this increase be postponed and a review conducted of all room hire charges.

The AD: EDTSP said if this is the will of Members a report could be brought to a future meeting.

Proposed by Councillor Wilson
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to review room hire charges across all facilities and postpone revised charges and mechanism for same at Bridewell, Magherafelt until the review is complete.

- **Renewal of Membership with NI Chamber of Commerce 2023**

Councillor Burton asked if there was a cost to Fivemiletown Chamber of Commerce. She said she had previously raised the query did the two Chamber of Commerce organisations in the district work together and if they did work together was there a cost to Fivemiletown and did Council help with same.

In response the AD: EDTSP said that the NI Chamber have membership from a variety of businesses and organisations and provide a range of services to those bodies who pay an annual membership fee. She clarified that the local Chambers of Commerce operate differently and she did not know if they were members of the NI Chamber. She advised she had a meeting scheduled in the new year with NI Chamber to maximise the benefits of Council's corporate membership and she would raise the matter with them then, if Members recommend Council renew its membership subscription.

Councillor Burton thanked the officer and said that Fivemiletown feel they are on the periphery of the district and they have worked hard on Christmas lighting projects and do their best to keep businesses in the town.

Resolved That it be recommended to Council to approve Corporate Membership with NI Chamber of Commerce costing £3,000+Vat for the period of 1 January 2023 to 31 December 2023.

- **Market Led Product Development Programme 2022/23**

The AD: EDTSP advised that TNI had made contact with Council and given that there was a substantial number of bids the maximum funding granted to each Council would be £33K. The officer advised that the projects outlined would be revised as undernoted:

- (i) Seamus Heaney Homeplace reduced to £10k and would focus on moss wall and remove headsets from the bid;

- (ii) Living History Banquet at Hill of the O'Neill reduced to £13k – will include the banquet but the number of props and accessories will be reduced;
- (iii) Development of video productions for OM has been reduced to £6k and the proposal for purchase of new telescopes has been removed;
- (iv) Outdoor Experience Headsets reduced to £4k.

It was noted that the Business support of £10k was now removed from the bid.

The AD: EDTSP said that if successful the works need to be completed by March 2023 and would enhance experiences across all the facilities.

- Resolved** That it be recommended to Council to –
- a) Retrospectively approve Council's funding bid to Tourism NI originally focusing on for the 5 tourism projects listed in section 3.3 of the report, now limited to 4 projects with reduced costs maximums as detailed below, to retrofit the revised funding limits which have been updated by Tourism NI; 4 tourism projects will include; as outlined by the AD: EDTSP;
 - (i) Seamus Heaney Homeplace - £10k;
 - (ii) Hill of the O'Neill - £13k;
 - (iii) OM - £6k;
 - (iv) Outdoor Experience Headsets - £4k.
 - b) Approve delegated authority be granted to Council's Chief Executive, to sign and return the Service Level Agreement to Tourism NI by 9th December 2022, in the event that Council is successful in its funding bid.

Matters for Information

D196/22 Minutes of Development Committee held on 10 November 2022

Members noted Minutes of Development Committee held on 10 November 2022.

Councillor Kerr drew attention to D169/22 Chair's Business regarding flooding at Kings Road/Ardskea and sought an update.

In response the AD: EDSTP advised that the matter had been referred to Technical Services and they would provide update to the Member.

Councillor Kerr sought an update regarding Gortgonis Project and the AD: Dev advised that the matter had been considered in confidential business and an update would be provided in confidential basis.

In response to Councillor Kerr's query regarding Altmere/Cappagh project the AD: HLW advised that the letter of offer had been received, the tender would be advertised and it was hoped to appoint an ICT team in January.

Councillor Doris drew attention to D169/22 Chair's Business – swimming lessons and said that whilst she had initially raised concerns about Dungannon she was now receiving queries regarding Cookstown.

In response the AD: HLW said that the matter was being given priority a recruitment exercise was scheduled, further training programme was in place and it was hoped to see developments in the new year.

D197/22 Leisure Disability Provision and Swimming Lesson Pilot

Members noted update on the current provision in Leisure Centres for those with additional needs and additionally on the progress of establishing a pilot programme offering swimming lessons to those with additional needs and requiring assistance to participate in water-based activities.

Councillor Corry welcomed the report and stated that it was a good piece of work and she hoped it would be successful and be subsequently rolled out across all facilities in the future.

D198/22 Positive Ageing Month Update

Members noted update on Positive Ageing Month October 2022.

D199/22 Economic Development Report – OBFI

Members noted update on key activities as listed below:

- Mid Ulster Labour Market Partnership (LMP)
- MEGA Service Level Agreement (SLA) Progress Update (April-Sept 2022)
- Lough Neagh Partnership Service Level Agreement (SLA) Progress Update (April-Sept 2022)

Live broadcast ended at 7.45 pm.

Local Government (NI) Act 2014 – Confidential Business

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D200/22 to D204/22.

Matters for Decision

D200/22 Agewell Project – Contract Extension

D201/22 Clean Neighbourhood Action Plan

Matters for Information

D202/22 Confidential Minutes of Development Committee held on 10 November 2022

D203/22 Economic Development Report – November 2022 – CBFI

D204/22 Mid South West (MSW) Region Growth Deal Update

D205/22 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.35pm

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	15 December 2022
Reporting Officer	Joseph McGuckin, Head of Strategic Services & Engagement
Contact Officer	Eileen Forde, Member Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2022-23 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	Approval for Consideration of Attendance by Elected Members There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix 1 to this report is sought.
3.2	Officer Approvals There are no conferences to report this month.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications Financial: Costs to be set against Members 2022/2023 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member

	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	Approval for attendance at the conferences, seminars and training by members and council officers as required.
6.0	Documents Attached & References
	Appendix 1 Elected Member Conferences, Seminars & Training

APPENDIX A

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
NILGA & SOLACE Local Government Conference	9.30 am – 4.00 pm 23 February 2023	Silver Birch Hotel, Omagh	£99 + travel and subsistence	



the voice of local government

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Council Offices
Circular Road
DUNGANNON
BT71 6DT

8th December 2022

Dear Adrian,

The 2023 Local Government Conference will be held on Thursday 23rd February in the Silverbirch Hotel, Omagh.

The theme for the conference is ***“Responding to Future Challenges”*** and will focus on how local government should innovate and collaborate across all sectors to achieve its ambitions. The conference programme is available [here](#). Dedicated workshops for councillors and officers will take place on the afternoon of the conference.

This will be the first in person conference for our sector since February 2020 and offers an opportunity for councillors and officers to learn from each other and proactively engage in shaping the strategic direction of the local government sector. We have confirmed participation from some of the most up and coming, expert speakers in their fields, who will challenge us and share their insight into how councils can effectively respond to the challenges ahead.

NILGA and Solace NI encourage councillors and officers from the 11 councils to attend this conference, the main event of the 2023 local government calendar. To support this, we are offering competitively priced tickets at £99 for councillor and officer attendance.

To confirm your council's places and for further information, please email events@nilga.org.

We are looking forward to a great event!

Yours sincerely

Roger Wilson
Chair, Solace NI

Alison Allen
Chief Executive, NILGA

Solace NI

c/o Craigavon Civic & Conference Centre
Lakeview Road
CRAIGAVON
BT64 1AL
Tel: 0300 0300 900

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

“Responding to Future Challenges”

23 February 2023, Silverbirch Hotel, Omagh



9.30 Registration & Networking

10.00 Welcome by NILGA President

10.30 Session 1: Our Future Challenges

10.30 What's ahead for young people

10.40 Our Future Challenges (Kelly Beaver, IPSOS)

11.00 SOLACE Response

11.10 Session 2: Responding to the Challenges

Collaboration & Innovation

11.10 Central & Local Government Collaboration (Jayne Brady, NICS)

11.30 Revolutionising Public Services (Nadira Hussain, SOCITM)

11.45 *Coffee break*

12.15 Panel debate

12.45 Lunch

Culture & Mindset

1.45 Ambitions for the local government sector (Dorinnia Carville, NI Audit Office, invited)

2.05 Entrepreneurial local government (Dominic Campbell, The Institute for Impossible Ideas)

2.25 Case Study

2.45 SOLACE Response

3.00 Launch of Councillor Survey report

3.15 Conference close, NILGA President

3.20 *Coffee break*

3.45 Closed learning sessions for officers & members



Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 15 December 2022
Reporting Officer	J McGuckin, Head of Strategic Services & Engagement
Contact Officer	E Forde, Member Support Officer

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

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

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

Appendix A: December 2022 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
	None			

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Elaine Junk	National Lottery People Portrait Award Nominee	Cllr Wilson	<ul style="list-style-type: none"> Outstanding Achievement 	For: People's Award at this year's McDonald's Irish FA Grassroots Football Awards gala. Date: November 2018
Deirdre Fitzgerald	Received award from Ulster GAA for volunteer work	Cllrs Kerr & Monteith	<ul style="list-style-type: none"> Outstanding Achievement 	For: Not Applicable Date:
St. Patrick's College, Maghera Junior Camogie Team	Ulster Corn Eimhear Champions Camogie Junior Team	Cllr Corry, Cllr B McGuigan Cllr S McPeake Cllr Kearney Cllr McFlynn	<ul style="list-style-type: none"> Won Competition at National Level 	For: Ulster Schools Camogie Cup Under 15s Date: Nov 2021
Caitlin Dunne (St.Patrick's College, Maghera)	Over 18's Girls World Kickboxing Championship (2 nd time World Champion)	Cllr Kearney Cllr McFlynn	<ul style="list-style-type: none"> Won Competition at National Level 	For: Not Applicable Date:
St Patrick's College, Maghera – Leonard Cup Hurling Team	Danske Bank Leonard Cup Champions	Cllr McPeake Cllr B McGuigan, Cllr Corry	<ul style="list-style-type: none"> Won Competition at National Level 	For: Not Applicable Date:

Marc Hutchinson	Represented Ireland in both kick-light & kick-contact at the Wako World Championship in Italy (Kickboxing)	Cllr Wilson	<ul style="list-style-type: none"> Representing Country at European level 	For: Not Applicable Date:
Cara McLaughlin	Represented Ireland at the Senior European Championship in Turkey (Kickboxing)	Cllr Wilson	<ul style="list-style-type: none"> Representing Country at European level 	For: Not Applicable Date:
Padraic Hagan	Won Gold at the National All Ireland Kickboxing Championship (Italy)	Cllr Wilson	<ul style="list-style-type: none"> Won Competition Representing Country at European level 	For: All Ireland Flyweight Champion Date: Oct 2018
Grace Carson	Representing Great Britain and Northern Ireland at European Cross Country Championships	Cllr Wilson	<ul style="list-style-type: none"> Representing Country at European level 	For: Not Applicable Date:
Kym Moore	Represented Ireland at Showjumping Member of the Irish team who won at the English Home Pony International	Cllr Wilson	<ul style="list-style-type: none"> Representing Country at European level 	For: Not Applicable Date:
Clonoe O'Rahilly's	Ulster Gaelic Ladies Awards <ul style="list-style-type: none"> Best Social Media Award 	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Won competition at regional level 	For: Not Applicable Date:
Tulip Beauty	NI B Beautiful Awards Best Spray Tan Artist Award	Cllr N McAleer	<ul style="list-style-type: none"> Won Competition at Regional Level 	For: Not Applicable Date:
Tyrone GAA	Ulster Gaelic Ladies Awards	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> Won competition at regional level 	For: Not Applicable Date:
<i>St Mary's Grammar School</i>	<i>Sunday Times Parent Power Top Secondary School</i>	<i>Cllr Totten</i>	<ul style="list-style-type: none"> <i>Outstanding Achievement</i> 	

<i>Sean Hurson</i>	<i>Ulster GAA Referee of the Year</i>	<i>Cllr Kerr Cllr Monteith</i>	<ul style="list-style-type: none"> <i>Outstanding Achievement</i> 	
<i>Ferghal Rainey</i>	Young Architect of the Year 2022	<i>Cllr S McPeake</i>	<ul style="list-style-type: none"> Won competition at regional level 	For: Not Applicable Date:
<i>Watty Graham's GAA</i>	Ulster GAA Club Football Championship Winners 2022	<i>Cllr S McPeake Cllr B McGuigan Cllr Corry</i>	<ul style="list-style-type: none"> Won competition at regional level 	For: Not Applicable Date:

Other: Letter from Council Chair

Where it is deemed that conditions/criteria have not been met for a civic reception, civic award or chair & deputy chair reception a letter from the Council Chair is recommended. This may also be in instances where recipients have previously received a reception or award for the same or similar achievement.

Proposed Recipient	Achievement	Submitted by
Galbally GAC	Won Tyrone Division 2 Seniors	Cllr S McGuigan
Steven Daly	All Star Tyrone Team Talk	Cllrs Monteith & Kerr
Caoimhe McNally	Intermediate Player of the Year Tyrone Teamtalk	Cllr Kerr

Daithí Quinn	Came 2 nd Place in Coalisland Credit Union Art Competition	Cllrs Kerr & Monteith
Conor Donaghy	Top Scorer in Intermediate Championship in 2022 Tyrone Teamtalkmag	Cllrs Kerr & Monteith
Ruairi Canavan	Young County Footballer of the Year Tyrone Teamtalkmag	Cllrs Kerr & Monteith
Darren McCurry	All Star Team of the Year Tyrone Tyrone Teamtalkmag	Cllrs Kerr & Monteith
Joe Oguz, Darragh Canavan, Ruairi Canavan, Tommy Canavan	All Star Team of the Year Tyrone Teamtalkmag	Cllrs Kerr & Monteith
Stewartstown Harps	Ulster Junior Final	Cllrs Doris & O'Neill <i>Cllrs Kerr & Monteith</i> Team received Civic Recognition in April 2022 for re: Ulster Club Junior League Champions
Orlagh Gavin	All Star Junior Player of the Year Tyrone Teamtalkmag	Cllr Oneill <i>Cllrs Kerr & Monteith</i>
<i>Eilish Gervin</i>	<i>All Star Youth Camogie Player of the Year Tyrone Teamtalkmag</i>	<i>Cllrs Kerr & Monteith</i>
<i>Emma Ward</i>	<i>Nominated for Families First Award Outstanding Teaching & Learning during remote learning period</i>	Cllrs Kerr & Monteith

<i>St Joseph's Grammar School – Donaghmore</i>	<i>Nominated for Families First Award – Education & Key Worker Category</i>	Cllrs Kerr & Monteith
<i>Maccauley Quinn</i>	All Star Tyrone Teamtalkmag	Cllrs Kerr & Monteith
<i>Dan Lowe</i>	All Star Tyrone Teamtalkmag	Cllrs Kerr & Monteith
<i>Conor O'Neill</i>	Young Footballer of the Year Tyrone Teamtalkmag	Cllrs Kerr & Monteith

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	15 December 2022
Reporting Officer	Joe McGuckin, Head of Strategic Services and Engagement
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 and provide an update on recently requested responses.
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.
2.2	Also, at November 's Full Council meeting, Member's requested that a response be developed to DAERA's Bovine Viral Diarrhoea (BVD) Consultation .
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.
3.2	Appendix B contains a draft response to the Bovine Viral Diarrhoea (BVD) Consultation.
3.3	Members were emailed a copy of Appendix B for their comment on 5/12/22.
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 as well as noting the attached responses.
6.0	Documents Attached & References Appendix A: Details of Current Consultations Appendix B: Draft Bovine Viral Diarrhoea (BVD) Consultation

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Northern Health & Social Care Trust	Working with you to Transform Acute Maternity Services	This consultation examines two options for consultation. The Options are: <ul style="list-style-type: none"> • Option 3: Consultant-led births move to Antrim site • Option 4: Move all births to Antrim site 	3 March 2023	No
	Link to Consultation	http://www.northerntrust.hscni.net/site/wp-content/uploads/2022/11/Consultation-Document.pdf		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

6 December 2022

Animal Health Strategy and TSE Branch
Department of Agriculture, Environment and Rural Affairs
Jubilee House 111
Ballykelly Road
Limavady
BT49 9HP
E-mail: BVD.policy@daera-ni.gov.uk

**Ref: Consultation on Proposed Introduction of Bovine Viral Diarrhoea (BVD)
Herd Restrictions**

To whom it may concern:

Mid Ulster District Council would like to take this opportunity to put forward its views in relation to the proposals detailed in the above mentioned consultation. Overall, Council is in agreement that it is necessary to find a solution to BVD and that this should start with supporting the management of the conditions within herds. However, the ultimate aim of DEARA intervention should be the total eradication of BVD that has been achieved in other countries.

With this aim in mind, Mid Ulster District Council is supportive of the proposals for the Department to restrict movements from herds that retain BVD positive animals and would also agree with the proposed 28 day 'grace period' before herds with a positive BVD test results are restricted in order to allow herd keepers time to retest or remove persistently infected (PI) animals. The Council also agrees that tackling

the issue of PI animals is also the key to finding a long lasting solution. BVD cannot persist in herds where contacts between PI animals and susceptible animals in early pregnancy do not occur. There is immense importance of identification and removal of these animals when considering BVD eradication. To address this issue the Council would recommend antibody testing of targeted groups to determine whether the group/herd has been exposed to the disease and to gain knowledge of whether or not a PI animal likely to be present.

However the Council would also highlight the importance of DEARA's careful consideration of the financial implications for farmers' prior to the implementations of any proposals. It is clear that stringent and lengthy herd restrictions has the potential to cause a devastating impact on many individual farm businesses and livelihoods, as well as presenting a threat to the industry overall. It also has to be recognised that introducing severe level of restrictions could further compound the current Cost of Living crisis.

In conclusion, it is evident that BVD poses a significant risk to Northern Ireland's livestock industry, however it is Council's view that the proposed amendments have the potential to have a negative impact on farmers and their livestock. It is clear that the industry has faced significant financial challenges in recent years and Members would like it noted that a long term solution should be sought to address the threats posed by BVD, particularly in relation to recurring cases between PI animals and susceptible animals that could be identified at earlier stages.

Yours sincerely

Cllr Córa Corry

Chairperson

Report on	Correspondence to Council
Date of Meeting	Thursday 15 December 2022
Reporting Officer	J McGuckin Head of Strategic Services & Engagement
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 Department for Infrastructure</p> <p>The Chair received a response from DfI to letter sent following October Council regarding delays to planning consultations. The response was emailed to Members on 24 November 2022. Refer to Appendix A</p>
3.2	<p>Correspondence from Northern Ireland Environment Agency</p> <p>The Chair received a response from NIEA to letter sent following October Council in regard to delays in planning consultations. The response was emailed to Members on 24 November 2022 and as per November Council a meeting date has been requested. Refer to Appendix B</p>
3.3	<p>Correspondence from DAERA</p> <p>The Chair received a response to letter sent following October Council regarding CAP Single Farm Payments. The response was emailed to Members on 24 November 2022. Refer to Appendix C</p>
3.4	<p>Correspondence from Education Authority</p> <p>The Chair received a response to letter sent following October Council regarding School Transport Issues. The response was emailed to Members on 2 December 2022. Refer to Appendix D</p>

3.5	Correspondence from Education Authority The Chair has received a response to letter sent by Council regarding St Mary's Primary School and Substitute Teachers Pay. Refer to Appendix E
3.6	Correspondence from Northern Ireland Water The Chief Executive has received correspondence from NI Water regarding the Telephone Mast at Castlehill, Dungannon. Refer to Appendix F
3.7	Correspondence from Northern Ireland Office The Chair has received a response from NI Office regarding Noah Donohoe case. Refer to Appendix G.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications Financial: not applicable Human: not applicable Risk Management: not applicable
4.2	Screening & Impact Assessments Equality & Good Relations Implications: not applicable Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	Appendix A: Department for Infrastructure Appendix B: Northern Ireland Environment Agency Appendix C: DAERA Appendix D: Education Authority Appendix E: Education Authority Appendix F: NI Water Appendix G: Northern Ireland Office



**From the Permanent Secretary
Dr Julie Harrison**

Councillor C  ra Corry
Chair
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

Room 701
Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Telephone: (028) 9054 1175
Email: Julie.Harrison@infrastructure-ni.gov.uk

Via email: Eileen.Forde@midulstercouncil.org

Your reference: C200/22
Our reference: SINV-0045-2022
24 November 2022

Dear Councillor Corry

MID ULSTER DISTRICT COUNCIL – PLANNING DELAYS – REQUEST FOR MEETING

Thank you for your letter of 1 November 2022 on behalf of your members expressing concerns about delays in consultee response times and requesting a meeting. Apologies for my slow response.

I am very conscious of the Department’s responsibility to respond to planning consultations within the specified timeframes and can assure the members that staff endeavour to give a full response within the 21 day return period. However, given the volume and complexity of applications, this is not always achievable.

For information, the table below shows consultation response statistics for Mid Ulster District Council area covering the last four year period:

Planning consultations in year	No of applications to DFI Roads	Response rate within 21 days
2019/20	1519	75.1%
2020/21	1430 (Covid)	79.8%
2021/22	1425	71.4%
2022 – 6 months to 30 Sept	600	60.5%

While I appreciate that this is not a comfort I would highlight that the Department is carrying a significant number of vacancies which adversely affects our ability to meet the response timescales.

You will be aware that the Council decided not to be part of the new online system which will go live for other Councils on 5 December. The temporary shutdown of the

online planning portal to allow for the introduction of Mid Ulster's revised, standalone, system has also had a detrimental effect on the response statistics during the current year. During this period, no consultations were received by DfI for approximately six weeks. When the new portal became operational, the backlog of consultations issued over a short period, meaning two months work to complete within two weeks. Unfortunately but not surprisingly, we were unable to respond to such an influx of planning consultations in a timely fashion. However, we are working hard to address the backlog and will endeavour to raise the consultation response statistics to at least similar levels as in previous years by the end of the reporting period.

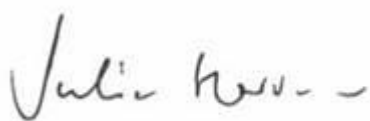
Re-consultations are necessary when the application either lacks sufficient detail to be assessed, or does not meet the required standards. These are issues that are out with DfI's control but which also have a detrimental impact on our response timescales. You may have noticed that the outgoing Minister agreed to consult on statutory validation checklists which are intended to help improve the quality of applications that Councils and DfI have to deal with <https://www.infrastructure-ni.gov.uk/news/odowd-announces-consultation-improve-quality-planning-applications>

On a more positive note, following publication of the NIAO report, *Planning in Northern Ireland*, our senior management team reviewed the staffing structure within Network Planning and agreed to increase the staff complement within the network planning function. The review recommended 28 new posts in Network Planning sections across DfI to improve consultation response rates.

While this is welcome, I am sure you appreciate it will take some time for the process of recruiting, training and utilising these additional staff to bear dividends so unfortunately it will have limited impact on the response timescales in the short term. However, I am confident that it will lead to an improvement in consultation response timescales in the longer term.

I trust you find this explains the situation and agree that my attendance at a meeting would be of limited benefit at this time. However, should you wish to discuss the matter further I suggest that you contact Gordon Noble, the Principal Officer for Network Planning in Western Division, at Gordon.Noble@infrastructure-ni.gov.uk who will be happy to help.

Yours sincerely



JULIE HARRISON



Cllr Cora Corry
Mid Ulster District Council
Eileen.forde@midulstercouncil.org

Klondyke Building
Cromac Avenue
Gasworks Business Park
Malone Lower
Belfast
BT7 2JA
Telephone: 028 9056 9210

Email: paul.donnelly@daera-ni.gov.uk

Your reference:
Our reference:
CEQ 45 -22

Date: 21 November 2022

Dear Cllr Corry

Thank you for your letter of 1 November 2022 in which you have highlighted the concerns expressed by Council surrounding the significant delays in NIEA consultee response times.

Between 01 April 2022 and 14 November 2022, the Department receipted 159 cases from your district council area and responded to 151 cases within this same time period. There are currently 28 cases with NIEA for consideration. Three of these cases are subject to consideration under the Conservation (Natural Habitats, etc) Regulations (NI) 1995 which are within the power of the planning authority to determine without further advice from the Department.

The remaining 25 planning consultations are either still within our statutory target date for response or are of a more complex nature. In some circumstances additional information has been requested to enable case officers to fully assess and advise on the proposed development.

The Department is continuing to experience a very heavy workload of planning casework with 3000 planning consultations receipted between 1 April 2022 and 31 October 2022; this has resulted in delays to planning consultation responses. I am aware of the frustrations caused by these delays. NIEA is focusing resources and processes to provide robust environmental advice that supports sustainable development and to meet the consultation demands we have across the 11 district councils and the

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Department for Infrastructure (DfI). Actions taken include engaging with stakeholders on the consultation processes and maximising the use of existing published information and guidance. We are also working with the DfI cross-governmental Planning Forum to identify improvements to the planning system.

To facilitate continued improvements in the process I believe the most beneficial meeting would be between Mid-Ulster Council and NIEA officials involved in the planning process through dedicated client liaison officer meetings. If your officials wish to engage in such a meeting please ask them to contact the NIEA's Planning Response Team at planningresponse.team@daera-ni.gov.uk.

Yours sincerely



PAUL DONNELLY
Chief Executive

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**From the Agricultural Policy Director
Dr. Rosemary Agnew**



**Cllr Cora Curry
Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon
Co Tyrone
BT71 6DT**

Room 413, Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast
BT4 3SB
Telephone: 028 9052 4074
Email: Rosemary.Agnew@daera-ni.gov.uk

Our Ref: STOF-0073-2022

Date: 22 November 2022

Dear Cora,

Mid Ulster District Council - Motion - CAP Single Farm Payments

Thank you for your letter of 9 November 2022 requesting detail on what replacement funds will be put in place to support farmers and the wider agricultural sector

I can assure you that the objective, through the policy decisions announced by Minister Poots in March 2022, is to provide schemes that are designed in Northern Ireland to address our local needs and support farmers and growers to continue to produce high quality, nutritious food whilst importantly, reducing their environmental impact and ensuring we continue to have a vibrant rural economy.

Four outcomes were identified for the agricultural industry which DAERA is seeking to pursue. These are an agricultural industry that:

- Pursues increased productivity;
- Is environmentally sustainable;
- Displays improved resilience; and
- Operates within an effective functioning supply chain.

In October 2021, the HM Treasury Spending Review and Autumn Budget announced that Northern Ireland would be provided with almost £1.0 billion for farmers and land managers over the next three financial years. This ring fenced budget is a direct allocation from HM Treasury and must be used for farmers, the environment and the rural economy.

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



Yours sincerely

R. Agnew

ROSEMARY AGNEW
Director of Agricultural Policy Division

Sustainability at the heart of a living, working, active landscape valued by everyone.

If you are deaf or have a hearing difficulty you can
contact the Department via the Next Generation Text
Relay Service by dialling 18001 + telephone number



From:
To: [Eileen Forde](#)
Subject: CEO 1795-11-22 : Correspondence from Mid Ulster District Council
Date: 01 December 2022 20:28:16
Attachments: [image005.png](#)

SENT ON BEHALF OF EVE BREMNER, ASSISTANT DIRECTOR OF TRANSPORT

Dear Ms Forde

Thank you for your letter of 1 November 2022 regarding concerns expressed by Council relating to communication with the Transport Service.

I would take this opportunity to apologise for any difficulties council members faced when contacting the transport service and can assure you that while the beginning of term is naturally extremely busy for communication and correspondence, we endeavour to ensure that all communication is responded to as soon as possible.

I would also advise that the answers to many queries, including for example while a child may not qualify for transport assistance, can be found on our web page at <https://www.eani.org.uk/financial-help/home-to-school-transport> and we would encourage members to avail of this page as much as possible. This includes an eligibility checker whereby they can input a child's address and school attended and be provided with a preliminary indication of eligibility. Information on the process of, and grounds for, appeals are also available on the website.

The Transport service is currently restructuring and when completed, transport for the schools in the Mid-Ulster Council area will be managed by our Locality South West Team. We are in the process of transitioning to this new structure and updated contact details will be shared on our website once completed. In the meantime, queries and correspondence can be directed to the following managers within this Locality.

Eugene McDermott, Senior Transport Operations Manager

eugene.mcdermott@eani.org.uk

transport office phone number – 028 8241 1347 or 028 9598 5959

mobile number – 07825054528

Gary McNamee, Transport Operations Locality Manager

gary.mcnamee@eani.org.uk

transport office phone number – 028 8225 3018 or 028 9598 5959

Finally, I would advise that like all transport operators the Education Authority is impacted by an industry-wide decline in drivers and operators. EA has a series of contingency measures in place, however this has meant our ability to provide cover - particularly for temporary periods or at short notice – is curtailed. Thanks to the hard work of our teams the impact on pupils is minimised however this is a live, operational challenge that we continue to face given the scale and complexity of the school transport network.

We will continue to work hard to maintain our services and are committed to the highest

standards of safety. I trust therefore that this information proves helpful.

Kind regards

Eve

Eve Bremner (she/her) | Assistant Director of Transport



Education Authority

Grahamsbridge Road, Belfast BT16 2DB

Tel: 028 9598 5959

: eve.bremner@eani.org.uk | Web: www.eani.org.uk

From: Eileen Forde <Eileen.Forde@midulstercouncil.org>

Sent: 03 November 2022 14:34

To: Sara Long <Sara.Long@eani.org.uk>

Subject: Correspondence from Mid Ulster District Council

CAUTION: This email originated from outside the Education Authority. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon

Please find attached correspondence from Mid Ulster District Council for your attention.

The matters were raised at the October meeting of Council and relate to

- St Mary's Primary School, Fivemiletown
- School Transport Issues
- Substitute Teachers Payments

Best regards

Eileen

Eileen Forde

Member Support Officer

Dungannon Office

Telephone 03000 132 132 Ext 24004

Telephone 07825140198



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2 December 2022

Your Ref: C200/22

Councillor C Corry
Chairperson
Mid Ulster District Council
36 Church Road
Moneyreagh
BT23 6BB

Dear Ms Corry

Thank you for your letter to Sara Long, dated 1 November 2022, in respect of the future of St Mary's Primary School, Fivemiletown.

Currently, the Education Authority is engaged in pre-publication consultation with affected schools on the Development Proposal submitted to the Education Authority by the Council for Catholic Maintained Schools for the proposed discontinuance of St Mary's Primary School, Fivemiletown.

The Education Authority notes the Council's concerns and will include these, along with affected schools comments, in the final Case for Change to be taken to the Authority's Strategic Planning and Policy Committee in January 2023, prior to publication in the local newspapers in February 2023.

In taking forward the Development Proposal for St Mary's Primary School, Fivemiletown it should be noted that the Education Authority is not the proposer, therefore, the Council may also wish to make its comments directly to the proposer, the Council for Catholic Maintained Schools.

The non-payment of supply teachers were caused by a number of factors many of which were not as a result of EA/DE processing errors or system errors please see below:

- DE/EA processing errors – 327 teachers impacted
- Schools not signing off supply teachers by the payroll cut-off date – 432 teachers impacted
- DE not having supply teachers bank details – 30 teachers impacted
- Teachers who are non-compliant i.e. do not have AccessNI clearance and therefore not live on NISTR but recruited outside NISTR by schools – 41 teachers impacted
- Schools changes days worked to hours resulting in supply teachers being underpaid – 242 teachers impacted

The EA has made interim emergency payments to all 1072 teachers above. The payment was the gross salary due minus 40% deduction. If a teacher has been over/under paid as paid of this interim emergency paid this will be rectified by the Department of Education Teachers Pay and Pension Team in their next months salary. EA rang each school to request either:

- a) They signed off staff who worked
- b) To ascertain if teachers recorded for hours rather than days were correct
- c) To advise of teachers not live on NISTR (Pending)

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Education Authority

40 Academy Street, Belfast, BT1 2NQ

T: +44 (0)28 9056 4000 F: +44 (0)28 9039 9714 W: www.eani.org.uk

The DE rang each teacher to

- a) Obtain their bank details

The processing errors referred to above are not NISTR system issues, but rather an administrative error caused by staff intervention in preparing the file for issue to DE. The staff intervention will no longer be required an update is being implemented to the system to automate the process for payroll file production.

EA cannot at this juncture guarantee teachers will be timely in future months as a result of schools not signing off i.e. authorising their booking however EA will continue to process interim emergency payments as detailed above until 31st December 2022 to minimise the impact on teachers.

Yours sincerely



Dale Hanna

DIRECTOR OF OPERATIONS AND ESTATES

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Northern Ireland Water

PO Box 1026

Belfast

BT1 9DJ

www.niwater.com

Tel: 0345 7440088



Chief.executive@midulstercouncil.org

30th November 2022

Dear Adrian

RE: NI WATER TELECOMMUNICATIONS MAST, DUNGANNON

Thank You for your letter dated 26th October 2022, regarding the Telecommunications mast located at Castlehill, Dungannon.

I would like to reassure you that we fully appreciate your concerns regarding the visual aspect of the Mast and its impact on your vision to promote the area as a tourist destination steeped in ancient history.

However, as discussed previously, the mast provides a vital service to PSNI and blue light emergency service's which include the ambulance and fire service. They are dependent on the position of the Mast to service the local community, as are the mobile operators supporting the communities in Dungannon and surrounding area for personal and business purposes.

In your letter you point out that while PSNI would be open to discussions regarding location, they would still need to retain their services on the hill. The mobile network operators had previously rejected relocation as this is also an important communication site for them.

Therefore, we are not in a position to consider removal or relocation of the Telecommunications Mast at Castlehill. Should this change, we will be in contact.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sara Venning'.

Sara Venning
Chief Executive



Northern
Ireland
Office

1 Horse Guards Road
London
SW1A 2HQ

Erskine House
20-32 Chichester St
Belfast
BT1 4GF

E: correspondence@nio.gov.uk
www.gov.uk/nio
Follow us on Twitter @NIOgov

Cora Corry

Mid Ulster District Council

By email: Eileen.Forde@midulstercouncil.org

24 November 2022

Our reference: TO/22/382

Dear Ms Corry,

Thank you for sight of the Mid Ulster District Council's motion regarding the Public Interest Immunity (PII) certificate in relation to the inquest into the death of Noah Donohoe. We are responding on the Secretary of State's behalf.

This is a very tragic case and our thoughts and sympathy are with the Donohoe family.

The Secretary of State's predecessor carefully considered the application for PII and, after close scrutiny of the information, considered that the balance of the public interest was in favour of the information being subject to PII. That decision was not taken lightly and we are confident the redactions do not detract from the substance of the case.

On 8 September the Presiding Coroner, Mr Justice Humphreys, made his decision in relation to the PII application having considered all of the information. In delivering his ruling, Mr Justice Humphreys said: "Disclosure of the redacted material would give rise to a real risk of serious harm to the public interest". He went on to say that the redactions applied for are "no more than the minimum necessary to ensure the real risk of harm is mitigated" and that "the representatives of the next of kin can be assured that nothing has been redacted which shows that any third party was involved in Noah Donohoe's death, nor that would suggest there has been any cover-up in the course of the investigation."

Mr Justice Humphreys full ruling is available, on the NI Judiciary website www.judiciaryni.uk

I hope that the close scrutiny given to the information provided in the PII application signed by the previous Secretary of State and the Coroner's remarks go some way to alleviating your concerns and those of your Council members.

As you may be aware, the inquest into Noah's death, which the Coroner has now confirmed will be heard by a jury, is due to begin on 28 November 2022. During the inquest, the Coroner will hear evidence relating to the circumstances surrounding Noah Donohoe's death. It is hoped that the outcome of the inquest will provide the Donohoe family with the answers they are seeking.

Yours faithfully,

NORTHERN IRELAND OFFICE