



26 May 2022

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 26 May 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 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.
- 2 Notice of Recording
This meeting will be webcast for live and subsequent broadcast on the Council's You Tube site [Live Broadcast Link](#)
- 3 Apologies
- 4 Chair's Business

Matters for Decision

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| 5. | Council minutes of meeting held on 28 April 2022 | 3 - 14 |
| 6. | Planning Committee minutes of meeting held on 3 May 2022 | 15 - 36 |
| 7. | Policy and Resources Committee minutes of meeting held on 4 May 2022 | 37 - 42 |
| 8. | Environment Committee minutes of meeting held on 10 May 2022 | 43 - 52 |
| 9. | Development Committee minutes of meeting held on 12 May 2022 | 53 - 80 |
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Matters for Information

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

Matters for Decision

15. Council Confidential minutes of meeting held on 28 April 2022
16. Planning Committee Confidential minutes of meeting held on 3 May 2022
17. Policy & Resources Confidential Committee minutes of meeting held on 4 May 2022
18. Environment Committee Confidential minutes of meeting held on 10 May 2022
19. Development Committee Confidential minutes of meeting held on 12 May 2022

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 28 April 2022 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair Councillor McLean

Members Present Councillors Bell*, Black, Brown, Buchanan, Burton, Clarke*, Colvin*, Corry*, Cuddy, Cuthbertson, Doris*, Elattar*, Forde*, Gildernew*, Graham, Martin*, Mallaghan*, N McAleer*, S McAleer*, B McGuigan*, S McGuigan*, McKinney, McNamee*, D McPeake*, S McPeake*, Milne*, Molloy*, Oneill*, Quinn*, Robinson*, Totten* and Wilson

Officers in Attendance Mr McCreesh, Chief Executive
Mr Black, Strategic Director of Communities & Place
Ms Canavan, Strategic Director of Organisational Development Strategy & Performance (SD:ODSP)**
Mr Kelso, Director of Public Health & Infrastructure (DPHI)**
Mr Moffett, Assistant Director of Organisational Development, Strategy & Performance (AD:ODSP)
Mr Tohill, Strategic Director of Corporate Service & Finance (SD:CSF)
Mrs Forde, Member Support Officer
Mrs Mezza, Head of Marketing and Communications**

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

The meeting commenced at 7 pm.

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

C074/22 Notice of Recording

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

C075/22 Apologies

Councillors Ashton, Glasgow, Kearney, Kerr, McFlynn, Monteith and Mullen

C076/22 Declarations of Interest

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

C077/22 Chair's Business

The Chair, Councillor McLean spoke of five Chatty Benches installed across the district at Ballysaggart Lough Dungannon, Iniscarn Forest Desertmartin, Portglenone Riverside Walk, Ballyronan Marina and Round Lake, Fivemiletown. He encouraged Members to make people aware of them and spoke of the importance their impact may have.

The Chair, Councillor McLean spoke of his pleasure in donating a cheque to the NI Air Ambulance following the fundraising events celebrating the achievements of women. He thanked all who both supported and participated.

The Chair, Councillor McLean thanked The Honourable, The Irish Society for the £1,700 donation to the Chair's Charity, NI Air Ambulance. He requested that Councillors Black and B McGuigan express his thanks back to the organisation.

The Chair, Councillor McLean acknowledged the success of 'In Bloom' winners at the annual Translink Ulster in Bloom awards presentation. He advised that Donaghmore was presented with the best Village Award, Caledon had won a Special Award for their community allotments and Friel's Bar and Restaurant and that Swatragh had achieved a Special Award for their Floral Presentation.

The Chair, Councillor McLean said his term of office was nearing an end and asked Members and officers to support the planned Hymn Sing events scheduled. He said that proceeds from the events would be presented to three different charities.

Councillor Burton told of how she had received complaints regarding uneven pavements in villages highlighting the most recent whereby a lady had tripped in Castlecaulfield. She further advised that the footpaths in Caledon are also uneven. Councillor Burton proposed that Council write to the Department for Infrastructure Roads regarding the village footpaths to ask how often they are inspected/repared. She also highlighted the difficulty in communicating with DfI Roads personnel especially in the Moygashel office, Councillor Burton said calls were often unanswered and if you are speaking to someone they don't know who has taken on responsibilities of people who have either retired or moved to other positions.

The Chair, Councillor McLean called on the Chief Executive to give an update on the current situation in relation to the impact of current strike action on services.

The Chief Executive advised that due to the industrial action by members of UNITE taking place from Monday 25 April to Sunday 1 May, and from Tuesday 3 May to Sunday 8 May would impact bin collection services and two leisure centres. He said in the current week no brown bins were being collected but when sufficient staff are available, the Council will work to collect blue bins where possible. From Tuesday 3 May to Friday 6 May, no brown bins will be collected and again if sufficient staff are available, the Council will work to collect black bins where possible. He emphasised that no collections can be guaranteed but residents are being advised to leave their blue and black bins out for collection on the normal day by 7.30am and they will be emptied where there are sufficient crews to deliver a service. If bins are not emptied,

residents are being asked to take their bins back in from the kerbside and place them out again on their next scheduled collection day during the weeks beginning 9 and 16 May 2022.

He highlighted that black and brown bin collections would take place as normal on Monday 2 May. With regard to recycling centres he said all, with the exception of Magherafelt Recycling Centre which is closed temporarily from Monday 25 April to Monday 2 May, will remain open during the industrial action. With regard to Leisure Centres he said Cookstown and Greenvale swimming pools had been closed on Monday 25 April, with the availability of swimming reviewed on a daily basis for the remainder of the week. There will be no public swimming lessons and no school swimming lessons in either centre for the duration of the industrial action, and fitness classes will also be limited.

The Chief Executive concluded that it was anticipated that all other services and facilities, including cemeteries, play facilities, parks, arts and cultural facilities, will operate as normal but the situation would be kept under review during the strike. In response to Councillor Cuddy's query the Chief Executive advised that the strike is in relation to a pay dispute. He clarified that the pay award had been a collective UK level national agreement.

Councillor McKinney welcomed the 'grass roots' workers to the chamber and stated he had every sympathy for them. He said he was aware of their take home pay and whilst he understood it was a UK agreement he felt Council was 'passing the buck'. He said the increase in the cost of living was not going away and was really impacting those on lower wage scales. He suggested that Council take the lead as it often does in matters and help the lower paid staff who are on little more than the minimum wage. He concluded that Council makes decision for its own finances.

The Chair, Councillor McLean stated that the points were noted.

Councillor Wilson concurred with Councillor McKinney's comments and said there was now the working poor.

Councillor Wilson asked for sympathy to be extended to the family of Ivor Paisley who had been Head of Corporate Services in the legacy Cookstown District Council. He spoke of the personal support he had received from Ivor throughout his career with Council and how he had helped everyone. Councillor Wilson said Ivor would be sorely missed especially by his family. He concluded that Ivor had been a very dapper gentleman and every time he had finished chatting would have finished by saying, *'Trevor, you take care and God Bless'*.

The Chair, Councillor McLean said it had been remiss of him not to refer to the matter earlier and concurred with Councillor Wilson's remarks. He said he had got to know Ivor at election Counts and he had found him to be a true gentleman. The Chair extended sympathy to the Paisley family and advised that he had already sent a letter extending sympathies on behalf of the Council.

Councillor Doris seconded the proposal made by Councillor Burton and said that there was a serious lack of communication especially at the Moygashel office.

Proposed by Councillor Burton
Seconded by Councillor Doris and

- Resolved** That Council to write to Department for Infrastructure requesting
- (i) the maintenance inspection/repair schedule for village footpaths. Noted that Castlecaulfield and Caledon highlighted as particular concern;
 - (ii) an updated list of contacts for DfI Roads for the district in particularly the Moygashel office where Members have experienced delays/difficulties in communication.

Councillor McNamee concurred with previous comments on Mr Ivor Paisley and said he had spent many team building days in the Mourne Mountains when Ivor could have given people a two mile start and still been at the top before them.

The Chair, Councillor McLean advised that an urgent requirement to have a document sealed had been brought to his attention and he had agreed to the matter being addressed under Chair's Business. He sought a proposer and seconder for the Council Seal to be applied to *Purchase of lands at Old Coagh Road, Cookstown between Mid Ulster District Council and DfI*.

Proposed by Councillor Wilson
Seconded by Councillor Buchanan and

- Resolved** That the Council seal be applied to Purchase of lands at Old Coagh Road, Cookstown between Mid Ulster District Council and Department for Infrastructure.

Matters for Decision

C078/22 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 24 March 2022

Proposed by Councillor Brown
Seconded by Councillor Wilson and

- Resolved** That the Minutes of the Council held on Thursday 24 March 2022 (C044/22 – C059/22 and C073/22) transacted in Open Business having been printed and circulated, subject to the foregoing, were considered and adopted.

C079/22 Receive and Consider Minutes of matters transacted in "Open Business" at the Environment Committee Meeting held on Monday 4 April 2022

Proposed by Councillor McNamee
Seconded by Councillor Graham and

Resolved That the Minutes of the Environment Committee held on Monday 4 April 2022 (E090/22 – E105/22 and E114/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C080/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on Tuesday 5 April 2022

Proposed by Councillor Black
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on Tuesday 5 April 2022 (P042/22 – P047/22 and P056/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C081/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on Wednesday 6 April 2022

Councillor Cuddy drew attention to D058/22 Chair's Business regarding the proposed meeting with Dungannon/Moy Royal British Legion to discuss vandalism at War Memorials in both locations. He said that since the development committee further damage had been caused and proposed that the meeting take place with expediency.

Councillor Cuthbertson seconded the proposal.

The Chair, Councillor McLean asked if this was for Dungannon DEA Members.

Councillor Cuddy said it would be most relevant to Dungannon DEA Members but any interested Member should attend.

Resolved That the proposed meeting with Dungannon/Moy Royal British Legion to discuss vandalism at War Memorials in both locations be progressed expediently. All interested Members invited to attend.

Proposed by Councillor Wilson
Seconded by Councillor Cuddy and

Resolved That the Minutes of the Development Committee held on Wednesday 6 April 2022 (D055/22 – D068/22 and D072/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C082/22 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy and Resources Committee Meeting held on Thursday 7 April 2022

Councillor McKinney thanked Councillor Kearney deputy Chair of Policy and Resources Committee for chairing the April meeting in his absence. He drew

attention to PR071/22 Report of Good Relations Working Group meeting: March 2022. He drew attention to the comment made in the report by Mr John Kramer “In response to questions from members, John Kremer advised that Council could improve by having access to a wider set of views and opinions for the Good Relations Working Group.” Councillor McKinney stated there was only nationalist opinion on the working group and asked where Council was at in bringing forward other sections of the community especially the unionist community.

The Chair, Councillor McLean said the point was noted.

The AD:ODSP said that the Good relations Working Group actions had been brought to the Policy and Resources for approval and the matter being discussed had been the attendance of all political parties represented on Council. He said the group was open to all parties Sinn Féin, DUP, SDLP and UUP to attend in line with working group arrangements.

Councillor Cuddy said in his experience of the good relations working group was a rubber stamping of what the Chamber had discussed where unionists are out-voted every time. He said he could appreciate democracy may out-vote the minority but following the Good Friday Agreement everyone had to find a better way of respecting each other. He referred to a recent request for lighting up buildings to mark the Platinum Jubilee which had been turned down. He said if this cannot be accommodated what hope is there for good relations. He stated that he referred to the Good Relations Working Group as the ‘Bad Relations Group’. Councillor Cuddy appealed that a better way forward be found. He said he had been an elected member for 22 years and had in the legacy Council experienced respect and harmony between parties which does not exist in Mid Ulster. Councillor Cuddy reflected on the resentment in the Unionist community at the current status. He said he was all for building bridges and he would like all parties to engage in how to find a way forward. He said Councillors represent everyone and he was a unionist but could respect other viewpoints. He appealed to the Chair stating that he knew he would be of similar view

Councillor McNamee concurred with the AD: ODSP and said other Members were invited to sit on the working group and he did not agree with another group running parallel. He said everyone needed to attend.

Councillor S McPeake said it was not hard to know there was an election in the air and stated he had said at the last meeting the group would benefit and be richer from a full attendance. He said that Sinn Féin and the SDLP were not to blame for Unionist non-attendance. Councillor S McPeake said the group was set up to take forward sensitive work and it was unfortunate that the Unionist parties had boycotted it to date.

Councillor McKinney said his question had been taken out of context and he again drew attention to the comment made in the report by Mr John Kramer “In response to questions from members, John Kramer advised that Council could improve by having access to a wider set of views and opinions for the Good Relations Working Group.”

He posed the question was Council turning a blind eye to Mr Kramer's advice? Councillor McKinney said in his view that would be what would happen. He also said he had not mentioned boycotting meetings but it was a waste of his time to attend to be ignored and obviously it was a waste of Mr Kramer's too if his advice was not being taken on board.

Councillor Cuthbertson said the working group was a tick box exercise as Unionists attend council meetings whereby, simple respectful motions such as he had brought regarding the Platinum Jubilee are kicked out. He said it was only a talking shop and the unionist community thoughts and wishes are constantly rejected.

The Chair, Councillor McLean said he would under Chief Executive guidance take a lead and facilitate an informal chat with party leaders that will feed back into process and discussion. He said that he had boycotted the working group but would initiate a discussion.

Resolved That the Chair facilitate a party leaders discussion under the direction of the Chief Executive to discuss engagement of all parties in Working Group

Councillor S McGuigan asked if there was an application to light up buildings that had not been included on the report to Policy and Resources. He said he had been made aware of an application being submitted which had omitted some information and when the information was submitted they were told it was too late. He said if this was the case he felt it should have been brought to the committee to consider on the night.

In response the AD:ODSP said in considering requests officers have to look at the date the light up is required and the information provided to meet criteria. He said if a late application is received in time to meet the release of council agenda this could have been included.

Councillor S McGuigan said that in a case where information was omitted in his opinion the request should be included on the report and agreed subject to the receipt of required detail. He said the current process knocks groups out of the system when potentially they could have been accommodated.

The Chair, Councillor McLean said that the point is noted and that there is always the opportunity to bring it to policy and resources committee.

Proposed by Councillor S McGuigan
Seconded by Councillor Gildernew and

Resolved That the Minutes of the Policy & Resources Committee held on Thursday 7 April 2022 (PR067/22 – PR077/22 and PR090/22) transacted in Open Business having been printed and circulated, were considered and adopted.

C083/22 Standing Orders Amendment – April 2022

The Chief Executive presented previously circulated report which considered an amendment to the Standing Orders of Council following the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) Order (NI) 2022 being approved by the Assembly on 21 March 2022 and that discussion on same stand adjourned until the next ordinary meeting of the Council, in line with Standing Order 30.2 (Amendment).

Proposed by Councillor Burton
Seconded by Councillor Brown and

Resolved That amendment to the Standing Orders regarding Remote Meetings Protocol and Procedure Rules as attached and highlighted in Appendix 6.1 be approved and that the matter stand adjourned without discussion to the next meeting of Council, in line with Standing Order 30.2 (Amendment).

(Guests departed the public gallery at 7.47pm)

C084/22 Civic Recognition Nominations

The AD: ODSP sought approval for the previously circulated report on civic recognition requests from Members, in line with the stated Council Policy, and as detailed within the report at appendix A. He also sought approval to add Councillor N McAleer's name to request for Blaine Ryan Danske Bank Ulster Schools GAA Football All Star 2022 and also onto letter to Cormac Devlin for achieving Danske Bank Ulster Schools GAA Football All Star 2022 noting that Cormac had received Civic Recognition in the past year. Attention was also drawn to nomination for Sofija Procevska who had been listed for a letter for silver medallist at Irish Judo Competition but confirmation had since been received that Sofija achieved a gold medal and approval was sought to upgrade to civic reception category.

Proposed by Councillor McNamee
Seconded by Councillor Molloy and

Resolved That approval be given to

- (i) submitted requests for civic recognition detailed at appendix A as outlined in the report; and
- (ii) As aforementioned Cllr N McAleer's name be added to nomination for Blaine Ryan and Cormac Devlin and Sofija Procevska be upgraded to civic reception category.

C085/22 Conferences, Seminars & Training

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

Proposed by Councillor McKinney

Seconded by Councillor Brown and

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

Matters for Information

C086/22 Correspondence to Council

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

Councillor S McPeake drew attention to correspondence received from Newry Mourne and Down District Council regarding change of use in red diesel and proposed that Council respond advising that prior their letter Mid Ulster had written to the Treasury regarding the matter.

Resolved Council respond to Newry Mourne and Down District Council to advise that MUDC had already completed actions requested in relation to proposed changes to use of red diesel.

C087/22 Consultations Notified to Mid Ulster District Council

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

Councillor McNamee proposed that Department of Health: Consultation on Review of Urgent and Emergency Care Services in Northern Ireland be referred to development Committee for response. (Closing Date 15 June 2022)

Councillor Elattar seconded the proposal stating that the proposals would have a major impact on rural areas and requested that the online events in relation to the consultation be promoted on Council social media platforms.

Resolved That

- (i) Department of Health: Consultation on Review of Urgent and Emergency Care Services in Northern Ireland. 2022. Be Refer to Development Committee for response. (Closing Date 15 June 2022); and
- (ii) Council highlight the online zoom events on social media platforms.

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

The live broadcast concluded at 7.52 pm

Proposed by Councillor Brown
Seconded by Councillor Burton and

Resolved That items C088/22 to C093/22 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on Thursday 24 March 2022
- (ii) Environment Committee Confidential minutes of meeting held on Monday 4 April 2022
- (iii) Planning Committee Confidential minutes of meeting held on Tuesday 5 April 2022
- (iv) Development Committee Confidential minutes of meeting held on Wednesday 6 April 2022
- (v) Policy and Resources Committee Confidential minutes of meeting held on Thursday 7 April 2022
- (vi) Entertainment Licence Update

C094/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.58 pm.

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

Good evening and welcome to our meeting of Mid Ulster District Council in the Chamber, Dungannon whether you have joined us remotely or in the Chamber.

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

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

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

Thank you and we will now move to the first item on the agenda – apologies and then a roll call of members in attendance.

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 May 2022 in Council Offices, Ballyronan Road, Magherafelt and by virtual means

Members Present

Councillor Black, Chair

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

Officers in Attendance

Dr Boomer, Service Director of Planning
Mr Bowman, Head of Strategic Planning
Ms Doyle, Head of Local Planning
Mr Marrion, Senior Planning Officer
Mr McClean, Acting Senior Planning Officer**
Ms McIlveen, Legal Adviser**
Ms Scott, Council Solicitor
Mrs Forde, Member Support Officer

Others in Attendance

Councillor Gildernew***
Councillor N McAleer***

LA09/2022/0242/F	Ms McKenna
LA09/2021/0352/F	Mr Owens
LA09/2021/0739/F	Mr Cassidy

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

P057/22 Notice of Recording

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

P058/22 Apologies

Councillor Quinn.

P059/22 Declarations of Interest

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

Councillor Robinson declared an interest in LA09/2021/1733/O - Replacement dwelling and garage at land approx. 65m NW of 68 Tullanafuile Road, Dungannon, for Mr Neville Robinson.

Councillor Clarke declared an interest in LA09/2018/0566/F - 6 dwellings and associated access road at approx 90m E of 96 Davagh Road, Omagh for M Conway and stated he wanted to speak on this application.

P060/22 Chair's Business

The Chair, Councillor Black stated that as this was his last meeting as Chair of the Committee he wanted to take the opportunity tonight to thank officers for their help and support during his term of office and also Members for their support and co-operation.

The Service Director of Planning referred to the below applications which were on the agenda for determination and sought approval to have the following applications deferred from tonight's meeting schedule for an office meeting –

Agenda Item 5.7 - LA09/2021/1129/O - Site for dwelling and domestic garage/store S of and adjacent to 71 Ballybeg Road, Dungannon for Mr Gerard McAliskey.

Agenda Item 5.9 - LA09/2021/1382/O - 2 storey dwelling & domestic garage on a farm at land approx. 130m SW of 19 Glendavagh Road, Aughnacloy for Dale Watters. It was noted that additional information had been supplied and although speaking rights had been requested they would not be availed of at this time but would be applicable in the future.

Agenda Item 5.10 - LA09/2021/1450/F - Dwelling and garage at site 100m NW of 4 Rogully Road, Magherafelt for Pat McVey.

Agenda Item 5.11 - LA09/2021/1592/O - Dwelling on a farm 30m NE of 32 Killynaul Road, Caledon for Mark Edwards.

Agenda Item 5.13 - LA09/2021/1751/O - Dwelling at lands SW of 46&46a & NW of 44 Annaghmore Road, Castledawson for Frances Taylor.

Agenda Item 5.17 - LA09/2022/0062/O - Infill dwelling and domestic garage at site W of 35 Drummurrer Lane, Coalisland for Mr Michael Corr.

Proposed by Councillor Colvin
Seconded by Councillor Robinson and

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

Matters for Decision

P061/22 Planning Applications for Determination

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

LA09/2018/0566/F 6 dwellings and associated access road at approx. 90m E of 96 Davagh Road, Omagh for M Conway

Councillor Clarke advised he was declaring an interest in this item as he had been contacted by a resident who had concerns regarding the development. Councillor Clarke stated he had advised the person to make contact with planning officers to raise those concerns. Councillor Clarke advised that the person had contacted him again today to say that he had raised his concerns however the Councillor noted that this is not included on the addendum.

The Chair, Councillor Black clarified Councillor Clarke's comments in that a member of the public has raised concerns regarding the application with the planning team but there is no mention of it included on the addendum for tonight's meeting.

The SD: Planning advised there is an objection to the application which is on file and that there may be confusion in relation to making an objection and requesting speaking rights which are not the same thing. The Service Director advised that there is an officer report which takes into consideration the objection and grounds for objection and suggested that Members hear the officer report and further to this Councillor Clarke may be able to verify if the objections are all related.

Councillor Clarke stated he was unsure of what the objections are however the application has been ongoing for some time and things may have changed. The Councillor stated that the application is within the dispersed rural community.

Councillor Cuthbertson asked was it not in order to hear the officer report and asked if Councillor Clarke was speaking for or against the application.

The SD: Planning advised that Councillor Clarke was now moving to speak for the objectors and their objection and that Members should hear the officer report.

The Chair, Councillor Black asked for the officer report to be presented.

Ms Doyle (SPO) presented a report on planning application LA09/2018/0566/F which had a recommendation for approval. Ms Doyle advised that there was an objection received to the application in 2018 and that this objection is addressed within the report. The officer advised that she had not been alerted to any further objections being received.

Councillor McKinney proposed that the application be deferred for one month in order to address the issues raised by Councillor Clarke.

The SD: Planning stated that it appeared that someone wanted to object however confusion seems to have arisen and the person would like the opportunity to submit their objection and speak before the Committee.

Councillor Clarke stated this was correct and that the person had confirmed today that the information had been submitted on Friday. Councillor Clarke stated he agreed with the proposal to defer but that in the past site visits have been agreed when the Committee are unsure and in this case all Members have is a map with a red line in a green field and felt it would be worthwhile for Members to visit the site. Councillor Clarke proposed that a site meeting be held for this application.

The SD: Planning stated he had no objection to a site visit.

Councillor Clarke referred to the wording of a Dispersed Rural Community and stated that St Marys Church (disused) and used as the Community Centre and the Post Office form a locally significant focal point on the Broughderg Road and that clusters of development should be located close to a focal point. Councillor Clarke advised that the application site is half a mile away from the focal point of the Church/Post Office.

The Chair, Councillor Black stated that the points were noted but would be best addressed on site.

Councillor McKinney stated he would concur with undertaking a site visit and that Members would be going past this site next Tuesday for another site visit and it may be an opportunity to double up

Councillor S McPeake seconded Councillor Clarke's proposal for a site visit and felt it would be useful as the application has the potential to change the characteristics of the whole area.

The Chair, Councillor Black stated that the two points to be addressed are if there is an objector who believes they have submitted an objection which hasn't been addressed then time should be allowed to consider this and also to address concerns on site.

Ms McIlveen stated that this was a sensible way forward in the circumstances, particularly given the confusion regarding objections.

Resolved Agreed that application be deferred for a site meeting.

LA09/2019/1028/F **7 Stables with attached equipment store and new storage shed at 125m SW of 48 Moneysharvin Road, Swatragh for Seamus Lagan**

Members considered previously circulated report on planning application LA09/2019/1028/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McKinney and

Resolved That planning application LA09/2019/1028/F be approved subject to conditions as per the officer's report.

LA09/2019/1648/F Retention of extended yard area for the purpose of storage of HGV vehicles and trailers at lands at 175m W of 66A Kilnacart Road, Dungannon for Mr Niall McCann

Members considered previously circulated report on planning application LA09/2019/1648/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2019/1648/F be approved subject to conditions as per the officer's report.

LA09/2021/0543/F Renewal of application LA09/2016/0282/F for proposed new vehicle entrance at adjacent to 17 Cullenfad Road, Dungannon for Libby Campbell

Members considered previously circulated report on planning application LA09/2021/0543/F which had a recommendation for approval.

In response to the SD: Planning query Mr Marrion confirmed that the application for the proposed vehicle entrance superseded previous applications listed in the report.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2021/0543/F be approved subject to conditions as per the officer's report.

LA09/2021/0588/O Infill site for dwelling and garage between 34 Glenarny Road and 19 Knockaleery Road, Cookstown for Mr Richard McAlister

Members considered previously circulated report on planning application LA09/2021/0588/O which had a recommendation for approval.

Proposed by Councillor Glasgow
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/0588/O be approved subject to conditions as per the officer's report.

LA09/2021/0995/F

Extension to existing mushroom storage & distribution facility at 118 Trewmount Road, Dungannon for K Hughes & Co Ltd

Members considered previously circulated report on planning application LA09/2021/0995/F which had a recommendation for approval.

Councillor Cuthbertson asked if the extensions was already under construction and thought that if so it should be stated in the application.

Mr Marrion said as far as he was aware it was under construction but would not be completed until planning permissions was finalised.

Councillor Cuthbertson said he had passed the site and saw the shed up and reiterated that in such instances the Councillors should be made aware.

Proposed by Councillor Glasgow
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/0995/F be approved subject to conditions as per the officer's report.

LA09/2021/1129/O

Site for dwelling and domestic garage/store S of and adjacent to 71 Ballybeg Road, Dungannon for Mr Gerard McAliskey

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

LA09/2021/1171/RM

Dwelling and detached domestic garage at approx. 30m S of 5 Tamlaghtduff Park, Bellaghy for John & Sheila Fullerton

Members considered previously circulated report on planning application LA09/2021/1171/RM which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/1171/RM be approved subject to conditions as per the officer's report.

LA09/2021/1382/O

2 storey dwelling & domestic garage on a farm at land approx. 130m SW of 19 Glendavagh Road, Aughnacloy for Dale Watters

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

LA09/2021/1450/F **Dwelling and garage at site 100m NW of 4 Rogully Road, Magherafelt for Pat McVey**

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

LA09/2021/1592/O **Dwelling on a farm 30m NE of 32 Killynaul Road, Caledon for Mark Edwards**

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

LA09/2021/1733/O **Replacement dwelling and garage at land approx. 65m NW of 68 Tullanafuille Road, Dungannon for Mr Neville Robinson**

Members considered previously circulated report on planning application LA09/2021/1733/O which had a recommendation for approval.

Proposed by Councillor Colvin
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/1733/O be approved subject to conditions as per the officer's report.

LA09/2021/1751/O **Dwelling at lands SW of 46&46a & NW of 44 Annaghmore Road, Castledawson for Frances Taylor**

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

LA09/2021/1805/F **Infill dwelling and garage and associated site works at lands between 54 & 56 Ballynasaggart Road, Ballygawley for Tony Hughes**

Members considered previously circulated report on planning application LA09/2021/1805/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Corry and

Resolved That planning application LA09/2021/1805/F be approved subject to conditions as per the officer's report.

LA09/2021/1807/F **Farm dwelling at 75m SW of 106 Derryfubble Road, Dungannon for Bronagh Long**

Members considered previously circulated report on planning application LA09/2021/1807/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2021/1807/F be approved subject to conditions as per the officer's report.

LA09/2022/0007/F **Detached ancillary granny flat in the rear garden of 30 Claremount Drive, Coalisland for Adrian Devlin**

Members considered previously circulated report on planning application LA09/2022/0007/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Robinson and

Resolved That planning application LA09/2022/0007/F be approved subject to conditions as per the officer's report.

LA09/2022/0062/O **Infill dwelling and domestic garage at site W of 35 Drummurrer Lane, Coalisland for Mr Michael Corr**

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

LA09/2022/0068/O **Dwelling at site 50m NE of 1 Loveshill, Castledawson for Noel & Marie Lennon**

Members considered previously circulated report on planning application LA09/2022/0068/O which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/0068/O be approved subject to conditions as per the officer's report.

LA09/2022/0153/F **Regularisation of an operational Anaerobic Digestion (AD) plant including extension to curtilage and shed (housing feedstock hopper), hopper access lane, digestate storage tank, relocated pasteurisation tanks, macerator and heat exchanger within extension and proposed extension to shed, carbon filter and amendment to previously approved digestate storage tank at lands approx 200m NE of 14 Tullywiggan Cottages, Tullywiggan Road, Cookstown for PAR Renewables Ltd**

Members considered previously circulated report on planning application LA09/2022/0153/F which had a recommendation for approval.

Ms Doyle (SPO) advised that the agent had been in contact in relation to condition 4 and that there is to be a slight rewording of this condition as follows –

All imported feedstocks, except silage and EWC Code 02 02 02 animal-tissue waste, shall be brought onto site within sealed tankers and off loaded into a sealed

reception tank with any displaced air vented through the Carbon Filter. There shall be no external storage of approved imported feedstocks brought onto the site except for silage.

Reason: In the interests of amenity of residents living in the surrounding area and in the interests of environmental protection.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2022/0153/F be approved subject to conditions as per the officer's report and rewording of Condition 4 as noted above.

LA09/2022/0242/F Retention of domestic store (not in accordance with LA09/2021/0259/F) at 20 Ardchrois, Donaghmore for Conrad McGuigan

Mr Marrion (SPO) presented a report on planning application LA09/2022/0242/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 Ms McKenna to address the committee.

Ms McKenna stated she would take the lead on speaking and was also speaking on behalf of Messrs McLaughlin and Quinn.

Ms McKenna stated she was the owner of 20 Torrent View and that Mr Quinn was the owner of 19 Torrent View. Ms McKenna advised that both herself and Mr Quinn have lodged objections to the application previously. Ms McKenna referred to the photographs of the shed shown as part of the officer report and that this shed runs along the fence line at the rear of her property. Ms McKenna stated that the original planning approval was gained in April 2021 and if herself and Mr Quinn been made aware at the time they would have objected. Ms McKenna advised that it was only at the time of construction that the tenant of her property made contact with her and when she saw what was happening and where foundations she knew the shed was being built in the wrong location and that there is not even room to put in the proposed screening of the shed. Ms McKenna stated that the height of the shed is affecting the amenity of her property and other neighbouring properties ie. Over shadowing, loss of sunlight. Ms McKenna stated there has also been a detrimental effect on the value of her property as a result of the construction of the shed. Ms McKenna stated she welcomed the recommendation to refuse the application and trusted that the Members would accept the recommendation.

The Service Director of Planning stated that the key issue is that the shed has been moved closer to the boundary and is very dominant in relation to neighbouring properties. The Service Director reminded Members that a property valuation is not a key concern but rather the impact on amenity.

Councillor Cuthbertson asked in relation to a complaint regarding loss of light a process has to be gone through with a light meter in a room classed as a living

space and asked if this applies to planning. Councillor Cuthbertson asked what constitutes loss of amenity.

The SD: Planning stated there is confusion in relation to this and that in planning it is taken as a valued judgement. In this case, it is clear there could be overshadowing particularly in the garden area but it would be hard to say it will make a dwelling uninhabitable. The Service Director stated that from the photographs it is clear that the shed is over dominant both in terms of visual impact and overbearance. In response to question from the Service Director of Planning Mr Marrion advised that the houses of the objectors are to the East of the shed.

The Service Director of Planning stated this would then impact the afternoon/evening sun in the garden area primarily and the overbearing nature of the shed.

The Chair, Councillor Black stated that when he had read the report also had concerns that the shed had been built higher to what was approved and much closer to the boundary.

Councillor Mallaghan stated that the drawings and imagery supplied in relation to the application were good but that he would like to propose to see the site.

Councillor S McPeake seconded Councillor Mallaghan's proposal.

Councillor McKinney stated that he did not object to a site visit but that if the shed is too close and too high there is nothing can be done to change that.

The Service Director of Planning stated that the benefit of a site meeting is to see what is there against what is on paper. The Service Director added if the application is refused that the next step would be enforcement action.

The Chair, Councillor Black stated that the photographs were quite telling but that there was no harm in visiting the site.

Councillor McKinney asked if both the objector's garden and the shed would be visited.

The SD: Planning advised that either or both could be visited but that it would be important to look at the application from the objector's perspective.

Councillor Colvin referred to the objector's concern regarding the use of the shed.

The Chair, Councillor Black stated that concern regarding use was not raised this evening but had been raised previously and is detailed within the report.

Mr Marrion referred to addendum circulated and supporting statement from the applicant which states the shed is for vintage vehicles. Mr Marrion stated that the proposal is for domestic uses and conditions can be imposed regarding this. Mr Marrion advised that the domestic use condition formed part of the previous approval. Mr Marrion stated that if the application is approved for domestic purposes and is used for anything other than domestic use then enforcement action can be taken.

Resolved That planning application LA09/2022/0242/F be deferred for a site meeting.

Receive Deferred Applications

LA09/2015/0523/F **Retrospective permission for retention of car park and pedestrian access via under road tunnel in association with the Jungle NI at approx. 80m SE of 60 Desertmartin Road, Moneymore for Mr Robert Carmichael**

Members considered previously circulated report on planning application LA09/2015/0523/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Colvin and

Resolved That planning application LA09/2015/0523/F be approved subject to conditions as per the officer's report.

LA09/2018/1564/F **4 apartments with associated parking with access onto Woodlawn Park and on site waste water treatment plant at 10m to the rear of 60 Union Place, Dungannon for Mr Brendan Cunningham**

Members considered previously circulated report on planning application LA09/2018/1564/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2018/1564/F be approved subject to conditions as per the officer's report.

LA09/2018/1623/F **Retention of new access and associated turning bay at existing commercial yard (TAF and Auto Track) at lands at 200m W of 66A Kilnacart Road, Dungannon for Niall McCann**

Members considered previously circulated report on planning application LA09/2018/1623/F which had a recommendation for approval.

Proposed by Councillor McKinney
Seconded by Councillor Bell and

Resolved That planning application LA09/2018/1623/F be approved subject to conditions as per the officer's report.

LA09/2019/0712/F **General purpose agricultural buildings and associated groundworks 25m NE of 34**

Castlecaulfield Road, Donaghmore for Mr Joseph O'Neill

Mr Marrion (SPO) presented a report on planning application LA09/2019/0712/F advising that it was recommended for refusal. Members noted that the application had been deferred in March to allow the applicant to provide further information that the required reports was requested but none of which were forthcoming. The agent had acknowledged the correspondence from Council but again no reports was submitted.

The Chair, Councillor Black acknowledged that the aforementioned had been the case on a number of occasions.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2019/0712/F be refused on grounds stated in the officer's report.

LA09/2020/0024/F 3 lodges for short term accommodation at 210m SW of 35 Brookend Road, Ardboe for Donal Coney

Members considered previously circulated report on planning application LA09/2020/0024/F which had a recommendation for for refusal.

The Chair advised the committee that Councillor N McAleer had requested to speak and invited him to address the committee.

Councillor N McAleer felt there was opportunity for officers and Members to undertake a site visit to the Brookend Road. Councillor McAleer stated that the site was specifically chosen due to its proximity to the Brookend Nature Reserve, an area which supports rare plants and is a popular destination for walkers, bird watchers and those who enjoy the rural countryside. The Councillor added that there is a walkway around "The Moss" at which the applicant has placed bins and helps to maintain. Councillor McAleer stated that the application has been submitted with sustainability in mind and that the rural location would be of appeal to those wanting to book a stay in one of the proposed lodges. Councillor McAleer stated that there appeared to be a precedent set for similar projects in the District and that he could provide references to support this. The Councillor stated that this project would help to address the shortage of beds in Mid Ulster for overnight stays and provides the opportunity to promote tourism and provide an economic boost to the area. Given the shortage of beds and the absence of any similar lodges in the surrounding loughshore area it would appear a refusal would be an opportunity missed by Mid Ulster Council to further enhance tourism opportunities and economic growth which is not served by an abundance of locations for overnight stays. Councillor McAleer felt that it would be better to view the proposal on site rather than judging the application on maps and drawings.

The Service Director of Planning referred to the suggestion of a site meeting and asked officers if it is felt there would be any merit in such a meeting.

Mr Marrion advised that the issues relate to policy in terms of the principle of the development. Mr Marrion stated that the application has been assessed against tourism policies previously and when an amended scheme was submitted it was assessed against farm diversification policies. Mr Marrion referred to Councillor McAleer's comment in relation to precedent and that the examples related to a farm diversification scheme. Mr Marrion advised that the principle of a farm diversification scheme relates to a proposal being run in conjunction with agricultural activities on the farm and in the other examples this was clearly shown. In this proposal the applicant has advised they own the land but that it is let out and that a contractor is employed to maintain the ground. Whilst this would be enough to demonstrate that the farm business is active and established it does not show that the proposal would be run in conjunction with agricultural activities on the farm. Mr Marrion stated that policy for farm diversification requires that the proposal is for conversion of existing buildings or that its grouped with existing buildings on the farm, it was highlighted there are no buildings on the farm with this proposal. Mr Marrion stated that the applicant has put forward proposals that it is linked to Brookend Nature Reserve and highlighted that the policy for tourism development require that the development should be associated with an existing or approved tourist amenity which is a significant visitor attraction and that there have been no details submitted to demonstrate the Brookend Nature Reserve is a significant attraction. It was advised that the information was requested on two occasions however nothing has been brought forward.

The Chair, Councillor Black stated that the issues were purely on policy and the circle cannot be squared based on the information submitted by the applicant.

Councillor Glasgow referred to request for additional information from SES and NIEA and asked if this was recent or since the application had been in the system.

Mr Marrion stated the requests were made at the outset of the application being submitted as the proposal would require the waste water and storm water from the development to be disposed of. Mr Marrion stated that the proposal is close to Lough Neagh and that the applicant would have to demonstrate how they would deal with the waste water however the information has not been provided.

Councillor Glasgow proposed the officer recommendation.

Councillor Bell stated he wanted it noted that over the past years there has been a shortage of beds for overnight stays and it is disappointing to hear that the policy is to be refused on policy grounds. The Councillor stated he was unsure what policy the application has been judged against but referred to previous discussions regarding tourism and that it should be enhanced within Mid Ulster and it was disappointing that yet again there are opportunities being missed.

The Chair, Councillor Black stated that the comments in relation to tourism are valid in their own right however the Committee needs to work within the policy and that all applications need to be judged against the relevant policy.

The SD: Planning highlighted that the case being put forward is in relation to the proximity to nature conservation interests however the applicant has not been willing to provide demonstration that they are not going to harm those interests.

Councillor Colvin seconded Councillor Glasgow's proposal.

Councillor Glasgow stated he would be keen to hear the legal advice as he suspected the Committee would be on dangerous ground if it disregarded policy.

Ms McIlveen stated that if specific legal advice is required on policy then she would ask for the application to be deferred so that it can be considered.

The SD: Planning stated that there was no issue with policy and that it has been considered since the application was submitted and that every opportunity has been given for information to be submitted. The Service Director advised that there are two policies, one in relation to tourism which has not been satisfactorily met and another in relation to farm diversification which has not been met because of lack of buildings. The Service Director advised that if someone is not satisfied with a decision then it can be taken to planning appeal.

Resolved That planning application LA09/2020/0024/F be refused on grounds stated in the officer's report.

LA09/2021/0273/O **Site for dwelling and garage at land at Tullaghmore Road Roughan Road Cross Roads opposite and 30m S of 57 Tullaghmore Road, Dungannon for Joanne Badger & Jamie Allen**

Members considered previously circulated report on planning application LA09/2021/0273/O which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved That planning application LA09/2021/0273/O be approved subject to conditions as per the officer's report.

LA09/2021/0352/F **Stable and store at lands approx. 55m W of 303 Battleford Road, Dungannon for Mr Patrick McKenna**

Mr Marrion (SPO) presented a report on planning application LA09/2021/0352/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 Owens to address the committee.

Mr Owens said the real issue with the proposal was that of ribbon development and alluded to how it was described in the report. The main concern is the view point from North on the Armagh side of the site which is on left side of Battleford Road. He said the site is in view of two buildings one 303 Battleford Road the main dwelling house and associated detached garage. The proposed development would be behind mature hedging and thus the viewing from front would be restricted. Mr Cassidy drew attention to the term 'ribbon development' and would acknowledge for an existing ribbon to appear there had to be no gaps and be more than two

buildings. The existing building and garage would not be a ribbon and would not add to a ribbon as there is none there. Secondly due to the gap between the proposed building and the two existing it would not create a ribbon of development in its own right. The report refers to a vision of ribbon in figure one it does not appear as there will be a gap. I think officers have concern about future reports but this application must be considered in its own right. As there is no existing ribbon any reference to ribboning would be future applications. The proposed development is well screened in existing landscape. The alternative site is outside the current application site. It would also impact the movement of horses, the field is twice the size and that there may be amenity issues with neighbours.

The SD: Planning said Members must remember when you talk of ribboning like this it is creating an infill opportunity. He highlighted that the applicant has been given the opportunity of an alternative site.

In response to Councillor Glasgow Mr Marrion provided clarity regarding the location of the site.

Councillor Colvin said that planners are helpful in all applications and given that they had suggested an alternative site and this was not considered he would second the proposal.

Proposal one

Proposed by Councillor Glasgow
Seconded by Councillor Colvin

That the application be refused as per officer's recommendation

The Chair, Councillor Black concurred that there could be an alternative site and given the comments of the SD: Planning there is an alternative site and accommodation could be made through a new application.

Councillor S McPeake said that given the fact the agent said the site is well screened and the officer mentioned alternative sites it should have a look at it.

In response to SD: Planning Mr Marrion advised that the building is for domestic purposes, the policies OS3 of Planning Policy Statement 8 open spaces makes it clear. The director said considering this would then have no justification in a site meeting as it would not change the facts.

Proposal Two

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan

That the application be deferred for a site meeting.

The Chair Councillor Black called for a vote on proposal one

For 7
Against 8

Proposed by Councillor Glasgow
Seconded by Councillor Colvin and

That planning application LA09/2021/0352/F be refused on grounds stated in the officer's report.

The SD: Planning highlighted that the application could not be moved for approval given that integration was not the issue but the adherence to policies. He said he struggled to understand why a site meeting was requested.

Councillor S McPeake said that given that comparison sites were mentioned he felt it was important to view the site as the agent said it was well screened.

The SD: Planning again highlighted that policy must be applied and if in this case there is exception it could cause serious implications.

The Chair, Councillor Black reiterated that the applicant had been requested to consider alternative sites.

Councillor Glasgow said he could not understand the logic as the report detailed alternative sites explored and to pass the application policy would have to be disregarded. He said he would attend the site meeting but effectively the committee was 'kicking the can down the road'.

The Chair, Councillor Black said he did not see the benefit of a site meeting but he was at the mercy of the committee.

Councillor S McPeake stated he felt a site visit would be beneficial.

The SD: Planning said that a vote should be called for the site meeting as in voting against refusal would mean the site was approved.

In response to Councillor McKinney the SD: Planning suggested that a site meeting perhaps may help the applicant to reconsider.

Councillor S McPeake reiterated a site visit would be beneficial especially as alternative sites had been mentioned.

The Chair, Councillor Black called for a vote on Proposal Two.

For 8
Against 7

Resolved that the application be deferred for a site meeting

The SD: Planning referred to standing orders and said that it was imperative that both votes had been taken as per standing orders the second was equivalent to an amendment and because of the order of the proposals there may have been confusion.

The Chair, Councillor Black reiterated that the proposal was now clear that the application was deferred for a site meeting.

LA09/2021/0739/F Dwelling & garage/store at 150m NE of 230 Coalisland Road, Gortin, Dungannon for Mr Cathal Keogh

Mr Marrion (SPO) presented a report on planning application LA09/2021/0739/F advising that it was recommended for refusal.

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

Mr Cassidy stated that the applicant had submitted the application following the approval of outline planning permission on the site and the current application is within the red line of the original approval. He said that the outline approval put a condition on any future house in the area marked blue but their proposal increases it. He stated that this was for three reasons; (i) privacy looking into and out of the proposed dwelling into Furlough Manor a development of two storey semi detached dwellings, if the proposed house was situated in original position it would be within seven meters of common boundary. Residents would be looking into each others bedrooms and gardens. The new proposal prevents this from happening. (ii) overhead area has two sets of power lines one being three phase. NIE advise that the site moved would have operational and amenity reasons which would prevent the house being directly under the lines and eliminate the main health and safety concerns regarding electric transfers. He stated that Council had detailed that the lines could be moved but due to environmental, technical and cost reasons experience would dictate that the national grid prefers them to stay in situ and encourages developers to take them into consideration and plan accordingly. In the case presented the lines would remain and the house would be as close as is both safe and practicable. (iii) the house is proposed on land to the rear of the site and a lane is included as part of the proposal which allows access to farming lands at rear. The proposal is similar to the outline approval the garage and garden area in blue area and house in approved area. He further advised that the proposal still meets the criteria for a cluster which is development on three sides. The screening would leave the property invisible from public vantage points and rounds off the cluster with no detriment to hamlet and neighbours. Mr Cassidy concluded that the proposal is a common sense approach giving applicants a long term home without fear of power lines above them

The SD: Planning pointed out the proposed dwelling on the map and Mr Marrion clarified the reasons detailed in the report why it was not deemed appropriate.

Councillor Cuthbertson left the meeting at 8.40pm

The SD: Planning suggested that consideration should be given in visiting the site.

The Chair, Councillor Black sought Members wishes.

Proposed by Councillor Colvin
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/0739/F be deferred for an site meeting

LA09/2021/1274/F Dwelling at site between 87 and 91 Kinrush Road, Cookstown for Dwayne Mc Kenna

Members considered previously circulated report on planning application LA09/2021/1274/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/1274/F be approved subject to conditions as per the officer's report.

P062/22 Receive update to Planning Officer Authorisation List

Mr Bowman drew attention to the previously circulated report which sought approval for Mr David Stewart and Mrs Grace Heron to be authorised to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved That Mr David Stewart and Mrs Grace Heron be nominated as authorised officers to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

Matters for Information

P063/22 Minutes of Planning Committee held on 5 April 2022

Members noted minutes of Planning Committee held on 5 April 2022.

Live broadcast ended at 8.44 pm

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Glasgow
Seconded by Councillor McKinney 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 P064/22 to P067/22.

Matters for Information

P064/22	Confidential Minutes of Planning Committee held on 5 April 2022
P065/22	Receive Report on Presentation to Officers from NIHE on the draft Mid Western Housing Market Analysis (SHMA)
P066/22	Enforcement Cases Opened
P067/22	Enforcement Cases Closed

P068/22 Duration of Meeting

The meeting was called for 7 pm and concluded at 9.05 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: 3 May 2022

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

Chairs Business –

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.6	Members to note Schedule 6 Consent from Rivers Agency has been granted.	Members to note
5.9	Additional information in support of proposed site	
5.20	Amended Plans received showing development as built and supporting statement.	

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Wednesday 4 May 2022 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor McKinney, Chair

Councillors Ashton* (7.02 pm), Buchanan, Cuddy (7.10 pm), Doris*, Elattar* (7.09 pm), Forde*, Gildernew*, S McGuigan*, S McPeake*, Molloy*, Totten* (7.02pm), Kearney*, McLean*

Officers in Attendance

Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance
Mr Kelso, Director of Public Health & Infrastructure
Mrs Dyson**, Head of Human Resources
Ms Linney**, Assistant Director Development
Ms Mezza**, Head of Marketing and Communications
Mr Moffett, Assistant Director of Organisational Development, Strategy and Performance
Mr McCreesh**, Chief Executive (attended in person for confidential business)
Ms McNally**, Assistant Director of Finance, Legal, Governance and Transformation
Mr O'Hagan, Head of ICT
Mr Scullion**, Assistant Director of Property
Mr Tohill, Strategic Director of Corporate Service and Finance
Mrs Roberts, Business Support Manager

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.01pm

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

PR091/22 Notice of Recording

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

PR092/22 Apologies

Councillor S McAleer

PR093/22 Declarations of Interest

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

PR094/22 Chairs Business

The Chair thanked all for listening over the past year and wished the new incoming Chair well.

Matters for Decision

PR095/22 Performance Improvement Objectives 2022-23: Consultation Outworking's Report on Improvement Objectives 2022-2023

The AD: ODSP presented previously circulated report which provided update on the findings and outcome of the consultation undertaken on the Council's proposed improvement objectives 2022 - 2023.

The meeting live stream paused at 7.04pm and restarted at 7.09pm due to a sound issue experienced by online participants.

Councillor McLean expressed disappointment regarding negative comments raised regarding the Maghera site.

Councillor Cuddy expressed disappointment on the low response rate and enquired on the breakdown of respondent to the performance improvement survey. responders.

The AD: ODSP referred to the breakdown of respondents contained within the report, and highlighted that this was self-selected by respondents via online channels. He added that they were not able to analyse the data further though however were able to identify the categories of respondents from the pre-defined list within the survey. All those who provided email addresses will be responded to following May Council meeting.

Proposed by Councillor McLean

Seconded by Councillor Cuddy and

Resolved That it be recommended to Council progress the Performance Improvement Plan taking into consideration the outcomes of the Consultation.

PR096/22 Request(s) to Illuminate Council Property – May 2022

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

- Parenting Week NI: Parenting Week 2022 (October)
- In Solidarity with the People of Ukraine – correspondence from Ards & North Down Borough Council to light of buildings.

The AD: ODSP confirmed that the request from Ards & North Down Borough Council fell outside the scope of the policy however it was a matter for the Committee to make a recommendation to Council on whether to support this request.

The SD: ODSP asked the committee to consider a further request from the charity Empower based in Magherafelt requesting the illumination of Council of Council buildings to mark Tourette Syndrome month from 15 May to 15 June, Tourette awareness day on 7 June.

Councillor Cuddy said that it was important to show solidarity for the people of Ukraine as this was major issue, affecting Europe and the world.

Proposed by Councillor Cuddy
Seconded by Councillor Buchanan and

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

- (i) Monday 17th October 2022 for Parenting Week 2022 – colour Purple;
- (ii) On a date to be determined in support of and in solidarity with people of Ukraine; and
- (iii) Tuesday 7th June 2022 for Tourette Awareness Month – colour Dark Teal.

PR097/22 Development - Burnavon Arts Centre

The AD: Development presented previously circulated report which sought approval for funding for capital works to the required upgrade of the Burnavon Arts Centre auditorium.

Proposed by Councillor Buchanan
Seconded by Councillor Cuddy and

Resolved That it be recommended to Council to approve capital funding of approx. £150,000 for the required upgrade of the Burnavon Arts Centre auditorium.

PR098/22 Member Services

None

Matters for Information

PR099/22 Minutes of Policy and Resources Committee held on Thursday 7 April 2022

Members noted Minutes of Policy and Resources Committee held on 7 April 2022.

PR100/22 Annual Progress Returns: Department of Agriculture, Environment & Rural Affairs (DAERA) for 2021/2022

The AD: ODSP presented previously circulated report which set out Mid Ulster District Council's Annual Progress Report to the Department for Agriculture, Environment & Rural Affairs (DAERA) for the period 2021-22, under the Rural Needs Act NI (2016).

Members noted the content of the report.

PR101/22 Performance Improvement - Local Government Auditor's Audit and Assessment (Section 95) Report 2021-22

The AD: ODSP presented previously circulated report which outlined the findings of the Local Government Auditor's Audit and Assessment Report 2021-22.

Members noted the content of the report.

Local Government (NI) Act 2014 – Confidential Business

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR102/22 to PR110/22.

Matters for Decision

PR102/22 Staffing Matters for Decision
PR103/22 Council Electricity Supplier Renewal
PR104/22 Update - Proposed Cookstown A29 Bypass
PR105/22 Property Update

Matters for Information

PR106/22 Confidential Minutes of Policy and Resources Committee held on Thursday 7 April 2022
PR107/22 Staffing matters for Information
PR108/22 Managing Employee Attendance – Interim Report for the period from 1 April 2021 to 31 March 2022
PR109/22 Financial report for 12 months ended 31 March 2022
PR110/22 Contracts and DAC

PR111/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.16 pm

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 May 2022 in Council Offices, Circular Road, Dungannon
and by virtual means**

Members Present

Councillor Brown

Councillors Buchanan, Burton, Cuthbertson, Glasgow,
Graham*, Kearney, N McAleer, S McAleer*,
B McGuigan, S McGuigan, McNamee, Milne*,
O'Neill*(7.08pm), Totten*, Wilson

**Officers in
Attendance**

Mrs Campbell, Strategic Director of Environment
Mr Currie, Principal Building Control Officer**
Mr Lowry, Head of Technical Services**
Mr McAdoo, Assistant Director of Environmental
Services**
Mr Scullion, Assistant Director of Property Services**
Mrs Forde, Member Support 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. pm

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

E115/22 Notice of Recording

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

E116/22 Apologies

None.

E117/22 Declarations of Interest

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

Councillor Cuthbertson declared an interest in agenda item 21 Grass Cutting/Maintenance Contracts

Councillor Kearney declared an interest on behalf of Councillor M Quinn in relation to agenda item 16 Entertainment Licensing – member of Derrytresk GAC

Councillor Kearney declared an interest in relation to agenda item 16 Entertainment Licensing – member of Bann Valley Community Group event listed in St Oliver Plunkett Hall.

E118/22 Chair's Business

The Chair, Councillor Brown thanked the Director of Public Health and Infrastructure, the Strategic Director of Environment, the Democratic Services team, the deputy Chair Councillor McNamee and fellow committee members for their support during his year in the role.

Matters for Decision

E119/22 DfI Roads Proposal to Mid Ulster District Council - No Waiting, Main Street Bellaghy

The Assistant Director of Property Services presented previously circulated report which sought agreement in relation to introducing a stretch of no waiting at any time, loading and unloading permitted on Main Street, Bellaghy.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to introducing a stretch of no waiting at any time, loading and unloading permitted on Main Street, Bellaghy.

E120/22 DfI Roads Proposal to Mid Ulster District Council - No Waiting, Ballymagowan Road, Clogher

The Assistant Director of Property Services presented previously circulated report which sought agreement in relation to introducing no waiting at any time, loading and unloading permitted on Ballymagowan Road, Clogher.

Councillor Burton said she was aware that the no waiting proposed may impact on traffic going to/from the mart. She stated that it was her hope that DfI had engaged with others in the area and whilst health and safety must be paramount a common sense approach was required.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to introducing no waiting at any time, loading and unloading permitted on Ballymagowan Road, Clogher.

E121/22 DfI Roads Proposal to Mid Ulster District Council - Additional Ecar Charging Bay – St Patrick’s Street, Draperstown

The Assistant Director of Property Services presented previously circulated report which sought agreement in relation to introducing a second e-car charging bay at the charging bay on St Patrick’s Street, Draperstown.

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to endorse the proposal submitted by Department for Infrastructure Roads in relation to introducing a second e-car charging bay at the charging bay on St Patrick’s Street, Draperstown.

E122/22 Draft Consultation Response DFI Water, Flooding and Sustainable Drainage

The Assistant Director of Property Services presented previously circulated report which set out draft consultation response developed on behalf of Mid Ulster District Council in response to the Consultation on Water, Flooding and Sustainable Drainage- Improving How We Manage Water.

Proposed by Councillor McNamee
Seconded by Councillor N McAleer and

Resolved That it be recommended to Council to approve the draft response set out at Appendix A of the report for submission.

E123/22 Street Renaming

The Assistant Director of Property Services presented previously circulated report which advised of requests for the Renaming and Renumbering of an existing street, and to seek approval to undertake the surveys of all applicable residents on the street/road in question.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to proceed with the Street Renaming survey of the Stewartstown Road (branch road), Coalisland, 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.

E124/22 Council Estate Capital Property Repairs/Maintenance 2022/23

The Assistant Director of Property Services presented previously circulated report which provided update on Capital funded refurbishment and upgrade of Council assets across the Council Estate during the 2021/22 financial year, and to seek approval for high level plans for 2022/23.

Councillor S McAleer said she had been approached by a local historian regarding the maintenance of an area named McCarron's Lane but locally known as Carron's Lane which in the past had been maintained by Council. He said that in 1973 amalgamation of Councils Clogher Council had passed this to Dungannon District Council. Councillor S McAleer said that the area was a well-used shortcut and the withdrawal of maintenance was yet another area in which Clogher people feel they are losing out.

In response the AD: Property Services said he would look at the area and revert directly to the Member.

Councillor Wilson drew attention to the planned works detailed in the appendix to the report and said it would appear Cookstown had been better maintained in the past as Dungannon and Magherafelt buildings was where the majority of the money was to be spent.

Councillor Glasgow drew attention to appendix two of the report regarding the estimated cost of £55k for carpark resurfacing. He said he would be surprised if the estimated amount would be suffice.

In response the AD: Property Services said the figures were estimated and had not yet been market tested, he also highlighted that the planned works was not a full grade resurfacing.

Councillor Glasgow sought clarity as to when the estimates had been made as the price of tar rises every 30 days and in reality the price could triple.

In response the AD: Property Services said that the estimates had been made at the end of April but the report did caveat that they were to be market tested. He also emphasised that the purpose of the report was approval for high level concepts to be agreed and work would commence within parameters.

Councillor Cuthbertson acknowledged the need to maintain security at the Oaks Road, depot but cautioned the wisdom of spending other than what was essential when Council was actively pursuing to find an alternative.

Proposed by Councillor S McAleer

4 – Environment Committee (10.05.22)

Seconded by Councillor S McGuigan and

Resolved That it be recommended to Council to note the content of the report on the Capital funded property repair and maintenance works carried out in 2021/22, and to approve high level capital funded refurbishment plans proposed for 2022/23 to the value of £500,000 (excl VAT).

E125/22 Bus Shelters Update

The Head of Technical Services presented previously circulated report which provided update on current bus shelter status.

The Chair, Councillor Brown referred to a query he had raised previously regarding the proposed bus shelter in Bellaghy and asked if it was within policy for contact to be made with local businesses regarding location.

In response the Head of Technical Services said it was currently not within the remit of the policy to do so.

Councillor Cuthbertson said the current method of progressing bus shelters was working well but drawing attention to the one for Millix Road he said the update was similar last month that is, awaiting DfL site visit. Councillor Cuthbertson said that many of the bus shelters were needed for September for schools commencing and given that it is May these needed to be progressed as soon as possible.

The Head of Technical Services said he would raise this as a priority at the forthcoming Interagency meeting.

In response to Councillor N McAleer's query regarding bus shelter at Moortown the Head of Technical Services referred to correspondence received from NIHE and said a small portion of land had been identified, legal matters was being progressed and further detail would be forthcoming.

Councillor Burton concurred with Councillor Cuthbertson regarding the need for rapid progress in order to have bus shelters in situ for September. She also advised that often parents complain about the state of bus shelters for example grass growing through them.

Councillor Wilson said there was a number of bus shelters throughout the district that were no longer in use and were dilapidated. He said he understood staff were under pressure but asked if a survey could be conducted to take stock of existing bus shelters and their current state.

The Chair, Councillor Brown sought clarity as to whether Council had an existing register.

In response the Head of Technical Services advised that it was to be raised at forthcoming Interagency meeting as to the validity of existing shelters. With regard to the register the AD: Property Services advised an annual survey is conducted,

that grounds maintenance carry out maintenance across the summer period and there is a list of bus shelters which need to be renewed/refurbished.

The Chair, Councillor Brown requested that following full assessment of bus shelters that findings be brought to a future meeting.

Councillor Oneill spoke of the bus shelter agreed for Clonoe cross roads and said a wall had been built and surely it would have been more practicable to erect the bus shelter first.

The Head of Technical Services said he would investigate and revert back to the Member.

Councillor Glasgow referring to disused bus shelters stated that the Education Authority continually change bus routes in rural areas then another application was submitted for a further shelter. He said that the funding was coming from Council budgets and a firm message needed to be sent out to bring this to cessation.

The Head of Technical Services said he would raise the matter at the Interagency meeting.

Councillor S McAleer stated that she had requested bus routes to be changed as during the course of time users moved on and it was necessary to relocate.

The Chair, Councillor Brown said Members should await the aforementioned report.

Proposed by Councillor N McAleer
Seconded by Councillor and S McAleer

Resolved That it be recommended to Council to

- (i) Process application received for Derryfubble Road, Benburb; and
- (ii) progress bus shelters listed below to installation stage –
 - Coagh Road, Stewartstown
 - Beatrice Villas, Bellaghy
 - Garrison Road, Curran
 - Hillhead Road, Stewartstown
- (iii) Report to be brought to future meeting regarding bus shelter maintenance to include renewals/refurbishment/removals.

Matters for Information

E126/22 Environment Committee minutes of meeting held on 4 April 2022

Members noted minutes of Environment Committee held on 4 April 2022.

E127/22 Building Control Workload

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

E128/22 Dual Language Signage Surveys

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

E129/22 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.

E130/22 Entertainment Licensing Applications

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

E131/22 The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 - Phases 3, 4 & 5

Members noted previously circulated presented previously circulated report which advised on further changes and the effective dates of Phases 3, 4 and 5 to the liquor licencing laws in Northern Ireland by virtue of the Licensing and Registration of Clubs (Amendment) Act (NI) 2021, some of which will have implications for Entertainment Licensing.

E132/22 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for October to December 2021

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 3 of 2021/22 from October to December.

E133/22 Biodiversity – All-Ireland Pollinator Plan

Members noted previously circulated report which advised that Mid Ulster District Council has been accepted as a partner of the All-Ireland Pollinator Plan and outlines the necessity for, and provides what actions will be undertaken for our pollinators.

Live broadcast ended at 7.26 pm.

Councillor Cuthbertson left the meeting

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E134/22 to

Matters for Decision

- E134/22 Residual Waste Management Contracts
- E135/22 Grass Cutting/Maintenance Contracts
- E136/22 Installation of Memorial Bench on Council Property
- E137/22 Climate Change and Sustainable Development Strategy

Matters for Information

- E138/22 Environment Committee Confidential Minutes of meeting held on 4 April 2022
- E139/22 Council Electricity Supplier Renewal
- E140/22 Improvement works at Forthill and Polepatrick Cemeteries
- E141/22 Capital Projects – Scoping Contracts Update
- E142/22 Capital Framework – ICT Contracts Update
- E143/22 Capital Framework – IST Contracts Update

E144/22 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.00 pm.

CHAIR _____

DATE _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
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- 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 the Development Committee of Mid Ulster District Council
held on Thursday 12 May 2022 in the Council Offices, Circular Road, Dungannon
and by Virtual Means**

Members Present Councillor Molloy, Chair

Councillors Ashton, Black, Burton, Clarke*, Corry*, Cuddy,
Doris*, Elattar*, Kerr, McNamee*, Monteith and Wilson

Officers in Attendance Mr McCreesh**, Chief Executive
Mr Black, Strategic Director of Communities and Place
Mr Gordon, Assistant Director of Health, Leisure and Wellbeing
Mr Kelso**, Director Public Health & Infrastructure
Ms Linney**, Assistant Director of Development
Ms McKeown**, Assistant Director of Economic Development, Tourism and Strategic Programmes
Mrs Forde, Member Support Officer

In Attendance **Deputation: Lough Neagh Partnership**

Mr G Darby
Mr A Hatch
Dr W Burke

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

D073/22 Notice of Recording

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

D074/22 Apologies

Councillor Milne

D075/22 Declarations of Interest

The Chair, Councillor Molloy 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 Ashton declared an interest in Crilly Cultural and Youth Group

Councillor Clarke declared an interest in Broughderg Community Development Association

Councilor Kerr declared an interest in Coalisland Na Fianna GFC and also Coalisland Na Fianna Cycling Club.

Councillor Cuddy declared an interest in Aughintober Regeneration and Castlecaulfield 12th July Festival 2022.

Councillor Burton declared an interest in Bawn Development Association as family were members.

Councillor Burton declared an interest in COSTA and Caledon Regeneration.

Councillor Corry declared an interest in Moneyneena & District Development Initiative.

Councillor Monteith declared an interest in Dungannon Gaelic Forum, the GAA and Ballysaggart Area Community Association.

Councillor Molloy declared an interest in the GAA.

D076/22 Chair's Business

The Chair, Councillor Molloy stated it was his last meeting and thanked his party for the nomination for the role of Chair. He also thanked committee Members and staff for their work throughout the year.

The Chair, Councillor Molloy asked that officers review the swimming lesson application system used at Dungannon Swimming pool. He acknowledged it was difficult but if there was some way it could be broadened out rather than the usual 'free for all.'

Councillor Kerr spoke of the UNITE and GMB unions that had balloted Translink staff for strike action. He stated that the strike would have a major impact especially at exam time but Council should offer its support for the 6% cost of living pay claim of which the 3% offered falls short. He highlighted that Translink staff had worked during the pandemic providing an essential service. He proposed that Council outlines its support and asks for the wage increase to be implemented.

The Chair, Councillor Molloy said that Council's own staff had recently been on strike and they too were on the front line delivering services during the pandemic.

Councillor Monteith commended Councillor Molloy for how he had carried out his role of chair.

Councillor Monteith seconded Councillor Kerr's proposal and echoed the sentiments. He said Members were the corporate governance of Council which had significant number of staff who had effectively had a pay cut and were at their wits end as to how to make ends meet. He said as Members they had clapped front line services during the pandemic but clapping did not pay the rent.

He suggested that through the Local Joint Negotiating Forum Council should make it known that the Joint Negotiating Forum was not working for people in the six counties as people had different issues than those in England, Scotland and Wales. He said 1.75% rise to the lowest paid was somewhat different to the higher end of the scales.

Councillor Cuddy spoke of UNITE members attending the Council meeting and acknowledged that it was difficult position to try to help when tied into the UK wide negotiating forum. He asked if perhaps Council could help in other ways such as terms and conditions highlighting the example of the demand for lorry drivers he said that however it could, Council needed to follow through.

Councillor Wilson said he had no issue writing to Translink but Council had a duty to its own staff and in whichever way they could, they should be lobbying. He said he could appreciate the National Negotiating Forum but perhaps Council should be lobbying there.

Resolved That it be recommended to Council to write to Translink to advise that Council support the cost of living wage increase put forward by UNITE and GMB.

Councillor Kerr thanked Councillor Molloy for how he carried out his role as Chair.

Councillor Burton concurred and said all had been given opportunity to raise issues. She drew attention to a presentation made by the Early Years Childcare group in Clogher who run on a cocktail of funding. Councillor Burton said there was concerns about the future funding for the group and proposed that Council set up a meeting with Early Years and the group involved. She said there was a great need for childcare places in the area and action was needed to ensure the project continued.

Resolved That it be recommended to Council to progress a meeting with Early Years, Clogher

D077/22 Deputation – Lough Neagh Partnership

The Chair, Councillor Molloy welcomed representatives of Lough Neagh Partnership to the meeting and invited them to make their presentation. Mr Darby delivered the presentation and advised that Members had sight of the River Blackwater Feasibility Study and its recommendations of which the presentation was an overview. He concluded the presentation emphasizing that Lough Neagh was the largest lough in Ireland and the United Kingdom yet it had no navigational authority.

Mr Darby delivered presentation following which the Chair, Councillor Molloy commended Lough Neagh Partnership on the concise overview of the project and stated that full delivery would open many areas of tourism potential. He invited Members questions.

Councillor Doris thanked the group for the presentation and said she had brought a motion through the Council last year which all councils surrounding the Lough had endorsed. She spoke of the protest that had taken place regarding the need for dredging of the Lough and emphasized that this still had not happened. Councillor Doris referred to samples which had been taken which would determine the disposal of the waste and sought an update. She concluded by referring to news reports regarding the death of dogs at the Lough in Antrim and said she was keen to see the Lough being transferred to public ownership.

Mr Darby said that from a partnership perspective all stakeholders had been brought to the table to discuss dredging. He commended the support given by Francis Molloy MP, Councillor Doris and Keith Buchanan MLA together with support from Council who took the lead. Mr Darby said the full report was now with both Councils and acknowledged that Department for Infrastructure had not been overly enthusiastic in driving the project forward. He said the Lough Neagh Partnership would endeavour to assist Council with undertaking technical analysis and business proposals for DfI to drive the project forward. He thanked the Chief Executive and AD: ED, T&SP for their engagement and said it was imperative for all to keep the pressure on.

Dr Burke in relation to the death of the dogs in the vicinity of the Lough at Antrim said that to his knowledge water samples had been taken but that there had been no blue algae in the water. He said post-mortems had been carried out on the deceased dogs and as it was a public matter more information would be forthcoming.

The Chair, Councillor Molloy thanked the representatives of Lough Neagh Partnership following which they withdrew from the meeting at 7.40pm.

Matters for Decision

D078/22 Strategic Community Development Update

The AD: Development presented previously circulated report which provided update on the following and to note key areas of delivery under Strategic Development:

- Response to NIHE Supporting People's Strategy Consultation - note update
- Letter of support regarding Department for Economy's proposals to raise threshold limits for entry to Draft Relief Scheme – note update

Councillor Molloy commended staff on the responses compiled.

Proposed by Councillor Monteith
Seconded by Councillor Kerr

Resolved That it be recommended to Council to –

- (i) Approve that a response be sent to NIHE Supporting People's Strategy Consultation.

- (ii) Approve that a letter of support be sent regarding Department for Economy's proposals to raise threshold limits for entry to Draft Relief Scheme.

D079/22 Development Report

The AD: Development presented previously circulated report which provided update and sought approval on the following:

- Community Grants - to agree Council Community Grants
- CCTV – to agree to go to tender, and to incorporate the towns CCTV and Park N Ride CCTV contracts to one new tender
- Arts – to agree to the refurbishment of the auditorium in Burnavon Arts Centre (and electronic marketing signage) conditional on the release of funding from Policy and Resources Committee
- DFC Advice provision – to agree to release the additional funding from DfC for advice provision in Mid Ulster
- Development - to update on Development

Proposed by Councillor McNamee
Seconded by Councillor Burton

Resolved To propose the Development Report as detailed below:

- **Community Grants**

The Chair Councillor Molloy commended staff on the delivery of the current community grants programme totaling over half a million being spent in the community.

Councillor Ashton concurred stating it was marvelous to see the groups proactive following COVID. In response to the balancing of the overall budget the AD: Development said she would revert to the Member to provide clarity.

Councillor McNamee commended officers said it was great to see events taking place again and welcomed the Burnavon project.

Councillor Kerr welcomed the grants in the Torrent area and spoke of the ambitious plans of the hurling club highlighting that hurling in particular deserved support. He further welcomed the grants to Tyrone Ladies GAA.

Councillor Kerr spoke of Derry and Strabane District Council launch of a cost of living grant and said whilst he was aware Council needed to have cash reserves proposed that a report be brought to the June meeting to outline possibilities for similar grant in Mid Ulster.

Councillor Monteith seconded the proposal.

The AD: Development sought clarity as to whether the report should be considered primarily by Policy & Resources committee.

The Chair, Councillor Molloy clarified that Policy & Resources would need to consider any funding which would be required for any fund the Committee proposed.

Resolved That it be recommended to Council that an initial paper outlining possibilities for a cost of living grant be presented to June Development Committee.

Councillor Burton commended the community grant spend across the district and in particular welcomed funding to Clogher Valley Show stating that it was an important event in the calendar which drew many people to the district. She requested that roundabouts leading to Clogher Valley be enhanced together with street clean to ensure the area is at its best for visitors to the show.

Resolved That it be recommended to Council to agree the rolling community grant programmes - Good Relations and Local Community Festivals.

- **CCTV**

Resolved That it be recommended to Council to agree to go to tender, and to incorporate the towns CCTV and Park N Ride CCTV contracts to one new tender.

- **Arts**

Resolved That it be recommended to Council to agree to the refurbishment of the auditorium in Burnavon Arts Centre (and electronic marketing signage) conditional on the release of funding from Policy and Resources Committee.

- **DFC Advice Provision**

Resolved That it be recommended to Council to agree to release the additional funding from DFC for advice provision in Mid Ulster.

- **Development**

Resolved That it be recommended to Council to not the update on Development.

D080/22 Leisure and Outdoor Recreation Service Level Agreements 2022/23

The AD: Health, Leisure & Wellbeing presented previously circulated report which sought approval for the Leisure and Outdoor Recreation Service Level Agreements for the period 202/23 financial year.

Councillor Burton highlighted the service provided by Fivemiletown Youth Annex and said Council could not provide such a service alone and urged that consideration is given in supporting groups to the rising costs of oil and electricity.

Councillor Kerr sought an update regarding the shoreline erosion issues in response the AD: HLW said that there had been an on site meeting and that he would speak to the capital team and revert directly to the Member to provide an update.

Proposed by Councillor Burton
Seconded by Councillor Kerr

Resolved That it be recommended to Council to approve the Leisure and Outdoor Recreation Service Level Agreements for the period 2022/23 financial year only as outlined within the report.

D081/22 Newmills Path Creation

The AD: Health, Leisure & Wellbeing presented previously circulated report which sought approval to enter into one Permissive Path Agreement (PPA) with one landowner in relation to lands adjacent to the Torrent River for the creation of a path network, known as Newmills Community River Trail.

Proposed by Councillor Cuddy
Seconded by Councillor Ashton and

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

- (i) Enter into one Permissive Path Agreements with one landowner in relation to the development of the path network along the Torrent River, Newmills known as the Newmills Community River Trail. Estimated annual path maintenance costs of £1,000 requires to be budgeted within annual maintenance allocations – subject to agreement in the rates estimates process for April 23 – March 24.
- (ii) Investigate the potential of establishing a Service Level Agreement with Torrent River Enhancement Group. A future detailed report to be submitted to Development Committee for Members consideration at the appropriate time.

D082/22 Derrynoyd and Drumcairne Forests, Funding Opportunities

The AD: Health, Leisure & Wellbeing presented previously circulated report to update Members of two Expressions of Interest made to DAERA for Tackling Rural Poverty and Social Isolation (TRPSI) funding to assist in the development of Derrynoyd and Drumcairne Forests. Approval is sought to enter into a licence and lease agreement with Forest Service NI (FSNI) for the creation of an enhanced outdoor recreation product and associated welfare facilities within Drumcairne Forest.

Councillor Doris welcomed the progress but expressed disappointment in the time involved in reaching this stage. She said she had been contacted by a primary school wishing to plant wildflowers and this had now been delayed for the second year. She emphasised that Council needed to 'keep its foot on the pedal' to bring the projects to fruition.

Councillor Burton said that Derrynoyd and Drumcairne Forests had been on the radar for a shorter period than Lumpfords Glen and expressed disappointment that it was not progressing at this time. She said that during lockdown these areas had been much used but some areas may be dangerous for walkers. She sought clarity as to how Derrynoyd and Drumcairne projects had progressed yet Lumpfords Glen which was a beautiful area had not.

Councillor Kerr welcomed the report.

In response the AD:HLW said he was actively reviewing the strategies involved and that having picked up the remit for parks was actively seeking funding opportunities to progress where and when possible.

Proposed by Councillor Doris
Seconded by Councillor Burton

Resolved That it be recommended to Council that approval be granted to enter into a licence and lease agreement with FSNi to allow for the development of Drumcairne Forest.

D083/22 Economic Development Report – OBFD

The AD: Economic Development, Tourism and Strategic Programmes presented previously circulated report which provided an update on the below -

- River Blackwater Feasibility Study
- UK Tentative List Process of World Heritage Sites
- Annual Funding Request from Irish Central Border Area Network (ICBAN) for 2022-2023
- Funding Request from MEGA Network for 2022-2025
- Data Sharing Agreement with Invest NI
- Mid Ulster Labour Market Partnership (LMP)
- Economic Development, Tourism and Strategic Projects Action Plan 2022/23
- Service Level Agreement – Sperrins Partnership

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

- **River Blackwater Feasibility Study**

The AD: ED, T&SP reminded Members that ABC Council would also be asked to adopt the Feasibility Study.

The Chair, Councillor Molloy said that the document should be published on the website and made available for presentations to, for example, the Department for Infrastructure. He said everyone needed to take cognisance that it is a joint approach and no organisation could work in isolation on it.

Councillor Kerr drew attention to the report and spoke of the dredging issues which raise boat safety concerns. He also drew attention to page 20 of the report, Ferry

Bridge, and said there is also great potential along the Coalisland Canal and Council should be aspiring for full regeneration. In relation to jetties at Brocagh and Castlebay he proposed that the jetties should be upgraded. He concluded by making reference to planning applications for drilling on the Lough by overseas multinational companies should be rejected as such plans as presented tonight would be scuppered. He also welcomed the strong case for dredging.

The Chair, Councillor Molloy said that Council would look at aforementioned but highlighted that Brocagh and Castlebay were different projects and not part of this Study.

The Chair, Councillor Molloy said that Council own the jetty and slipway at Moy which is too steep for canoeists and that there is opportunity through other projects to develop other access points. He also said there was good opportunities to develop walkways.

Councillor Cuddy said that he kayaks on the River Blackwater and concurred that Moy jetty is very steep. He spoke of stopping at the ABC Council facility at Saltmarine and said that the costs involved in similar was significant. He mentioned that there should be focus at Moy as it was the largest town along the route and people could stop off at Moy and Charlemont and spend the evening.

Proposed by Councillor Kerr
Seconded by Councillor Molloy

Resolved That it be recommended to Council to approve the River Blackwater Feasibility Study & recommendations on Appendix 1, subject to Members amendments being included.

- **UK Tentative List Process of World Heritage Sites**

Councillor Corry welcomed progress and said that it falls within the motion brought by herself and fellow Councillor Clarke the previous year.

Councillor Burton asked if this was the only site which fitted the criteria.

The AD: ED&TSP said that a project of this magnitude requires a significant amount of work and should it progress, Council would have to consider making financial support and resources available to drive it forward. As such, she recommended that Council only consider one project at a time. She highlighted that a neighbouring Council had worked for upwards of 20 years to get their project over the line.

Proposed by Councillor Corry
Seconded by Councillor McNamee

Resolved That it be recommended to Council to approve that Mid Ulster District Council makes an application to the UK Tentative List of World Heritage Sites and selects the 'Heart of Ancient Ulster' site located within an Area of Outstanding Natural Beauty, incorporating OM Dark Sky Park, area around Davagh Forest and Broughderg.

- **Annual Funding Request from Irish Central Border Area Network (ICBAN) for 2022-2023**

Proposed by Councillor McNamee
Seconded by Councillor Corry and

Resolved That it be recommended to Council to –

- (i) Approve Council's annual contribution to ICBAN for 2022/2023 of £15,000 and release the full payment to ICBAN subject to Council being provided with the requisite documentation as detailed in the SLA.
- (ii) Approve Mid Ulster District Council's Service Level Agreement with ICBAN for the year 2022-2023 (subject to final review by Legal Services).

- **Funding Request from MEGA Network for 2022-2025**

Councillor Monteith said that it was disappointing that the wish of Members to see trade union engagement written into the service level agreement had been omitted and Council needed to go back and ensure that trade union and workers were incorporated in the agreement. He spoke of the presentation made by MEGA in February and stated that when questioned about trade union involvement they could not answer the questions asked thus it is obvious it is not part of their remit.

Councillor Monteith proposed that Council do not progress the project at this time but re-engage to include trade union representation on the board. He said Council could not move forward with this project to encourage skills and engaging workers without trade union representation. He said if trade unions could not be included could the £15k per annum be redirected to trade unions for them to carry out similar work.

Councillor Kerr seconded the proposal and said that some of the attitudes of local manufacturing companies towards trade union representation is poor. He said members of trade unions were not welcome but public money was being used to assist financing the project to create and retain jobs. He said many local workers were moving from manufacturing towards telecommunications were workers' rights are somewhat better.

The AD: ED&TSP confirmed that there is a trade union representative serving on the MEGA steering committee from a local manufacturing company. She said that the trade union representative had the opportunity to contribute towards MEGA's new strategic action plan and outlined the breakdown of MEGA's proposed 3 year funding from 2022-23 to 2024-25 as follows;

Invest NI	£170,000
Private / Members Funding / Conferences / Sponsorship	£211,000
Mid Ulster District Council	<u>£45,000</u> (pending approval)
Total Funding	£426,000

Councillor Monteith said that within the documentation presented there was no reference to trade unions and nowhere within the action plan were they referenced.

Councillor Monteith said that within the documentation presented there was no reference to trade unions and nowhere within the action plan were they referenced.

The AD: ED&TSP said she would ensure trade union membership was written into the Service Level Agreement.

The Chair, Councillor Molloy asked that the paper be brought to June committee with the revised service level agreement.

Councillor McNamee asked if the project would be impacted by the delay.

The AD: ED&TSP said that the project had been out of pocket since 1 April. She reiterated that there are trade union representatives from one of the local companies on the steering committee.

Councillor McNamee asked if the matter could be brought before full Council as the minute had to be ratified.

The Chief Executive said that clarification could be issued following the committee which would allay concerns and asked if that would be satisfactory.

The AD: ED&TSP said that the revised version could be brought to Council meeting.

Councillor Monteith was emphatic that trade union representation was written into the agreement.

Councillor Kerr concurred with Councillor Monteith and said that some of the organisations involved were massive and thus the delay in the impact of the funding was laughable.

The Chief Executive said that other councils were replicating the MEGA concept and that Council was fortunate to have the project and should be conscious of its position. He said that MEGA was predominantly made up of human resources officers from the companies and together all were endeavouring to address skill shortages. He reiterated that Council was fortunate to be involved in its creation and that trade union input was involved.

Proposed by Councillor Ashton
Seconded by Councillor Black

Resolved That it be recommended to Council to

- (i) Provide confirmation of revised Service Level Agreement to include Trade Union participation.
- (ii) Approve annual contributions to the MEGA Network of £15,000 in each of the next 3 years, totalling £45,000;
 - Year 1 - April 2022-March 2023 £15,000

- Year 2 - April 2023-March 2024 £15,000
- Year 3 – April 2024-March 2025 £15,000

The release of Year 1 funding (£15,000) to MEGA from Council's economic development budget is subject to Council being provided with the requisite documentation as detailed in the SLA. Funding in Years 2 & 3, being released annually, subject to satisfactory completion of agreed actions and Council being furnished with the necessary information in a timely manner.

- (iii) Approve Mid Ulster District Council's revised Service Level Agreement with MEGA for the period April 2022-March 2025 (subject to final review by Legal Services); with the proviso that an additional clause be added to stipulate the MEGA Network must have Trade Union representation during the three year period to March 2025.

- **Data Sharing Agreement with Invest NI**

Proposed by Councillor McNamee
Seconded by Councillor Corry

Resolved That it be recommended to Council to approve the Data Sharing Agreement with Invest NI, dated 16 March 2022.

- **Mid Ulster Labour Market Partnership (LMP)**

The AD: ED&TSP advised that a letter of offer was pending but that additional correspondence had been received from the Department for Communities to advise a reduction in the operational budget of approximately £100k, and stated at this time it is unclear whether this funding will be received later in the year. She advised that a revised action plan had to be submitted to Department for Communities to reflect this and sought delegated authority for the Chief Executive to sign off the revised plan and submit back to Department for Communities.

Proposed by Councillor McNamee
Seconded by Councillor Corry

Resolved That it be recommended to Council to –

- (i) Note update report.
- (ii) Approve to proceed at risk to tender for programmes and initiatives included within the Mid Ulster LMP Action Plan 2022-23, and to hold-off on appointing delivery organisations until Council is in receipt of an official letter of offer from the Department for Communities; and
- (iii) That following receipt of correspondence from Department for Communities advising Mid Ulster LMP's annual budget for 2022-23 was reduced from £374,700 to £274,334, that council officers liaise with representatives of Mid Ulster LMP to scale back the operational programme and associated budget, following which delegated authority be granted to the Council Chief Executive to approve and

return the revised Action Plan for 2022-23 to Department for Communities.

- **Economic Development, Tourism and Strategic Projects Action Plan 2022/23**

Proposed by Councillor Corry
Seconded by Councillor Cuddy

Resolved That it be recommended to Council to approve projects and indicative costings within the Economic Development, Tourism and Strategic Projects Action Plan 2022/23.

- **Service Level Agreement – Sperrins Partnership**

Proposed by Councillor McNamee
Seconded by Councillor Corry

Resolved That it be recommended to Council to approve Mid Ulster District Council's Service Level Agreement with Sperrins Partnership for the financial year 2022-2023 (subject to final review by Legal Services) and release the full payment of £22,000 subject to Council being provided with the requisite documentation as detailed within the SLA.

Matters for Information

D084/22 Minutes of Development Committee held on 6 April 2022

Members noted Minutes of Development Committee held on 6 April 2022.

Councillor Kerr sought an update on the WISE contract. He also welcomed the additional bins along the Coalisland Canal.

Councillor Doris expressed her thanks for the bins installed along the Stewartstown Road and stated that similar was now needed on the Brackaville and Clonoe approach roads.

Councillor Doris reiterated her request for a paper to be brought to committee regarding the transfer of lands from Department for Communities to Council at Stewartstown carpark. She said the paper had not been brought to Environment Committee and she would like to see this progressed in June.

D085/22 Health and Wellbeing Programme

The AD: Health, Leisure and Wellbeing presented previously circulated report which provided an update on the current programmes available to residents within the District through Council's Health, Leisure and Wellbeing service.

D086/22 Economic Development Report - OBFI

The AD: Economy, Tourism & Strategic Programmes presented previously circulated report which provided an update on key activities as detailed below –

- Meet the Buyer 2022
- Tourism Development Group Minutes – 3 February 2022
- Cookstown Town Centre Forum Minutes – 19 January 2022
- Events to Celebrate the Achievements of Women

Councillor McNamee on behalf of the Cookstown Town Centre Forum commended the recent street clean-up which restored the Cookstown Public Realm works to its original stance. He said he would welcome this as an annual programme.

Live broadcast ended at 8.25 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Burton
Seconded by Councillor Kerr

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider item D087/22.

Matters for Decision

Matters for Information

D087/22 Confidential Minutes of Development Committee held on
Wednesday 6 April 2022

D088/22 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.26 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Subject to review by Legal Services

SERVICE LEVEL AGREEMENT

BETWEEN

MID ULSTER DISTRICT COUNCIL

AND

**MID ULSTER MANUFACTURING AND ENGINEERING
NETWORK (MEGA)**

April 2022 – March 2025

THIS AGREEMENT is made on the day of 2022

PARTIES

- (1) MID ULSTER DISTRICT COUNCIL whose address is at Dungannon Office, 15 Circular Road, Dungannon BT71 6DT (the "**Council**"); and
- (2) MID ULSTER MANUFACTURING AND ENGINEERING GROWTH & ADVANCEMENT NETWORK whose address is c/o Sean Nugent Engineering Limited, 15 Aghnagar Road, Dungannon, County Tyrone BT70 2PP ("**MEGA**")

BACKGROUND

- a) MEGA (Mid Ulster Manufacturing & Engineering Growth & Advancement Network) was created with the support of Mid Ulster District Council and Invest NI to address the immediate and medium term skills shortages in the manufacturing and Engineering industries in the Mid-Ulster area. MEGA's pilot project had its origins in the wider Mid Ulster Skills Forum (MUSF) which was set up in April 2017 to tackle skills issues across the whole Council area.
- b) MEGA is unique in that it is an industry-led collaborative network of businesses who are working together towards a common goal. Its main aim is to tackle skills and labour issues in Mid Ulster and create and implement ways to attract and retain talent in the engineering and manufacturing industry. The Project Promoter is Sean Nugent Engineering Limited and the other network members include Edge Innovate, Mallaghan Engineering, Specialist Joinery Fittings, Four Dee, Northern Hydraulics and Specdrum.
- c) The Council and MEGA have agreed to enter into this Agreement in order to set out the contractual basis upon which MEGA shall provide certain services to the Council.

1. DEFINITIONS

"Charges" shall mean the charges which shall become due and payable by the Council to MEGA in respect of the Services in accordance with the provisions of this Agreement, as such charges are set out in Schedule 2.

"Commencement Date" shall mean 1st April 2022.

"Data Protection Legislation" means all applicable data protection and privacy legislation in force from time to time in the UK including the UK GDPR; the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended and the guidance and codes of practice issued by the Information Commissioner or other relevant regulatory authority and applicable to a party.

"Law" shall mean the laws of Northern Ireland and any other laws or regulations, regulatory policies, guidelines or industry codes which apply to the provision of the Services or with which MEGA is bound to comply.

“Project Promoter” shall mean the lead network member of MEGA

“Services” shall mean those services specified in Schedule 1 of this Agreement and any other such services which may be agreed between the parties from time to time.

“Term” shall mean from the Commencement Date until 31st March 2025.

“Working Day” shall mean Monday to Friday, excluding any public holidays in Northern Ireland.

2. COMMENCEMENT AND DURATION

This Agreement shall take effect on the Commencement Date and shall continue for the Term.

3. SUPPLY OF SERVICES

- a. MEGA shall provide the Services with a view to tackling skills and labour issues in Mid Ulster and creating and implementing ways to attract and retain talent in the engineering and manufacturing industry for the duration of the Term and in accordance with the provisions of this Agreement.
- b. Responsibility for the management of the MEGA will be vested in the MEGA Steering Group and the Operations Committee.
- c. The parties’ authorised representatives for the purpose of this Agreement shall be the Assistant Director of Economy, Tourism and Strategic Programmes and the Project Promoter of MEGA. MEGA contact for day-to-day purpose shall be the Funding and Investment Manager.
- d. The Council reserves the right to withdraw funding should the MEGA fail to adequately provide the Services which forms the basis of the Council’s agreement to commit funds to it.
- e. Funding will be reviewed annually and will require MEGA to submit a six-monthly report and an annual report during the Term of the agreement, in accordance with Schedule 1, showing progress against the targets and the plan for the year ahead. In addition MEGA may be required to attend a committee meeting of council in Quarter 3 to outline their progress to date and work for the future months.

4. COMPLAINTS PROCEDURE

- a. MEGA shall operate a procedure for dealing with the repercussions of defaulting on any of its obligations under this Agreement and/or complaints about its provision of the Service.

5. COMPLIANCE AND CHANGE IN LAWS

- a. In performing its obligations under this Agreement MEGA shall have regard to and comply with all applicable Law (including but not limited to the Health & Safety at Work Act 1974 and any other Law relating to about health and safety).
- b. MEGA shall monitor and shall keep the Council informed in writing of any changes in the Law which may impact the Services and shall provide the Council with timely details of measures it proposes to take and changes it proposes to make to comply with any such changes.
- c. MEGA shall neither be relieved of its obligations to supply the Services in accordance with the terms of this Agreement nor be entitled to an increase in the Charges as the result of a change in Law.

6. INSURANCE

- a. MEGA shall at its own cost effect and maintain with reputable insurance companies adequate insurance to cover all such risks and liabilities as may arise in the course of providing the Services including death or personal injury, loss of or damage to property or any other loss (the "Required Insurances"). Such policies shall include cover in respect of any financial loss arising from any advice given or omitted to be given by the Supplier. This is, in part, to ensure the risk is minimised to the Council against all claims, demands, actions or proceedings made or brought and all losses, damages, costs, expenses and liabilities incurred, suffered or arising directly or indirectly in respect of or otherwise connected with the actions of the Services provided by MEGA.
- b. If, for whatever reason, MEGA fails to give effect to and maintain the Required Insurances, the Council may make alternative arrangements to protect its interests and may recover the costs of such arrangements from MEGA.
- c. The terms of any insurance or the amount of cover shall not relieve MEGA of any liabilities under the agreement.

7. MEGA STAFF

- a. In relation to the employment of staff, employment conditions and practices must comply with all the relevant Law and should take account of current good practice in relation to employment rights and the promotion of equality of opportunity and good relations.

8. AUDIT

- a. During the Term and up to 7 years following completion, MEGA shall allow the Council (acting by itself or via any representatives authorised to act on behalf of the Council) to access any of MEGA's premises, records, financial or otherwise, systems, personnel or equipment as may be required for the purposes of (*inter alia*) fulfilling any legally enforceable request by a regulatory

body, monitoring and evaluating MEGA's compliance with its obligations under this Agreement, verify the accuracy of the Charges or identify suspected fraud and to verify the achievement or objectives or progress towards such objectives.

9. CHARGES

- a. The Council shall pay the Charges to the MEGA on a retrospective basis in accordance with Schedule 2. Monies must be spent by MEGA before funding is released by Mid Ulster District Council.
- b. If MEGA is in breach of any of its obligations relating to this Agreement then the Council may require MEGA to pay the Council the aggregate of all Charges paid to MEGA during the Term or such lesser amount as the Council may determine.
- c. Mid Ulster District Council shall be entitled to publish details of the assistance referred to in this letter at such times and in such manner as they may decide.
- d. The Council would expect that its contributions would receive formal recognition by way of an invitation to the Council Chair and the elected representatives for the area at any appropriate regional event/official opening and mention in publicity pertaining to the event/facility.
- e. MEGA shall be required to submit 6 month and end of year progress reports for each year of the agreement showing progress against the targets and the plan for the year ahead. In addition MEGA may be required to attend a committee meeting of council in Quarter 3 to outline their progress to date and work for the future months.

10. INDEMNITY

- a. MEGA shall indemnify and keep indemnified the Council against all liabilities, costs, expenses, damages and losses incurred by the Council arising out of or in connection with:
 - i. MEGA's breach or negligent performance or non-performance of this Agreement;
 - ii. any claim made against the Council arising out of or in connection with the provision of the Services, to the extent that such claim arises out of the breach, negligent performance or failure or delay in performance of this Agreement by MEGA.

11. LIABILITY

- a. Nothing in this Agreement limits any liability which cannot legally be limited, including for:
 - i. death and personal injury caused by negligence; and

- ii. fraud or fraudulent misrepresentation.
- b. Subject to clause 10(a), the Council's total aggregate liability under this Agreement shall be limited to the Charges.

12. FREEDOM OF INFORMATION

- a. The Council is subject to the terms of the Freedom of Information Act 2000 (the "Act"). Any information, which comes into the possession of the Council may be subject to disclosure under the provisions of that Act, unless an exemption applies. Only the Council can make the decision regarding whether information is disclosable or not. In arriving at the decision, The Council will take account of the nature of the information, exemptions provided by the Act, and the public interest. If the information is disclosable in accordance with the terms of the Council has no discretion to prevent its disclosure.
- b. MEGA will:
 - i. provide all necessary assistance and cooperation as reasonably requested by the Council to enable the Authority to comply with its obligations under the Act;
 - ii. transfer to the council all requests for Information relating to this Agreement that it receives as soon as practicable and in any event within 2 Working Days of receipt;
 - iii. provide the Council with a copy of all information belonging to the Authority requested in the request for information which is in its possession or control in the form that the Council requires within 5 Working Days (or such other period as the Council may reasonably specify) of the Council's request for such information; and
 - iv. not respond directly to a request for information unless authorised in writing to do so by the Council.

13. DATA PROCESSING

- a. Both parties will comply with all applicable requirements of the Data Protection Legislation. This clause is in addition to, and does not relieve, remove or replace, a party's obligations or rights under the Data Protection Legislation.

14. NO PARTNERSHIP OR AGENCY

- a. Nothing in this Agreement is intended to, or shall be deemed to, establish any partnership or joint venture between any of the parties, constitute any party the agent of another party, or authorise any party to make or enter into any commitments for or on behalf of any other party.
- b. Each party confirms it is acting on its own behalf and not for the benefit of any other person.

15. CONFIDENTIALITY

- a. The provisions of this clause do not apply to any Confidential information:
 - i. is or becomes available to the public (other than as a result of its disclosure by the receiving party or its representatives in breach of this clause);
 - ii. was available to the receiving party on a non-confidential basis before disclosure by the disclosing party;
 - iii. was, is, or becomes available to the receiving party on a non-confidential basis from a person who, to the receiving party's knowledge, is not bound by a confidentiality agreement with the disclosing party or otherwise prohibited from disclosing the information to the receiving party;
 - iv. the parties agree in writing is not confidential or may be disclosed;
 - v. which is disclosed by the Authority on a confidential basis to any central government or regulatory body.
- b. Each party shall keep the other party's Confidential Information secret and confidential and shall not:
 - i. use such Confidential Information except for the purpose of exercising or performing its rights and obligations under or in connection with this Agreement (**Permitted Purpose**); or
 - ii. disclose such Confidential information in whole or in part to any third party, except as expressly permitted by this.
- c. A party may disclose the other party's Confidential information to those of its representatives who need to know such Confidential Information for the Permitted Purpose, provided that:
 - i. it informs such representatives of the confidential nature of the Confidential Information before disclosure; and
 - ii. it procures that its representatives shall, in relation to any Confidential Information disclosed to them, comply with the obligations set out in this clause as if they were a party to this Agreement,
 - iii. and at all times, it is liable for the failure of any Representatives to comply with the obligations set out in this clause.
- d. A party may disclose Confidential Information to the extent such Confidential Information is required to be disclosed by Law (including under the Act), by any governmental or other regulatory authority or by a court or other authority of competent jurisdiction provided that, to the extent it is legally permitted to do so, it gives the other party as much notice of such disclosure as possible.

16. WAIVER

- a. A waiver of any right or remedy is only effective if given in writing and shall not be deemed a waiver of any subsequent right or remedy.

- b. A delay or failure to exercise, or the single or partial exercise of, any right or remedy shall not waive that or any other right or remedy, nor shall it prevent or restrict the further exercise of that or any other right or remedy.

17. SEVERANCE

- a. If any provision or part-provision of this Agreement is or becomes invalid, illegal or unenforceable, it shall be deemed deleted, but that shall not affect the validity and enforceability of the rest of this Agreement.

18. ASSIGNMENT AND OTHER DEALINGS

- a. The Council may at any time assign, mortgage, charge, subcontract, delegate, declare a trust over or deal in any other manner with any or all of its rights and obligations under this Agreement.
- b. MEGA shall not assign, transfer, mortgage, charge, subcontract, delegate, declare a trust over or deal in any other manner with any of its rights and obligations under this Agreement without the prior written consent of the Authority.

19. ENTIRE AGREEMENT AND VARIATION

- a. This Agreement constitutes the entire agreement between the parties and supersedes and extinguishes all previous and contemporaneous agreements, promises, assurances and understandings between them, whether written or oral, relating to its subject matter.
- b. No variation of this Agreement shall be effective unless it is in writing and signed by the parties.

20. GOVERNING LAW

- a. This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of Northern Ireland.

21. JURISDICTION

- a. Each party irrevocably agrees that the courts of Northern Ireland shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this Agreement or its subject matter or formation (including non-contractual disputes or claims).

Schedule 1 – SERVICE OBJECTIVES & SPECIFICATION

1. AIMS OF THE SERVICE

MEGA will support Mid Ulster manufacturing and engineering post-pandemic recovery by working with partners to attract, develop and retain talent who are equipped with the skills to embrace a new era of manufacturing. MEGA will undertake marketing and promotional activities to enhance and contribute to the MEGA – Collaborative Growth Project: Post-COVID Recovery & Growth and support the delivery of a 3 year Strategic Action Plan 2022-25.

2. PROJECTS FOR FURTHER DEVELOPMENT

MEGA will tackle skills and labour issues in Mid Ulster and create and implement ways to attract and retain talent in the engineering and manufacturing industry. This goal will be achieved through the delivery of a number of actions organised under three thematic workstreams, over the 3 year span of the project, until 2025, namely:

2.1 Focus on People - Address the current deficit in human resources available to the manufacturing and engineering sector in Mid Ulster with a focus on:

- a. Careers Portal. Collaborate with MUDC to develop a Manufacturing & Engineering online careers portal that showcases MEGA companies; career paths; “a day in the life of”; job vacancies etc.
- b. School Ambassadors programme rolled out. All ambassadors attend at least 1 school visit per year.
- c. JBO Connections – 2 meetings per year.
- d. PR & Marketing. Update and implement website content, PR and marketing activity. Develop a new communications strategy. Use PR to address misperceptions of the sector. Maximise MEGA opportunities for press and media exposure. Deliver media training for key MEGA representatives.

2.1 Skills for the future - Adapt the provision of education and skills development to meet the changing needs of the sector over time, with a focus on:

- a. Skills demand planning - conduct an annual survey of members to understand people & skills demands for the 12-18 months ahead. Collaborate with MUDC LMP to inform stakeholders of the rolling 12 – 18 month skills needs.
- b. Skills investment programme. Signpost and encourage members towards grant support packages available for skills investment (e.g. Skills Advancement Grant for INI clients)

2.2 Collaborate to win - Build strong working relationships with key delivery partners and leverage third party resources and budget to the best advantage of MEGA members, with a focus on:

- a. Education & skills alignment. Build strategic working relationships at board level with funded skills delivery partners (e.g SWC, NRC). Collaborate with

- operational resource to devise new training and development offerings that are aligned to industry skills demands.
- b. Degree apprenticeships. Sustain the Engineering degree apprenticeship. Grow to 30 plus places per year
- c. Emerging skills programme - build networks with Centres of Excellence to understand emerging technologies & skills requirements. Encourage Centres of Excellence to host awareness sessions in Mid Ulster
- d. MSW Growth Deal - build relationships with the MSW programme team and stay abreast of developments under the Growth deal.

3. ROLES AND RESPONSIBILITIES

3.1. MEGA will provide the following services for the Council:

- 3.1.1 MEGA will ensure that the Trade Union representative currently serving on the MEGA Steering Group will continue in this role for the three year duration of this Service Level Agreement.
- 3.1.2 MEGA will undertake all activities in respect of project outputs set out in part 2 of this Schedule 1.
- 3.1.3 MEGA will submit a 6 monthly report at end of each September (to highlight what has been achieved from April – September) and an annual report at end of March (detailing progress in respect of project outputs set out in part 2 of Schedule 1
- 3.1.4 MEGA will administer all structures necessary to manage and implement the funds appropriately.
- 3.1.5 MEGA will facilitate the involvement of council staff and elected members in its work.
- 3.1.6 MEGA will lobby and advocate relevant agencies and organisations for investment in skills in the manufacturing and engineering sector.
- 3.1.7 MEGA will strive to build strong working relationships with key delivery partners and leverage third party resources to advance the work of MEGA.
- 3.1.8 MEGA will facilitate the promotion of skills training and development to embrace Industry 4.0 digital manufacturing and automation.

SCHEDULE 2 – FINANCIAL & RESOURCING ARRANGEMENT

3.1 The Council has agreed that payment of £15,000 sterling per annum (Fifteen thousand pounds) will be paid to MEGA for organisation costs for years 1 April 2022 – 31 March 2025.

Payment will be released only upon the following condition:

- Submission of an original invoice. Copies are NOT acceptable.
- Provision of completed and signed Declaration Form confirming MEGA has all requisite documentation in place
- Mid Ulster District Council will have the right to request repayment of all or part of the assistance if the conditions outlined in this Agreement are not met.

ANNEX ONE**ACCEPTANCE FORM**

I, Shane Nugent, as Project Promoter of MEGA have read and understood the Council's Service Level Agreement between MEGA and Mid Ulster District Council.

I agree to comply with the conditions as detailed in these documents and to abide by those principles and procedures in my role as a Project Promoter (delete as appropriate) of MEGA.

Council Official

MEGA Project Promoter

(delete as appropriate)

Signed:

Signed:

Position:

Position

Name (Block Capitals)

Name (Block Capitals):

Date

Date

Please sign two copies of this Agreement, one to be returned to Mid Ulster District Council and one to be retained by MEGA.

Report on	Standing Orders for Council - Amendment
Date of Meeting	Thursday 26 th May 2022
Reporting Officer	Adrian McCreesh, Chief Executive
Contact Officer	P Moffett, Assistant Director (Org. Dev, Strategy and Performance) C McNally, Assistant Director (Corporate Services and Finance)

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

1.0	Purpose of Report
1.1	To consider an amendment to the Standing Orders of Council following the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) Order (NI) 2022 being approved by the Assembly on 21 March 2022
1.2	In line with standing order 30.2 concerning amendments to Standing Orders this matter and request to amend them was notified to April 2022 Council and discussion stood adjourned until the next ordinary meeting of Council. Discussion on the proposed amendment can take place at this meeting (Thurs 26 th May 2022) in line with standing order 30.2, concerning amendments.
2.0	Background
2.1	Members were previously informed that in response to the COVID-19 pandemic, the Council amended its Standing Orders in May 2020 enabling it to transact its business by virtual means if required, with the inclusion of an interim Standing Order on remote meetings and an associated protocol. The ability to do this was under the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 under powers contained in Section 78 of the Coronavirus Act 2020.
2.2.	The Meeting Regulations ceased to have effect on 6 th May 2021 because of Section 78(3) of the Coronavirus Act 2020. This expiration date was contained within our Standing Orders in line with the Regulations, applying to all UK council and local authority meetings.
2.3	Legislation "extending" the ability to hold remote meetings in the form of the <i>Local Government (Meetings and Performance) Act (NI) 2021</i> ("the 2021 Act") came into operation on 27 th August 2021. Following the lapse of legislative authority from 6 th May 2021 until the new Regulations came into operation on 27 th August 2021 the Council took proportionate steps to ensure continuity in the transaction of business.

2.4	Amendments were made in September 2021 to the interim Sanding Orders on remote meetings as contained within our Standing Orders. However, this provision allowing for remote meetings ceased on the expiration of the relevant Coronavirus Act 2020 provisions on 25 th March 2022.
3.0	Main Report
3.1	The 2021 Act allows for the Department for Communities to make Regulations to allow councils to hold remote meetings on a permanent basis beyond the expiration date of 25 th March 2022. These Regulations need to be brought forward by the Department and approved by a resolution of the Assembly. Whilst the Department has been given the scope to do this it has not been determined that this will be done.
3.2	Earlier this year, the Department for Communities undertook a <i>Call for Evidence</i> by way of consultation on whether the ability to extend provision for remote/hybrid council and committee meetings be extended and made on a permanent basis.
3.3	In-light of this exercise and in the absence of an amendment to the primary legislation (i.e., the Local Government (NI) Act 2014), further interim legislation was passed which extends the period of time for which councils can hold remote/hybrid meetings until 24 September 2022. This legislation is the Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) Order (NI) 2022 and was approved by the Assembly on 21 st March.
3.4	It remains to be seen whether legislation will be passed to allow the current remote/hybrid arrangements for meetings to continue on a permanent basis. If legislation is passed by the NI Assembly, further changes to the Council's Standing Orders are likely to be proposed.
3.5	This report is recommending a change to the Standing Orders regarding Remote Meetings Protocol and Procedure Rules to allow them to continue to apply past 25 March 2022 reflecting the legislative extension referred to at 3.3 above. The matter has already stood adjourned from the April Council meeting and a decision can now be made on same.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: Approval is required to ensure the proper administration in relation to the conduct of Council and Committee meetings that are held wholly or partially by remote means.

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	It is recommended that that discussion can now take place on the proposed amendment, discussion having stood adjourned from the April meeting of Council. It be further recommended that Council considers and approves the amendment to the Standing Orders regarding Remote Meetings Protocol and Procedure Rules as attached and highlighted in Appendix 6.1
6.0	Documents Attached & References
6.1	Amendment to Standing Orders of Mid Ulster District Council – Extract

INTERIM STANDING ORDERS REMOTE MEETINGS PROTOCOL AND PROCEDURE RULES

These Interim Standing Orders have been produced for the purpose of proper administration, good order and clarity in relation to the conduct of any meeting that is held, either wholly or partly, by remote means.

This is as a consequence of the COVID19 pandemic and the enactment of legislation on 1st May 2020 that allowed for; remote meetings; remote attendance by members and members of the public, where applicable; and remote access by members of the public and press.

1. Definitions

“The 2020 Regulations” means The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 No.74;

“The 2020 Act” means the Coronavirus Act 2020;

“remote access” means the ability to attend or participate in a meeting by electronic means, including but not limited to, by telephone conference, video conference, live webcasts and live interactive streaming;

“remote attendance” means fulfilling conditions (i)-(iii) inclusive in Interim Standing Order 7 or 8 below, as appropriate;

“open to the public” includes remote access to the meeting and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

2. Introduction and Application of these Interim Standing Orders

These Interim Standing Orders provide for the good administration and proper order of any remote meeting, either wholly or partially, of the Council and its various Committees.

These Interim Standing Orders should be read in conjunction with the Council’s Standing Orders and Procedure Rules within the Constitution. The 2020 Regulations, made under section 78 of the 2020 Act and subsequent legislation applies notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Council governing meetings.

These Interim Standing Orders do not negate the validity of the Council’s Standing Orders. Wherever there is a conflict, these Interim Standing Orders take precedence only in relation to any aspect of the meeting, attendance or access that is by remote means.

3. Commencement and Duration

These Interim Standing Orders exist on a temporary basis, taking effect immediately from and including their adoption on 28 May 2020. **They remain valid and in existence unless revoked by the Council or in the absence of continuing legislative provision.**

4. References to “place” and “present”

Any references to a council meeting in the Standing Orders, is not limited to a meeting of members, all or any of whom, are present in the same place. Any reference to “place” where a meeting is held, or to be held, includes reference to more than one place, including electronic, digital or virtual locations, e.g., internet locations, web addresses or conference call addresses.

The Annual Meeting and meetings of the Council shall be held at 7pm in the place or places specified on the summons.

The ‘place’ at which the meeting is held may be at a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a Council building with a proportion of the membership and any participating public additionally attending remotely. The place of the meeting will be specified on the notice.

Any references to being “present” in the Constitution and Standing Orders, includes being present through remote attendance.

5. Notice and Summons of Meetings

The requisite notice shall be given to the public of the time and place of the meeting, and the agenda, together with a link to view the meeting. The notice will be available on the Council’s website.

6. Public access

Subject to below, meetings will be open to the public and members of the press and public will be encouraged to use remote access facilities provided by the Council to access a meeting remotely.

If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision by the Council, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

Exclusion of Public and Press

When council meetings are not open to the public, i.e., when confidential, or “exempt” issues are under consideration, the meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

Where there is disturbance by the public, the Chair will warn the person concerned and can order that their remote access is severed, if the interruption continues.

7. Remote Attendance by Members

A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- (i) to hear and be so heard by and, where practicable, to see and be seen by, the other Members in attendance.
- (ii) to hear and be so heard by and, where practicable, to see and be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

Where a member who is in remote attendance is muted or has forgotten to unmute themselves when they are speaking, this does not mean that they are unable to be heard for the purposes of 7(i)-(iii) above.

If a Member in remote attendance is leaving the meeting, they must indicate to the Chair when they are doing so. A member will be deemed to have left the meeting where, at any point in time during the meeting, any one of the conditions for remote attendance contained in 7(i)-(iii) above are not met. In such circumstance the Chair may, as they deem appropriate and subject to any indication given by the Member to the Chair;

- adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (i)-(iii) above to be re-established;
- count the number of Members in attendance for the purposes of the quorum; or
- continue to transact the remaining business of the meeting in the absence of the Member that is no longer in remote attendance.

A member who disconnects and re-connects to the meeting due to technological issues is still “present throughout” as long as any matters discussed during their absence are repeated.

8. Remote Attendance by the Public

A member of the public entitled to attend the meeting in order to exercise a right to speak, or make a deputation, at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- (i) to hear and be so heard by and, where practicable, to see and be seen by, Members in attendance;
- (ii) to hear and be so heard by and, where practicable, to see and be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

A member of the public in remote attendance and entitled to exercise a right to speak or make a deputation, will be deemed to have left the meeting where, at any point in time during the meeting, any one of the conditions for remote attendance contained in 8(i)-(iii) above are not met. In such circumstance the Chair may, as they deem appropriate:

- (a) adjourn the meeting for a short period to permit the conditions for remote attendance contained in 8(i)-(iii) above to be re-established;
- (b) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
- (c) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

Refer to Planning section for difference in proceeding in these circumstances.

9. Remote Voting

In relation to the Chair taking the vote by a show of hands, this will involve those members in remote attendance ensuring their video is turned on and raising their hands.

If the Chair is unable to see a Member in remote attendance, the Chair will ask that member to verbally indicate how they wish to cast their vote.

The Chair may, in their absolute discretion, decide to call a vote by remote means using an electronic voting system for remote voting.

10. Access to Information

Members of the public may access minutes, decision and other relevant documents through the Council's website.

11. Postponing a meeting

The Chair can postpone a meeting by giving 24 hours' notice to members, or such shorter period as the Chair may determine in cases of urgency. The same notice will be published on the Council's notice.

12. Planning

The Protocol for the operation of the Planning Committee is amended as follows:-

Addendum

Any additional papers tabled at a Planning Committee meeting by way of the Addendum must be emailed to each Committee member by 5pm on the evening of the Committee.

At the start of each meeting, the Chair will ask members to confirm that; (i) they've received the Addendum; and (ii) they've had sufficient time to review same. If any member indicates in the negative to 12(i) and/or (ii), the Chair will allow, by a short adjournment if necessary, for these to be delivered to and read by said member.

Visual Aids

To ensure that a member in remote attendance can clearly follow any officer presentation, copies of the presentation should be shown simultaneously and be able to be seen by the member in remote attendance.

Speaking Rights

Any reference to speaking rights and the exercise of same (with the exception of Pre Determination Hearings below) will be treated as follows:-

- a. In the first instance, the requester will be offered an opportunity to attend the meeting by remote access.
- b. If the requester is unable to attend remotely, and subject to the Council being able to facilitate attendance in person, the requester will be offered the opportunity to attend the meeting in person. Please note only one person per speaking time will be able to attend in person and so speaking time cannot be shared (e.g., one person for applicant; one person against development); and
- c. If the requester is unable or unwilling to exercise speaking rights by virtue of 12a. or b. above, they will be able to provide Written Submissions no later than 12pm two working days prior to the meeting, which will be circulated to members the Committee.

The deadline for receipt of requests to speak including the submission of any written information remains as per paragraph 23 of the Protocol on the Operation of the Planning Committee, i.e., no later than 12pm two working days prior to the meeting.

Pre Determination Hearings

Any reference to speaking rights and the exercise of same in relation to Pre Determination Hearings will be treated as follows:-

1. In the first instance, the requester will be offered an opportunity to attend the meeting by remote access and the conditions in Interim Standing Order 8(i)-(iii) must be met;
2. If the requester is unable to attend remotely, and subject to the Council being able to facilitate attendance in person, the requester will be offered the opportunity to attend the meeting in person. Please note only one person per speaking time will be able to attend in person and so speaking time cannot be shared (e.g., one person for applicant; one person against development).

Remote attendance by the public

Where a member of the public in remote attendance and entitled to exercise a right to speak has been deemed to have left the meeting when their particular application is under consideration, the Chair may, as they deem appropriate:

- (a) adjourn the meeting for a short period to permit the conditions for remote attendance contained in (i)-(iii) of Interim Standing Order 8 above to be re-established;
- (b) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established. If the conditions for the member of the public's remote attendance cannot be satisfied prior to the conclusion of the meeting and before the committee resolves to go in to closed business, the application under consideration will be deferred until the next available Planning Committee meeting.

Declaration of Interests

Where a Member in remote attendance has declared an interest in an application and would ordinarily be required to leave the meeting or sit in the public gallery, that member will be required to turn their video off and have their microphone muted whilst any discussion or vote takes place in respect of the item or items of business which the member may not participate.

13. Licensing

When considering any application relating to the licensing function of the council and there exists a statutory requirement that the Council gives an opportunity of appearing before and of being heard by the council to any person, or words to that effect, then the Committee can satisfy this requirement by:-

1. In the first instance, the Speaker will be offered an opportunity to attend the meeting by remote access and the conditions in Interim Standing Order 8(i)-(iii) must be met;
2. If the Speaker is unable to attend remotely, and subject to the Council being able to facilitate attendance in person, the Speaker will be offered the opportunity to attend the meeting in person. Please note only one person per speaking time will be able to attend in person and so speaking time cannot be shared.

Report on	Consideration of Requests for Civic Recognition
Date of Meeting	Thursday 26 May 2022
Reporting Officer	P Moffett, Assistant Director
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: May 2022 Requests for Civic Recognition Submitted: For Approval

Category: Civic Honour

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
	•		•	

Category: Civic Reception

Proposed Recipient	Achievement	Submitted by	Condition/Criteria Met	Recipient Previously Acknowledged
Gael Scoil Uí Neill (Rang 5)	<ul style="list-style-type: none"> All Ireland Irish School's Drama Festival 	Cllr Kerr	<ul style="list-style-type: none"> Won first place at competition (Also Ulster Champions) 	For: Not Applicable Date:
St Pius X College under 14s Camogs	Father Davies Cup	Cllr Totten	<ul style="list-style-type: none"> Won first place at competition 	For: Not Applicable Date:
Coalisland Athletics	<ul style="list-style-type: none"> Irish Junior Cup Final (Fonacab)* Also Internal Alexandra Cup finalists 	Cllr Doris Cllr O'Neill Cllr Kerr	<ul style="list-style-type: none"> Won first place at the competition* 	For: Letter received for winning Mid Ulster League & being unbeaten in all competitions throughout the season Date: June 2019
McGurk Architecture	<ul style="list-style-type: none"> Best Design Award at Architecture NI Awards 	Cllr S McPeake	<ul style="list-style-type: none"> Won first place at the competition 	For: Not Applicable Date:
St Joseph's College, Coalisland	<ul style="list-style-type: none"> U14 Girls Ulster Development Football GAA Final 	Cllr Kerr	<ul style="list-style-type: none"> Won first place at the competition 	For: Civic Reception in Oct 2017 and also April 2018 (Ladies football)

Tyrone Senior Ladies GAA	<ul style="list-style-type: none"> • Ulster Intermediate Final 	Cllr Kerr Cllr Monteith	<ul style="list-style-type: none"> • Won first place at the competition 	For: Date:
Tyrone U20's GAA	<ul style="list-style-type: none"> • Ulster Championship • All Ireland Final 	Cllr Kerr Cllr Monteith Cllr Doris Cllr McNamee	<ul style="list-style-type: none"> • Won first place at competition 	Civic Reception in July 2019 (Different panel)
Cookstown 2 nd XI Hockey Team	Irish Junior Cup Winners Ulster League Winners	Cllr Wilson	<ul style="list-style-type: none"> • Won first place at competition 	For: Civic Award 25.05.17; Civic Reception In January 2020 for winning Irish Junior Cup (Different panel)

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
Clogher Valley Rugby Club 1XV	Millar McCall Wylie Junior Cup Final	Cllr Burton For: Civic Reception February 2022 for winning All Ireland Junior Cup

Niall Devlin	Panel Member of U20's Tyrone Team – Ulster Final All Ireland Final	Cllr Kerr: Cllr Monteith Team being recognised
Ruairi McHugh	Panel Member U20's Tyrone Team – Ulster Final & All Ireland Panel	Cllr Kerr Cllr Monteith Team being recognised For: civic reception 2021 Electric Ireland GAA Minor Football Team of the year
Tyrone Camogie Minors	Ulster Minor Shield	Cllr Kerr Cllr Monteith Civic Reception in Sept 2021 for All-Ireland win
Niall Morgan	Gaelic Writers Association Personality of the Year Award	Cllr Kerr Cllr Monteith Civic Recognition September 2021 RTE Sunday Game 2021 Team of the Year Player
Aoife Quinn	Queen's University Future Stars Awards (Camogie)	Cllr Kerr
Joey Clarke	Queen's University Future Stars Award (Football)	Cllr Kerr
Noah Grimes	Queen's University Future Stars Award (Football)	Cllr Kerr
Eva Cullen	Queen's University Future Stars Award (Camogie)	Cllr Kerr Cllr Monteith

Sean Hughes	Queen's University Future Stars Award (Football)	Cllr Kerr
Conor Devlin	Queen's University Future Stars Award (Football)	Cllr Kerr
Michael McElhatton	Queen's University Future Stars Award (Football)	Cllr Kerr
Pascal Gormley	Queen's University Future Stars Award (Football)	Cllr Kerr
John McGurk	Queen's University Future Stars Award (Hurling) 2022	Cllr S McPeake
Carla Collins	Queen's University Future Stars Award (Camogie)	Cllr S McPeake
St Columns Primary School	Won Shield at Couth Derry Football Championship	Cllr Elattar

Report on	Conferences, Seminars & Training
Date of Meeting	26 May 2022
Reporting Officer	Philip Moffett, AD: ODPS
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	<p>Approval for Consideration of Attendance by Elected Members</p> <p>There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix 2 to this report is sought.</p>
3.2	<p>Officer Approvals</p> <p>There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix 2 to this report is sought.</p>
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 Member Conferences, Seminars & Training Appendix 2 Staff Conferences, Seminars & Training

Appendix A

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests

Conferences

Provider/Course	Date & Time	Location	Costs	Attendee Requests
National Association of Councillors <i>Emergency Planning & Resilience</i> -	24 th -26 th June 2022	The Bliss Hotel, Southport	Conference fee £350 + travel, accommodation and subsistence costs	

NATIONAL ASSOCIATION OF COUNCILLORS

Conference

Emergency Planning & Resilience

The Bliss Hotel, Southport

24th-26th June 2022

Delegate Booking Form

Name of Delegate:

Organisation:

Delegate's Email:

Telephone Number:

Authorising Signature:

Order No if Required:

Printed Name:

Position:

Organisation:

INVOICE, email address for invoice

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

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

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

£295 plus VAT - Town, Parish and Community Councils

Accommodation is available for delegates at the Conference Hotel at the special NAC Conference Delegate rate of £85 plus VAT per night. If you book the hotel direct the rate will be £135 inc VAT The accommodation fee is payable by delegate on arrival at the hotel unless otherwise indicated on the booking form.

Delegate Accommodation Friday & Saturdays nights YES / NO

Local Authority to be billed direct for accommodation YES / NO

Please note that double and family rooms are also available (prices available on request)

Booking Condition: Please note that a charge is payable on any bookings cancelled. These charges will be kept to a minimum and will be in accordance with cost incurred by the NAC.

Retrospective Approval – Conferences -

Details of Courses	Service/ Directorate	No. Attending	Cost	Date	Location
NI Tourism Conference	Econ Devlpt, Tourism & Strategic Progs	1	Free	13/5/22	Belfast

Approval – Conferences -

Details of Courses	Service/ Directorate	No. Attending	Cost	Date	Location
UK Network of Age Friendly Comms 2022 Conference	Health, Leisure & Wellbeing – E/Health	1	Free	05/7/22	Birmingham (Bursary for travel)

Report on	Correspondence to Council
Date of Meeting	Thursday 26 May 2022
Reporting Officer	P Moffett, Assistant Director
Contact Officer	E Forde, Members Support Officer

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Monaghan County Council</p> <p>The Chief Executive has received correspondence from Monaghan County Council regarding the progression of the N2 Clontibret to Border Road an important transport project which will benefit the entire northwest region. Refer to Appendix A</p>
3.2	<p>Correspondence from Mid and East Antrim Council</p> <p>The Chief Executive has received correspondence from Mid and East Antrim Council regarding the Notice of Independent Examination of their Local Development Plan 2030 draft Plan Strategy. Refer to Appendix B</p>
3.3	<p>Correspondence from Northern Ireland Office</p> <p>The Chair has received correspondence the Northern Ireland Office in response to Council's motion moved in March regarding the cost of living crisis. Refer to Appendix C</p>
3.4	Correspondence from DfI Roads

	The Chair has received correspondence from DfI in response to Council's request for updated contacts for DfI Section Staff together with information regarding footpath maintenance programme. Refer to Appendix D.
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 Monaghan County Council Appendix B: Mid and East Antrim Council Appendix C: Northern Ireland Office Appendix D: DfI Roads



Comhairle Contae Mhuineacháin Monaghan County Council

Acmhainní Daonna
Human Resources
047 30586

Airgeadas
Finance
047 30589

Na Bóithre
Roads
047 30597

Clár na dToghthóirí
Register of Electors
047 30551

Comhshaol
Environment
042 9661240

Na hEalaíona
Arts
047 38162

Iasachtaí /Deontais Tithíochta
Housing Loans/Grants
047 30527

Leabharlann an Chontae
County Library
047 74700

Mótarcháin
Motor Tax
047 81175

Músaem an Chontae
County Museum
047 82928

Pleanáil
Planning
047 30532

Pobal
Community
047 73719

Rialú Dóiteáin/Foirgnimh
Fire/Building Control
047 30521

Oifig Fiontair Áitiúil
Local Enterprise Office
047 71818

Seirbhísí Uisce
Water Services
047 30504/30571

Mr. Adrian McCreesh, Chief Executive
Mid Ulster District Council
Circular Road
Dungannon
County Tyrone
BT71 6DT

RECEIVED
25 APR 2022
CHIEF EXECUTIVE

To the Elected Members and Executive of Mid Ulster District Council

Re: Request for Support for the progression of the N2 Clontibret to Border Road Scheme

The N2 Clontibret to Border Road Scheme proposes to upgrade 28km of the N2 Dublin-Derry National Primary Road through County Monaghan. This is an important project to enhance road safety and provide key North/South and Regional connectivity to the North West Region, particularly through counties Tyrone, Derry/Londonderry and Donegal.

The early planning and design of the scheme is listed as a policy objective of the Republic of Ireland's National Development Plan 2018-2027 and 2021-2030. The Northern & Western Regional Assembly included the planning and construction of this road scheme by 2032 as a policy objective to support the growth ambitions for the region in the Regional Spatial and Economic Strategy 2020-2032.

Monaghan County Council, in association with Transport Infrastructure Ireland (TII), has been working to progress the N2 Clontibret to Border Road Scheme for over 14 years. In early 2021 a Preferred Route Corridor for the scheme was identified and the project entered the next Phase of the TII design process (Phase 3; Design & Environmental Evaluation), with the project receiving funding on a year-on-year basis. Please find enclosed a briefing note providing additional information on the project.

Even though the project was progressing well, no allocation was received for the scheme in 2022 due to the need to balance available funding across the national roads programmes, projects and operations having regard to the National Development Plan funding periods. This has resulted in the suspension of the project. No design work can take place, and the current design phase cannot be closed out.

If the current design phase was completed a detailed business case for the project would be available, allowing a further assessment of the costs, benefits, risks, delivery and affordability of the scheme. This would allow an informed decision be made about whether this scheme should be an investment priority for Government. Monaghan County Council requires funding of approximately €3m in 2022/2023 to complete the current design phase.

Fáiltíonn an tUdarás Áitiúil roimh chomhfhreagras i nGaeilge.

Comhairle Contae Mhuineacháin, Oifig an Chontae, An Gleann, Muineachán, Éire.

Monaghan County Council, Council Offices, The Glen, Monaghan, Ireland.

00353 47 30500 00353 47 82739 www.monaghan.ie

sales@monaghancc.ie info@monaghancc.ie

Monaghan County Council has written to An Taoiseach asking that funding be made available for the project from the Shared Island Fund to complete the current design phase. Monaghan County Council would appreciate any support Mid Ulster District Council can offer in supporting funding requests and supporting this important transport project which will benefit the entire northwest region.



John Murray
Deputy Chief Executive

N2 Clontibret to Border Road Scheme

Briefing Note, 28th February 2022



Project Background:

- 28km upgrading the N2 Dublin-Derry Road to a 4-lane road, bypassing the urban areas of Monaghan Town and Emyvale Village.
- Along with the proposed N2 Ardee to Castleblayney project, it will enhance key North/South and Regional connectivity, improve road safety, improve journey times and provide journey time certainty for cross-border traffic.
- Listed in the National Development Plan 2018-2027 and 2021-2030 to be progressed through pre-appraisal and early planning.
- Listed as an objective in the Northern & Western Regional Assembly Regional Spatial & Economic Strategy for planning and construction by 2032.
- It will provide investment of €250-€300m in road transport in the border region.
- It will form part of the Trans-European Transport Network (TEN-T) Comprehensive Network.
- It will complement a proposed upgrade of 85km of the N2/A5 route to dual carriageway standard in Northern Ireland (The A5 Western Transport Corridor from Aughnacloy to Derry).

Progress to Date:

- Route selection process first commenced in 2008 and a Preferred Route Corridor was identified. Costs to that point – Approx €1m.
- Design work suspended in 2012 due to the economic downturn.
- Project recommenced in 2018. Due to changes in environmental legislation, design standards and the Public Spending Code, a new route selection process was undertaken, this time at a cost of approx. €1.75m.
- The new Preferred Route Corridor published in early 2021.
- Initial appraisal of the project looked positive. A Preliminary Business Case for the scheme dated February 2021 showed a Benefit Cost Ratio of 2.5.
- Project entered Phase 3 (Design & Environmental Evaluation) of the TII design process in early 2021.
- Work started on surveys and investigations have commenced. Planned to have an Environmental Impact Assessment Report and Compulsory Purchase Order ready to submit to An Bord Pleanála for statutory approval in 2023.
- No funding received in 2022. The design of the scheme has been suspended.

Implications of a delay to the project:

- The NDP identified this project to support the development of the border region. The Northern & Western Regional Assembly included the planning and construction of this road scheme by 2032 as a policy objective to support the growth ambitions for the region in their RSES. Failure to progress the project may impact the long-term growth and development of the northwest region.
- Extended delays may impact on landowners and restrict development within the 400m Preferred Route Corridor.
- This project was being progressed in tandem with the N2 Ardee to Castleblayney Road Scheme. The same Engineering Consultancy was appointed to both projects. There may be a loss of efficiency and financial implications for both projects if one project does not progress.
- The Phase 3 design process is required to prepare a 'Total Scheme Budget' (a detailed cost estimate for delivery of the project) and detailed business case to allow a further assessment of the costs, benefits, risks, delivery and affordability, allowing an informed decision be made about whether this scheme should be an investment priority for Government.
- Approximately €3m required to complete the Phase 3 design process in 2022/2023.
- If an extended delay is experienced the cost will increase, and surveys/investigations/design work will need to be repeated at further additional cost.



Planning Department
Silverwood Business Park
190 Raceview Road
Ballymena
BT42 4HZ

Tel: 02825 633500

Email: planning@midandeastantrim.gov.uk

29 April 2022

Dear Sir/Madam,

RE: Mid and East Antrim Local Development Plan 2030 draft Plan Strategy - Notice of Independent Examination

In accordance with Regulation 22 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015, I am writing to advise that the Planning Appeals Commission (PAC) will commence the Independent Examination (IE) hearing sessions in relation to the Mid and East Antrim Borough Council Local Development Plan 2030 draft Plan Strategy on **Monday 6 June 2022 at 10.30am.**

These sessions will be conducted remotely. Details of how the IE sessions will be conducted are available on the PAC website at www.pacni.gov.uk/local-development-plans

Further Submission Document

Further to the submission of the draft Plan Strategy and supporting documents to the Department of Infrastructure on 29 March 2021, the Council has prepared a further document entitled Schedule of Proposed Corrections (reference DPS-144), dated June 2021. This document has been submitted to the Department and is included in the submission for Independent Examination before the Planning Appeals Commission.

Revised Local Development Plan Timetable

I would also like to take this opportunity to advise that the Council has recently revised its LDP Timetable. The LDP Timetable sets out the key stages of the LDP process and the accompanying Sustainability Appraisal process along with an indicative framework that the Council will try to meet for each key stage in the LDP process.

The revised Timetable and all the LDP documents submitted for Independent Examination, are available to view on the Council's website at www.midandeastantrim.gov.uk/ldp or at

the Council Planning Office during normal office hours (by appointment only) at: Silverwood Business Park, 190 Raceview Road, Ballymena, BT42 4HY. To make an appointment please telephone 02825 633500.

Please note there is no further opportunity for comment on the draft Plan Strategy. Jurisdiction has now passed to the Department for Infrastructure and the Planning Appeals Commission to assess the soundness of the Plan.

For further information, please contact me or visit the Council's website at www.midandeantrim.gov.uk/ldp

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Adams', written in a cursive style.

Sandra Adams
Head of Local Development Plan Team



Northern
Ireland
Office

The Rt. Hon. Conor Burns MP
Minister of State
Northern Ireland Office

1 Horse Guards Road
London
SW1 2HQ

Erskine House
20-32 Chichester St
Belfast
BT1 4GF

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

Mr Paul McClean
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT
By email: info@midulstercouncil.org

6 May 2022
Our reference: MC/22/101
Your reference: C058/22

Thank you for your correspondence dated 29 March 2022 and I apologise for the delay in responding. I am responding on behalf of the Prime Minister to your letter.

I am acutely aware of the pressure that increases in the cost of living are placing on households and businesses in Northern Ireland and across the United Kingdom. Much of this had initially been the result of adjusting global supply chains but the regrettable onset of war in Ukraine has exacerbated these problems. My officials are continuing to monitor the impact this is having in Northern Ireland and the UK Government has taken a number of significant steps to help households and businesses in Northern Ireland with the cost of living pressures.

At the Spring Statement, the UK Government announced a new Tax Plan which delivers the biggest net cut in personal taxes in over a quarter of a century as well as bringing about the largest cash terms cut that has ever been applied to all fuel duty rates at once.

The cut in personal taxes includes raising the threshold at which people pay National Insurance contributions (NICS) by £3,000 from this July and means that people can earn £12,570 without paying any National Insurance or Income Tax. This change will help over 30 million working people and save the typical employee £330 per year from July. The UK Government's action in increasing the National Insurance thresholds will provide a tax cut for 800,000 workers in Northern Ireland.

The basic rate of income tax will also be cut by 1p from 6 April 2024 and will benefit 870,000 taxpayers in Northern Ireland. This planned cut to income tax, the first in 16 years, means that taxpayers will gain £175 on average and is worth £5 billion for workers, savers and pensioners across the UK.


To further help families with the cost of living, the UK Government announced in the Spring Statement a 5p cut on fuel duty on petrol and diesel for 12 months which will mean a one-car family will now save on average £100. To help small businesses to grow, the UK Government has increased Employment Allowance by £1,000 which will benefit around half a million businesses across the UK.

In addition, the UK Government announced at the Spring Statement that Northern Ireland will be receiving an extra £47 million next year through Barnett consequential for the Executive to spend according to its priorities. This money is on top of the £300m in additional funding from the UK Government through Barnett consequential arising from the Government's previous announcements on energy relief and costs of living.

The wide ranging package of support and additional money provided by the UK Government demonstrate our deep commitment to supporting families and businesses with the cost of living pressures in Northern Ireland and across the UK. I agree that it is also vital that there is an Executive in place after the May Assembly election so that it can allocate the additional money provided by the Government and deliver for the people of Northern Ireland.

With all good wishes.

Yours ever,





Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

eileenforde@midulstercouncil.org

FAO Cllr Paul McLean
Mid Ulster District Council

County Hall
Drumragh Avenue
Omagh, County Tyrone
Tel:03002007894
Fax:02882254009

Your reference:
Our reference: MT137168-22

13th May 2022

Dear Cllr McLean

RE: CONTACT DETAILS FOR MID ULSTER MAINTENANCE SECTIONS

Thank you for your letter of 4 May 2022.

As you may be aware all roads and footways are maintained in line with the current limited service Roads Maintenance policy. Actionable defects are recorded during routine inspections and subsequently repaired in line with this policy.

The Department also responds to reports of defects. For example, we were made aware through an officer within the District Council of a defect in Castlecaulfield and this was followed up and repaired. We also received an online enquiry regarding the road junction of the Derrycourtney Road and Main Street Caledon which has already been programmed for patching.

Whilst we are aware of many village footpaths that are showing signs of fatigue, we do not have resources to program resurfacing of these at present and we will continue to operate within the current inspection and repair policy.

Subsequent to staff moves last year, Councillors were introduced to the lead personnel at local DEA meetings – their details are shown below.

Section/ Section email address	Section Engineer	Assistant Section Engineer	Telephone Number
Mid Ulster North Midulsternorth@infrastructure-ni.gov.uk	Neil Bratton	Conall McKee	028 867 68216
Mid Ulster South Midulstersouth@infrastructure-ni.gov.uk	Lesley Maxwell	Colm McGuone	028 877 75122

For enquiries we encourage the use of the online enquiry system which allows the elected representatives and the public to plot the location of a particular defect and give details of same via the following link:-

<https://www.nidirect.gov.uk/information-and-services/travel-transport-and-roads/problems-roads-and-streets>

Occasionally there may be queries that cannot be plotted via the online system, so contact should be made to each section via the section email as noted in the table.

I trust this information is useful and I look forward to building on the positive relationship developed by my predecessors and Mid Ulster District Council.

Yours faithfully,



Daniel Healy
Divisional Roads Manager
Western Division

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	Thursday 26 May 2022
Reporting Officer	Philip Moffett, AD of OD, Strategy and Performance
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

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

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
2.0	Background
2.1	Council is a consultee for many government departments and other bodies, and as such receives consultation documentation inviting commentary on a wide range of issues that may be pertinent to council services and/or the District.
3.0	Main Report
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	Members review and note consultations notified to Mid Ulster District Council.
6.0	Documents Attached & References
	Appendix A: Details of Current Consultations

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
NI Ambulance Service	Body Worn Video (BWV) Public Consultation	This consultation is a follow up to a consultation held by NIAS at the start of 2022 that explored the principal of NIAS using BWV. This consultation marks the next step in the process, this includes carrying out a pilot of the use of BWV.	22 July 2022	No
	Link to Consultation	Consultation document available on request from NI Ambulance Service (NIAS)		
	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	