



22 July 2021

Dear Councillor

You are invited to attend a meeting of the Council to be held in  
The Chamber, Dungannon and by virtual means Council Offices, Circular Road,  
Dungannon, BT71 6DT on Thursday, 22 July 2021 at 19:00 to transact the business  
noted below.

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

Yours faithfully

Adrian McCreesh  
Chief Executive

---

## AGENDA

### OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business
4. Deputation - DfI Roads (Report to be embargoed until 23.7.21)

### Matters for Decision

- |     |   |           |
|-----|---|-----------|
| 5.  | Council minutes of meeting held on 24 June 2021                       | 3 - 26    |
| 6.  | Policy and Resources Committee minutes of meeting held on 1 July 2021 | 27 - 32   |
| 7.  | Environment Committee minutes of meeting held on 5 July 2021          | 33 - 48   |
| 8.  | Planning Committee minutes of meeting held on 6 July 2021             | 49 - 76   |
| 9.  | Development Committee minutes of meeting held on 7 July 2021          | 77 - 100  |
| 10. | Civic Recognition Nominations   | 101 - 104 |
| 11. | Conference Report   | 105 - 110 |

### Matters for Information

- |     |   |           |
|-----|---|-----------|
| 12. | Correspondence  | 111 - 122 |
| 13. | Consultations notified to Mid Ulster District Council | 123 - 126 |

**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

14. Council confidential minutes of meeting held on 24 June 2021
15. Policy and Resources Committee Confidential minutes of meeting held on 1 July 2021
16. Environment Committee Confidential minutes of meeting held on 5 July 2021
17. Planning Committee Confidential minutes of meeting held on 6 July 2021
18. Development Committee Confidential minutes of meeting held on 7 July 2021
19. Document for Sealing - Collaborative Agreement with Antrim and Newtownabbey Borough Council for the 'Digital Transformation Programme'
20. Staff Matters for Decision
21. Presentation by Chief Executive: Amendments to Senior Staff Structure
22. Report on Amendments to Senior Staff Structure

Matters for Information

**Minutes of Meeting of Mid Ulster District Council held on Thursday 24 June 2021 in the Council Offices, Circular Road, Dungannon and by virtual means**

**Chair** Councillor McLean

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

**Officers in Attendance** Mr McCreesh, Chief Executive  
Ms Canavan\*\*, Director of Organisational Development  
Ms Campbell\*\*, Director of Leisure and Outdoor Recreation  
Mr Kelso\*\*, Director of Public Health & Infrastructure  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr Tohill\*\*, Director of Finance  
Mrs Forde, Member Support Officer

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

The meeting commenced at 7 pm

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

**C119/21 Apologies**

Councillors Kearney, S McAleer and Mullen

**C120/21 Declarations of Interest**

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

Councillor Cuthbertson declared an interest in the Development Committee minutes in relation to funding applications.

**C121/21 Chair's Business**

The Chair, Councillor McLean said that a 'new broom sweeps clean' and as such in an attempt to streamline business going forward he advised Members that should forward any requests to raise an issue to the Chair's email address by 5pm on the day before the Council meeting following that he would only consider an issue if it was urgent. The Chair said whilst he had decided to take all the notified issues at the meeting he would be taking the view going forward that matters taken in Chair's business would only be those of urgency requiring immediate discussion by Members. He said he would wish to refrain from discussing business in detail which should be worked through the relevant committee and most likely warrant an item on the agenda. In conclusion he said 'don't ask to raise an issue if a refusal may offend!'

Councillor Ashton proposed that the Chair send letters of congratulations to all of those in the district who have received recognition in the Queen Birthday honours.

The Chair Councillor McLean concurred.

Proposed by Councillor Ashton  
Seconded by Councillor Wilson and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer - that Chair send a letter of congratulations to those who received recognition in the Queen's Birthday honours.

Councillor D McPeake welcomed the official opening of the A6 to Castledawson roundabout. He stated that his area would cover the first three miles and already the difference in the traffic congestion is noticeable. Councillor D McPeake thanked the contractors Grahams and Farran for working with local representatives to help resolve difficulties along the way and commended them on the work completed.

The Chair, Councillor McLean stated he was happy to associate himself with the remarks.

Councillor Cuthbertson highlighted that there had been vandalism to the Square, Moy at the war memorial which had been attacked. He advised that trees had been uprooted and one of four ornamental flowerpots had been smashed. The Councillor requested that officers address the situation.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, - Vandalism at War Memorial in The Square, Moy: that officers look into recent vandalism and make contact with the Royal British Legion (Moy Dungannon Branch)

Councillor Cuthbertson drew attention to the announcement on 15 June 2021 by the Minister for Infrastructure regarding the £17m recovery fund for rural roads. He said

2 – Council (24.06.21)

that quite a bit of that could be spent in Dungannon DEA alone and referred to recent DEA meetings at which engineers had informed Members that due to a contract dispute they had been told not to plan resurfacing works for the current year. He highlighted that a number of jobs were also going and proposed that Council write to the Minister to seek clarification.

Councillor Wilson proposed that Council meet with officials to determine exactly what was happening.

In response to Councillor Cuthbertson's query the Chief Executive advised that DfI Roads was scheduled to present to Council in July.

Councillor Burton stated that she was very concerned about rural roads and having attended the Clogher Valley DEA she too would be concerned about the staff shortages on the ground due to staff being off work sick or having retired and stated that often money could be better utilised if used inhouse.

Councillor Kerr concurred with Councillor Burton's comments and also said that due to staff changes an update contact list was required.

Councillor McKinney agreed with proposals for a meeting but said that local officers' hands are tied and the hold up was due to issues with procurement. He highlighted that one road had been on a waiting list for resurfacing for three years and that Members could debate all night but Council needed to go to the top.

Councillor Mallaghan said as Chair he had also wrote to the Department for Infrastructure regarding rural roads, he said the situation could not be underestimated as road defects not repaired would fall into a worse state and stressed that structural repairs were needed. He said that it is major contractors who are impacted and their employees jobs are at risk. Councillor Mallaghan said it was clear there was a fundamental misstep and the fact that there was a challenge indicates that something has went badly wrong. He concurred that Council needed to go to the top to seek answers and that the letter should state that the adverse impact of the situation could not be underestimated. Councillor Mallaghan said that local engineers work hard and when they receive budget on the ground they utilise it well.

The Chair, Councillor McLean stated that all points had been noted,

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, - that Council write to the Minister for the Department for Infrastructure seeking an urgent meeting regarding the current suspension of works on rural roads due to issues in tendering processes; the adverse impact this will have on rural roads and also on employment in the District.

Councillor Wilson requested that the Chair send letters of congratulations to Fairhill Pizza, Cookstown who had been highly commended in the NI Takeaway Awards 2020-21 Best Pizza Takeaway and to Sinley Chinese Takeaway, Cookstown who won The NI Takeaway Awards 2020-21 Best Chinese Takeaway.

Councillor Wilson also requested that two Cookstown hockey players David Ames and Ian Sloan receive a letter for being selected to play for Great Britain and Northern Ireland Hockey Team. He said that the players were a credit to themselves, their families and to Cookstown and give much time to encouraging and coaching the youth. In conclusion Councillor Wilson also requested that a letter be forwarded to Henry Brothers for winning the Belfast Telegraph and Ulster Bank 2021 Belfast Telegraph Business Awards. Excellence in Workplace Health & Wellbeing

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that the Chair send a letter of congratulations to:

- (i) those who received recognition in the Queen's Birthday honours;
- (ii) Fairhill Pizza, Cookstown; who were Highly Commended in the NI Takeaway Awards 2020-21 Best Pizza Takeaway section;
- (iii) Sinley Takeaway, Cookstown, who won the Best Chinese Takeaway in The NI Takeaway Awards 2020-21 Best Chinese Takeaway section;
- (iv) Henry Brothers who won 2021 Belfast Telegraph Business Awards - excellence in Workplace Health & Wellbeing section; and
- (v) Ian Sloan and David Ames, Cookstown Hockey players on being selected to play for the Great Britain and Northern Ireland Hockey Team.

## **Matters for Decision**

### **C122/21 Receive and Consider Minutes of matters transacted in "Open Business" at the Council Meeting held on Thursday 27 May 2021**

Councillor Cuthbertson drew attention to C102/21 at which concerns had been expressed regarding the proposed 3G pitch at Railway Park. He advised he had attended the pitch strategy consultation and the message he had picked up was loud and clear that people do not want any more non competitive pitches. He requested that the proposed pitch is reconsidered as it is not in keeping with the pitch strategy and money would be better redirected to competitive pitches.

Councillor Colvin requested an amendment to the minute at C108/21 Notice of Motion page 27 paragraph to read *Councillor Colvin said that Mandarin was the*

*largest native language and that across the world people in the Commonwealth wanted to learn English as it was the top language.*

Councillor McFlynn requested an amendment to the minute at C111/21 Notice of Motion page 40 paragraph to read.. *Councillor McFlynn ...She highlighted that Autism Mid Ulster no longer existed and clarified that the name of the group was FACTS.*

Councillor Wilson requested an amendment to the minute at C109/21 Notice of Motion page 31 paragraph 2 amended to read Councillor Wilson said they would not support discrimination.

In response to Councillor McFlynn's query the Chief Executive advised that the workshop regarding Autism was in progress and Members would be alerted to dates in the near future.

Councillor Doris drew attention to C098/21 and advised that a litter pick had been planned for the area but had been postponed due to the tragic death of Joshua Griggs. She spoke of the memorial event held at Brackaville GAC in honour of Joshua and how it had brought people from all communities and all walks of life together. Councillor Doris proposed that the Chair send a letter to Brackaville and to the Minister who spoke at the service.

Councillor Kerr concurred highlighting that Joshua had been an enthusiastic member of the GAC and had represented Tyrone. He requested that a letter of condolence also be forwarded to Joshua's family.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that the Chair send letters to

- (i) to the family of Joshua Griggs following his tragic death;
- (ii) to Brackaville Owen Roes GAC the club where Joshua played football commending them on the memorial event they held in his honour where all communities came together;
- (iii) to the Rev Henry Blair who conducted the memorial service on the GAA pitch (Doris & Kerr)

Councillor Doris advised that a further litter pick was planned and urged all in the community to come out and engage in the event and with each other.

Proposed by Councillor Doris  
Seconded by Councillor S McPeake and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of the Council held on Thursday 27 May 2021 (C094/21 – C111/21 and C118/21) transacted in Open

5 – Council (24.06.21)

Business having been printed and circulated, were considered and adopted.

**C123/21      Receive and Consider Minutes of matters transacted in “Open Business” at the Annual Council Meeting held on Monday 7 June**

Proposed by Councillor Buchanan  
Seconded by Councillor Kerr and

**Resolved**      That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of the Annual Council meeting held on Monday 7 June 2021 (AC1/21 – AC9/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C124/21      Receive and Consider Minutes of matters transacted in “Open Business” Planning Committee Minutes of Meeting held on Tuesday 8 June 2021**

*Councillor Black declared an interest in planning agenda item 4.23 – LA09/2021/0118/RM – Two storey dwelling & detached double garage with loft room at Tulnacross Road, Doons opposite & S of 23 Tulnacross Road, Cookstown for Mr Kyle Black & Miss Adele Bradley.*

*Councillor Black declared an interest in planning agenda item 5.2 – LA09/2019/0944/F – Infill dwelling and garage between 90 and 92 Iniscarn Road, Desertmartin for Mr Paul Bradley.*

Proposed by Councillor Brown  
Seconded by Councillor S McPeake and

**Resolved**      That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of Planning Committee held on Tuesday 8 June 2021 (P074/21 – P080/21 and P086/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C125/21      Receive and Consider Minutes of matters transacted in “Open Business” Policy and Resources Committee Minutes of Meeting held on Thursday 10 June 2021**

Councillor Kerr drew attention to PR113/21 Response to Consultation on DAERA Disability Action Plan 2019-2024 and spoke of the negative attitudes and difficulties people with disabilities face including being seen as objects of charity, facing poverty and said that all should be encouraged to reach their full potential. He asked that it be included in the consultation response that 1 billion people have some form of disability, they should be encouraged to reach full potential and are individuals with



social rights. He proposed that Council should plan to install accessible street furniture, lobby DfI to have lower kerbs in housing estates and highlighted the challenges many carers face each day trying to get people around. He said that Council should be proactive on a local level.

Councillor McKinney requested that the Chair send a letter to David Henderson, Managing Director and owner of Tobermore, who won the 'True Leader' Accolade at the Make A Difference Awards 2021 for which he was nominated for being proactively prioritising mental health and wellbeing in an authentic way.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that the Chair send a letter of congratulations to David Henderson, Managing Director and owner of Tobermore, who won the 'True Leader' Accolade at the Make A Difference Awards 2021

Councillor Cuddy drew attention to PR 112/21 Chair's Business regarding an update on engagement with Land and Property Services and highlighted that Members needed to be fully aware speaking of a recent spotlight programme that focused on land related issues in other Councils. In response the Chief Executive stated that the Director of Finance was progressing the matter.

Councillor Doris concurred with Councillor Kerr' and said that whilst the Coalisland Public Realm scheme was great it would benefit from accessible street furniture.

Proposed by Councillor Kerr  
Seconded by Councillor Doris and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That in relation to PR113/21 Response to Consultation of DAERA Disability Action Plan 2019-2024 that

- (i) It be included in the consultation response that 1 billion people have some form of disability, they should be encouraged to reach full potential and are individuals with social rights;
- (ii) Council should provide accessible disabled friendly park facilities and street furniture;
- (iii) Council should lobby DfI Roads at every opportunity for lower kerbs in housing estates; and
- (iv) Compliment the Coalisland Public Realm by including accessible disabled friendly street furniture

Proposed by Councillor Doris  
Seconded by Councillor McKinney and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for

Senior Officer – That the minutes of Policy and Resources Committee held on Thursday 10 June 2021 (PR110/21 – PR123/21 and PR133/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C126/21      Receive and Consider Minutes of matters transacted in “Open Business” Environment Committee Minutes of Meeting held on Tuesday 15 June 2021**

Councillor Kerr drew attention to E153/21 Chair’s Business and requested that defibrillator training recommence with staff and stressed that people should be encouraged people to train highlighting recent incidences when defibrillators had saved lives.

Proposed by Councillor Brown  
Seconded by Councillor Graham and

**Resolved**      That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That the Minutes of Environment Committee held on Tuesday 15 June 2021 (E151/21 – E173/21 and E1186/21) transacted in Open Business having been printed and circulated, were considered and adopted.

**C127/21      Receive and Consider Minutes of matters transacted in “Open Business” Development Committee Minutes of Meeting held on Thursday 17 June 2021**

*Declarations of Interest*

*Councillor Glasgow declared an interest in Montober LOL 661*

*Councillor Cuddy declared an interest in Urban Regeneration.*

*Councillor Clarke declared an interest in Broughderg Area Development Association.*

*Councillor Corry declared Greenfingers @ An Ráth Dubh and Moneyneena & District Development Initiative.*

Councillor Brown declared an interest in two groups listed in D109/21 Community Development Report.

Councillor S McPeake declared an interest in Erin’s Own and Termoneeny Young at heart Club

Councillor Cuddy spoke of the Dungannon Gaelic Forum and the St Patrick’s Day events organized by them. He said he was aware that they applied for Council

funding but asked if they received any other level of support either staff or indirect support.

The Chair, Councillor McLean stated that this was a matter for the Development Committee.

The Chief Executive stated he would bring an update to the Development Committee.

Councillor Burton requested an update on the request for extended opening times at Ballygawley Playing Fields.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that an update be provided to development Committee on

- (i) Extended opening times for toilet facilities at Ballygawley Playing Fields;
- (ii) St Patrick's Day event run by Dungannon Gaelic Forum clarity requested as to whether Council provides staff or indirect support in addition to grant awarded.

Proposed by Councillor Kerr  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that the Minutes of Development Committee held on Thursday 17 June 2021 (D102/21 – D118/21 and D126/21) transacted in Open Business having been printed and circulated, were considered and adopted.

## **C128/21 Civic Recognition Nomination**

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

Councillor Kerr requested that Coalisland Bhoys soccer club also be included for winning the Red Ned Cup.

In response the Chair, Councillor McLean said he would permit it on this occasion but moving forward it would have to be notified in time for the report.

Proposed by Councillor B McGuigan  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that

- (i) approval be given to submitted requests for civic recognition as outlined in the report and be dealt with as previously resolved by April 2020 Council in that recipients receive a letter together with an award, where appropriate; and
- (ii) a letter of congratulations to Coalisland Bhoys Soccer Club winning Red Ned Cup.

### **C129/21 Conferences, Seminars and Training**

The Head of Democratic Services sought approval for the previously circulated report on conferences, training and seminars.

Proposed by Councillor Burton  
Seconded by Councillor Wilson and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that approval be given to submitted requests for conferences, seminars and training as outlined in the appendix to the report.

### **Matters for Information**

#### **C130/21 Correspondence**

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

Councillor Ashton drew attention to correspondence emailed on May 27 detailing letter received from Chief Executive of Ards & North Down Borough Council on events to mark the Centenary of the foundation of Northern Ireland. Councillor Ashton reminded Members she had flagged the issue last month and proposed that Council support Ards & North Down BC and write to the Speaker of the Assembly calling for a reversal of the decision not to permit a stone sculpture to mark the Northern Ireland centenary.

Proposed by Councillor Ashton  
Seconded by Councillor Black

That Council write to the Speaker of the NI Assembly calling for a reversal of the decision not to permit a stone sculpture to mark the Northern Ireland centenary.

Councillor S McPeake said whilst he could understand what is being said he had spoken at the May Council meeting on the matter and he would be of the view that it should be dealt with in the parameters of the NI Assembly.

Proposed by Councillor S McPeake  
Seconded by Councillor Doris

That Council do not write to the Speaker of the NI Assembly calling for a reversal of the decision not to permit a stone sculpture to mark the Northern Ireland centenary.

Councillor Cuddy said that everyone should have respect for all communities and this would be something that unionists would be interested in and if council wanted to move forward there had to be give and take.

The Chair, Councillor McLean said there was two proposals and called for a vote on Councillor Ashton's proposal

For	18
Against	19

The Chair, Councillor McLean said that the proposal had fallen.

Councillor Quinn drew attention to the letter received from the Department of Infrastructure in relation to the Ardboe Aerodrome and said that it was his intention to draw all statutory agencies together to try to deliver redevelopment of the site. He proposed that Council lead a meeting to initiate progress on the Ardboe Aerodrome site.

The Chief Executive said that if regional departments were not of a mind to be involved it would be difficult for Council to deliver. He said that officers would explore possibilities and a report would be brought through Environment Committee as to how Council could lead an inter-agency approach to progress development of Ardboe Aerodrome.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, - that a report be brought through Environment Committee as to how Council could lead an inter-agency approach to progress development of Ardboe Aerodrome.

Councillor Doris drew attention to the letter received from the Department for the Economy and said that whilst she could appreciate the department had many priorities she was disappointed that the matter of paid special leave for victims of domestic abuse was not being placed on an action plan. She said that ultimately this could lead to loss of life.

Proposed by Councillor Doris  
Seconded by Councillor Kerr and

Resolved That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer, that Council send a letter to the Department for Economy expressing dissatisfaction that there are no plans to consider the possibility of introducing statutory special leave for victims of domestic abuse.

### **C131/21 Consultations Notified to Mid Ulster District Council**

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

Councillor Monteith drew attention to the Department for Communities: Housing Supply Strategy: Call for Evidence consultation and proposed that Council have a workshop for Members and grant delegated authority to the Development Committee to ratify a response.

Councillor Colvin said that this could not be taken on its own as NI Water persistently asked for money for infrastructure upgrades and Stormont only granted the half of what is required. He stated that this was creating major problems and shared that a factory had wanted to create up to 60 jobs but the infrastructure would not permit this progressing. He said it was all foreseeable and that the Housing Supply Strategy would have no foundation if the infrastructure was not in place. Councillor Colvin stated a strong response needed to be submitted with major emphasis on investment.

Councillor Clarke drew attention to NIE Networks Facilitation of Energy Storage Services and said that delegated authority should be granted to the relevant committee to approve the response which is due by 16 July 2021.

Councillor Cuthbertson drew attention to the DAERA Consultation on proposed changes to the Carrier Bag Levy consultation and said that whilst he recognises the positive response to a levy on carrier bags common sense was needed when it came to some bags for example paper bags used by chemists for medication and those paper bags used by hot food establishments which were biodegradable and stated that Council should respond against such levies on paper bags.

Councillor Cuddy supported this and said Councillor Cuthbertson was right in his approach.

Councillor Clarke said that rural roads were a disaster with rubbish being thrown out along the roads including polystyrene materials.

Councillor Mallaghan sought clarity on the proposal

Proposed by Councillor Cuthbertson  
Seconded by Councillor Cuddy

That Council respond to DAERA Consultation on proposed changes to the Carrier Bag Levy to include that Council does not support the removal of exemptions on paper bags made wholly from paper. Draft response to be brought to Environment Committee for approval.

Councillor Cuthbertson said that the exemptions he was opposed to was that on paper not polystyrene.

Councillor Molloy referred back to the NIE Networks consultation and requested that officers bring education to what environmental impact there would be in relation to the energy storage services.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer that

- (i) an all Member Workshop be arranged to prepare a response to Department for Communities: Housing Supply Strategy: Call for Evidence and that the Development Committee have delegated authority to agree the response which is due on 16 July 2021;
- (ii) Council respond to DAERA Consultation on proposed changes to the Carrier Bag Levy to include that Council does not support the removal of exemptions on paper bags made wholly from paper. Draft response to be brought to Environment Committee for approval.
- (iii) Council respond to NIE Networks: Facilitation of Energy Storage Services (FESS). Delegated authority to be granted to Environment Committee to approve the response with officer providing update to members as to the environmental impact of the storage facilities.

#### *Declaration of Interest*

*Councillor S McPeake declared an interest in ICBAN*

#### **C132/21 Notice of Motion**

Councillor S McPeake speaking on the motion said that

“If the recent Covid pandemic has learnt us anything it is of the growing importance of being able to have adequate broadband speeds in order to communicate and manage our lives in ways that are viewed as the now ‘normal’ within most other regions. Whether it has been the increasing number of people who have had to work

from home or for the large numbers of students needing good connectivity for home schooling and educational purposes, adequate broadband speeds are vitally important. High speed broadband is every bit as essential as other utilities such as water or electricity and it needs to be made readily available to everyone regardless of whether they live in an urban or rural area.

In recent times we have all welcomed the announcement of the £165m financial package made available for Project Stratum. This high speed broadband scheme has been lauded as the panacea needed for rural areas such as Mid-Ulster in order to achieve adequate broadband speeds which are readily available within most urban areas. However, in recent times many residents have been left disappointed on checking on-line with the Department of Economy's "Project Stratum Availability Checker" in that there are no plans for their premises to be included within this upcoming scheme. This is particularly disappointing to those learning that many premises adjacent to theirs are eligible, whilst theirs is not.

Through the valuable work of our Council Officers team who, initiated a recent District wide 'Broadband Survey' which uncovered areas and premises that are "outside the reach of Project Stratum" we have been able to achieve a fairly representative and accurate picture of discrepancies and anomalies in the planned high speed broadband provision. We were told by the Department for Economy officials that there would be approximately 12,000 premises in Mid-Ulster which were planned to be included within Project Stratum. These premises were either presently not receiving 30Mbps or were not included in future plans to receive similar broadband speeds through another telecom's provider. However in addition to these premises there are also several hundred other premises that fall completely outside Project Stratum plans. Within these there are many premises which for a variety of reasons, I feel warrant inclusion within the scheme. When I questioned the Department officials and gave examples of the many anomalies on planned premises' availability at our recent Broadband Working Group meeting, these officials agreed to again look at those premises who have been declared presently outside the scope of Project Stratum and to determine which of them may warrant inclusion.

These officials state that any additional premise identified for inclusion will require additional funding to be found as these premises will not have been budgeted for within the present Project Stratum business case. Members, I mention all this by way of background information and to set in context the thrust of my motion here this evening.

As there has been no additional broadband monies guaranteed for any additional broadband interventions my motion relates to a possible opportunity to recover much of the monies required to plug the missing gaps in broadband provision. My motion relates to last week's NIAO Report into two previous and separate Broadband Schemes here in the North. One initiated in 2016 called the "NI Broadband Investment Programme" or BIP for short and the second one called the "Superfast Rollout Programme" or SRP and was delivered in 2018. These programmes received in excess of £35m of public funding at the time of delivery.



The NIAO report published last week was prompted through a request to NIAO from Irish Central Border Area Network (or ICBAN for short) and I wish to declare an interest as being a council representative of ICBAN.

ICBAN has for some time now been doing some valuable research work into what its members feel as successive government and departmental failures at addressing broadband provision in rural areas within the council areas represented by ICBAN. In 2018 ICBAN Chair Councillor Cathal Mallaghan commissioned the services of Dr Mike Kiely, an eminent expert in Telecommunications to compile two separate reports on Broadband services and the lack thereof within the area. The reports which we commissioned through Dr Kiely strengthened our beliefs that rural areas such as Fermanagh/Omagh and Mid-Ulster had been 'left behind' in the roll out of Broadband Services and that these areas were bottom of the pile in terms of the worst broadband provision of any regions within these islands. In 2018 we took the evidence within Dr Kiely's report and presented it to NIAO and sought their support in investigating how Broadband services were provided and commissioned for within the North. We can now say that this report casts shadows on how these two broadband projects were awarded and questions as to whether there was actual value for money at all in the way they were delivered. The report states that it is possible that the public purse can clawback funding paid to the company awarded the broadband contract (in this case BT) if the contractor has spent less than was expected within its business case or if more customers actually took up the broadband service that had been estimated for. In the case of the two BIP and SRP schemes the Department had expected the take up to be in the region of 20%, but in fact the BIP scheme had a take-up level of 66% and the SRP scheme has had a current take-up level of 33% and is expected to rise much further. Because of this much higher than anticipated take-up the NIAO is now stating that anticipated financial claw-back levels from BT may be possible, somewhere in the region between £14m and £35m which is a significant amount of money.

Members I hope that lessons have been learned with the findings of last week's published report. To conclude I am calling on government to ensure that any clawback monies recovered from BT as a consequence of this NIAO report are re-directed into areas such as Mid-Ulster with the worst broadband speeds. Areas where we already know will still have premises that are not planned to be within the reach of the forthcoming Project Stratum and which will require additional financial interventions. I believe it is only right and fitting that any clawback received should be directed towards broadband provision to these areas. I ask this Council that we communicate this request to the Department of the Economy, the Public Accounts Committee in Stormont and any other relevant Governmental Department charged with the re-allocation of any monies due to the clawback.

Councillor S McPeake moved the motion

*That in light of the recent NIAO Report into Broadband Investment in the North of Ireland, that we welcome the findings of this report, a report which is strongly critical of achieving value for money in delivering broadband provision for citizens of the North. We further note the findings within the report and request that any financial*

*clawback's due from BT should be immediately redirected into Broadband provision into rural areas with poorest broadband speeds.*

Councillor Corry seconded the motion emphasising that the pandemic has highlighted the importance of this utility. She said that the lack of good broadband in rural areas left the vulnerable without social interaction, people losing out on business and job opportunities, students losing out on education. She said that people in rural communities deserved the same levels of broadband as others and thanked ICBAN for the findings uncovered. She highlighted the shortfalls of the BT project and thanked the Council team who had worked diligently through the working group. Councillor Corry concluded that lessons needed to be learnt and that money being retuned should be invested in rural areas.

Councillor Mallaghan thanked Councillor S McPeake for the motion and said he remembered bringing the matter before the NIAO. He welcomed the publishing of the report and said that money clawed back should be invested in rural broadband. He highlighted that this was the third success for ICBAN, he commended the work of Michael Kiely and said that for the small contribution Council makes it receives a tremendous value for money.

Councillor Kerr said he fully supports the motion and said that improved broadband services would help employment and welcomed all progress.

Councillor Ashton highlighted that she had experienced a poor internet connection throughout the meeting. She said she was chair of the Broadband Working Group and welcomed the comments made by Councillor S McPeake and requested that any feedback Council receives on the matter should be filtered to appropriate officers.

Councillor Burton said that as well as poor broadband there was poor mobile phone coverage and spoke of one man in Castlecaulfield who could only make calls from his garden and said council must endeavour to eliminate 'not spots'. She said she fully supported the motion.

In response to Councillor Burton the Chief Executive said the motion was distinctive in that it was dealing with broadband not mobile networks but he would take on board the comments via the most appropriate committee.

The Chair, Councillor McLean said as there was no dissent he declared the motion carried unanimously.

Councillor S McPeake thanked Members for their support.

## **C133/21      Notice of Motion**

Councillor McKinney speaking on the motion said that Mid Ulster was the capital of the food industry and looking around the room many have spent a day or two either on the

potato field or in some form of food production. He said that the district could boast of its ability to produce food be it milk from the Clogher Valley, beef and pork from Stewartstown and the fabulous bakeries all food produced with no air miles required. He spoke of the abattoirs, chicken factories, Cookstown, Dale Farm and said that overall the district had the ability to be self sufficient. Councillor McKinney said that over the past year at times plants had to close but returned to keep food in the cupboards be they producer or processor.

Councillor McKinney moved the motion

"That this Council recognises the important contribution of the hospitality and agri food sectors to the local economy; further acknowledges that many consumers take account of food miles in their eating choices; wishes to facilitate greater use of locally produced products by our hospitality outlets; and to that end establishes a dedicated website to connect the two sectors in a manner that results in mutual benefit."

Councillor Glasgow seconded the motion and said that in pardoning the pun Councillor McKinney had 'put it on the plate'. He said that from farm to fork people should be proud of Mid Ulster highlighting that its hospitality sector had stood up to the test and been proactive with take-out menus during the pandemic which ensured people got their 'steak and spuds'. Councillor Glasgow said that all should be proud of the farms which produce animals to the highest standard and the great restaurants the district boasts providing foods for all occasions.

Councillor Cuthbertson stated that the DUP are happy to support the motion and recognised the dedication of all those throughout the food industry. He said it was great to see restaurants and cafes open again. Councillor Cuthbertson also spoke of the private members bill which had its first reading at Stormont and been supported by three parties which could potentially reduce farming by up to 50%. He said that the Minister for DEARA had brought another bill but Members should keep a watchful eye. He concluded that the DUP would support the motion and that Council should continue to support outlets should it be via grants, leaflets or advertising.

Councillor Clarke said that Sinn Féin would support the motion and said that the region exported 80% of what it produces and highlighted that Loughrey was ahead of its time. He said there was no reason for retailers in Mid Ulster to complain about empty shelves as they should be putting local produce first.

Councillor Burton supported the motion and said as the Chair of the Tourism Forum she had worked closely with the hospitality industry and at all times the forum had went the extra mile paying tribute to staff. She advised that food miles were regularly discussed at NILGA and it was a matter of concern. Councillor Burton emphasised the need to shop local and said that focus should be on local farming, production and consumption and sustainability for the economy. Highlighting the strap line 'gate to plate' she emphasised the need to support local farmers as they adopt to change and diversify to do things differently. She concluded whilst there was challenges there was opportunities also.

The Chair, Councillor McLean said as there was no dissent he declared the motion carried.

Councillor McKinney thanked everyone for supporting the motion and suggesting a newspaper slogan encouraged all to 'Get out and eat out'.

## **C134/21      Notice of Motion**

Councillor D McPeake moved the motion:

“That Mid Ulster District Council engage with colleagues in Armagh, Banbridge and Craigavon Borough Council, Antrim and Newtownabbey Borough Council and the Lough Neagh Partnership, with a view to re-energising efforts towards improving the management of Lough Neagh and securing it's bed and soil. Given the recent focus and national reference to the strategic importance of the Ulster Canal then such efforts are critical towards ensuring that Lough Neagh makes its full contribution towards achieving the huge economic, tourism and environmental benefits that it would deliver to the wider Council areas.”

Councillor D McPeake said that one example that the lough is unsafe for commercial and recreational boats is because there is no navigational authority operating on it. He said that of the six major rivers that flow into Lough Neagh only 3 are navigable and their river mouths require dredging. The Councillor highlighted that Portadown which was connected to Lough Neagh via the upper Bann but its channel is no longer navigable. He said that public and community ownership would ensure any income generated would not leave the Lough Shore Community and subsequently there would be investment in tourist development and infrastructure.

Councillor Doris seconded the motion saying that she grew up in Derrylaughan where generations had worked on the Lough and her own great grandmother had sold fish. She said it was disappointing to live on the Lough shores yet see it so underdeveloped and the reason for this was lack of public ownership. Councillor Doris said that locals care most about the habitat and wildlife and there are generations of wisdom and experience and thus it is essential to secure public ownership. Councillor Doris spoke of the success of the Seamus Heaney Homeplace and the increase of the staycation and the frustration that the Lough could not be developed. In closing she advised that Francie Molloy MP had had discussions with the Shaftesbury Estate to attain the lough for public ownership and called on all to support the motion.

Councillor Kerr said that he would support the motion and felt Council should do everything in its power to enhance the Lough. He said he was a huge advocate of the Lough and protection of its scientific interest. He also stated that council should oppose drilling for fossil fuels. Councillor Kerr said that he had been contacted by a local fisherman who took him to the River Blackwater which in places was littered with debris and trees and many were risking their lives and that the debris also slowed down Lough Neagh rescue. Councillor Kerr requested that a meeting should be arranged for Torrent DEA Councillors who had direct concerns on the matter.

The Chair, Councillor McLean said this was a separate issue.

Councillor Brown said as a party the DUP would support the motion and perhaps as suggested in the motion a Lough Neagh day could be arranged to discuss how to promote and use the Lough to its full potential.

The Chair, Councillor McLean said that was in keeping with the motion.

Councillor Quinn concurred with Councillor Brown and said he was happy to support but the main problem is around ownership. He spoke of the problems at the mouths of the rivers especially that of the Blackwater. He spoke of growing up on the shores of the Lough himself and the community groups who had wonderful ideas for music and fishing events highlighting that one person had requested a beach facility but the water quality would not lend itself to it. He highlighted the positive developments such as Ballyronan and the work of the Lough Neagh Partnership.

The Chair, Councillor McLean stated as there was no dissent he declared the motion carried.

Councillor D McPeake thanked everyone for their contributions and said that as highlighted by Councillor Kerr navigation was a major issue and at present people could only drive around the lough.

#### **C135/21      Notice of Motion**

Councillor Mallaghan moved the motion.

“This Council recognises the brilliant work carried out by Mid Ulster Youth Voice with assistance from EA youth services and Mid Ulster District Councils Good Relations Department. Commends the Mid Ulster Youth Voice Executives policy papers and invites them to full council to present to us all. Endeavours through existing funds to support Mid Ulster Youth Voice on new projects and to increase their already diverse membership.”

Councillor Mallaghan said he had mentioned engagement with the group at the annual meeting of Council and spoke of the presentation they had delivered using the four pillars of employability, mental health, environment and language rights. He said that their presentation skills had been fantastic and Council should support them especially in enhancing membership as this would encourage people to become involved in politics. He said that there was great support from the Education Authority and paid tribute to Council officer Sean McElhatton. Councillor Mallaghan said that five Members had engaged on the day and all had been impressed and he said whilst deputations usually go to a relevant committee an exception should be made in this instance and the group be invited to the Council meeting.

Councillor Doris seconded the motion and said that she had attended the event acknowledging that the young people were ahead of the game especially on equality and rights. She too commended Sean McElhatton on a well run event.

Councillor Kerr concurred with previous speakers and welcomed the group being invited to Council he said they had discussed a wide range of topics on the day including the Irish Language and the LGBT community. He supported the motion.

Councillor McFlynn pledged her support to the motion and said the young people were inspirational and had spoken on climate change, language, economy and rights. She said the group was cross community and like Councillor Mallaghan recognised that the youth were the future and how they had been open in debate during round table discussions.

Councillor McFlynn commended Councillor Mallaghan on the motion.

The Chair, Councillor McLean said the DUP would also support and it had been unfortunate that he had been unable to attend the event. He said that he would liaise with the Chief Executive and host an event prior to their presentation to committee.

Councillor Colvin on behalf of UUP said that they had been unable to attend the event and recognised that Sean McElhatton carried out great work the notice for the event had been somewhat short. Councillor Colvin said they would support the motion.

The Chair, Councillor McLean declared the motion carried unanimously.

Councillor Mallaghan thanked everyone for their support and gave a shout to Matthew Orr who had attended Council meetings and now watched online.

In conclusion the Chair, Councillor McLean said that is should be the spirit of motions as they were about concentrating on and within Mid Ulster and he would appreciate it if this theme continued stating that much could be achieve.

**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 8.45 pm*

Proposed by Councillor Molloy  
Seconded by Councillor S McPeake and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority under Section 3.3 of the Scheme of Delegation for Senior Officer – That items C136/21 to C144/21 be taken as confidential business.

20 – Council (24.06.21)

### **Matters for Decision**

- (i) Council Confidential minutes of meeting held on 27 May 2021
- (ii) Audit Committee confidential minutes of meeting held on 1 June 2021
- (iii) Planning Committee confidential minutes of meeting held on 8 June 2021
- (iv) Policy and Resources Committee confidential minutes of meeting held on 10 June 2021
- (v) Environment Committee confidential minutes of meeting held on 15 June 2021
- (vi) Development Committee Confidential minutes of meeting held on 17 June 2021
- (vii) Mobile Catering Contract Award
- (viii) Gifting of land situated at Milltown Park, Dungannon to Mid Ulster District Council
- (ix) Document for Sealing: Deed of Conveyance in respect of lands situated at Milltown Park, Dungannon

### **C145/21 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 10.05 pm

Chair \_\_\_\_\_

Date \_\_\_\_\_

## **Annex A - Introductory Remarks from Chairperson**

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

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

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

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

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







**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 1 July 2021 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means**

**Members Present**

Councillor McKinney, Chair

Councillors, Ashton, Buchanan\*, Cuddy, Doris\* Elattar, Kearney, S McAleer\*, S McGuigan\*, McLean\*, S McPeake, Molloy\*, Quinn\*, Totten\*

**Officers in Attendance**

Mr McCreesh, Chief Executive  
Mrs Dyson, Head of Human Resources  
Mr Kelso, Director of Public Health & Infrastructure  
Lowry Raymond\*\*, Head of Technical Services  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett\*\*, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr Tohill, Director of Finance  
Mrs Grogan, Democratic Services Officer

**Others in Attendance**

Councillor Bell\* (7.42 pm)

\* 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 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.*

**PR134/21 Apologies**

Councillors Forde and Gildernew.

Mrs Canavan, Director of Organisational Development.

**PR135/21 Declarations of Interest**

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

Councillor Buchanan declared an interest in agenda item 4 – Connecting Pomeroy project as he is a member of the committee.

**PR136/21 Chair's Business**

None.

## **Matters for Decision**

### **PR137/21 Community Development – Connecting Pomeroy**

The Head of Technical Services presented previously circulated report on behalf of the Head of Community to accept funding from the Rural Development Programme to proceed with the court yard parking and amenity area at Pomeroy Forest.

Proposed by Councillor Molloy  
Seconded by Councillor McLean and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to accept funding from the Rural Development Programme, with match contribution and proceed with the court yard parking and amenity area at Pomeroy Forest.

### **PR138/21 Annual Progress Return – Equality Commission for NI (2020/2021)**

The Head of Democratic Services presented previously circulated report asking members to consider Mid Ulster District Council's Annual Progress Report for the period 2020-21 on meeting the statutory equality and good relations duties as detailed within Section 75(1) and 75(2) of the N Ireland Act 1998. Deadline for submission is 31 August 2021.

Proposed by Councillor S McGuigan  
Seconded by Councillor S McPeake and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that Council submits the Annual Progress Report (2020-2021) on the implementation and activity surrounding its Equality and Good Relations statutory duties to the Equality Commission for Northern Ireland.

### **PR139/21 Council's Corporate Performance Improvement Plan: 2021-22 and 2022-23**

The Head of Democratic Services presented previously circulated report to consider Council's Corporate Performance Improvement Plan for period 2021-2022 to 2022-2023.

Proposed by Councillor S McPeake  
Seconded by Councillor Molloy and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of

Delegation for Senior Officers to approve the Council's Corporate Performance Improvement Plan 2021–2022 to 2022-2023.

**PR140/21 Member Services**

No Issues.

**Matters for Information**

**PR141/21 Minutes of Policy and Resources Committee held on 10 June 2021**

Members noted Policy and Resources Committee Minutes of Meeting held on 10 June 2021.

*Live broadcast ended at 7.09 pm.*

**Local Government (NI) Act 2014 – Confidential Business**

Proposed by Councillor Molloy

Seconded by Councillor Elattar and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR142/21 to PR156/21.

**Matters for Decision**

PR142/21	Economic Development: Legal Agreements
PR143/21	Financial Report for 12 Months Ended 31 March 2021
PR144/21	Staffing Matters for Decision
PR145/21	Firewall Replacement
PR146/21	Desertcreat Lands
PR147/21	Cot Lane Footbridge – Repairs
PR148/21	Property in Dungannon
PR149/21	Civic Offices Refurbishment Works
PR150/21	ICT Fees - Update

**Matters for Information**

PR151/21	Confidential Minutes of Policy & Resources Committee Meeting held on 10 June 2021
PR152/21	Staff Matters for Information
PR153/21	Labour Market Partnership
PR154/21	Managing Attendance
PR155/21	Contracts and DAC

**PR156/21    Duration of Meeting**

The meeting commenced at 7 pm and concluded at 9.05 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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





**Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Monday 5 July 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means**

**Members Present** Councillor Brown, Chair

Councillors Buchanan\*, Burton, Cuthbertson, Glasgow (7.06 pm), Graham, Kearney, N McAleer, B McGuigan, S McGuigan\*, McNamee, Milne\*, Totten (7.15 pm)\*, Wilson (7.10 pm)

**Officers in Attendance** Mr Kelso, Director of Public Health and Infrastructure  
Mr Lowry, Head of Technical Services\*\*  
Mr McAdoo, Head of Environmental Services\*\*  
Ms Caldwell, Principal Environmental Health Officer\*\*  
Mr Scullion, Head of Property Services\*\*  
Mr Wilkinson, Head of Building Control\*\*  
Mr McKeown, ICT Support  
Mrs Grogan, Democratic Services Officer

**Others in Attendance** Councillor McFlynn  
**Deputation:** Kevin Bloomfield – NI HMO Manager\*

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

\*\* Denotes Officers present by remote means

The meeting commenced at 7.00 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.*

**E187/21 Apologies**

Councillor McAleer.

**E188/21 Declarations of Interest**

None.

**E189/21 Chair's Business**

The Chair advised that he had received a request to speak from Councillor B McGuigan and invited him to address the committee.

Councillor B McGuigan thanked the Chair for allowing him the opportunity to address the committee on the important issue of opening times regarding Maghera Walled Garden.

He advised that this was a really good Council facility within Maghera and recent works carried out to link it with Largantogher Walkway by means of opening and closing a gate controlled by a person there. He said that there had been a recent appointment by Council for a full time staff member who was doing a really good job and very passionate about his work as was evident to see when you go into the garden and also working with groups like schools etc. The vicinity of St Lurach's Church and churchyard which was a lovely setting was kept very well and certainly the whole facility in that whole area was very good. He referred to the opening times and advised that he had a number of complaints in relation to the opening times, especially not being open on a Monday as the staff member rightly is entitled to his time off and before the appointment there had been issues there with people coming from a long way away to Maghera along the A6 and arriving and finding the gate locked which was disappointing. He stated that when we have a facility like this and not fully utilising it by not opening it on a Monday, then this was disappointing and said that he was aware that the issue related to a staffing issue and staffing costs. He asked members if they were minded to reopen the facility on a Monday unmanned on a trial basis over the summer period as it was something that should be investigated and no additional costs by trialling this proposal and would take away the issue of disappointment for visitors. He advised that no later than last week there were three people from Ballyclare arrived at the site only to find the gate closed which would have been very frustrating. He said that he didn't see any issue with opening the facility unmanned for one day in the week, with monitoring taking place and would be confident that the people visiting would not cause any damage or harm to the facility.

The Director of Public Health and Infrastructure said that he was aware of a legacy staffing arrangement which had been in place for some time at the Walled Garden and stated that there would be no issue looking at this again. He felt the suggestion was very positive of opening the facility on a trial unmanned basis was a practical solution and could be reviewed at the end of the summer months as necessary.

Councillor B McGuigan said that this was now the time over the summer period to proceed with this on a trial basis and monitor the footfall that uses the facility. He stated that any negative issues relating to opening up the facility unmanned on a Monday would certainly need to be revisited, but was confident that this suggestion was worth trying.

Councillor Kearney said that he would be happy to second Councillor B McGuigan's proposal as it was a good idea. He asked also that investigations be carried out on where the key for St. Lurach's Church was at present as there was a previous arrangement to lift the key at the Leisure Centre and when the key was required to show people around, it wasn't available and asked if research could be done to see where the key currently was.

*Councillor Glasgow entered the meeting at 7.06 pm.*

Proposed by Councillor B McGuigan  
Seconded by Councillor Kearney and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to agree that the Maghera Walled Garden facility be opened on a Monday unmanned on a trial basis and also research carried out on where the key of St. Lurach's Church currently was.

*Councillor Wilson entered the meeting at 7.10 pm.*

## **E190/21      Deputation: NI Houses of Multiple Occupation Unit**

The Chair welcomed to the committee Mr Kevin Bloomfield from NI Houses of Multiple Occupation Unit and invited him to address the committee.

Mr Bloomfield updated members on HMO's, which included (appendix 1):

- What was an HMO – 4 components:  
Accommodation, Persons, Households and Rents
- What was not an HMO – Buildings and establishments: occupied by students, religious communities, armed forces, prisons, owners family, converted flats
- Requirement for HMOs to be licensed
- Granting an HMO Licence
- Fit & Proper Person
- Checklist of Required Documentation
- Standard Licensing Conditions
- Licensed HMOs
- Inspections
- Statutory Notices

The Chair thanked Mr Bloomfield for his presentation and advised that he had a few questions he wished to raise.

The Chair said that firstly in relation to the notices which had been issued enquired if these resulted in any fixed penalty notices and if there were fines, where did the income go to. He also enquired in the event that a household refuses to pay a penalty notice, what action does the HMO take in relation to that.

Mr Bloomfield advised that no fixed penalty notices had been issued in the Mid Ulster area and if there was, then the fixed penalty income would go to Belfast City Council for the administration of the scheme as the scheme itself was self-financing to run on as a neutral cost basis. If an individual refuses to pay fixed penalty costs then the policy was to proceed to prosecution i.e. fixed penalty for running an unlicensed HMO was £5,000 and if a prosecution was sought then the maximum fine the courts could award was £20,000 plus a criminal conviction.

The Chair referred to the number of HMOs and stated that the graph had shown there were 85 licensed HMOs at 31 March 2019 but at 31 July 2021 it shows it was down to 24 although 6 of them were waiting re-approval. He enquired where the other 60 HMOs went within the two years period.

Mr Bloomfield advised that this came down to the change in definition when the 2016 Act came into force. He said that the Act itself included a number of exemptions from the definition as previously some Housing Associations properties would have been HMOs which was no longer the case. The biggest drop out was properties which were converted into flats as under the old definition required 3 people overall in the building from more

than 2 households and now under the new definition they have to be from each individual flat which had 3 people from 2 households. In relation to RQIA properties some fell outside of the definition and the change in the extended definition of family and the number of households had removed a number of the households from the definition also. He advised that all of the properties which were in place on 31 March in the period just before the date of transfer of the Act whilst employed by the Housing Executive, staff had went out and checked those properties, either going out physically checking or checking through the plans of the property to see if they were capable of being occupied for HMOs and checked for their status.

Councillor S McGuigan advised that his query was around definitions and how they had changed. He said that the definition may have changed but the conditions of some of the properties hadn't changed a great deal and there would still be certain concerns that some people were still living in some unsatisfactory living conditions. He also referred to a serious issue in the Dungannon area in years gone by and may have lessened to some degree but how much certainty was the HMOs were being picked up that really do exist.

Mr Bloomfield advised that the ones that they were aware was physically inspected and 47 inspections done over the last 2 years which were primarily complaints and referrals received from members of the public or from other statutory agencies which were followed up by going out and doing a check around HMO usage. He said that none of the inspections resulted in any enforcement action which was satisfactory, but if there were any further complaints received in relation to any properties then colleagues from Environmental Health Department would be in contact with NIHMO if they have any concerns relating to any problem properties and a follow up check would be completed on HMO usage.

He referred to the standard of some properties falling outside of the definition and advised that some of those properties would have had integrated fire alarms, system for emergency lighting and whatever the old standards required to bring it up to standard. At the time those standards would have been classed as reasonable for those types of properties, but now the definitions has been changed, which NIHMO couldn't enforce. Members may be aware that DfC were bringing forward a Bill through the assembly at the moment to look at the wider private rented sector and his understanding of that Bill although he wasn't privy to the whole ins and outs of it was that there were some things in it to tackle some of the issues and gaps left by the change in HMOs, particularly in relation to safety monitoring.

The Chair thanked Mr Bloomfield for attending the meeting to provide an update to members and said that it would be beneficial for the group to provide an update to Council on an annual basis to keep members abreast on what was happening.

Mr Bloomfield agreed that this could be accommodated and he withdrew from the meeting at 7.28 pm.

The Chair advised that members would have received a late paper on Northern Ireland Electricity (NIE) on the Facilitation of Energy Storage Services (FESS) which was brought up at Council in June where it was agreed that a paper be prepared and invited the Director of Public Health & Infrastructure to address the committee.

## **E191/21      Northern Ireland Electricity (NIE) on the Facilitation of Energy Storage Services (FESS)**

The Director of Public Health & Infrastructure presented report to provide members with information on the recent consultation launched by Northern Ireland Electricity (NIE) on the Facilitation of Energy Storage Services. The consultation was launched on 4<sup>th</sup> June and must be responded by 16<sup>th</sup> July 2021.

Councillor Wilson wanted to commend staff on putting this together as it wasn't an easy document to read. He referred to the issue of costings within the report under the "Protection of the NIE Supply Network" where it was stated that this was the highest costs across Europe. He felt that a paragraph should also be included referencing the cost to industry as it had a knock on effect on the cost of goods and attracting investment into the area.

Proposed by Councillor Wilson  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve the draft consultation response to NIE for the 'Facilitation of Energy Storage Services' and request a presentation from NIE Senior Officers on the current network and issues arising at a future meeting. Also that a paragraph be included under "Protection of the NIE Supply Network" to reference the cost to industry as it had a knock on effect on the cost of goods and attracting investment into the area.

## **Matters for Decision**

### **E192/21 Consultation on Proposed Changes to the NI Carrier Bag Levy**

The Head of Environmental Services presented previously circulated report to seek approval to submit a response to the consultation on the NI Carrier Bag Levy.

Councillor Cuthbertson thanked Mr McAdoo for bringing this matter before committee today as he had raised the issue at the full Council meeting last month. He said that the point he had picked up on at the full Council meeting was in relation to the possible removal of the exemptions on all paper bags in which he had raised concerns as some pharmacies and hot food outlets utilise these, but he has now noticed that the Department was reserving the decision and no decision has been made on that yet. He felt that Council should be replying to the Department asking them for an exemption on paper bags. In advised that he had been involved in a few litter picks in the Dungannon area this year and he did not think that plastic bags were a major problem laying in the sides of the roads but more plastic bottles and cans and stuff like that and believes that it's not as big a problem as it's made out to be. He felt that it was unfortunate that large retailers were not selling single use carrier bags and promoting more expensive reusable bags costing up to 50p and then possibly another 25p on top of that which ended up being very expensive.

Proposed by Councillor Cuthbertson  
Seconded by Councillor Burton

To leave the levy on carrier bags where it was currently and to keep an exemption on paper bags.

Councillor Burton said that she was happy to second Councillor Cuthbertson's proposal as it was initially the goal to get rid of plastic bags resulting in a lot of retail establishments resorting to use paper bags which were not as harmful to the environment. She referred to food outlets and stated that whilst out on litter picks found paper bags which were not harmful but inside the bags would be a polystyrene food boxes/trays which would be harmful and doesn't know how all these things could be addressed. She advised that a lot of shops had started to wrap their merchandise i.e. clothing in tissue paper and do away with bags, with some creating some beautiful promotional bags which were not harmful to the environment and felt that the Council needed to work with retailers at this time and not make it any more difficult for them to be able to provide a service for the shopper to take their purchases home. She said that it would be rare to go into a pharmacy to get a free prescription and be charged for the bag and would totally agree with the former comments.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve the submission of a response to the NI Carrier Bag Levy consultation and to advise of committee's views on supporting the proposals to not increase the levy on carrier bags and also keep an exemption on paper bags.

#### **E193/21 Consultation Response on Additional Protection for Service Animals in Northern Ireland**

The Principal EHO presented previously circulated report to provide Members with information on the recent consultation launched by Department of Agricultural & Rural Affairs (DAERA) on 17<sup>th</sup> June 2021. This consultation seeks views on a proposal to strengthen protection provided to service animals in Northern Ireland. It is aimed at those stakeholders who work with service dogs and those who have an interest in animal welfare. The list of consultees is not, however, meant to be exhaustive and responses are welcomed from anyone with an interest in or views on the matters covered by this consultation paper.

Councillor Burton said that she would like to propose that this Council does support the consultation as it was a very emotive subject as we were a country which was supposed to love animals and whilst this is service dogs and when you see some of the harmful things that happens to animals, we should be doing anything we possibly can to ensure their safety is paramount while in service.

Proposed by Councillor Burton  
Seconded by Councillor Graham and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers agree that Council responds to the online consultation in support of the new legislation to protect service dogs in advance of the response date of 1st August 2021.

Councillor Kearney stated that he would be happy to support the recommendation and said that it was good to see progress on the motion which began life in Mid Ulster on an All-Ireland animal cruelty register which has now made its way to Stormont with over 4,000 signatures. He said that the motion had started in this Council and had certainly gathered momentum which was great to see.

Councillor Milne said that he wished to raise a wider issue relating to cruelty to animals and enquired if this was cruelty in general in terms like cattle and horses etc. He stated that he previously raised the issue around penalties that were imposed on people that were convicted and banned for life from keeping animals. He said his concern related to the fact the loopholes exist where the same offenders/household/farmyard keep animals under the pretext that this has been let out or whatever but in fact the person which has been banned for life has used the loophole to acquire cover from someone else.

Proposed by Councillor Milne

That it be included in the consultation that people that were banned for life from keeping animals, that this also includes the land that they own and also the farmyards that houses these animals.

He said that there was an ongoing situation within his area where a loophole has been abused in a big way and would appreciate if this could be included or some kind of a report submitted to the powers that be to tighten up the rules and regulations around these type of issues.

The Director of Public Health & Infrastructure said that he was aware of the concerns in which Councillor Milne referred to and had communicated with the Department regarding that and would certainly had no issue on following through on this matter again.

Seconded by Councillor B McGuigan and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that it also be included in the consultation that people banned for life from keeping animals, that this also includes the lands that they own and also the farmyards that houses these animals.

## **E194/21 Biodiversity – All Ireland Pollinator Plan**

The Head of Technical Services presented previously circulated report to update Members on their request at the Council meeting held on 28<sup>th</sup> May 2021 regarding Mid Ulster District Council registering its support for the All-Ireland Pollinator Plan. This report outlines the framework for this.

Councillor B McGuigan said that he would be happy to propose the recommendation as it was a very important plan and this Council should be working with groups to try and assist in any way they can to deliver the plan.

Councillor McNamee said that he would be happy to second the proposal as there were 99 different types of bees on the Island of Ireland and a third of them were threatened with extinction and agreed that there was a need to manage the lands better and look after our bees.

Proposed by Councillor B McGuigan  
Seconded by Councillor McNamee and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that Mid Ulster District Council register as a supporter of the All-Ireland Pollinator Plan.

## **Matters for Information**

### **E195/21 Minutes of Environment Committee held on 15 June 2021**

Members noted minutes of Environment Committee held on 15 June 2021.

Councillor Cuthbertson referred to the defibrillators and advised that he had attended the opening of works and play-park at President Grant's on Saturday and noticed that there was no defibrillator at the site yet since it was proposed and approved last November.

The Principal EHO advised that the procurement process had been completed and the order process was currently ongoing and anticipated that defibrillators should be purchased and with Council shortly for sending out for the relevant locations for installations.

Councillor Burton said that it was great to be present and see the work which had been done in terms of signage and interpreting boards at President Grant's, with staff putting on a fabulous show on the day. She said that the President himself had actually turned up at one stage and was good to see a lot of social media and videos promoting the event and was also good to see a rural location getting the publicity it deserves. She said that she was absolutely delighted to see the play park getting the facelift that it deserved and requested that if at some stage that there was available funding that facilities be considered for older children as this site as this was the request from that area.

She referred to E165/21, page 133 and said that she was aware of the ongoing situation relating to the brown bins and whilst it was hoped that it would be brought back tonight agreed that it was a bit of a short turnaround to expect that. She referred to the latter end of the paragraph and said that she raised the need for bins around the White Lough outside Aughnacloy which had got a wonderful refurb during Covid and was her understanding that Rivers Agency had paid for but it was disappointing to see a large amount of litter which was an ongoing issue and asked that bins be installed at the entrance and possibly at the back of the lough. She said that it was her idea that the Council purchase the bins and then charge for them or ask them to put the bins there themselves, but on a recent visit she did not acknowledge any bins at the site sadly and was dismayed to see the vast amount of rubbish lying about, including facemasks, bottles and cans etc. and had taken a bin liner from her car and filled it up. She concluded by



saying that it was a really nice local beauty spot and no-one wanted to see it getting into a dilapidated state and advised that there were fish in the Lough and a few dead in the water and didn't know if this was a result of rubbish in the Lough but would like to nip this in the bud and enquired if there was any update from the previous Minutes.

The Director of Public Health & Infrastructure advised that he would have the matter followed up and provide the member with an update.

Councillor Graham referred to E165/21 regarding the Review of the Brown Bins and enquired how this was coming along and when it could be reasonably expected.

The Director of Public Health & Infrastructure advised the officer team were reviewing the matter and a report would be brought to the next committee meeting.

Councillor Glasgow said that he was following on from Councillor Cuthbertson's comments regarding defibrillators and said that the Head of Environmental Health had reached out to him following a query he had regarding sourcing one for Drum Manor and was pleased to say that it was his understanding that the Forestry Service had a defibrillator on site. He said that he had raised a further question but may be still awaiting a response but wished to know if the Forestry Service had registered the defibrillator and if the Council could source the exact location as a lot of these defibs are not registered on the actual app and this defeated the purpose, but it's good that it's there as the Council can actually move on and focus on another area they need to step in and assist.

The Director of Public Health & Infrastructure advised that officers would follow the matter up and provide an update to Councillor Glasgow on that.

### **E196/21      Update on Refuse Collection/Route Optimisation**

Members noted update on route optimisation and changes to the refuse collection service.

Councillor Glasgow said that he noticed that this issue was for information but felt it would have been better being brought forward as a decision for some conversation as members may recall that himself and other members had spent some time trying to sort these problems out. He said that he did welcome the communication and in fairness, it was a lot better this time compared to what it was the last time and would give credit where credit was due. He said that he had witnessed for himself the small things which were hooked onto the bin handles over the last few weeks and fairness well done to that. Whilst reading through the report he had observed that 700 more households was going to onto this for the first time and said that he hoped that there was a big move with all these houses being put on to ensure that these new households don't suffer like the previous households had suffered over the last two years whenever this was brought in. He also referred to the matter of optimising which was outlined within the report and potentially speeding it up and enquired where the Council stands in terms of a cost saving, as more bins were going to be lifted at a quicker rate with possibly half a day or a few hours in the day to spare. He asked if this would allow the Council to save money in the long run going down the line and leads on to what he previously asked at one of the Council meetings before the rates were struck last year, was that a report to be brought back on the savings which were associated with the previous route change in the rural Cookstown area which caused so much problems. He said that the Council were now two years into this and he

was keen to see the savings that were actually made and whether the benefits which were put to members in the report at that time had actually been achieved. He concluded by saying that he hoped that this goes a lot better than it previously did, but commended that there was a much better communication and hopefully that this has paid off.

Councillor Cuthbertson said like the previous speaker, he thought that it would be probably better to get the details on savings from the previous trial first before moving on to another one. He said that he presumed that the only savings would be a wage and doing someone out of a job and did not believe that it would be any speedier as there were incidents where bins were not in the right place, pulled back or pushed in a bit, and didn't believe that there would be big savings on it. Unfortunately the men employed in Technical Services were probably one of the lowest paid within the Council and felt that this was just cutting one of the lower paid jobs for the sake of cutting it. He said that he presumed that this would never come into the urban areas and towns as he could not envisage this ever working and asked for the officer's thoughts on that.

The Head of Environmental Services referred to deployment in urban areas and agreed with member that OAVs would not be suitable to empty bins in urban areas because of groupings of bins in particular. He stated that the last phase was not a trial, but simply the last phase of implementation, as part of the ongoing roll out of OAVs across all rural roads in the district, primarily due to health & safety reasons.

In regards to savings, the Head of Environmental Services referred to item 4.1 –

*Financial: - "This latest phase of route optimization, which is on a smaller scale to that implemented previously, will not lead to a reduction in vehicles or a resultant saving in maintenance and fuel costs. However OAV collections can be more efficient than that by standard refuse collection vehicles (if bins are presently correctly by residents as requested) and it is hoped this efficiency will enable the growing number of households in the district to be serviced without an increase in budget i.e. doing more with the same level of resource".*

*Human: - It is important to highlight that there are no staff savings associated with the OAV roll out because the single loaders previously utilized on vehicles on rural routes are being redeployed to standard refuse collection vehicles on built up/urban routes where previously only one loader was deployed but where two are now required due to the continued increase in new houses/additional developments i.e. a rebalancing of resource.*

He advised that reading through this section had clarified that there would be no jobs lost.

He referred to the 700 households and the improved communications and advised that all of these households would receive a letter which was provided in Appendix 1 direct to their door and also refers to a collection calendar, a label on their bins and also a video on the website for information.

Councillor Glasgow thanked Mr McAdoo for the update but felt that item 4.1 wasn't satisfactory when it came to financial costs as he was looking the financial detail and not a summary as there was a need to provide the detail from the previous review that was carried out so we can actually see where we are going and in his opinion 6 lines was not good enough when we are dealing with near 4,000 households and deserves more than 6

lines within a report. He said that he was aware of the calendar being put out and previously he had problems which was brought to the Council's attention in relation to our website not actually tallying with the calendar and was under the impression that the Council calendar was not actually controlled internally which may have caused the problems, particular on the Knockaleery Road, Cookstown when they were leaving their bins out last year and realised that the online system wasn't corresponding with what the bin collection times actually was. As a point of clarity enquired whether the operators of the website being made aware of the changes as the calendar may be blown of the bins by the time they get home from work.

The Chair raised the issue of presenting a bin and enquired on a point of clarity if a person's household was on the left was it a requirement to move the bin to the right handside of the road for this machine or does it go up and down the road twice to do each side.

The Head of Environmental Services clarified that there was no requirement for householders to move bins across the road.

The Chair suggested that the financial detail as requested by Councillor Glasgow be brought to the next Environment Committee.

The Head of Environmental Services said that there wasn't financial savings but there would be efficiencies through this implementation which would allow the Council to service the additional households coming on stream which, could be up to 1,000 or more per year, without any additional resource. He advised that the primary purpose of the OAV rollout was health and safety and the safety of the operatives working at the back of the vehicle.

The Chair said that picking up on what Councillor Glasgow had previously said enquired if there were no costs savings during the first time this scheme was rolled out for the 4,000 households.

The Head of Environmental Services advised that this was the phase previous to that when they were rolled out in the Magherafelt area where the Council managed to save a vehicle which was a saving going back three or four years. He said that in relation to this latest phase the cost savings were balanced with staff transferring to more congested urban routes.

Councillor Glasgow said as a matter of clarification for the officer referred to the review in Cookstown in 2019 when this review was carried out and he had raised this at Council and at Committee numerous times whenever there were issues. He advised that it was 2019 when the OAV came to the Cookstown area and was not referring to the Magherafelt area and would be aware that no-one was going to know what the cost savings were going to be and would most certainly enquire when the year passes. He said that he would be keen to see what the savings were regarding the route optimising in 2019/20 in Cookstown as a point of clarity, he was under the impression that people may have to be asked to move their bins to the other side of the roads depending on numbers and he had raised this concern before from a road safety point of view and felt that clarification was needed on this. He felt that no statement should be made indicating that no bins were to be moved across the road when potentially people may have to.

Councillor Burton recalled this being a conversation at a previous meeting where Councillor Glasgow raised the issue of people having to take their bin across the road. She referred to page 146 where it states *“make sure that the handles of your bin are facing away from the road and towards your property and that your bin isn’t tight up against a wall, fence or hedge”* and stated that on the road she lived on if a person left a bin too far out then there would be no bin when they came back as it would be swiped off. She advised that people put their bins out the night before and live on very minor roads and her worry would be if this was going to be rolled out that there were roads within our rural areas would struggle to be able to get these collected and would be times that people would also struggle with how far apart a bin should be. She said that during her term as a Councillor she became aware of how strongly people feel about their bins and you could nearly close down a lot of things but if you close down their bin collection for a day or when a lorry breaks down, the local Councillors phone line is like a hotline as everyone is on saying that their bin wasn’t collected today which was rightly so as it was a service the Council provide. She felt that there could be teething problems when this initiative comes out into other areas and was not looking particularly forward to that time.

The Head of Environmental Services referred to comment regarding narrow rural roads and advised that all roads were accessed for suitability for OAVs and were actually a few which weren’t suitable and these roads were serviced by a smaller 7.5 tonne Mac Pac vehicle if necessary.

Proposed by Councillor Brown

That a report be brought to the next Environment Committee on the cost implication of what has happened over the last number of years with regards to these vehicles and if needed to revert back to the beginning at Magherafelt if need be, but emphasis to be more on the Cookstown area.

The Director Public Health & Infrastructure noted the concern of members in relation to the rollout of the OAV system. He advised the reporting officer had stated in his report that any efficiencies identified will be utilised to offset increased costs which arise each year from new households being added to the weekly collection runs. He agreed with what the officer had indicated regarding the huge issue around workers safety as he had personally observed on vehicle video evidence of a car colliding with the rear of a bin lorry while undertaking collections on a rural road. The car was extensively damaged as a result and the Council employee missed serious injury by approximately three feet. The Director stated it was important that members had a thorough appreciation of the costs involved in delivering the services, but they should also give clear reflection on Councils’ Health & Safety responsibilities in this regard. He confirmed that a more detailed report on the matters will be brought back to the next meeting of the Committee.

Councillor B McGuigan said that this was to do with the Cookstown area and the rollout, but this initiative has been in the Magherafelt area for a number of years and he had received no complaints and as far as he was aware no other members from that area has received any either. He said that it may be a fear of a new system coming into an area that people weren’t used to and all these potential issues could come to light. He took into consideration the Director of Environment & Infrastructure concerns relating to staff standing at the back of a vehicle and the potential danger and felt that this new system was not going to be as problematic as what was being stated here.

Councillor Kearney concurred with previous member and said that he has become accustomed to it in his part of the world for a number of years and stated that he lived on the edge of the village and not only was there a bin lorry and an operative but also a small van with a driver, 2 men in the lorry and felt there was a need to weight this all up and he had no problem with the single lift either and was working alright.

Councillor Glasgow said that he wished to emphasise that he wasn't referring to health and safety as he takes the professional advice by the officers when it comes to health and safety as they know it a lot better than him, but felt he was well within his rights to ask for a costing because we were all elected people around the chamber tonight and the ratepayer wants to make sure that they are getting value for money and it was members job to scrutinise costs. He stated that he was just asking from a costing point of view for Cookstown area in 2019 and that was solely the purpose.

The Director of Public Health & Infrastructure confirmed there was no issue about bringing a report back to the next meeting of Committee.

The Chair said that he was happy enough and took on the points of members and as he lives in an urban area, does not have the privilege of having this lorry coming to lift his bin and took on board the points in which Councillors B McGuigan and Kearney had made, but felt that if costings on a point of principle could be taken back, then this would be appreciated. He said that a price cannot be put on health and safety as no members would wish to see anyone being injured in any way while undertaking their day's work.

Proposed by Councillor Brown  
Seconded by Councillor Glasgow and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers that a report be brought to the next Environment Committee if possible on the cost implications of rolling out the OAV collection vehicles as part of the refuse collection service .

#### **E197/21 Tree Planting Scheme at Tullyvar Landfill Site**

Members noted update on the recent planting of a new native broadleaf woodland at Tullyvar Landfill Site with grant funding from the DAERA Forest Expansion Scheme.

#### **E198/21 Building Control Workload**

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

#### **E199/21 Entertainment Licensing Applications**

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

#### **E200/21 Digitisation of Building Control Files**

Members noted previously circulated report which provided an update on the completion of the digitisation of records within the Building Control Department.

**E201/21      The Application of the Houses in Multiple Occupation Act (Northern Ireland) 2016**

Members noted previously circulated report which provided an update on the implementation of the Houses in Multiple Occupation Act (Northern Ireland) 2016 “2016 Act” within Mid Ulster District Council.

**E202/21      Correspondence Received from the Food Standards Agency in Relation to the Covid-19 Recovery Plan for Local Authority Delivery of Food Law Controls**

Members noted previously circulated report which provided an update on correspondence which has been received from the Food standards Agency in relation to the Covid-19 recovery plan for local authority delivery of food law controls.

**E203/21      Bus Shelters Update**

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

*Live broadcast ended at 8.20 pm.*

**Local Government (NI) Act 2014 - Confidential Business**

Proposed by Councillor McNamee  
Seconded by Councillor B McGuigan and

**Resolved**      In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E204/21/21 to E213/21.

**Matters for Decision**

- E204/21      Newbridge Picnic Area
- E205/21      Installation of Memorial Tree on Council Property
- E206/21      Pest Control Services – Update
- E207/21      Pavement Café Licence – Application
- E208/21      Purchase of Monitor

**Matters for Information**

- E209/21      Confidential Minutes of Environment Committee held on 15 June 2021
- E210/21      Ferry Bridge Cycle/Footway, Derrylaughan
- E211/21      Capital Framework – ICT Contracts Update
- E212/21      Capital Framework – IST Contracts Update
- E213/21      Capital Projects – Scoping Contracts Update

**E214/21      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 9 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 Planning Committee of Mid Ulster District Council held on Tuesday 6 July 2021 in Council Offices, Ballyronan Road, Magherafelt and by virtual means**

<b>Members Present</b>	Councillor Black, Chair  Councillors Brown, Clarke, Colvin, Corry, Cuthbertson, Hughes, Mallaghan, McFlynn, McKinney, D McPeake, S McPeake, Quinn, Robinson
<b>Officers in Attendance</b>	Dr Boomer, Planning Manager Mr Bowman, Head of Development Management Ms Donnelly, Council Solicitor Ms Doyle, Senior Planning Officer Ms McKearney, Senior Planning Officer Mr Marrion, Senior Planning Officer Mr McClean, Senior Planning Officer Ms McCullagh, Senior Planning Officer Miss Thompson, Democratic Services Officer
<b>Others in Attendance</b>	Councillor Gildernew*  LA09/2020/1549/F Ms Cuddy Mr Daly LA09/2017/0319/F Mr Hughes 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 7.07 pm

**P087/21 Apologies**

Councillors Bell and Glasgow.

**P088/21 Declarations of Interest**

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

**P089/21 Chair's Business**

The Planning Manager advised of IT issues which meant that the live stream of the meeting could not be broadcast. The Planning Manager advised that officers would try to resolve these issues but stated that the meeting could take place legally as

anyone who had requested speaking rights has the opportunity to exercise these rights in person tonight. The Planning Manager went on to state however that it is bad administration on the part of the Council as the public were advised they could view the meeting online but that he felt it would be inappropriate to hold back any applications tonight.

The Planning Manager tabled responses to two consultations as per the addendum namely –

SONI Shaping Our Electricity Future Consultation  
Department for the Economy Energy Strategy Consultation

**Resolved** To submit responses to the above consultations as set out at addendum.

The Planning Manager advised that planning statistics for the last year were now available and stated that, despite the pandemic and subsequent lockdowns, Mid Ulster Council received more planning applications last year than at any other time. The Planning Manager felt that this is a good signal for the future and investment in the area.

The Planning Manager stated that Mid Ulster is one of the best performing authorities and those that performed better receive half to a third less applications. The Planning Manager stated that during lockdowns Mid Ulster continued to receive applications whilst many other authorities had refused to do so and felt that there had been an astounding performance from Mid Ulster staff during this time.

The Planning Manager stated that there are more applications in the system than ever before and that development plan staff had been moved over to development management to help to deal with this, he stated however that the development plan team needed to be built up again in order to deal with the forthcoming public inquiry. The Planning Manager also referred to the implementation of the new planning portal system.

The Planning Manager referred to Planning Committee meetings held previously during the pandemic in which only applications recommended for approval were brought in order to keep things moving. The Planning Manager stated that as there were now a number of applications in the system, that things were back to relative normality and that there were a number of key tasks for the planning team going forward he would suggest holding an additional Planning Committee meeting in September in order to deal with applications.

Councillor Colvin asked what date was proposed for the meeting.

The Planning Manager advised that the date would be confirmed.

Proposed by Councillor Brown  
Seconded by Councillor McFlynn and

**Resolved** To hold two Planning Committee meetings in September 2021.

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

Agenda Item 4.7 - LA09/2020/1051/O - Site for dwelling and double domestic garage on a farm at approx. 90m SW of 99 Feegarron Road, Cookstown, for John and Amy Wilson.

Agenda Item 4.11 - LA09/2021/0054/O - Site for a dwelling & domestic garage at approx 60m SW of 125a Ballinderry Bridge Road, Cookstown, for Mr Kieran Mitchell.

Agenda Item 4.13 - LA09/2021/0096/F - Retention of existing agricultural shed on lands to the E of 15 Tamlaghtmore Road, Cookstown, for Mr and Mrs Hutchinson.

Agenda Item 4.14 – LA09/2021/0103/F - One and a half storey dwelling, detached garage and associated site works (Change of house type to I/2006/0905/RM) at 20m W of 24 Annahavil Road, Dungannon, for Miss Lyn Somerville.

Agenda Item 4.18 - LA09/2021/0264/O - Dwelling and garage at site adjacent to 60 Sixtowns Road Draperstown, for Mr Peter Conway.

Agenda Item 4.22 - LA09/2021/0681/O - Dwelling and domestic garage at approx. 25m NE of 49 Moyagoney Road, Portglenone for Alan Donegan.

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

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

The Planning Manager advised that agenda item 4.19 – LA09/2021/0299/O – Dwelling and garage at site adjacent to 60 Sixtowns Road, Draperstown for Mr Peter Conway had been withdrawn.

## **Matters for Decision**

### **P090/21 Planning Applications for Determination**

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

**LA09/2019/1057/F New factory inclusive of a fabrication and cutting shed, fitting shed and office block with associated works at site adjacent and South of Ardboe Business Park Kilmascally Road, Ardboe, for Anaconda International Ltd**

Members considered previously circulated report on planning application LA09/2019/1057/F which had a recommendation for approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2019/1057/F be approved subject to conditions as per the officer's report.

**LA09/2020/0420/O Dwelling and garage at 110m SE of 223 Dungannon Road, Dungannon, for Emma O'Neill**

Mr Marrion (SPO) presented a report on planning application LA09/2020/0420/O advising that it was recommended for refusal.

Proposed by Councillor Colvin  
Seconded by Councillor Brown and

**Resolved** That planning application LA09/2020/0420/O be refused on grounds stated in the officer's report.

**LA09/2020/0498/F 3 dwellings at Riverbrook Moneyhaw Road, Moneymore, for Shanco Properties Ltd**

Members considered previously circulated report on planning application LA09/2020/0498/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2020/0498/F be approved subject to conditions as per the officer's report.

**LA09/2020/0553/F Housing development (3 detached and 2 semi-detached), private amenity space, landscaping, access onto Queens Avenue and ancillary site works at 9 Ballyronan Road Magherafelt for Mullaghboy Construction Ltd**

Members considered previously circulated report on planning application LA09/2020/0553/F which had a recommendation for approval. Attention was also drawn to the addendum which advised of re-wording of condition one of approval.

Proposed by Councillor McKinney  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2020/0553/F be approved subject to conditions as per the officer's report and amended condition one as set out below –  
The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

**LA09/2020/0747/F Retrospective application for farm building and revision to layout of cattle shed at approx. 95m SW of 3 Killynaul Road, Dyan, Caledon, for Mr Ivan McAllister**

Members considered previously circulated report on planning application LA09/2020/0747/F which had a recommendation for approval.

Proposed by Councillor Robinson  
Seconded by Councillor McKinney and

**Resolved** That planning application LA09/2020/0747/F be approved subject to conditions as per the officer's report.

**LA09/2020/0772/F Dwelling and garage on a farm (change of house type to M/2007/1605/RM) at land approx. 150m SW of 22 Altadaven Road Augher, for Mr Patrick Hackett**

Members considered previously circulated report on planning application LA09/2020/0772/F which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Robinson and

**Resolved** That planning application LA09/2020/0772/F be approved subject to conditions as per the officer's report.

**LA09/2020/1051/O Site for dwelling and double domestic garage on a farm at approx. 90m SW of 99 Feegarron Road, Cookstown, for John and Amy Wilson**

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

**LA09/2020/1269/F Substation and compound to serve proposed wind turbines at approx. 990m NW of Drumard Road/ Cullion Road junction, Straw Mountain, Draperstown for P Toner**

Members considered previously circulated report on planning application LA09/2020/1269/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Quinn and

**Resolved** That planning application LA09/2020/1269/F be approved subject to conditions as per the officer's report.

**LA09/2020/1349/O Dwelling and domestic garage within a cluster at 50m S of 3 Ballynasolus Road, Cookstown for Charles Quinn**

Members considered previously circulated report on planning application LA09/2020/1349/O which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor Mallaghan and

**Resolved** That planning application LA09/2020/1349/O be approved subject to conditions as per the officer's report.

**LA09/2020/1549/F Football stand to cover stepped terrace at 108 Killyliss Road Eglish, for Eglish GAC**

The Chair, Councillor Black advised that the Committee would consider this application later in the meeting when IT issues had been resolved.

**LA09/2021/0054/O Site for a dwelling & domestic garage at approx. 60m SW of 125a Ballinderry Bridge Road, Cookstown, for Mr Kieran Mitchell**

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

**LA09/2021/0055/O Site for dwelling and garage at approx. 50m NW of 33 Lower Grange Road, Cookstown for Mr James Wylie**

Members considered previously circulated report on planning application LA09/2021/0055/O which had a recommendation for approval.

Proposed by Councillor McKinney  
Seconded by Councillor Colvin and

**Resolved** That planning application LA09/2021/0055/O be approved subject to conditions as per the officer's report.

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

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

**LA09/2021/0103/F One and a half storey dwelling, detached garage and associated site works (Change of house type to I/2006/0905/RM) at 20m W of 24 Annahavil Road, Dungannon, for Miss Lyn Somerville**

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

**LA09/2021/0115/F Demolition of existing building and creation a new overflow carpark for the Maghera Leisure Centre within the lands of the PSNI building at 50 Coleraine Road, Maghera, for Mid Ulster District Council**

*Councillors Black, Brown, Clarke, Colvin, Corry, Cuthbertson, Hughes, Mallaghan, McFlynn, McKinney, D McPeake, S McPeake, Quinn, Robinson all declared an interest in this application.*

Members considered previously circulated report on planning application LA09/2021/0115/F which had a recommendation for approval.

Councillor McKinney advised that the building had already been demolished and the car park had been laid and stated he was not happy with this.

The Planning Manager stated that the planning department and committee deal with planning applications and not contracts and that he would pass Councillor McKinney's comments on to the relevant Directors.

Councillor McKinney asked if this wasn't a Council application what would the view be.

The Planning Manager stated this would not be first retrospective application the Committee have dealt with. It was highlighted that if development is undertaken without planning approval then there is risk of enforcement action. In relation to this application, the Planning Manager advised that apart from the issue raised tonight he was not aware of any other concerns or issues being raised in relation to the development and that officers do not investigate unless an issue is raised with them. The Planning Manager stated that, in his own view, if this had been a private applicant and not the Council and that the application was in the public good with a recommendation to approve then he would not be overly concerned

The Chair, Councillor Black stated that the point raised by Councillor McKinney was valid.

Proposed by Councillor Colvin  
Seconded by Councillor Mallaghan and

**Resolved** That planning application LA09/2021/0115/F be approved subject to conditions as per the officer's report.

**LA09/2021/0161/O Dwelling & garage at approx. 295m SE of 94 Loughans Road, Drumfad, Ballygawley, for Kevin Donaghy**

Mr Marrion (SPO) presented a report on planning application LA09/2021/0161/O advising that it was recommended for refusal.

Councillor S McPeake asked if every opportunity had been given to the applicant/agent to submit a request to speak/defer the application.

Mr Marrion advised that the application had been available to view on the Council website for a week and that officers do not canvas applicants/agents/objectors to advise that their application is due to come before committee. Mr Marrion advised that the applicant/agent in this case had been afforded no more and no less than the others who had submitted a request for tonight.

Councillor Robinson proposed an office meeting.

The Planning Manager advised that if it was a view of the Committee to hold an office meeting then this would be accommodated.

Councillor McFlynn seconded Councillor Robinson's proposal.

**Resolved** That planning application LA09/2021/0161/O be deferred for an office meeting.

**LA09/2021/0260/O Dwelling immediately adjacent S of 24 Creenagh Road  
Coalisland for Mr Christopher O'Farrell**

Members considered previously circulated report on planning application LA09/2021/0260/O which had a recommendation for approval.

Proposed by Councillor Clarke  
Seconded by Councillor Corry and

**Resolved** That planning application LA09/2021/0260/O be approved subject to conditions as per the officer's report.

**LA09/2021/0264/O Dwelling and garage at site adjacent to 60 Sixtowns Road  
Draperstown, for Mr Peter Conway**

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

**LA09/2021/0299/O 2 storey dwelling between 85 & 89 Derrytresk Road,  
Coalisland Mr Eamon Hagan**

Application withdrawn.

**LA09/2021/0490/F Ground floor extension to side of property with ramped  
access at 10 Sandy Row, Coalisland for Michael Devlin**

Members considered previously circulated report on planning application LA09/2021/0490/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2021/0490/F be approved subject to conditions as per the officer's report.



**LA09/2021/0632/O Infill Dwelling & Garage at lands adjacent to 126a  
Ballynease Road, Portglenone, for Rory McErlean**

Members considered previously circulated report on planning application LA09/2021/0632/O which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor D McPeake and

**Resolved** That planning application LA09/2021/0632/O be approved subject to conditions as per the officer's report.

**LA09/2021/0681/O Dwelling and domestic garage at approx. 25m NE of 49  
Moyagoney Road, Portglenone for Alan Donegan**

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

**LA09/2021/0769/RM Gap Site for 2 dwellings and Domestic garage  
opposite 250 Ballygawley Road Dungannon, for  
Jason Kelly**

Members considered previously circulated report on planning application LA09/2021/0769/RM which had a recommendation for approval.

Proposed by Councillor Mallaghan  
Seconded by Councillor Quinn and

**Resolved** That planning application LA09/2021/0769/RM be approved subject to conditions as per the officer's report.

**Return to**

**LA09/2020/1549/F Football stand to cover stepped terrace at 108 Killyliss  
Road Eglish, for Eglish GAC**

The Head of Development Management presented a report on planning application LA09/2020/1549/F advising that it was recommended for approval.

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

Ms Cuddy thanked the Committee for the opportunity to attend tonight's meeting and that she was speaking on behalf of Roan residents to outline objections to the proposal before Members. Ms Cuddy stated that objections had already been submitted which she hoped had been taken into consideration and went on to provide a summary of the objections.

Ms Cuddy stated that a stand in the proposed location will be a gathering point for anti social behaviour as the pitch is not securely closed when not in use. Ms Cuddy stated that during the past year there has been increased anti social behaviour which has been documented on Club social media and in correspondence sent to

residents. Ms Cuddy stated that the proposal will draw anti social behaviour closer to homes as the stand will overlook some back gardens and will create a noise nuisance and security risk. Ms Cuddy stated that any structure should be built to a high standard in terms of design, scale and material and should respect surroundings and be accessible to those with disabilities. It is not believed that the proposal is a suitable design or suitable for all users. Ms Cuddy highlighted that Eglish GAC state that the back of the stand is the same height as the existing wall but pointed out that it rises at the front making it taller than the existing wall. Ms Cuddy stated that a stand will enable the club to hold championship matches and that this will attract larger crowds to the pitch, leading to increased traffic and unacceptable parking in the surrounding areas. Ms Cuddy stated that the stand will lead to noise issues during matches and training sessions as people will tend to gather at the stand leading to intensification of noise in this area.

Ms Cuddy stated that a more suitable location of the stand would be on the opposite side of the pitch where there are no dwellings in close proximity and would have less of an impact on residents in the area. Ms Cuddy stated that if the applicant had engaged with the local community prior to submitting their application they would have had the opportunity to gather these views and could have submitted a more suitable proposal. Ms Cuddy referred to SPPS paragraph 2.3 which states that good neighbourliness and fairness are amongst the yardsticks against which development proposals will be measured. Ms Cuddy stated that residents are disappointed with the lack of communication from Eglish GAC despite many requests for a meeting. Ms Cuddy stated that many objectors to the proposal are and have been members of the club and have expressed support to a stand being sited in an alternative location. Ms Cuddy stated that Roan residents would ask the Committee to appreciate the detrimental impact the proposal will have on the residential amenity of residents.

The Planning Manager referred to the concerns raised regarding anti social behaviour and asked for further information on these concerns.

It was advised that the area is currently used as a drinking den along with other activities which were not wanted at the back of dwellings, this activity can go on to 4am with taxi drivers picking up/dropping off. People also climb the wall in order to get access to the pitch and it was felt that a stand will encourage more people to gather at this point.

The Planning Manager asked how often this activity was occurring.

It was advised that this activity goes on almost every weekend, that gates are not locked and that there are many accesses to the area.

The Chair, Councillor Black invited Mr Daly to address the meeting.

Mr Daly thanked the Committee for the opportunity to speak on behalf of Eglish GAC and stated that the proposal is the second attempt to gain planning permission for a stand and that he would make comment on the objections raised.

Mr Daly referred to concerns regarding loss of light and overshadowing and advised that the current proposal has been reduced in height by 1.5 metres from the previous

application submitted in 2016 and is 1 metre from the boundary wall and felt that there will no increase to loss of light or overshadowing. Mr Daly also highlighted that there is an existing tree and when in full foliage he felt this would give rise to a more significant loss of light and overshadowing than the proposal. Mr Daly stated that the proposal will not increase spectator capacity on existing terraces and therefore would not increase traffic when matches are taking place. Mr Daly stated that the proposal will remove 70m<sup>2</sup> from terracing thereby reducing capacity. Mr Daly stated that the structure by its design will reduce noise levels to the rear and create a barrier which will focus sound toward the pitch. It was further highlighted that on match days there are agreements with local businesses and organisations to use their car parks to keep cars off the road and that the roadway is marked to ensure access to adjacent properties is maintained at all times and that through traffic can continue. Mr Daly stated that positioning of the stand on the opposite side of the pitch was considered but that there are issues with ground stability as the area is a fill in sewerage treatment works. To excavate this area would entail considerable groundworks and contamination assessments adding greatly to the cost. Mr Daly also stated that there is a right of way on this side of the pitch which permits a local business to access the river with heavy plant. In relation to anti social behaviour, Mr Daly state that both the club and community take this seriously and have implemented monitoring and surveillance of the village to try to eliminate as many anti social activities as possible. Mr Daly stated that the club does not foresee how the proposal will change the current situation. It was stated that parents are also advised that young children should be supervised at all times whilst at the grounds and that littering within club grounds is managed by the club and that the stand will not add to littering. Mr Daly stated that the club did not foresee how the proposal will lead to a decrease in property values. Mr Daly stated that the club and its members have invested a lot of time and expense in improving the appearance of facilities and that the club is at the heart of the community and that the stand will allow the community to watch football in a comfortable environment and that objectors concerns have been taken on board which have led to the revised application.

The Planning Manager asked if any special materials would be used in the construction of the stand to help reduce sound.

Mr Daly stated that there are no special materials being used, that the structure would be metal clad with a concrete back wall and that this would focus sound towards the pitch.

The Planning Manager asked if the club would be prepared, if it was subject to a condition, to look at using materials which would help absorb sound. The Planning Manager stated he was conscious that Environmental Health have not raised an objection but that he was also conscious of the concerns raised tonight.

Mr Daly stated that there is currently a 2 metre concrete wall which runs for approximately 100 metres and that 90% of people watching games gather on the terraces. Mr Daly stated that a good attendance would be 3-400 people.

The Planning Manager asked that if a cost effective way of reducing sound from the stand can be sought if the club would be willing to undertake this.

Mr Daly stated that if a condition is placed then the club would respect this.

The Planning Manager asked what frequency competitive games were held at the pitch.

Mr Daly advised that there are approximately ten games per year held at the pitch which would attract 3-400 people and that these are generally held in the evening or a Saturday or Sunday afternoon.

The Planning Manager referred to anti social behaviour and asked what surveillance takes place.

Mr Daly stated that a number of concerned parents undertook to monitor the situation and patrol the grounds in order to discourage anti social behaviour. Mr Daly stated that other community facilities were also monitored. Mr Daly stated that from undertaking the monitoring it came to light that a number of those engaging in the anti social activity were not from the area.

The Planning Manager stated that it is clear that anti social behaviour has taken place and that the key remedy is to monitor the situation. The Planning Manager asked if the club would set up a system, ie. a contact number, to communicate to when anti social behaviour is taking place.

Mr Daly stated that this is already in place and that there were parent whatsapp groups and contact numbers are known.

The Planning Manager stated that if a condition was placed to make available contact numbers would the club be content to continue with this.

Mr Daly stated that the club would continue to manage the contact numbers for reporting anti social behaviour as such behaviour goes against the principles of the club.

The Planning Manager referred to the issues of people climbing the wall currently in place and possibly the stand in future and that conditioning may also help with this such as greasing the stand.

The Committee was asked who would be liable if someone fell from the wall into a back garden.

The Planning Manager stated he did not have the answer to this and that liability is complex. The Planning Manager stated it would be in the interests of the club to ensure that things are done to a proper standard and be compliant with the law.

The meeting was advised that a contact number had not been provided and that this was the first time meeting with the club.

The Planning Manager stated that the purpose of speaking to the Planning Committee was to present a case and that officers or Members can ask questions but that it was not a debate.

Councillor Cuthbertson asked whether the blocking of natural light was an issue.

The Planning Manager stated that he could not see how the proposal would lead to any significant loss of light. The Planning Manager stated that given the frequency and level of use it would be hard to defend a refusal.

Councillor Clarke stated that it appears that the terrace would be on the northwest side of the pitch.

Mr Daly stated that the aspect of the pitch would be north to south and that people standing on the terrace at 7pm of an evening would have the sun on their back.

Councillor Clarke stated that in order to build a stand that is effective you should be putting your back to the west/northwest wind. Councillor Clarke stated that if the stand was on the opposite side of the pitch then the wind would be blowing into the stand. Councillor Clarke referred to an application a number of years ago regarding a drive through restaurant and that neighbouring residents raised concerns in relation to noise. Following this it was agreed that the drive through would be covered which resulted in no noise disturbances. Councillor Clarke highlighted that sound will travel across but not over the top of the stand.

The Planning Manager stated that officers take advice on sound from the Environmental Health department. The Planning Manager asked what comment Environmental Health had made on the application.

The Head of Development Management stated he could not see a record of Environmental Health being consulted on the application.

The Planning Manager stated that if there had been no formal consultation with Environmental Health he would advise holding the application until the consultation has been completed.

Mr Daly advised that the prevailing weather comes from the southwest corner.

Councillor McFlynn stated that whilst she was supportive of the GAA and everything they do for the community she would have some concern as there are residents who are members of Eglish GAC who are objecting to the proposal and clearly have had no previous opportunity to discuss the matter with the club. Councillor McFlynn stated she could understand why there were issues with siting the stand on the other side of the pitch but felt that consideration needed to be given to the residents. Councillor McFlynn stated it was also difficult to see from photographs where the wall is, where the stand will be and how close it will be to homes. Councillor McFlynn also referred to the comment in relation to the tree and that the stand would not be any more imposing however she stated this was only one tree and not a row of trees. The Councillor stated she had difficulty with the application and had sympathy with the residents given this is the first opportunity there has been to discuss the matter.

The Planning Manager stated it would be disrespectful to move forward without consulting Environmental Health and that advice can also be taken on what

materials could be used on the structure of the stand. The Planning Manager stated it would also be useful to have a site meeting on this application in the interim.

The Chair, Councillor Black stated that the way forward outlined by the Planning Manager seemed sensible and that the conversation tonight had also been constructive in moving the matter forward.

Councillor S McPeake stated he had read the report and listened to the objectors who had raised valid points but that he felt the report goes a long way to addressing concerns. The Councillor stated that if there has been a breakdown in communication between the objectors and the club then that is regrettable however he agreed with Councillor Clarke's comments in that during inclement weather a stand on the opposite side of the pitch would be meaningless if the wind and rain was blowing in. Councillor S McPeake stated it would be disappointing if there is no resolution and took on board the Planning Manager's comments in relation to no consultation taking place with Environmental Health. The Councillor suggested that if the Environmental Health consultation came back with no concerns that the application be approved on the condition that there was no negative impact on Environmental Health rather than holding the application for a period of time.

The Planning Manager stated that a condition cannot be used to deal with something that should be considered. The Planning Manager stated that the conditions he referred to previously were conditions which he felt would make the application better. The Planning Manager stated he believed there is a solution but that it was not a question of what we do but also what we are seen to be doing and what we do as a Planning Committee is to ensure that everyone's case is properly looked at. The Planning Manager stated that residents have raised concerns relating to noise and he would like some expert opinion on this. The Planning Manager stated that a site meeting can be organised whilst consultation with Environmental Health is ongoing and that when the application comes back to the Committee he felt the matter could be moved forward.

Councillor Mallaghan stated that it was good to take the time to discuss the matter tonight but that the Committee should not be giving unrealistic hope and that there may not be a solution which suits everyone. The Councillor referred to previous comments regarding moving the stand to the opposite side of the pitch, the difficulty of prevailing winds, the Right of Way and stated that there was terracing already in place and that the club was doing what it could to develop its facilities.

The Chair, Councillor Black stated it is important not to set unrealistic expectations but that everyone should be given the opportunity to give their view including consulting with Environmental Health.

Councillor Mallaghan proposed to defer the application in order to consult with Environmental Health and arrange a site meeting.

Councillor McFlynn seconded Councillor Mallaghan's proposal.

**Resolved** That planning application LA09/2020/1549/F be deferred in order to consult with Environmental Health and arrange a site meeting.

**LA09/2017/0319/F Relocation of 2 chimney stacks (approved M/2011/0126/F) and the retention of 4 further chimney stacks to facilitate spraying within existing approved building at 70m S of 177 Annagher Road, Dungannon, for DMAC Engineering**

The Head of Development Management presented a report on planning application LA09/2017/0319/F advising that it was recommended for approval.

The Head of Development Management highlighted that an Enforcement Notice has been served however Members were asked that this be withdrawn upon a decision to grant approval of the application.

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

Mr Hughes stated he was speaking on behalf of local residents and was here tonight to ask for an office meeting. Mr Hughes stated that DMAC have had more than enough time to deal with the fumes coming from this factory and as recently as yesterday Environmental Health were called by local residents about the fumes. Mr Hughes stated that the Environmental Health officer could smell the fumes yesterday and that it would be their intention to visit the DMAC factory. Mr Hughes stated that when planning permission was granted for the new factory it was claimed that there would be a system to deal with the fumes however this failed to materialise and DMAC proceeded to build the chimneys without planning permission. Mr Hughes stated that the fumes are affecting the health, wellbeing and amenity of local residents who are all entitled to breathe clean air and that it is the responsibility of Environmental Health and Planning to make sure the air is not polluted by the fumes from the DMAC factory. Mr Hughes asked for a fair hearing and that an office meeting be accommodated.

Mr Cassidy stated originally an in house system was developed to deal with the odours however due to the amount of work secured by the business this system could not be scaled up. Mr Cassidy stated that any fumes are unacceptable to DMAC and that the health and wellbeing of the local community is paramount and to this end an alternative solution was commissioned. Mr Cassidy stated he viewed a system installed by Jaguar and manufactured by Harry Dalby Engineering. The same system is used by Bentley, BMW, Westland Aerospace, BAE Systems and Bombardier to name a few. Mr Cassidy stated that having been impressed by the commitments provided by Harry Dalby Engineering, DMAC ordered four booths at a cost of over £2 million. Mr Cassidy stated that when the booths were fitted hardware was also installed to monitor the odour from the stacks, this monitoring runs 24 hours per day, 7 days per week and can be downloaded, stored and actioned on a weekly basis. Mr Cassidy stated that an air quality impact assessment was commissioned and that the primary objective was to predict the odour concentration of neighbouring houses to the site to ensure no nearby properties are adversely affected by fumes. Mr Cassidy stated that the results show that any odours are confined to within the site and increasing the stacks to six metres, which has been done, reduces any odours by 26%. Mr Cassidy stated that the levels which annoyance is likely to occur is classified by Environmental Health as 10 odours per metre<sup>3</sup> and after setting up testing equipment at each house adjoining the factory the readings were between

0.2 and 1.25 odours per metre<sup>3</sup> and that these results are unchallenged by the objector. Mr Cassidy stated that co-operation with Environmental Health is important and with shared resources and knowledge he believed that a satisfactory outcome has been achieved. Mr Cassidy stated that DMAC employ a Compliance Manager and it has been agreed that part of their role will be work with the Environmental Health department within Council with monthly meetings due to commence this month. Mr Cassidy stated that objections have been received by Environmental Health and whilst the origin of odour can be disputed he felt that safeguards by way of conditions have been included within the planning permissions and that DMAC approve and respect these. Mr Cassidy stated that in 2015 DMAC made a number of promises to this Committee in gaining planning approval for their factory, this included transforming a derelict site into a modern factory and in doing so creating 100 jobs. Today, after investment of over £6 million, the factory has been built, has over 250 employees and a turnover of over £15 million annually. Mr Cassidy stated that since DMAC has taken ownership of the site the transformation has been remarkable and that the business is a key supplier to global brands including Terex, Powerscreen, McCloskey, Telestack, Sandvik and the Blue Group. Mr Cassidy stated that DMAC are in a privileged position to have these customers and it is believed that they should be supported by Mid Ulster Council. Mr Cassidy stated he appreciated the late objection which may need to be considered further and that there was no objection to a deferral tonight, however, if a deferral is agreed then he would ask Members to have a site meeting to see the site for themselves.

Councillor McKinney stated that one of the first applications dealt with by the Planning Committee was an application for DMAC. Councillor McKinney stated he would like the opportunity to visit the site and proposed that the application be deferred for a site meeting.

Councillor S McPeake stated that the obstacle related to a technical issue and that it would appear that Environmental Health are now satisfied. The Councillor referred to the large amount of money which has gone into the purchase of equipment, that monitoring is ongoing 24/7 and assurances have been given that the results are within limits therefore he did not see what could be gained from a site meeting and felt that the application could be approved tonight.

Councillor Colvin seconded Councillor McKinney's proposal as this application started out as an enforcement case and he would like to see the site for himself.

The Planning Manager referred to previous decision taken in relation to DMAC at the first meeting of the Planning Committee which he felt has went on to set the tone today which is for sustainable economic development which he believes this business is. The Planning Manager stated that there will always be issues and that these are real but that everyone has worked to overcome these and in this instance controls are in place. The Planning Manager stated that the invitation to view the site is from the applicant and that he had no objection to Members taking up this offer.

Councillor Mallaghan stated that normally when there is a site visit it is to view the circumstances of the site but that he felt that in relation to this application the issue is down to data which is generated from equipment that measures odour. Councillor



Mallaghan stated that whilst he would not object to a site meeting he did not see its purpose in terms of how odour is measured as it is not something that can be seen. Councillor Mallaghan proposed the officer recommendation to approve the application.

Councillor Quinn stated that DMAC is a long running saga and that an office meeting has been requested and that he felt that this should be granted. Councillor Quinn referred to the offer of a site meeting and couldn't see why this offer should not be taken up and that if the application is being deferred in any case an office meeting could also be accommodated.

The Planning Manager stated he did not feel there was a need for both an office meeting and a site meeting. The Planning Manager stated he did not feel an office meeting would be appropriate and could envisage how it would play out and that nothing could be gained from it. The Planning Manager stated that if the machines are properly run and the data collected from this then this should be adequate. However if there are problems and the process involves spraying which is governed by a Licence then this Licence can be removed. The Planning Manager stated it is up to the operator to ensure that they are operating within the terms of their Licence. The Planning Manager stated that if Members want to take up the offer of a site meeting then he would have no objection but did not feel an office meeting was a way forward as there was nothing more he could offer at such a meeting.

Councillor Quinn stated he understood the comments of the Planning Manager but felt that if the application is being deferred for a site meeting an office meeting would allow the opportunity for residents to view data which may help to alleviate concerns.

The Planning Manager stated that if Members wanted an office meeting then this would be accommodated and highlighted that there is no harm in deferring the application as it already exists.

Councillor Mallaghan stated he would withdraw his proposal.

Councillor S McPeake asked for a timeframe for the meetings and if there is no material change that the application be brought back to the next Planning Committee meeting.

The Planning Manager stated that office meetings and site meetings can be organised for two weeks from Thursday/Friday respectively.

The Chair, Councillor Black asked if Councillor McKinney was happy to amend his proposal to include an office meeting.

Councillor McKinney stated that his proposal was solely for a site meeting.

Councillor Quinn proposed that the application be deferred for an office meeting and site meeting.

Members voted on Councillor McKinney's proposal –

For – 7

Against - 4

**Resolved** That planning application LA09/2017/0319/F be deferred for a site meeting.

**LA09/2017/0787/F Refurbishment of existing 3 storey house including demolition of rear return and new 3 storey extension to rear at 33 Killyman Street, Moy, for M & C McCallion**

Members considered previously circulated report on planning application LA09/2017/0787/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2017/0787/F be approved subject to conditions as per the officer's report.

**LA09/2017/0788/LBC Refurbishment of existing 3 storey house including demolition of rear return and new 3 storey extension to rear at 33 Killyman Street, Moy, for M & C McCallion**

Members considered previously circulated report on planning application LA09/2017/0788/LBC which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2017/0788/LBC be approved subject to conditions as per the officer's report.

**LA09/2019/1262/O Site for a dwelling and domestic garage at approx. 45m W of 140 Kilrea Road, Upperlands for Daniel O'Kane**

Members considered previously circulated report on planning application LA09/2019/1262/O which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor Corry and

**Resolved** That planning application LA09/2019/1262/O be approved subject to conditions as per the officer's report.

**LA09/2020/1080/F New Vehicular access at approx. 200m E of no 33 Oldtown Road, Bellaghy, for Mrs Emma McCoy**

Members considered previously circulated report on planning application LA09/2020/1080/F which had a recommendation for approval.

Proposed by Councillor D McPeake  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2020/1080/F be approved subject to conditions as per the officer's report.

**LA09/2020/1626/O Site for Dwelling & Garage at approx. 30m N of No.31 Gortinure Road, Maghera, for Mr S McEldowney**

Members considered previously circulated report on planning application LA09/2020/1626/O which had a recommendation for approval.

Proposed by Councillor Corry  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2020/1626/O be approved subject to conditions as per the officer's report.

**P091/21 Receive Updated Authorised Officer Report**

The Head of Development Management presented previously circulated report which sought approval for Mr Paul McClean to be authorised to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

Proposed by Councillor Brown  
Seconded by Councillor Clarke and

**Resolved** That Mr Paul McClean is nominated as an authorised officer to sign decisions and Orders on behalf of the Council in accordance with its Schemes of Delegation.

**Matters for Information**

**P092/21 Minutes of Planning Committee held on 8 June 2021**

Members noted minutes of Planning Committee held on 8 June 2021.

*Live broadcast ended at 9.10 pm.*

## **Local Government (NI) Act 2014 – Confidential Business**

Proposed by Councillor Brown  
Seconded by Councillor Mallaghan 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 P093/21 to P098/21.

### **Matters for Decision**

P093/21 Receive Report on DfC Call for Evidence  
P094/21 Receive Enforcement Report  
P095/21 Presentation on Progress on the New Computer System

### **Matters for Information**

P096/21 Confidential Minutes of Planning Committee held on  
8 June 2021  
P097/21 Enforcement Cases Opened  
P098/21 Enforcement Cases Closed

### **P099/21 Duration of Meeting**

The meeting was called for 7 pm and concluded at 10.12 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the meeting of Mid Ulster District Council's Planning Committee in the Chamber, Magherafelt and virtually.

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

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

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening, I will ask each member to confirm whether you are for or against the proposal or abstaining from voting
- For members attending remotely, note that by voting on any application, you are confirming that you were in attendance for the duration of, and that you heard and saw all relevant information in connection with the application you vote on
- When invited to speak please introduce yourself by name to the meeting. When finished please put your audio to mute
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- An Addendum was emailed to all Committee Members at 5pm today. There is also a hard copy on each desk in the Chamber. Can all members attending remotely please confirm that they received the Addendum and that have had sufficient time to review it?
- If referring to a specific report please reference the report, page or slide being referred to so everyone has a clear understanding
- For members of the public that are exercising a right to speak by remote means, please ensure that you are able to hear and be heard by councillors, officers and any others requesting speaking rights on the particular application. If this isn't the case you must advise the Chair immediately. Please note that once your application has been decided, you will be removed from the meeting. If you wish to view the rest of the meeting, please join the live link.
- Can I remind the public and press that taking photographs of proceedings or the use of any other means to enable persons not present to see or hear any

proceedings (whether now or later), or making a contemporaneous oral report of any of the proceedings are all prohibited acts.

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



## ADDENDUM TO PLANNING COMMITTEE AGENDA

**FOR PLANNING COMMITTEE MEETING ON: 6<sup>th</sup> July 2021**

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

**Chairs Business;**

SONI Shaping Our Electricity Future Consultation

Energy Strategy Consultation

ITEM	INFORMATION RECEIVED	ACTION REQUIRED
4.4	Condition 1 should read 'The <b>development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</b> '  <b>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</b>	Members to note
4.7	Late request for speaking rights	Members to note
4.10	Additional 2 objections received and Late request for speaking rights (info attached)	Members to note
4.14	Late request for deferral	Members to note
4.19	Email withdrawing application	Members to Note
5.1	Additional objection received	Members to note

10 June 2021



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

Soni Ltd

12 Manse Road

Belfast

BT6 9RT

Dear Sir/Madam

### **Shaping Our Electricity Future**

In response to your consultation on Shaping our Electricity future it is important to set out from the outset that Mid Ulster Council recognizes that because of its geography it lies at the heart of the electricity network and will continue to work with SONI to ensure that the network is strengthened in a sensitive and sustainable manner. The Council will be happy to continue this conversation as proposals emerge. However, in the interests of simplicity I have focused comments on the questions in your consultation questionnaire, albeit with a rewording of the headline statements.

**(1) The Council is concerned with the statement that everything should be done to achieve 70% of renewables by 2030 and that it will come from wind or solar panels.**

The reason for our concern is that there are areas in Mid Ulster that should not be the focus for wind turbine development. These include our more vulnerable landscapes such as the High Sperrins, Lough Neagh shoreline and the Clogher Valley. It also appears from the consultation that these are the target areas for future production. We are also concerned that as an area which produces a great deal of wind energy there are other localities where saturation point has or is about to be reached. We still agree with the 70% target, but consider a greater focus on offshore wind energy is necessary, particularly in the shallows of the Irish see between the Republic and England/Wales. Increasing emphasis must also be on solar, hydrogen and biofuels.

**(2) The Council recognizes the need to connect new sources of renewable electricity and that in prioritizing work ensuring that the strength of the grid and the benefit to consumer.**

In Mid Ulster and indeed Northern Ireland as a whole there are a large number of planning approvals for wind energy, in prioritising investment it is correct that account should be taken of infrastructure and demand, but it is also important to consider demand in terms of benefit to communities, who may be experience supply difficulties.



**(3) The Council Considers that there should be a Plan Led approach to future wind and solar farms**

Future provision of wind energy should not be determined by developers, as the primary motivation is likely to be private interest without adequate consideration given to the communities and landscapes inside which they are set. In Mid Ulster, our Local Development Draft Plan Strategy sets out a simple approach to the development of renewables indicating those areas where high structures or height restrictions apply as well as criteria for assessing applications. Providing development remains within this framework the council welcomes private investment and welcomes the positive contribution developers can make.

**(4) The Council welcomes the statement that Companies that use huge amount of electricity should locate new facilities near sources or renewable energy and where the Grid is strong.**

Mid Ulster is an excellent location for investment in industry and other power intensive activities such as data centres, because of the location to the primary network and renewable energy providers. Our Plan strategy has already identified opportunities for such development in urban and rural areas such as Desercreat and we would welcome the opportunity to work with SONI in identifying future locations and zonings for such development in our Local Policies Plan. However, it there are other considerations that must be taken into account to ensure any such development is sustainable.

Yours faithfully



**Dr. Chris Boomer**

Planning Manager for Mid Ulster Council



Comhairle Ceantair  
**Lar Uladh**  
**Mid Ulster**  
District Council

Mid-Ulster  
Local Planning Office  
Mid-Ulster Council Offices  
50 Ballyronan Road  
Magherafelt  
BT45 6EN

30 June 2021

The Energy Strategy Consultation  
Department of the Economy

Dear Sir/Madam

### **Response to the Energy Strategy for Northern Ireland**

I have been asked to write to you on behalf of Mid Ulster Council expressing both support and concerns in relation to the above consultation document. From the outset it should be stated that the 79 questions attached to the consultation is somewhat over whelming for the average stake holder and it does appear that the nature of the questions are very repetitive and leading. Therefore rather than cherry pick questions as suggested I will only focus on the key themes:

#### **Vision:**

The overall vision which aims to grow the green economy, replace fossil fuels with renewable energy, do more with less, create a flexible and integrated energy system are audible if not undisputable. However, there are also conflicts with the central objective of placing people at the heart of our energy future if it leads to unaffordable price increases or a deterioration in the environment in which people live.

#### **Placing you at the Heart of our Energy Future**

The Council agrees that no one can predict accurately our future electricity needs. However, it is clear that there is a need to switch energy consumption away from fossil fuels to more renewable forms of energy. In short, that means cutting consumption of petrol, diesel and home heating oils through a switch to bio fuels, electric vehicles and electric heating. This in itself needs research and development in order to make the switch possible, but also means that switch must be affordable and offer a competitive advantage over fossil fuels. The council sees a need for additional finance to protect those most vulnerable and at risk from energy costs and this needs to go beyond the past winter fuel allowance. It should be remembered that incomes in Northern Ireland remain lower than the rest of the UK by some 25% and earnings in Mid Ulster remain another 25% lower than the regional average . The Council would like to see more focus on regulating price for the consumer and clear targets for affordable energy and energy pricing in a Northern Ireland context, as comparisons with Great Britain are somewhat misleading.

#### **Grow the Green Economy**

Mid Ulster Council supports development of a green economy and the District because of its location and expertise in building and engineering is already taking a major role. We would therefore support increased investment in improved building technologies for energy efficiency and micro generation. This needs to be supported with investment into research, education and the Council has a role in enabling this through the functions of economic development as well as building control and land use planning.



It is highly likely that hydrogen will be a fuel of the future and the council would fully support the development of this industry. This again needs investment in research, education, but also assistance to get safe hydrogen generation and storage plants operating, a distribution network set up, and plant and equipment at the point of delivery, such as Service stations. Mid Ulster will be happy to work with energy providers to identify and facilitate appropriate sites in Mid Ulster.

In relation to renewables, Mid Ulster has led the way in relation to on- shore wind and there is still some scope for increasing production and upscaling existing facilities. However, many areas are reaching capacity and there is a need to recognise that venerable landscapes such as the High Sperrins and Clogher Valley ridge line need protecting from such development. Therefore, the future lies in off-shore. Given the topography of the ocean floor, the best areas are most probably off the Solway Coast and in the Irish Sea in between England, Wales and Republic of Ireland. Accordingly, there needs to be a focus on further improving the shared Electricity Network between the jurisdictions. There should also be increased focus on other forms of renewable other than wind turbines.

### **Do more with less**

Mid Ulster Council is concerned that changes to regulation could result in increased costs for consumers and rather than doing more, we could end up doing less to the detriment of the economy and the overall wellbeing of the majority. It is very important that energy efficiency is promoted and that investment is made in research in delivering cost effective energy saving solutions at the point of the delivery. For example, if building more energy efficient homes adds to the overall cost of house this will only lead to a widening of the affordability gap most first time buyer's face. Equally, just as with televisions and light bulbs as the cost comes down people choose to make the switch.

### **Replace Fossil Fuels with indigenous renewables.**

As already stated there is support for promoting renewables. Care needs to be taken when setting targets that this does not lead to increased pressure for development in undesirable and sensitive locations. Unfortunately, developers often use targets to try to justify unsustainable development. Therefore, in setting any target a clear image of how this is to be achieved needs to be developed first. There are numerous unimplemented permissions for wind turbines in the planning pipeline as well as an undeveloped solar and biomass sector. It is also clear the future of energy generation lies off shore whether on platforms or on the seabed. Whilst it is desirable to develop indigenous renewable infrastructure it is possible to use energy creating in other areas of these UK/Irish islands as well as export energy. It appears nuclear power will form part of the UK strategy, where we will be an importer of the energy produced.

### **Creating a Flexible and Integrated Energy System.**

Mid Ulster supports improving the network in a sensitive manner and continues to work with SONI in this regard. The council supports smart grids both in term of energy systems, data systems and other distribution systems and again in relation to our location Mid Ulster is likely to have a central role in relation to distribution. With key electricity connectors running through Mid Ulster it means that energy intensive uses such as data hubs could be sited in Mid Ulster and we would be happy to work with the Department of Economy in identifying and providing suitable locations and sites.

I trust you find these comments useful



Dr Chris Boomer  
Planning Manager

Cookstown Office  
Burn Road  
Cookstown  
BT80 8DT

Dungannon Office  
Circular Road  
Dungannon BT71  
6DT

Magherafelt Office  
Ballyronan Road  
Magherafelt BT45  
6EN

Telephone 03000 132 132  
info@midulstercouncil.org  
www.midulstercouncil.org



**Minutes of Meeting of the Development Committee of Mid Ulster District Council  
held on Wednesday 7 July 2021 in the Council Offices, Ballyronan Road,  
Magherafelt and by Virtual Means**

**Members Present**

Councillor Molloy, Chair

Councillors Ashton, Black, Burton, Clarke\*, Corry\*, Cuddy\*,  
Doris\*, Elattar\*, Hughes\*, Kerr\*, McNamee, Milne\*,  
Monteith\*, Quinn\*, Wilson\*

**Officers in  
Attendance**

Mr McCreesh, Chief Executive  
Ms Campbell, Director of Leisure and Outdoor Recreation  
Mr Browne\*\*, Head of Tourism  
Mr Gordon\*\*, Head of Leisure  
Mr Hill\*\*, Head of Parks  
Ms Linney\*\*, Head of Community Development  
Ms McKeown\*\*, Head of Economic Development  
Mr Fred Greer ICT Support  
Mrs Forde, Member Support Officer

**Others in  
Attendance**

Councillor S McGuigan

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

\*\*\* Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

**D127/21      Apologies**

None

**D128/21      Declarations of Interest**

The Chair, Councillor Molloy reminded Members of their responsibility with regard to declaration of interest highlighting agenda items 10 and 19 in particular which dealt with grants.

## **D129/21      Chair's Business**

The Chair, Councillor Molloy advised that the Head of Arts & Culture had taken ill and conveyed best wishes on behalf of the committee.

The Chair, Councillor Molloy drew attention to 'Chatty Benches' and advised that the Chair of Council had unveiled one in Dungannon Park and he had been approached by rate payers seeking similar for Dungannon for example Railway Park, Hill of the O'Neill and also Moy.

Councillor Burton shared that these had been promoted on television and she would like to see them introduced in other areas for example Fivemiletown particularly along areas where people would shop.

**Resolved**      That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve the recommendation to explore the possibility of funding for the provision of 'Chatty' benches in the district to include Moy, Dungannon town, Railway Park, Fivemiletown.

## **D130/21      Deputation: Killeeshil & Galbally First Responders**

The Chair, Councillor Molloy welcomed Paul McCaughey Killeeshil & Galbally First responders.

Mr McCaughey shared presentation entitled Killeeshil & Galbally Community First Responders. He gave an overview of the First Responders and their role in the community.

At the conclusion of the presentation Mr McCaughey highlighted the need for additional kits for first responders. He also highlighted the need for people to display house numbers, the necessity of detailed maps with postcodes and emphasized the difficulties being experienced in attaining banking services.

The Chair thanked Mr McCaughey for the presentation highlighting the need for the service and gave assurance that Council would do all in its remit to help. He said that in relation to banks it had been highlighted by other groups.

Councillor Clarke stated the he himself was a first responder in a very remote area which was at least an hour from an acute hospital and could identify with the issues raised. He concurred with the difficulty in only receiving a postcode as often if you had a name a local person would know where you were looking for. Speaking in relation to the banking issues he suggested that possibly credit unions could help. Councillor Clarke concluded the work of first responders saves many lives and stressed the importance of awareness.

In response Mr McCaughey said that his local credit union did not offer community groups accounts and the only way around it was for a member of the organization to open an account in their name but most members already had a personal account.

Councillor S McGuigan said he was a neighbor of the group and commended them on what had been achieved. In relation to credit unions he stated he had had other groups reporting the same and unfortunately the regulations of the credit unions did not allow this. He thanked Mr McCaughey for the service he was providing to the community.

Councillor Ashton suggested that the group touch base with Armagh and Tyrone First Responders who had been very successful in drawing down grant aid and perhaps they could share knowledge. In response Mr McCaughey advised that the groups had talked but there was a reluctance to merge.

Councillor Monteith commended the work of the group and suggested that Council senior management team discuss the banking issues many community groups were facing and explore the option of a community funded bank hosted by Council or another organisation. He further suggested that Council seek a meeting with credit unions saying that some offer group banking but only if the group was within their boundary. He said the credit union movement across Ireland was based on serving the community and important this continues.

Councillor Kerr concurred with Councillor Monteith and spoke of Christen Eriksen the Danish footballer who had a heart attack at the Euro's. On a more local level he shared how a life had been saved at Ardboe when a nurse had access to a defibrillator at a match. He said Council should do all it could to raise awareness for the army of first responders in the district.

Councillor Corry thanked Mr McCaughey for the presentation and said in relation to house numbers Council should promote and encourage this highlighting the necessity for house numbers to be well displayed.

The Chair, Councillor Molloy thanked Mr McCaughey for attending and said that Council would work on the actions which would hopefully prove useful in the future.

Mr McCaughey left the meeting at 7.30pm

The Chair, Councillor Molloy took a roll call at which time all Members were present plus Councillor S McGuigan.

- Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers that Council
- (i) Explore bank provision opportunities for community groups who cannot gain access to banking facilities, example a community bank hosted by Council or another organisation.
  - (ii) Arrange a meeting with credit unions in the district to explore options for community group banking facilities; and
  - (iii) Council promote a publicity campaign to encourage people to display house numbers to assist First Responders and NI Ambulance Service in reaching patients as quick as possible.

## **Matters for Decision**

### **D131/21      Cyclical Leisure Equipment Replacement Programme**

The Head of Leisure presented previously circulated report and sought Member's approval to re-allocate and utilise remainder of the 2021/22 budget assigned to 7 year cyclical leisure fitness equipment capital replacement programme for the current purposes of addressing areas for equipment replacement and/or additions where health and safety issues have been highlighted.

Proposed by Councillor Clarke  
Seconded by Councillor McNamee

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve the recommendation to re-allocate and utilise remainder of the 2021/22 budget assigned to the 7 year cyclical leisure fitness equipment capital programme for the current purposes of addressing areas for equipment replacement and/or additions at outdoor pitches where health and safety issues have been highlighted.

### **D132/21      Moyola River Inclusive Angling Partnership Project**

The Head of Parks presented previously circulated report and sought approval for Council Partnership with Moyola Angling Association to provide inclusive angling facilities on Moyola River.

Councillor Elattar said it was a great idea to provide more accessible angling facilities at Moyola River.

Proposed by Councillor Elattar  
Seconded by Councillor Milne

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve –

- (i) The project as described and provide projected match funding of £1,500 from Council Capital Outdoor Recreation Strategy allocation subject to successful DfC application for the Current Inclusive Angling Development project.
- (ii) To extend current management, maintenance and insurance to cover the new additional angling stands and associated improvement works subject to obtaining approval from the Department of Infrastructure (DFI) for the installation of the additional services.

### **D133/21      Iniscarn Forest, (TRPSI) Development Project**



The Head of Parks presented previously circulated report and sought approval from Members for the:

- Development of Iniscairn forest and to update on the application made to DAERA for TRPSI funding to assist in the development of Iniscairn Forest.
- Outdoor Recreation capital budget and to enter into a lease agreement with Forest Service NI (FSNI) to allow for the creation of a carpark and play area within the forest.

Councillor Clarke welcomed the progress stating that it was a jewel in the crown of Mid Ulster with the outstanding views. He stated that he had been glad to be involved in the project which has been in progress over a number of years and had been in talks with local farmers regarding various issues. Councillor Clarke stated whilst he welcomed the project's progress he said that there had been no consultation or contact with Members involved on what was being worked up or planned. He said as local councillors they should have been kept on board but for some time had not been aware of any progress and stressed the importance of keeping Members in the loop.

Councillor Elattar concurred with comments especially with regard to communication and stated she was happy to second the proposal which would be welcomed by the local community. In response to her query regarding all ability play equipment and accessible picnic benches the Head of Parks agreed that the project would be inclusive. He further clarified that the 12 picnic benches highlighted in the access and inclusion programme were new and it would be the desire to equip all new facilities with the accessible equipment and furniture and in the fullness of time replace existing.

Councillor Kerr welcomed accessible picnic benches and highlighted that in Drumcairn Forest the area was overgrown with grass and asked if Council officers could make contact with the forestry service to tidy up the area. In response the Head of Parks said he would pass the request to the Forestry service.

Councillor Burton welcomed the project stating that forestry areas had come to the fore during lock down and asked for an update on progress with regard to Lumford's Glen as it had been a long time on the agenda and she was aware of recent meetings between Forestry Service and officers.

In relation to President Grants play park which was recently re-opened Councillor Burton asked if more monies become available if more play equipment could be added as for older children the removal of the slide had been a disappointment.

Councillor Burton also sought an update in relation to White Lough and the request for Council to work with Rivers Agency to provide bins in the area. She highlighted that people from Benburb and Aughnacloy were being encouraged to utilise the facility but the litter problem needed to be dealt with.

Councillor Cuddy sought clarification in relation to the cost of the project in response the Head of Parks clarified that the total cost is £275k 75% funding with Council contribution of £68k which would be allocated from the Outdoor Recreation Strategy capital allocation approve by Council which totals £250k annually.

Councillor Wilson sought clarification in relation to what poses as a conflict of interest stating that a Member said he had been involved with negotiations in the early stages, with local farmers, but had not declared an interest then have proposed the project.

The Chair, Councillor Molloy said the Members had been involved in the project initially but it had then been progressed by Council officers.

Councillor Wilson drew attention to comments by a Member in relation to discussing issues with farmers.

In response the Director of Leisure and Outdoor Recreation said the project is with the Forestry Service and lands are owned by them thus there was no conflict.

Councillor Wilson stated he had to accept what they were told but negotiations had been mentioned.

Proposed by Councillor Clarke  
Seconded by Councillor Elattar

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve –

- (i) The development proposal for Iniscarn project as described in the report.
- (ii) To present the Iniscarn Forest development proposal to the Policy and Resources committee for approval of the Council match funding subject to funding being approved from DEARA as part of the TRPSI funding allocation.
- (iii) The request to enter into a lease agreement with FSNi to allow for the development of a carpark & play area within Iniscarn Forest.

Councillor Burton again sought an update on Lumfords Glen.

In response the Chair, Councillor Molloy stated the officer would report to the Member.

Councillor Burton stated that it was not easy to get an update unless it was formally requested at Committee. She also sought an update regarding White Lough.

In response the Head of Parks said that Council did not own White Lough but had worked with the Fisheries and had agreed to provide three litter bins. He further stated that this was an interim measure and it was hoped that a service level agreement would be discussed in the future.

With regard to Lumfords Glen the Head of Parks advised that Council had met with the Forest Service and it had been identified as a future TRPSI project. With regard to President Grants play area the Head of Parks advised he had noted the comments and would follow up at a later stage.

**D134/21      Sliabh Beagh Masterplan**

The Head of Tourism presented previously circulated report and sought Members' approval to establish a Sliabh Beagh Partnership and to progress the Sliabh Beagh Masterplan in partnership with Omagh and Fermanagh District Council and Monaghan County Council.

He sought nominations for two elected Members to represent Council on the Sliabh Beagh Partnership.

Councillor McNamee stated that if nominations were by d'hondt Sinn Féin would have the first choice and if it was appropriate to propose a Member who did not sit on Development Committee he would proposed Councillor S McGuigan.

In response the Chief Executive advised there was no compulsion to nominate from the Development Committee.

Proposed by Councillor McNamee  
Seconded by Councillor Doris and

**Resolved** That Councillor S McGuigan represent Council on the Sliabh Beagh Partnership.

Councillor S McGuigan stated he would be delighted to be involved with the partnership highlighting that some of the actions would benefit the Clogher Valley which as often stated by Councillor Burton feels left behind.

Councillor Ashton proposed Councillor Burton as DUP would be next to select.

Councillor Burton said as chair of the Tourism Forum this is something that should be progressed and she would be keen to push on and engage with others and put this section on the map. She said there was a lot of hidden gems and it often drove her insane when people indicated that the Clogher Valley was the gateway to Fermanagh. Councillor Burton concluded that she would be delighted to work on the partnership and encourage people to stop and experience what the Clogher Valley had to offer.

Proposed by Councillor Ashton  
Seconded by Councillor Black and

**Resolved** That Councillor S McGuigan represent Council on the Sliabh Beagh Partnership.

Councillor Cuddy expressed concern that Council always reverts back to the beginning of the d'hondt grid thus Sinn Féin and the DUP were always represented and smaller parties and Independents do not get a fair share. He proposed that Council ask if the partnership would accept four representatives from Mid Ulster Council. He said that the UUP had Members who would be equally passionate about the project as those already put forward. He concluded that Mid Ulster Council application of d'hondt was weak in relation to the aforementioned.

The Chief Executive stated that the majority of appointments of representatives to outside bodies took place at the Annual General Meeting of Council and parties receive their allocation according to party strength. He advised that the current d'hondt grid for Council was 1 SF, 2 DUP, 3 SF, 4 SDLP so even with four representatives the UUP would not be represented. He clarified that the Council had been asked for two representatives as was the case of each Council.

Councillor Cuddy asked if the Chief Executive accepted that not carrying on the allocation of d'hondt and going back to the beginning each time eliminated smaller parties and independent Members.

The Chair, Councillor Molloy stated it was Council policy.

The Chief Executive stated any change to policy should be discussed at Policy and Resources.

Proposed by Councillor Burton  
Seconded by Councillor McNamee

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that two Mid Ulster Council members to be nominated to join the new Sliabh Beagh Partnership with first meeting proposed for September 2021.

#### **D135/21 Mid Ulster Anti-Poverty Plan – Council Action Plan**

The Head of Community Development presented previously circulated report to agree a Mid Ulster District Council Anti-Poverty Action Plan.

Councillor Monteith proposed the document but suggested that on page 97 in relation to outdoor recreation Council is still approving housing developments without decent recreational open space. He said that the developers are running rings around policies and there is a nut to crack as in 2021 adequate recreational space should equate to a green space in sight of every house. He suggested that Council should promote a village green concept as parents need to be able to see children as they cannot go out on their own. He stated that areas where the houses are cheaper the issues come back to Council with Members being lobbied for green space and this needs to be in the action plan.

Councillor Monteith made reference to Council grant schemes and suggested that grants should be introduced to encourage recreational sport. He highlighted that Council has excellent facilities and should add into the action plan funding for recreational sport. Councillor Monteith referred to page 98 and said it may be an organizational development aspiration but council should state that they are opposed to zero hour contracts and this should be incorporated into tenders. He highlighted that Council should adopt a similar process to that of the Department of Finance seeking assurance that employees of successful contractors appointed in a tender process receive the living wage and that Council's opposition to zero hours contracts should also be included.

The Chair, Councillor Molloy said the aforementioned points should be included.

Councillor Quinn shared that he worked with the foodbank and St Vincent de Paul in Coalisland together with Councillor Kerr and highlighted initiatives such as school uniform recycling. He also stated that good work is carried out by the arts by Bardic and Craic. He concurred with Councillor Monteith in relation to zero hour contracts and the living wage emphasising Council should be promoting same. He also highlighted the challenges in relation to obesity and said that the plan was very good with just a few tweaks needed.

Councillor Doris stated the plan was comprehensive and was a great approach for tackling poverty. She proposed that in the education section it would be beneficial if Council explored the possibility of the credit union hosting money management classes for young adults and teenagers as it would be a good approach in teaching young people about this.

Councillor Kerr seconded the proposal and commended the team on the initiatives. He concurred with regard to the zero hour contracts stating that they were barbaric and inhuman. In relation to the uniform grant he said he saw the hardship endured by his mother getting uniforms for his brothers and himself.

Proposed by Councillor Doris  
Seconded by Councillor Monteith and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to - Explore with credit unions the promotion of money management classes for young adults/teenagers;

The Head of Community Development said she would incorporate the comments but said the issue in relation to zero hour contracts would need to be discussed through HR processes and through the Policy and Resources committee. She said that not all zero hour contracts are the same, that some can be based on good principles of the living wage and flexibility.

The Chief Executive concurred and said that whilst all had their view on governance in relation to the issue of zero hour contract the suggestion could be discussed through policies when its appropriateness, legality, implementation and cost to Council would need to be discussed.

Councillor Monteith said that the proposal in relation to the living wage for employees of contractors appointed to Council tender may well have financial implications but Council should have been at this place a long time ago.

The Chair, Councillor Molloy said the action plan was a working document across all departments and commended staff.

Councillor Burton commended officers and drew attention to theme three in relation to health and wellbeing and asked if Sure Start now covered the Castlecaulfield area.

In response the Head of Community Development said that Surestart was a superb programme but it was area based at the moment and did not measure the deprivation of the individual and Council was lobbying not for additional coverage regarding area boundaries but for individual people in poverty to be prioritized. Thus for example people in Castlecaulfield in identified need use for example the Dungannon Surestart programme.

Proposed by Councillor Monteith  
Seconded by Councillor Quinn

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to agree a Mid Ulster District Council Anti-Poverty Action Plan incorporating the undernoted points agreed at committee

- New residential developments be designed to take account of quality open space that is usable for children to play and is central to the development and in the sightline of the homes;
- Ensure Council sports grants are targeted at groups who provide for recreational activity over and beyond more formalized sports delivery;
- Explore with credit unions the promotion and delivery of money management classes for young adults/teenagers;
- Future discussions to take place to explore Council policy in relation to zero hour contracts and for procurement of contracts to consider living wage and zero hour social clauses.

## **D136/21      Community Development**

The Head of Community Development presented previously circulated report to provide an update on key activities and sought approval for the following:

- To agree the rolling grant awards - Local Community Festivals, Good Relations and Decade of Anniversaries.
- To consider and approve the Community Planning consultation responses.
- To update on Community Development.

Proposed by Councillor Doris  
Seconded by Councillor Monteith

### **(i)      Rolling Community Grants Awards – Local Community Festivals, Good Relations and Decade of Anniversaries**

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve grant award recommendations outlined in Appendix 1.

## **(ii) Community Planning Consultation Responses**

The Head of Community Development said that there was a Housing member meeting scheduled to take place and any amendments or proposals would be incorporated into the consultation.

Councillor Doris stated that she was uncomfortable with the policy only targeting those on universal credit as often people are cut out of childcare provision if they are on a low income and have to incur the total cost.

In response the Head of Community Development said there had been comments received in relation to this regarding the working poor and the response would be strengthened in this area.

In response to the Chair's query the Head of Community Development said that the main aim of the Council response was if you are going to address poverty and educational attainment and good mental health then an accessible pre school place should be available for every child.

Councillor Monteith concurred with Councillor Doris and said that if it is based on the income of the house only this leads to economic segregation and stressed that the ethos should be provision for all, and ensure those who are financially deprived don't miss out. He concluded that the Department's approach was simply not good enough and was a make do solution.

With regard to the Department of Communities Housing Supply Strategy Councillor Monteith commended the work but raised the undernoted points:

- Page 109 the last paragraph and highlighted that social housing is not affordable housing and is an issue raised regularly.
- Page 113 affordability – rent allowance is set at £102 per week yet it is at least £150 per week in Dungannon and emphasis needed to be given to this. He stated that social housing should not be pricing rents for profit.
- Page 110 2<sup>nd</sup> paragraph in relation to place shaping – this is based on city dwelling houses of multiple occupation for example young professionals renting flats and apartments.
- Page 112 it should be mandatory that every residential development should be mixed tenure and have an element of social housing and stated that in a rush to sort one housing crisis another is created because majority of estates are all social housing.
- Intimidation and Section 75 issues well covered but highlighted that he had dealt with a number of homophobic abuse issues and often what an organization is stating is not the case on the ground.
- Many instances of homelessness is because people can't afford the house they are living in and independent rent assessments would help alleviate this problem.
- Housing Fitness: the district is miles behind in proper decent housing for all.

Councillor Kerr concurred with Councillor Monteith and highlighted affordability in private rentals naming areas such as Coalisand and Dungannon where there is

families working and having to decide either to pay the rent or eat and said that it was an indictment that people can only do one or the other. He also spoke of the huge disparity of private landlords with no law to stop them putting financial pressure on people and stressed the need for an independent body to determine rents and give people a chance of living a decent life.

Councillor Elattar commended the report and said affordable housing tends to be a grey area and that housing executive rents were lower than housing association rents as the latter were businesses but it would be hoped that revitalization under Minister Hargey will bring change. She said there had to be affordable housing and opportunity for those who want to buy a home needs to be worked on highlighting that in Draperstown there is currently only 5 houses for sale. She said much work needed to be done and it will take time to alleviate the pressures caused by different decision making by various Ministers over the years but it is hoped that things will now move forward.

Councillor Wilson commended staff and said it was interesting to hear all points of view but the fact that any grants to build only go to housing associations allows them to build the houses and increase rents and that is an issue. He stated that the grants should be made available to other organisations to build social housing.

Councillor Burton concurred and said if it was a proposal she would second. She also spoke of single mothers who would like to send children to school near their place of work not necessarily in the vicinity of their homes and stressed the need for flexibility as the goal is to improve life for everyone which includes the employed.

Councillor Corry said a lot of valid points had been covered. In relation to both affordable and social housing in rural areas older people needed to be considered and ground level homes provided. In relation to private renters Councillor Corry highlighted that Minister Hargey had introduced a bill the previous day aimed at restricting rent increases and it was hoped the NIHE would be building homes again.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve the proposed responses with additional comments raised at committee to both consultations and the comments from the working group arranged for Thursday 8<sup>th</sup> July to the Department for Communities Housing Supply Strategy 2021, note appendices 2 and 3 respectively.

**(iii) Community Development Update**

Noted.

**D137/21 Economic Development – OBFD**

The Head of Economic Development presented previously circulated report to provide an update on key activities and sought approval for the following:



**i) Mid Ulster Business Marketing Grant Scheme**

In response to Councillor Ashton's query the Head of Economic Development advised that businesses in Mid Ulster must have a company registration number or HMRC self assessment number to be deemed eligible to apply.

Proposed by Councillor McNamee  
Seconded by Councillor Ashton

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that the Chief Executive be awarded delegated authority to sign and issue letters of offer to businesses, up to a maximum of £300 per company, following the completion of eligibility checks on business applications received. This will allow funds to be disseminated to businesses at the earliest opportunity. A list of approved projects will be brought to Committee for noting in September 2021.

**ii) Mid Ulster Gift Card Programme**

Proposed by Councillor McNamee  
Seconded by Councillor Doris

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that the Chief Executive be awarded delegated authority to appoint the successful tenderer following the procurement exercise which will allow work to commence over the summer months. A full report on the tender process will be brought to Committee in September 2021 to update Members.

**iii) DfC Revitalisation Scheme 2021/2022 – Coalisland Town Centre**

The Head of Economic Development drew attention to the previously circulated report and advised that following discussions with Coalisland Town Centre Forum, it is proposed that Council make an application to the value of £250,000 to the Department for Communities to include festive lighting, development of a town brand and, purchase of branded merchandise and a Lineside Environmental Improvement Scheme which would include a new entrance and welcoming feature signage to the Gortgonis Centre, pedestrian rest areas with street furniture etc as outlined in the report.

Councillor Quinn welcomed the plans especially the works around the Gortgonis Centre and highlighted that smaller businesses in towns needed assistance and that the gift card scheme was excellent.

Councillor Doris said that the town centre looked great but she would request more flowers along Barrack Street, the Dungannon Road and Platers Hill.

Councillor Kerr welcomed the proposal and said that the Coalisland Canal and pathway should have been the centrepiece. He also stated that any new street furniture should be accessible as the area was used by all types of people and the history of the area should be promoted.

Councillor Ashton said that £80k seemed quite a large spend on festive lighting and asked if the funding that is normally allocated from Council for Christmas lighting in Coalisland would be freed up and made available for allocation in other towns in the district.

In response the Head of Economic Development said that following the completion of a public realm scheme, the Department for Communities normally provides some funding to help give the town a boost following the upheaval of the works. She said that the funding is ring fenced for Coalisland town and whilst a small percentage of the funding could be attributed towards revenue projects, DfC prefer the lion's share to be spent on a capital scheme(s).

Councillor Ashton stated her question in relation to Christmas lights funding was not answered.

The Chair, Councillor Molloy said this would be reported back.

Councillor Burton concurred with Councillor Ashton and said she had raised it at NILGA the fact that public realm scheme criteria excluded smaller towns and villages highlighting examples in Fivemiletown and Caledon where footpaths were in a woeful condition and that people had to negotiate them to get their shopping. Councillor Burton stated that when Council was meeting Ministers this should be highlighted to get smaller villages on the radar scheme.

The Chief Executive said this was a relevant question and Members would recall that the focus has been regeneration for urban areas which are defined at 5000 people are more. He said there was no specific programme that addresses lesser populations and Council has highlighted this. He said that the statutory agency for rural areas was DEARA and today they had issued their Rural Policy Framework a consultation and Council needed to make its response clear for the need for physical regeneration of smaller towns.

Councillor Monteith supported Councillor Burton and said that there was significant gaps with regard to funding and Council should lobby with other Councils. He also concurred with the Chief Executive but said that Council should continue to lobby as people in the smaller towns and villages were suffering from the poor footpaths. He said he had no argument with Coalisland receiving the funding but asked if Dungannon and Cookstown received a similar funding package following their public realm schemes.

In response the Head of Economic Development said in the past the funding from DfC had generally been around £150,000 per town, following the completion of public realm schemes but when the larger sum of £250,000 was ringfenced for Coalisland Council will gratefully accepted it, subject to making a successful bid to DfC.

Councillor Quinn asked if 'Chatter benches' would be included in the scheme. The Chair, Councillor Molloy advised that he had already raised this in Chair's business and Council would explore their provision throughout the district.

Proposed by Councillor Quinn  
Seconded by Councillor Doris

### **iii) DfC Revitalisation Scheme 2021/2022 – Coalisland Town Centre**

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve -

- (1) An application be submitted to DfC for Revitalisation Funding in 2021/2022 for the following schemes; Festive Lighting, Developing a Town Brand and Purchase of Branded Merchandise and Lineside Environmental Improvement Scheme
- (2) That delegated authority be granted to the Chief Executive to accept a Letter of Offer from Department of Communities (DfC) for the Revitalisation Project, subject to Council's application being approved.
- (3) That the appropriate tender/quotation exercises be commenced, upon receipt of a letter of offer from DfC, to enable works to commence as early as possible as the schemes need to be completed by March 2022. A full report on the tender process will be brought to a future Committee Meeting to update Members.

### **iv) Skills Strategy for Northern Ireland – Consultation**

Proposed by Councillor McNamee  
Seconded by Councillor Corry

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that delegated authority be granted to the Chief Executive to approve Council's Skills Strategy consultation response and submit the response to DfE by 19<sup>th</sup> August 2021. The draft consultation response will be furnished to Members for information at the September 2021 Committee Meeting.

### **v) 4C Ur Future Live Careers Event**

The Head of Economic Development drew attention to the previously circulated report and in particular to options one and two outlined in the report.

Councillor McNamee expressed disappointment that all post primary schools could not be included but said Council had tried and thus he would propose option one.

Councillor Ashton thanked the Officers for exploring further options but asked could Council host the event in order to facilitate all schools. In response the Head of Economic Development said that Council did not have the staff resource to do this in house and highlighted that this was a pilot scheme and the scheme organisers hoped to upscale the event in the second year in order that all schools could be included and reiterated that Council did not have the resource to do this internally.

Councillor Ashton noted that Cookstown High School was included but Drumglass High School wasn't and asked was there a waiting list if schools dropped out.

In response the Head of Economic Development said that they were proposing that the organisers select the schools with the remit that there is a geographic spread from across the district.

Councillor Doris said whilst everyone had issues with schools left out she thought Council should proceed as it was a pilot scheme.

Councillor Monteith asked if they are using Mid Ulster Sports Arena if this was an additional cost. In response the Head of Economic Development said no MUSA's cost were it was included in the financial request.

Councillor Monteith asked if budget could be identified to provide funding to the schools who could not avail of the opportunity in order that they could do a careers initiative in house.

In response the Head of Economic Development stated Council would not have the budget fund all post primary schools to the same level as those schools who would participate in the 4C Ur Future event, but could perhaps give an allocation of up to £300 per school.

The Chair, Councillor Molloy asked if Council was considering hosting a job fair as had been the case in previous years.

The Head of Economic Development said that offices were in discussion with Department for Communities to deliver a Mid Ulster Jobs and Careers Fair early in 2022 and it is likely to be a virtual event due to the uncertainty around the Covid pandemic.

Councillor Ashton said if Council did not fund the 4C Ur Future event could the £6500 be used to give all schools the opportunity to host a careers event inhouse.

Councillor Monteith said that the £6500 plus additional funding mentioned by the officer could be divided between all schools and said whilst he knew officers had done their best he was angry that the organisers want more money yet only a small amount of schools would benefit.

The Chief Executive said that whilst he understood the concerns of Members this was a pilot scheme across the 11 Council areas and it was designed that the learning could be brought forward in future years. He stated that option one was reasonable and officers could explore if there was any available monies within community budgets to assist schools but the opportunity should not be lost.

The Head of Community Development said that this could be explored with the Community Planning Education Skills Forum.

The Chair, Councillor Molloy said that 4C Ur Future event was a pilot scheme and thus he sought proposer for option one with the proviso that other funding is sourced to support schools who are not included.

Councillor Burton concurred with Councillor Monteith and said that rural schools often miss out on such opportunities as it is difficult to transport students to other towns. She said she was not happy and Council should ensure rural proofing and equality for all.

The Chair, Councillor Molloy said if Council did not participate it would weaken the experience for all.

Councillor Ashton stated that the £6500 for the 4C Ur Future event should be fairly distributed across urban and rural post primary schools the district.

The Head of Economic Development stated that the choice of schools could be selected to represent urban and rural.

Councillor Monteith proposed that the remainder budget should be distributed to other schools.

Proposed by Councillor McNamee  
Seconded by Councillor Doris

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to

1. Progress option one with the stipulation that schools are representative of both urban and rural areas throughout the district;
2. Explore with the Community Planning Education Skills Forum opportunities to engage the other schools not identified for the Ur Future Live Careers Event to support them, using remaining Economic Development funding & other Community funding to host 'careers activities' additional to normal curriculum activities to support young people with career development/opportunities.

**vi) Request for Ministerial Meeting to discuss the new Rural Affairs Policy Framework**

The Head of Economic Development drew attention to the proposal and sought direction from Members.

Councillor Monteith stated that he would have an issue if there was a meeting with civil servants and independents were not included as had happened in the past.

Councillor Wilson stated that Council had complained about the Minister for Department for Infrastructure not meeting with Members, Land and Property Services refusing to meet and proposed that Council request a meeting with the Minister for DEARA.

Proposed by Councillor Wilson  
Seconded by Councillor McNamee

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve that a further request be issued to the DAERA Minister, Mr Poots, acknowledging the update meeting held between DAERA officials and Council staff, but seeking a further strategic level meeting with the Minister and a member delegation from Council to discuss the Rural Affairs Policy Framework, given its importance to Mid Ulster's rural economy.

#### **D138/21 ESF Call 3 Match Funding Requests (2022-23)**

The Head of Economic Development presented previously circulated report to consider financially supporting a number of match funding requests under ESF Call 3 (2022-23). She updated Members that officers had attended a recent meeting organised by the Department for Economy at which DfE advised it had approached the Ministry for Housing, Communities and Local Government who indicated they are willing to receive a collaborative bid to the UK Shared Prosperity Fund to match fund existing ESF projects for a further year (2022/23). She advised if this was the case, then 3 of the 4 projects (ie, 5.1.1, 5.1.2 and 5.1.3) would be included and if successful, receive funding from this source. With this in mind, approval in principal is sought for all 4 projects, but should projects 5.1.1, 5.1.2 and 5.1.3, receive match funding from the UK Shared Prosperity Fund, then Council funding would not be required.

It was also noted that Council had received a late ESF funding request from Enterprise NI for the 2022-23 financial year and this would be brought to Committee for consideration at the September meeting.

Councillor Doris welcomed the additional funding and highlighted that many groups were desperate for funding and asked if more could be distributed to them.

In response to a query from Councillor Ashton, the Head of Economic Development advised that this is separate funding to that provided by Community Development's strategic projects.

### *Declaration of Interest*

*Councillor Wilson declare an interest of Cookstown Enterprise Centre as the organisation is a member of Enterprise NI.*

Councillor Monteith said if First Steps Women's Group did not receive match funding they could not progress the proposed project and asked if Council could provide the additional monies given them the full £25k requested.

In response the Head of Economic Development said once officers knew the outcome of whether some of the aforementioned ESF projects would get match funding from the UK Shared Prosperity Fund, then an updated report could be brought back to Committee to consider if they wished to uplift the funding to First Steps Women's Group from £12,500 to £25,000.

*Councillor Burton left the meeting at 9.30 pm*

Proposed by Councillor Doris  
Seconded by Councillor Kerr

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve –

- 1) In principal the undernoted match funding requests under ESF Call 3 (2022-23) for Mid Ulster District, subject to the organisations being successful in their ESF funding bids, noting that programmes (i) to (iii) may qualify for match funding through the UK Shared Prosperity Fund and if so, then match funding will not be required.
  - i) **SUSE+**  
A financial contribution of up to £25,000 to South West College for the period 2022-23 to deliver the SUSE+ Programme.
  - ii) **Up for Work Programme**  
A financial contribution of £6,250 to Network Personnel for the period 2022-23 to deliver the Up for Work Programme.
  - iii) **Job Match Programme**  
A financial contribution of £6,250 to Network Personnel for the period 2022-23 to deliver the Job Match Programme.
  - iv) **Women Towards Education and Employment Programme**  
A financial contribution of £12,500 to First Steps Women's Centre for the period 2022-23 to deliver the Women Towards Education and Employment Programme.

Proposed by Councillor Monteith  
Seconded by Councillor Doris and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve in principle that if it is confirmed that the UK Shared Prosperity Fund will provide match funding for the SUSE+, Up for Work Programme and Job Match Programme, then Council will uplift it's funding to the Women Towards Education and Employment Programme from £12,500 to £25,000, being the original request received from First Steps Women's Centre.

**D139/21 Irish Language Activity Funding Programme 2021/22 and Irish Language Action Plan 2021/22**

Councillor Monteith asked if Irish Language Activity Funding Programme 2021/22 and Irish Language Action Plan 2021/22 could be considered in open business. In response the Head of community Development stated that the paper referred to public grants and thus should present no difficulty. The Chief Executive concurred.

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve consider agenda item 19 in open business.

The Head of Community Development presented previously circulated report to:

- To seek members approval for the Irish Language Action Plan for 2021/22.
- To seek members approval for the allocation of funding towards the delivery of the annual Irish Language Activity Funding Programme 2021/22.

Proposed by Councillor Monteith  
Seconded by Councillor McNamee

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve –

- i) The revised Irish Language Action Plan for the remainder of 2021/22 (appendix 1)
- ii) The funding allocation to the groups identified as part of the annual Irish Language Activity Funding Programme as detailed in section 3.3.

**Matters for Information**

**D140/21 Minutes of Development Committee held on 17 June 2021**

Members noted Minutes of Development Committee held on 17 June 2021.

In response to Councillor Monteith's query regarding an update on lands at Drumcoo were there was dispute over who was responsible for weeds the Chief Executive



advised that a letter had been received and an officer meeting was scheduled to identify solution.

Councillor Monteith stated that on a more strategic level there was unadopted roads throughout the district and proposed that Council lead DEA meetings with the NIHE and DfI Roads to identify unadopted roads and progress a plan to upgrade.

Proposed by Councillor Monteith  
Seconded by Molloy and

**Resolved** That it be recommended to the Chief Executive that he operate his Delegated Authority Resolve under Section 3.3 of the Scheme of Delegation for Senior Officers to approve Council initiate meetings at DEA level with NIHE and DfI Roads to identify unadopted roads throughout the district and progress a plan to upgrade.

Councillor Kerr drew attention to D107/21 and said he had tried to raise the issue at the Council meeting and advised that he had joined the rescue team on a tour and experienced how they had to go at a snails pace at some locations due to waterways not being clear and at times they could experience a 15 minute delay and if someone was in danger in the water this could be fatal.

Councillor Kerr proposed to invite ABC Council and relevant stakeholders to a round table discussion to try to find resolution. He further highlighted that the rescue boat was being damaged and money could be better spent.

In response the Chair Councillor Molloy said it was in the sentiment of the motion to host such discussions.

Councillor Doris advised that Sinn Féin had written to DfI regarding the Lough and said she would support Councillor Kerr's proposal

Councillor Doris also stated she would like to see revitalization plans on the agenda for the September Committee in relation to Sandyrow and Newtownkelly.

Councillor Quinn said that Council should endeavor to find resolution in relation to the issues at the Lough as fishing boats were also being damaged and there was problems at the Blackwater River also.

The Chief Executive stated whilst he agreed with the sentiments of Members Council had no authority or responsibility for Lough Neagh and he would encourage Members to lobby their parties to drive the matter forward at NI Assembly level. He said Council funded Lough Neagh Rescue but what was being requested was beyond the remit of council. He referred back to the motion carried by Council and said it asked Council to engage with neighbouring Council and stakeholders to discuss the issues raised but stressed that only those who have responsibility for the Lough could address these significant issues.

**D141/21      Department for Communities Access and Inclusion Programme  
2021/22**

Members noted the following:

- 2021/22 Department for Communities Access and Inclusion funding Programme.
- The range of projects being submitted to the 2021/22 Access and Inclusion Programme by Mid Ulster District Council.

Councillor Ashton drew attention to proposed resurfacing works at Dungannon Park and said it needed sorted as soon as possible and whilst she did not wish to hold up the applications but asked for a report on maintenance budget as Council did not appear to have the budget to maintain its premises.

**D142/21      Burnavon Arts & Cultural Centre Refurbishment Works**

Members noted update on development works/refurbishment works undertaken at the Burnavon Arts & Cultural Centre during the period of closure.

Councillor McNamee commended the refurbishment works at the Burnavon Arts and Cultural Centre.

**D143/21      Mid Ulster District Tourism Development Group**

Members noted Minutes of the Tourism Development Group meeting held on 24 February, approved at the Tourism Development meeting held on 28 April.

**D144/21      External Investment Leverage 2020/21**

Members noted external investment leveraged by the Business and Communities Department to support Council priorities in 2020-21.

The Chair Councillor Molloy highlighted the total of external funding leveraged and said it did not highlight enough its success in this field.

**D145/21      Economic Development - OBF**

Members noted update on key activities as detailed below:

- TRPSI Rural Business Development Scheme 2021/22
- Parkanaur College Update
- Mid Ulster MEGA - NI Apprenticeship Week 2021 (NIAW21)
- Rebel On Demand – Pilot Proposal

In response to Councillor Black's query the Chair advised there was a number of organisations on the list to present and there would be a special meeting early September.

*Live broadcast ended at 9.46 pm*

## **Local Government (NI) Act 2014 – Confidential Business**

**Resolved** In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D146/21 to D147/21.

### **Matters for Decision**

D146/21 Economic Development – CBFD

### **Matters for Information**

D147/20 Confidential Minutes of Development Committee held on 17 June 2021

### **D148/21 Duration of Meeting**

The meeting commenced at 7 pm and concluded at 9.55 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.

<b>Report on</b>	Consideration of Requests for Civic Recognition
<b>Date of Meeting</b>	Thursday 22 July 2021
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	E Forde, Member Support Officer

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

1.0	<b>Purpose of Report</b>					
1.1	To consider approval of request(s) for civic recognition from members, in line with council's current <i>Civic Honour and Receptions Policy</i> .					
1.2	In the context of the Coronavirus outbreak in March 2020, the Council has been transacting essential business only from this period. Reports on civic recognition have not been considered over this period					
2.0	<b>Background</b>					
2.1	All requests for recognition are to be submitted with Democratic Services using the pro-forma, <i>Request for Civic Recognition: Civic Honour &amp; 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	<b><u>Recognition</u></b> <ul style="list-style-type: none"><li><b>Civic Honour:</b> 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></li><li><b>Civic Reception:</b> 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></li></ul>	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						

2.3	<div></div> <p><b><u>Processing the Request</u></b></p> <ul style="list-style-type: none"> <li>• Reviewed against the policy/criteria</li> <li>• Reviewed to identify if recognition provided for similar achievement within 3 years prior to this</li> <li>• Requests meeting criteria will be recommended to Council for Civic Honour or Civic Reception</li> <li>• Requests not meeting criteria will be recommended to receive letter from Council Chair</li> </ul>
2.4	Appendix A details those requests received for recommendation to and approval by council. The request have been categorised in line with the revised policy.
<b>3.0</b>	<b>Main Report</b>
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 since the meeting of Council in February 2020 have been categorised, details of which are set out within appendix A to this report.
3.2	Due to the outbreak of COVID-19, Council has been transacting essential business only and reports/requests for same have not been brought to Council since the outbreak. It is proposed that requests as detailed in Appendix A, where agreed, should be dealt with as previously resolved by April Council that is, recipients will receive a letter together with award as appropriate.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members give consideration to approving civic recognition requests as presented and be dealt with as previously resolved by April Council in that recipients receive a letter together with an award, where appropriate.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Civic Recognitions Recommended for Approval

## Appendix A: July 2021 Requests for Civic Recognition Submitted: For Approval

### Category: Civic Honour

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

### Category: Civic Reception

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

### 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
Clare Maria Currie	Travelling with the Irish Olympian Team as Team Physiotherapist	Cllr Dan Kerr





<b>Report on</b>	Conferences, Seminars & Training
<b>Date of Meeting</b>	22 July 2021
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Eileen Forde, Member Support Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
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.
<b>2.0</b>	<b>Background</b>
2.1	Costs associated will be set against 2021-22 member Conference, Seminar and Training allocations.
<b>3.0</b>	<b>Main Report</b>
3.1	<b>Approval for Consideration of Attendance by Elected Members</b>  There are occasions when it is beneficial to Members to attend training, conferences and seminars to better equip them in their role as elected representatives. Approval for attendance as detailed in Appendix A to this report is sought.
3.2	<b>Officer Approvals</b>  None
<b>4.0</b>	<b>Other Considerations</b>
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>  Financial: Costs to be set against Members 2021/22 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member

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



**15 November 2021**

**Northern Ireland Economic Growth and Development Conference (VIRTUAL)**

**COST One free place allocated to Council**

**Additional Places £80 per person**

Across Northern Ireland there will be a staggering £5bn worth of regeneration projects coming online before 2030 and the Northern Ireland Economic Growth and Development conference is the best place to hear from local authorities, developers and investors who are bringing forward major schemes across the country.

House building is at its highest rate in years and the thirst for mixed use space in city centres spanning from Belfast to Londonderry is growing at pace. Recently over £1bn has been pledged for road development and Northern Irish counties are set to benefit from hundreds of millions of pounds from the UK Community Renewal Fund. The event will cover all of the aforementioned while also highlighting scope for supply chain involvement with the opportunity to directly engage with the masterminds behind the plans.

**Topics to be discussed:**

- NIHE's new £455m maintenance contract
- 185-acre Titanic Quarter Masterplan
- £30 million Hamilton Dock Hotel
- £2.7m Waterloo Street Apartment Complex
- £60m Smithfield Yard regeneration
- £10m Carryduff Shopping Centre Regeneration
  
- Housing Executive's £7bn investment into assets
- £30 million Olympic House Project
- £7.4m New Ardilea Street Development
- 30,000 sq ft '35DP' development
- £26m North West NI investment
- £100m King's Hall Health and Wellbeing Park

## Agenda and Programme:

### **09:30- Doors Open & Networking**

**09:50**

*Enjoy some networking time with those also attending the conference and visit the exhibitors. You'll have the ability to video chat in our networking lounge with attendees, or visit the exhibition booths.*

### **09:50- Session One: Levelling up Northern Ireland – What are the Key Regeneration**

#### **11:00 Priorities for a Healthier, Smarter, Greener Country?; Sponsored by Public Sector PLC**

*Policy makers are joined by investors, developers and other major public sector stakeholders to set out the key challenges and opportunities ahead for driving inclusive economic growth through regeneration in Northern Ireland.*

Chair: **Public Sector Plc**; Speaker TBC

**Belfast City Council**; Cathy Reynolds. Director of City Regeneration and Development

**Lidl Northern Ireland**; Christopher Speers, Property Executive

**Benmore Group**; Kevin McKay, Chairman

### **11:00- Networking & Exhibition**

**11:30** *Enjoy some networking time with those also attending the conference and visit the exhibitors. You'll have the ability to video chat in our networking lounge with attendees, or visit the exhibition booths.*

#### **11:05-11:25 – Breakout Session; Sponsored by VU.CITY**

*During the break you'll also have the option to listen to the breakout session stage – more details tbc shortly.*

**VU.CITY**; Charlotte McCarthy, Business Development Manager

### **11:30- Session Two: Housing Development Plans in Northern Ireland**

**12:30** *Thousands of new homes need to be delivered every year in the next decade with new approaches to living and working taking hold post-pandemic. This session brings together a host of developers who are tasked with creating the communities of tomorrow to talk about major residential focused schemes, solving the housing crisis and accelerating the delivery of high-quality homes.*

Session Sponsor: ([Available – click for details](#))

**Northern Ireland Housing Executive**; Robert Clements, Sustainable Development Manager

**Clanmil Housing Group;** Carol McTaggart, Group Director of Development

**Other speakers TBC**

**12:30- Networking & Exhibition**

**13:00** *Enjoy some networking time with those also attending the conference and visit the exhibitors. You'll have the ability to video chat in our networking lounge with attendees, or visit the exhibition booths.*

**13:00- Session Three: How Do We Reimage, Reinvigorate and Repurpose North**

**14:00 Ireland's Cities and Towns?**

*Whether it be the challenges of creating thriving high streets and town centres or master planning future cities and places, billions of pounds are being spent across Northern Ireland. This session brings together the developers and strategists behind the region's most important schemes to talk about their delivery.*

Session Sponsor: ([Available – click for details](#))

Chair: **Built Environment Networking;** Amanda Griffiths, Director

**Titanic Quarter;** James Eyre, Commercial Director

**Bywater Properties;** Patrick O’Gorman, Principal

**Other speakers TBC**

**14:00- Networking, Exhibition & Close**

**14:30**



<b>Report on</b>	Correspondence to Council - July 2021
<b>Date of Meeting</b>	Thurs 22 July 2021
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	P Moffett, Head of Democratic Services

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	Provide an update on correspondence received for attention of Council.
<b>2.0</b>	<b>Background</b>
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Correspondence from BMA and RCGP Northern Ireland</b></p> <p>Representatives from the British Medical Association and Royal College of General Practitioners (NI) have corresponded with Council on support for more GPs, more resources and the need for accelerated transformation of the health service. Refer to Appendix A.</p>
3.2	<p><b>Correspondence from Public Accounts Committee, NI Assembly</b></p> <p>A representative of the Public Accounts Committee has confirmed the Committee has agreed to review the NIAO Report into Broadband Investment, as part of an inquiry to be undertaken by the Committee later this year. The Council carried a motion on this matter at its June meeting. Refer to Appendix B.</p>
3.3	<p><b>Correspondence from Fermanagh &amp; Omagh District Council</b></p> <p>The Chief Executive of Fermanagh &amp; Omagh District Council has corresponded with the Council on a motion carried by it at their Council meeting on matters within the Middle East. Refer to Appendix C.</p>
3.4	<p><b>Correspondence from Fermanagh &amp; Omagh District Council</b></p> <p>The Chief Executive of Fermanagh &amp; Omagh District Council has corresponded with the Council on a motion by it at their Council meeting on matters pertaining to 'Rights of Nature' and subsequent activities to be explored by that Council. Refer to appendix D.</p>

<b>3.5</b>	<b>Correspondence from Department of Health</b>  The Minister for Health has corresponded with the Chair on the issues raised within the motion concerning the LGBTQ+ Community at May meeting of Council in particular to the provision of services at the regional Gender Identity Clinic (Brackenburn). Refer to appendix E.
<b>3.6</b>	<b>Correspondence from the Department of Finance</b>  The Minister for Finance has corresponded with the Chair on the issues raised concerning the NI Audit Office Report into Broadband Investment, the Council carried a motion on this matter at its June meeting. Refer to Appendix F.
	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
<b>5.1</b>	That Council notes and considers, as necessary, the correspondence received.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: BMA and RCGP(NI) Appendix B: Public Accounts Committee, NI Assembly Appendix C: Chief Executive, Fermanagh & Omagh District Council Appendix D: Chief Executive, Fermanagh & Omagh District Council





## Mid Ulster District Council

2<sup>nd</sup> July 2021

Dear Council colleagues,

Representing more than 1400 GPs across Northern Ireland, we are getting in touch to inform you about the current difficulties facing primary care and to ask for your support as we seek to address our challenges and deliver excellent patient care.

We thought it may be useful to put the current situation and environment in which GPs are working into context.

Throughout the pandemic, GPs and practice staff have worked hard to keep surgeries open while adhering to and implementing Government mandated infection control measures. Many of our surgery buildings are too small to allow adequate social distancing, and crowded waiting rooms with potential Covid-19 positive patients meant that practices had to take early and decisive action to reduce the number of people able to openly walk into our premises.

All GPs have had to put appropriate alternatives in place, offering telephone and video appointments where suitable. To keep footfall in our surgeries to a minimum in order to protect everyone, we only offer face-to-face consultations where clinically necessary but we do stress that when patients need to see a doctor they can do so

In terms of availability and access, it is important to note that Department of Health statistics show that approximately 200,000 patients per week - almost 10% of the population across the North are contacting their GP surgery on a weekly basis.

General practice did not enter the pandemic in a particularly good place and was already under extreme pressure but this has been exacerbated by Covid-19. Prior to the pandemic, a 2 week wait for an appointment was common and many appointment times did not accommodate patients who had workplace or other family commitments.

As well as continuing to deliver day to day GP services, GPs also have set up and run Covid-19 Assessment centres to ensure that patients who potentially have covid001 have somewhere to go for safe and effective treatment which in turn keeps practices, our staff and patients as safe as possible.

On top of this, in October 2020 we ran the biggest ever winter flu campaign quickly followed by the highly successful rollout of the Covid-19 vaccination programme, with GPs administering close to half of all vaccines doses to date

We do acknowledge that patients may have difficulty in getting through to practices and in some cases are not getting the service they should expect. Unfortunately, despite our very best efforts, this comes down to the fact that demand for GP services is infinitely higher than the supply we can offer. Spiralling waiting lists mean that patients need to continue to see us for care, support and medication while they wait for the procedure or surgery they need, we are not training enough GPs and the demographics of the current workforce mean that many are due to retire in the next

It is therefore extremely demoralising and upsetting for our GPs and their practice staff who are working beyond capacity, have often not had a break in over a year and who are completely exhausted, to be made to feel they do not care for their patients.

Please work with us as we try and amend our services to suit your needs best. Support our call for more GPs, more resources for our practices and for the acceleration of the transformation of the health service that our patients so badly need.

Yours sincerely,



Dr Laurence Dorman  
RCGPNI Chair



Dr Alan Stout  
Chair, BMA NI GP Committee

**From:** +Comm Public Accounts Public Email <[committee.publicaccounts@niassembly.gov.uk](mailto:committee.publicaccounts@niassembly.gov.uk)>  
**Sent:** 04 July 2021 10:48  
**To:** Eileen Forde <[Eileen.Forde@midulstercouncil.org](mailto:Eileen.Forde@midulstercouncil.org)>  
**Subject:** RE: Audit Report into Broadband Investment

Thanks Eileen, I can confirm receipt. The Committee have agreed to look at this NIAO report as part of their Autumn/Winter work programme, the date is to be confirmed for this inquiry,

Thanks,  
Karen

---

**KAREN BARRY**

*Clerical Supervisor*  
Public Accounts Committee

work: [028 90521632](tel:02890521632)  
email: [Karen.Barry@niassembly.gov.uk](mailto:Karen.Barry@niassembly.gov.uk)  
twitter: [@NIA\\_PAC](https://twitter.com/NIA_PAC)

Room 344  
Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX

**From:** Eileen Forde [<mailto:Eileen.Forde@midulstercouncil.org>]  
**Sent:** 02 July 2021 13:09  
**To:** +Comm Public Accounts Public Email <[committee.publicaccounts@niassembly.gov.uk](mailto:committee.publicaccounts@niassembly.gov.uk)>  
**Subject:** Audit Report into Broadband Investment

Good afternoon

Please find attached correspondence from Mid Ulster District council which I would respectfully ask you to bring before the Public Accounts Committee.

Best regards

Eileen  
**Eileen Forde**  
**Member Support Officer**  
**Dungannon Office**  
**Telephone 03000 132 132 Ext 24004**  
**Mobile: 07825140198**



Our Ref: Democratic Services

Date: 14 June 2021

Email: [democratic.services@fermanaghomagh.com](mailto:democratic.services@fermanaghomagh.com)

## To: All Council Chief Executives in Northern Ireland and Republic of Ireland

Dear Chief Executive

**Re: Motion - Implementation of our BDS support in relation to PSNI/An Garda Síochána partnerships with Israeli security forces and companies with involvement in illegal Israeli settlements**

At the Council meeting held on 2 June 2021, the Council approved the following Motion: -

The Israeli Human Rights Organisation, B'Tselem, and the UN Human Rights Watch have both recently reported that Israel is guilty of crimes of apartheid and persecution, and the 'Ministry for Public Security' was strongly criticised for their treatment of Palestinians in the HRW As a Council who has adopted and is supportive of the Palestinian call for Boycott, Divestment and Sanctions, Fermanagh and Omagh District Council hereby call on the Chief Constable of the PSNI and the Garda Commissioner, as well as the Department of Justice & Policing Board in the North and Minister for Justice & Policing Authority in the South, to immediately withdraw their respective forces from any and all partnerships with the Israeli ministry responsible for police and prisons (Ministry of Public Security) and from companies which are involved in surveillance in illegal Israeli settlements report.

Patrick Corrigan from Amnesty International noted that "as a matter of urgency, the PSNI should suspend all programmes with the Israeli police and security services where there's a clear risk of involvement in human rights violations...[the] police service must ensure it is not implicated in Israel's human rights violations. The distressing scenes from East Jerusalem and Gaza should now be a wake-up call."

As such, and mindful of our BDS commitments, we call on the PSNI Chief Constable and Garda Commissioner to immediately cease all partnership and involvement with the security forces of apartheid Israeli. In support of this we call on all Councils on this island to back this motion and lend their voices in support of the Palestinian call for international solidarity and BDS action".

Furthermore, this Council calls on An Taoiseach, Micheál Martin, to expel the Israeli Ambassador to Ireland due to the ongoing de facto annexation of Palestine and further requests that Minister for Foreign Affairs, Simon Coveney TD, use his position as representative for Ireland on the UN Security Council to seek full enforcement of the UN resolutions on Occupied Palestine and East Jerusalem and that the Dublin government also calls on the EU to place sanctions on Israel. We also call on the Dublin government to

**recognise the State of Palestine. Furthermore, that this Council invites the Palestinian Ambassador to Ireland, Dr Jilan Wahba Abdalmajid, to meet with the Council so that we may convey our solidarity and support, through her, to the Palestinian people.**

Representations have been made to each of the bodies included in the above Motion calling them to take the actions requested within.

The Council requests that you take the action requested of your Department as outlined in the Motion above, and it looks forward to receiving your response in due course.

Yours sincerely



**Alison McCullagh**  
**Chief Executive**



Our Ref: Democratic Services

Date: 6 July 2021

Email: [democratic.services@fermanaghomagh.com](mailto:democratic.services@fermanaghomagh.com)

## To: All Councils in Northern Ireland and the Republic of Ireland

Dear Chief Executive

### Re: Rights of Nature

At the Council meeting held on 5 July 2021, Members approved the following Motion: -

**“Fermanagh and Omagh District Council notes the legal and social movement globally for the ‘Rights of Nature’ aimed to strengthen protections for people, place and planet.**

**We believe that ‘Rights of Nature’ can help inspire an innovative rethinking about how to create regenerative, not extractivist, economies while also making human and other living communities safer, stronger and more resilient.**

**The positive work already being done by Council staff and groups on the climate emergency and biodiversity crises are commendable, but we recognise the need for a rights-based approach to nature.**

**We propose, that over the next 6 months, this Council will collaborate with civic society to explore what rights of nature mean for the people and economies of the region and to investigate how Rights of Nature could be expressed in community plans, corporate plans, improvement objectives and other strategic frameworks. In particular, the council will in the next 6 months hold two community workshops and work with the local community and stakeholders to draw up a Declaration for the Rights of Nature for the District area to be brought back before Council for adoption.**

**We also request that a report, authored in collaboration and with input from the local community be brought to FODC in relation to embedding ‘Rights of Nature’ as a keystone concept into Council’s operational practices, planning processes and long-term decision making.**

**Mindful of our mutual environmental obligations under the Espoo Convention we call on all Councils, North & South, to also explore ‘Rights of Nature’ for their Council areas, not least in Donegal, Leitrim, Cavan, Monaghan, Mid Ulster & Causeway, Coast & Glens”.**

As outlined in the Motion, the Council is calling on all Councils to explore ‘Rights of Nature’ for their council areas and looks forward to receiving your response in due course.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Alison McCullagh". The signature is fluid and cursive, with the first name "Alison" and last name "McCullagh" clearly distinguishable.

**Alison McCullagh**  
**Chief Executive**

**FROM THE MINISTER OF HEALTH**



Cllr Cathal Mallaghan, Chair  
Mid Ulster District Council

[info@midulstercouncil.org](mailto:info@midulstercouncil.org)

Castle Buildings  
Stormont Estate  
BELFAST, BT4 3SQ  
Tel: 028 9052 2556  
Email: [private.office@health-ni.gov.uk](mailto:private.office@health-ni.gov.uk)

Your Ref: C110/21

Our Ref: CORR-1981-2021

Date: *8th* July 2021

Dear *Cathal,*

Thank you for your correspondence of 4 June 2021 regarding the motion passed at the May meeting of the Mid Ulster Council about the LGBTQ+ community, and specifically within the motion in regard to my Department, the provision of services at the regional Gender Identity Clinic (Brackenburn), in the Belfast Health and Social Care Trust (BHSCT).

Firstly, over the last decade there has been a significant rise in demand for gender identity services in Northern Ireland. This increased demand is also being experienced right across the UK and further afield internationally.

The Regional Gender Identity service at Brackenburn lost several key members of staff due to retirement and staff leaving the service. The BHSCT has carried out a number of recruitment exercises to secure staff with the necessary skills and qualifications. Unfortunately, the recruitment exercises were not successful however the BHSCT was able to procure the services of a gender psychiatrist on a part-time basis to carry out assessments. I am advised that further recruitment exercises are planned in the near future.

In order to identify an appropriate service model to meet the needs of Transgender service users in Northern Ireland going forward, the Health and Social care Board, at the request of my Department, established the Gender Identity Pathway Review Group in March 2019 to review the current gender identity service model. The work of the Review Group was paused to enable the health service to focus on its response to the COVID-19 pandemic. The work of the Review Group has already recommenced and it is anticipated that the group will report its findings and recommendations to my Department in September 2021 for consideration.

Furthermore, the Review Group has recently established a Gender Identity Liaison Panel to provide input and assist in taking forward the review, and to facilitate communication between the Review Group and those with lived experience of transgender issues, including families of individuals, to help shape the review.

I hope this information is helpful.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin', is positioned above the printed name.

**Robin Swann MLA**  
**Minister of Health**

**From the Minister of Finance**



*Councillor Paul McLean*

*chair@midulstercouncil.org*

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

Our reference: CORR-1055-2021

Date: 14 July 2021

## **CORR-1055-2021: NI AUDIT OFFICE REPORT INTO BROADBAND INVESTMENT**

Thank you for your letter dated 30 June 2021.

The Executive has received £1.7million clawback from the contractor so far and this has been reinvested into additional broadband delivery under the Superfast Rollout Project (SRP).

It is my understanding that further £14 million clawback will be due in 2023 and 2024 when the contracts for the Northern Ireland Broadband Improvement programme (NIBIP) and the Superfast Rollout Programme (SRP) come to an end however this will not be confirmed until that time.

It will be for the Executive to decide on how any funds returned will be invested based on its priorities, and the Economy Minister can bring proposals for further investment in broadband to the Executive for consideration.

Is mise le meas,

A handwritten signature in black ink that reads "Conor Murphy".

**CONOR MURPHY MLA  
MINISTER OF FINANCE**

<b>Report on</b>	Consultations notified to Mid Ulster District Council
<b>Date of Meeting</b>	22 <sup>nd</sup> July 2021
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the consultations notified to Mid Ulster District Council for comment.
<b>2.0</b>	<b>Background</b>
2.1	Council is a consultee for many government departments and statutory agencies, 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.
<b>3.0</b>	<b>Main Report</b>
3.1	Documentation relating to the aforementioned consultations can be accessed via the links provided in the table provided in Appendix A.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members review and note consultations notified to Mid Ulster District Council.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Appendix A: Details of Current Consultations

## Appendix A: Details of Current Consultations

Organisation	Consultation Time	Issue	Closing Date	Response Currently Being Developed
DAERA	<b>Consultation on the Introduction of Additional Animal Welfare Protections for Service Animals in NI (Finn's Law)</b>	Service animals often need to restrain suspects or use their physical presence to support the actions of an officer acting in accordance with his or her duty. There is, however, currently no account taken of the role performed by service animals in the Welfare of Animals Act (Northern Ireland) 2011. The aim proposed legislative change is to ensure that law demonstrates regard for the vital role that service dogs play in protecting the community in Northern Ireland and they are provided with same level of protection as they are afforded elsewhere in the UK.	11 <sup>th</sup> August 2021	
	<b>Link to Consultation</b>	<a href="https://www.daera-ni.gov.uk/consultations">https://www.daera-ni.gov.uk/consultations</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	Yes		
Organisation	Consultation Time	Issue	Closing Date	Response Currently Being Developed
DAERA	<b>Call for Evidence on a Plan to Eliminate Plastic Pollution in NI</b>	Public Call for Evidence sets out the purpose and scope of the plan to eliminate plastic pollution and its responses will help inform the development of plan to	1 <sup>st</sup> October 2021	

		eliminate plastic pollution in Northern Ireland.		
	<b>Link to Consultation</b>	<a href="https://forms.office.com/r/ek31MgR746">https://forms.office.com/r/ek31MgR746</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
<b>Organisation</b>	<b>Consultation Time</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
<b>NILGOSC</b>	<b>Consultation on NILGOSC's Vision, Mission, Values, Strategic Aims and Objectives</b>	NILGOSC is currently carrying out a consultation on the draft statement of its Vision, Mission, Values, Strategic Aims and Objectives and would like to give you the opportunity to comment and help shape the service that we provide.	10 September 2021	
	<b>Link to Consultation</b>	<a href="http://www.nilgosc.org.uk">www.nilgosc.org.uk</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
<b>Organisation</b>	<b>Consultation Time</b>	<b>Issue</b>	<b>Closing Date</b>	<b>Response Currently Being Developed</b>
<b>Lisburn &amp; Castlereagh City Council</b>	<b>Consultation on LCCC Draft Equality Action Plan 2021-25</b>	Lisburn & Castlereagh City Council has launched a public consultation on a draft Equality Action Plan for the period 2021–2025.	17 September 2021	
	<b>Link to Consultation</b>	<a href="https://www.lisburncastlereagh.gov.uk/news/draft-equality-action-plan">https://www.lisburncastlereagh.gov.uk/news/draft-equality-action-plan</a>		
	<b>Delegated Authority</b> required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	

