



25 January 2024

Dear Councillor

You are invited to attend a meeting of the Council to be held in The Chamber, Dungannon and by virtual means at Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 25 January 2024 at 19:00 to transact the business noted below.

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

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

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

Matters for Decision

- | | |
|--|---------|
| 6. Council minutes of meeting held on 14 December 2023 | 5 - 14 |
| 7. Environment Committee minutes of meeting held on 8 January 2024 | 15 - 24 |
| 8. Planning Committee minutes of meeting held on 9 January 2024 | 25 - 44 |

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| 9. | Development Committee minutes of meeting held on 10 January 2024 | 45 - 58 |
| 10. | Policy and Resources Committee minutes of meeting held on 11 January 2024 | 59 - 72 |
| 11. | Conferences, Seminars and Training | 73 - 82 |

Matters for Information

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| 12. | Consultations | 83 - 88 |
| 13. | Correspondence Report | 89 - 112 |

Notice of Motions

14. Councillor Kerr to move -
That this Council calls on all politicians in Ireland to boycott the Whitehouse St. Patrick's Day celebrations hosted by Joe Biden and the American administration due to his/its culpability in the genocide happening in Palestine, particularly in Gaza and the West Bank.
15. Councillor McLernon to move
That this Council deplores those corporations that profit from protracted armed conflict and systematic violations of human rights, particularly in the context of Israel's continuing brutal assault on the people of Gaza and escalating settler terrorism in the West Bank, and Russia's ongoing war of aggression against Ukraine, and other conflicts around the world.
That this Council encourages companies to meet their obligations to avoid contributing to adverse human rights impacts through their own activities, and to prevent or mitigate human rights abuses linked to their operations.
That this Council is aware of the crucial role of local authorities and their public procurement procedures in ensuring respect for human rights by companies, as well as their obligations under widely accepted business and human rights norms, as laid down in the UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, and the Global Sullivan Principles (1999), to promote respect for human rights by companies with which they do business.
That this Council affirms that every endeavour is made to ensure that councils tender processes are consistent with the above principles, including under the Fourth Geneva convention relative to the Protection of Civilian Persons in Time of War and under customary international humanitarian law, prohibiting the importation or sale of goods or services originating in occupied territories.
That this Council resolves to adopt a rights-based Ethical Procurement Policy (EPP) that takes fully into account existing obligations and standards. The EPP will incorporate widely accepted and precisely formulated

international standards and explain clearly how the policy will be implemented. The primary aim of the EPP is to ensure that human rights obligations are properly acknowledged, observed and respected at all stages of the procurement process.

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

Matters for Decision

16. Council Confidential minutes of meeting held on 14 December 2023
17. Environment Committee confidential minutes of meeting held on 8 January 2024
18. Planning Committee confidential minutes of meeting held on 9 January 2024
19. Development Committee confidential minutes of meeting held on 10 January 2024
20. Policy and Resources Committee confidential minutes of meeting held on 11 January 2024
21. Update on Insurance Brokerage Tender
22. Microsoft Licensing Tender Report
23. Small Settlements - ICT Award for Castlecaulfield
24. Document for Sealing - Extended Agency Agreement between Mid Ulster District Council and the Department for Infrastructure for the provision of Off-Street Parking Enforcement and a Penalty Charge Notice Processing Service

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 14 December 2023 in the Council Offices, Circular Road, Dungannon and by virtual means

Chair	Councillor Molloy
Members Present	Councillors Bell*, Black, Brown, J Buchanan, W Buchanan, F Burton, J Burton, Cahoon, Carney, Clarke, Corry*, Cuthbertson*, Forde, Groogan, Johnston, Kelly, Kerr, Mallaghan, Martin, McAleer, McConnell, McElvogue, McFlynn, McGuigan, McLean*, McLernon, McNamee, D McPeake, S McPeake, Milne*, Monteith, Quinn, Varsani* and Wilson
Officers in Attendance	Mr McCreesh, Chief Executive Mr Black, Strategic Director Communities and Place (SD:CP) Ms Campbell, Strategic Director of Environment (SD: Env) Ms Canavan, Strategic Director of Organisational Development Strategy and Performance (SD: ODSP) Mr McGuckin, Head of Strategic Services and Engagement (HoSSE) Mr Moffett, Assistant Director of Organisational Development Strategy and Performance (AD: ODSP) Mr C McKeown, ICT Support Mrs Forde, Committee and Member Services Manager
Others in Attendance	Representatives Northern Ireland Local Government Association (NILGA) Ms Alison Allen Chief Executive

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7 pm.

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

C234/23 Notice of Recording

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

C235/23 Apologies

Councillor Gildernew, Graham, McQuade, Robinson, Totten

Mr Tohill, Strategic Director of Corporate Services and Finance (SD: CS&F)

C236/23 Declarations of Interest

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

Councillor Kerr declared an interest in the Development Minutes in relation to Coalisland Food Bank.

C237/23 Chair's Business

The Chair, Councillor Molloy said, "It has been a shorter than usual, but no less busy time since we previously met. A highlight of that time for me as Chair of the Council was getting out and about attending our Christmas Lights Switch On events. I've been really privileged to have met so many fantastic children and families, entertainers and all the staff who help put on these fantastic shows. And of course, it's been special to have been able to work alongside Santa himself.

Of course, while for most of us Christmas brings with it festive cheer and cause for celebration, for many, including those in our own district, it is the most difficult and challenging time of the year, including for those who have lost a loved one, in poor health or struggling financially. This year, rising costs and household bills are affecting us all, and this brings with it new worries and pressures for households and communities across the district. It's important then that even in our own time of celebration we remember those less fortunate than and do what we can to help them over the Christmas period, we all have gifts that are not wrapped in shiny paper but could literally be lifesaving - take time with someone who needs a chat or a bit or support, show kindness to a stranger, give a blood donation the Blood Donation vans will be across the district.

As Council Chair over the last six months, I've had the opportunity to get out and about across the district where I have been able to personally meet, engage with and learn more about our wonderful communities and businesses that make Mid Ulster. Just this week we marked the first in a series of events as we move to completion of the Connecting Pomeroy project with the opening of the Church of Ireland Parish Hall. I sincerely congratulate all those, especially MUDC staff who have worked tirelessly over the last 5 years to deliver the project.

On Wednesday I attended an event to celebrate and honor achievements by Council employees both individually and collectively and it was particularly rewarding to present so many awards in recognition of long service. Without doubt the dedication and commitment of our staff makes Mid Ulster Council truly special. Christmas is a time for peace. And this year I hope for peace in our homes, in our communities, in the district and perhaps even more significantly, across the world. In closing I wish you all and your families a happy and peaceful Christmas and a healthy and fruitful 2024. Nollaig shona daoibh go leir. Go raibh mile maith agat."

The Chair, Councillor Molloy invited Councillor Kerr to speak.

Councillor Kerr asked the Chair to send letters of congratulations to Coalisland Fianna Members Nicole Murphy and Pdraig Hampsey on winning the Team Talk Mag All Star awards. E also highlighted that Paddy Lyons would be appearing on the 'Two Johnnies' Programme representing both Coalisland and Tyrone and congratulations should be sent to him also.

The Chair, Councillor Molloy concurred.

Resolved That the Chair send a letter of congratulations to

- (i) Coalisland Fianna Members Nicole Murphy and Pdraig Hampsey in winning the Team Talk Mag All-stars; and
- (ii) Paddy Lyons on representing Coalisland and Tyrone on the Two Johnnies Programme.

Councillor McGuigan asked that the Chair send letter of congratulations to Watty Graham's GAC in their successful back-to-back Ulster Senior Championship win and wish them best wishes to forthcoming All Ireland Senior Club Championship. He concluded that the club's recent successes have brought the community together in support of the club.

Councillor Kelly concurred.

The Chair, Councillor Molloy concurred.

Resolved That the Chair send a letter of congratulations to Watty Grahams on winning the 2023 Ulster Senior Championship and extend best wishes to players and Management for the forthcoming All Ireland Club Championship.

Declaration of Interest

Councillors S McPeake and Burton declared an interest in NILGA.

C238/23 Deputation: Northern Ireland Local Government Association (NILGA)

The Chair, Councillor Molloy welcomed Ms Alison Allen to the meeting. Ms Allen extended her appreciation to both Members and officer team for their support to NILGA. Ms Allen deliver presentation detailed at appendix A.

The Chair, Councillor Molloy thanked Ms Allen for the presentation and invited Members questions.

Councillor S McPeake commended Ms Allen on the presentation and stated that the usefulness of NILGA was especially demonstrated during the amalgamation of Councils and the transfer and integration of planning from the Department to Councils. He highlighted that over the last two years NILGA had played a key lobbying role in the absence of the NI Assembly. With regard to the transfer of

further powers to Councils, Councillor S McPeake was emphatic that powers should not be accepted unless there are adequate resources to accompany them.

Councillor McConnell thanked Ms Allen for the presentation and said that as a new Councillor he had enrolled in training offered by NILGA and commended the Civil Contingencies/Emergency Planning training and stated that the Planning and Leadership programme would prove to be a useful tool in his role.

Councillor Burton said as a NILGA representative and as Chair of the Elected Member Development Working Group she would encourage all Councillors to engage in training, particularly those on planning committee. She said she had completed the Leadership course and even as a long serving member had found it be beneficial. Councillor Burton spoke of the unique relationship between SOLACE and NILGA together with the regular Executive meetings which give Councillors the opportunity to bring issues forward highlighting the success in securing funding for community transport across the province. Councillor Burton concluded stating that she hoped Council would progress to Charter Plus.

Councillor McFlynn highlighted the vital importance of NILGA especially in issues such as Lough Neagh which would be in the domain for quite a while. She wished NILGA well with its work and concluded that NILGA was very much the voice of Councillors especially in the absence of the NI Executive.

The Chief Executive extended his thanks to Ms Allen for the presentation and her work since taking on the role of Chief Executive of NILGA. He said the source of information, guidance and support was a fabulous resource and NILGA always spoke truth to power.

Ms Allen thanked the Chair, Members and Chief Executive for their comments and left the meeting at 7.31pm.

Matters for Decision

C239/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 23 November 2023

Councillor Kerr drew attention to C216/23 Deputation NI Water and stated whilst Members had received an update on issues raised the response in relation to Estate Management was not acceptable. He proposed that Council write to NI Water to request the information once again.

Resolved That Council write to NI Water and again request a contact for the Officer in Charge of Estates Management.

Councillor Kerr drew attention to C226/23 Notice of Motion and highlighted that some 18000 Palestinians had died in recent conflict and 80% of the population had been displaced. He referred to Councillor Quinn’s motion which was carried by Council in 2018 regarding the Boycott, Divestment, Sanctions (BDS) Campaign and

investigations on the most practical means of implementing same in Council and sought an update.

Resolved That Members receive an update on Council progress in relation to motion adopted by Council in 2018 in relation to Boycott, Divestment, Sanctions (BDS) Campaign and investigations on the most practical means of implementing same.

Councillor Quinn drew attention to C219/23 Request to Illuminate Council property regarding highlighting Kawasaki Disease and said his comments had been picked up by local papers including Belfast Live, following which he had received five phone calls from people in Coalisland to say their child had also suffered the disease. He said having been given the statistics he had not thought there would be anyone in his neighbourhood who had had the same experience and felt that the calls give emphasis to the importance of illuminating buildings to highlight charities and their works as it helped spread knowledge.

Councillor Burton requested that the wording in relation to her comments about Royal British Legion, Fivemiletown be amended to include that the group should be recognised when Council's award process recommenced.

Proposed by Councillor Kerr
Seconded by Councillor Quinn and

Resolved That the Minutes of the Council held on Thursday 23 November (C212/23 – C227/23 and C233/23) transacted in Open Business having been printed and circulated were considered and adopted.

C240/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 4 December 2023

Proposed by Councillor McAleer
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Environment Committee held on Monday 4 December 2023 (E266/23 – E279/23 and E285/23) transacted in Open Business having been printed and circulated were considered and adopted.

C241/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 5 December 2023

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That the Minutes of the Planning Committee held on Tuesday 5 December 2023 (P128/23 – P133/23 and P140/23) transacted in Open

Business having been printed and circulated, subject to the foregoing were considered and adopted.

C242/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 6 December 2023

Proposed by Councillor McNamee
Seconded by Councillor McLernon and

Resolved That the Minutes of the Development Committee held on Wednesday 6 December 2023 (D191/23 – D200/23 and D203/23) transacted in Open Business having been printed and circulated were considered and adopted.

C243/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 7 December 2023

Proposed by Councillor McLernon
Seconded by Councillor S McPeake and

Resolved: That the Minutes of the Policy & Resources Committee held on Thursday 7 December (PR201/23 – PR210/23 and PR221/23) transacted in Open Business having been printed and circulated were considered and adopted.

Matters for Information

C244/23 Consultations

Members noted consultations received for attention of Council.

Councillor Mallaghan drew attention to correspondence received from NI Policing Board regarding appointment of Independent Members. He proposed that Council respond to the letter and spoke of the criteria for appointment of Independent Members and how it was unusual for such recruitment campaigns to stipulate the need for financial experience as essential criteria. He said the NI Policing Board should consider either an appointment of one Independent Member with financial criteria or preferably that financial experience was listed as desirable not essential criteria.

Proposed by Councillor Mallaghan
Seconded by Councillor S McPeake and

Resolved That Council respond to Northern Ireland Office correspondence regarding appointment of Independent Policing Board Members in relation to criteria.

Councillor S McPeake drew attention to consultation from the Department of Justice: Anti Social Behaviour and proposed that it be referred to Mid Ulster PCSP to formulate response. Closing Date: March 2024.

Resolved That consultation from the Department of Justice: Anti Social Behaviour and proposed that it be referred to Mid Ulster PCSP to formulate response. Closing Date: March 2024.

C245/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor Carney drew attention to correspondence received from Ards and North Down regarding lifelong learning. She spoke of her return to adult education to study law at South West College and value of the support from college staff, family and friends throughout her journey. She stated that those accessing education later in life most often had caring responsibilities and much support was required to succeed. She proposed that Council support the motion and take actions requested.

Proposed by Councillor Carney
Seconded by Councillor McLernon and

Resolved That Council support motion adopted by Ards and North Down Borough Council regarding Lifelong Learning Campaign and agree to:

- (i) To assist in the promotion, through the dissemination of material in support of a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities;
- (ii) Writes to Mid Ulster MPs and MLAs to prioritise funding for formal and informal part time education when the Executive is formed; and
- (iii) Encourage Mid Ulster MLA's to form an All Party Group on Lifelong Learning to support and evidence a best practice informed approach to policy making, in collaboration with adult education bodies and other stakeholders to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

Councillor Kerr expressed disappointment at the response received from Environment Protection Agency regarding water quality at Lough Neagh. He proposed that Council respond and outline why water quality at Lough Neagh should be an All-Ireland Strategy stating that County Monaghan waters were part of Lough Neagh. He said the current situation in the Lough could be linked back to partition and it was the largest freshwater lough on the island of Ireland.

The Chair, Councillor Molloy said that Lough Neagh shores were all within the North but there were links with contributor waterways such as Blackwater.

Proposed by Councillor Kerr
Seconded by Councillor Monteith and

Resolved That Council respond to Environment Protection Agency to outline that as Lough Neagh was the largest fresh water lough in the island of Ireland and contributing water ways flow to/from the Republic of Ireland the water quality in the Lough Neagh should be a priority to the agency.

Councillor Cuthbertson drew attention to the letter received from Cabinet Office outlining the offer of a free portrait of His Majesty the King to public authorities. Councillor Cuthbertson proposed that Council avail of the offer.

Councillor Wilson seconded the proposal.

That Council avail of the offer from the Cabinet Office of a free portrait of His Majesty the King

Councillor Monteith stated that as a republican he was opposed to the monarchy and the power and privilege it promotes. He emphasised that no one human being was better than any other and proposed that Council does not avail of the offer from the Cabinet Office of a free portrait.

Councillor Kerr seconded the proposal,

That Council does not avail of the offer from the Cabinet Office of a free portrait.

The Chair, Councillor Molloy stated that Council had an interim arrangement regarding such matters but as there was a proposal and counter proposal that he would take a vote on should Council avail of the offer to accept the portrait.

For	11
Against	24

The Chair, Councillor Molloy stated the proposal had fallen and Council would thus not accept the offer of a free portrait.

Councillor Cuthbertson stated he was very disappointed but unfortunately was not surprised at the outcome. He said during the previous mandate, when Councillor McLean had been Chair one of the highlights had been the royal visit to Cookstown when King Charles, who was at that time the Prince of Wales had visited. The visit had been a great boost to the area and the local economy. He said the outcome of the vote was a negative step and clearly showed there was no tolerance for the unionist community in Mid Ulster. He said the portrait was free, would not have cost council money as is often the excuse used but it was clear there was no space for unionism in council and the views of unionist were not recognised.

The live broadcast concluded at 7.45 pm

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

Proposed by Councillor Kerr
Seconded by Councillor McLernon and

Resolved That items C246/23 to C254/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 23 November 2023
- (ii) Audit Committee minutes of meeting held on 28 November 2023
- (iii) Environment Confidential minutes of meeting held on 4 December 2023
- (iv) Planning Confidential minutes of meeting held on 5 December 2023
- (v) Development Confidential minutes of meeting held on 6 December 2023
- (vi) Policy & Resources Confidential minutes of meeting held on 7 December 2023
- (vii) Document for Sealing: Execution and Sealing of Deed of Surrender: Cahore Playing Fields: Dungannon & STBC and Ballygawley Sports and Leisure Trust (CLC001-0101)
- (viii) Document for Sealing: Execution and Sealing of New 25 Year Lease with possibly of extension: Cahore Playing Fields – Errigal Ciaran GAC & MUDC (CLC001-0101)
- (ix) Document for Sealing: Connecting Pomeroy – Civil Trail Development (IST Contract)

C256/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.50 pm

The Chair, Councillor Molloy wished everyone a Happy Christmas.

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 Environment Committee of Mid Ulster District Council held on Monday 8 January 2024 in Council Offices, Burn Road, Cookstown and by virtual means

Members Present

Councillor Cuthbertson, Chair

Councillors J Burton, J Buchanan, Cahoon, Kelly, Groogan, Mallaghan*, Martin*, McAleer, McElvogue, McGuigan, McNamee, Milne* (7.14 pm), Robinson, Varsani* (7.08 pm)

Officers in Attendance

Mrs Campbell, Strategic Director of Environment (SD: Env)

Mr Lowry, Head of Technical Services (HoTS)

Mr McAdoo, Assistant Director of Environmental Services (AD: ES)

Mr Scullion, Assistant Director of Property Services (AD: PS)

Miss Thompson, Committee and Member Services Officer

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

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm

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

E001/24 Notice of Recording

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

E002/24 Apologies

None.

E003/24 Declarations of Interest

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

E004/24 Chair's Business

None.

Matters for Decision

E005/24 Environmental Services Proposed Scale of Charges for 2024/25

The Assistant Director of Environmental Services (AD: ES) presented previously circulated report which sought approval for a proposed scale of charges in relation to Environmental Services for the period 1st April 2024 to 31st March 2025.

The Chair, Councillor Cuthbertson expressed some concern in relation to the price of a black bin compared to a blue or brown bin. The Chair stated he understood that Council wants to encourage recycling but highlighted that Council only collects a second blue or brown bin at a cost and does not collect a second black bin. The Councillor felt that in theory Council is penalising someone who may have to replace their black bin and asked if that was fair as no one was buying a second black bin to set out for collection.

The AD: ES advised that Council will collect two blue bins free of charge from a property in line with policy and that the charge only applies to the collection of a second brown bin. In relation to the black bin it was advised that, in certain circumstances, a second black bin will be collected for those with larger households or those with medical needs and highlighted that the cost of all the bins is inclusive of delivery.

The Chair, Councillor Cuthbertson stated that he understood the need for a second black bin in some circumstances but felt those households were being penalised due to the higher cost for buying a second black bin compared to a blue or brown bin.

Councillor McGuigan referred to disposal of residual waste and that the cost for this is up to £198 per tonne (£165 +VAT) and that the last time he saw a figure for this it was around £100 per tonne. The Councillor asked if there was any information or checks carried out on how well the black bin is being used or if there was material being disposed of that could be put in the blue or brown bin. The Councillor stated that there is a need to reduce black bin waste as much as possible if the cost to dispose of it is £198 per tonne.

The AD: ES stated there is no doubt that there is material being disposed of in the black bin that could be recycled and that there is an ongoing piece of work to encourage recycling. The AD: ES stated there are some checks carried out but that

these are limited and highlighted that this Council sends the least material to landfill. In respect of charge of £165 (ex. VAT) per tonne for residual waste, the AD: ES highlighted that this is for commercial waste disposal at recycling centres and that it is not proposed to increase this charge from what it was last year.

Councillor Cahoon referred to increase in consumer price index of 4.6% and the proposal to round this up to 5%. The Councillor asked if the rounding up was totally necessary as rates had already increased last year.

Councillor Varsani joined the meeting at 7.08 pm.

The AD: ES advised that the consumer price index figure at the time of writing the report was 4.6% and that the rationale was that the nearest percentage increase was 5%.

The Chair, Councillor Cuthbertson stated that there was a significant increase to the rates last year and that businesses feel that this along with increased commercial waste charges is a double hit to them. Councillor Cuthbertson felt that Council is pricing itself out of commercial waste collection and that businesses are increasingly using private firms for the collection of this waste.

The AD: ES highlighted that charges were increased by 8% last year and that whilst there are a number of private operators collecting commercial waste in the District, Council still has a significant number of commercial customers (approx. 350-400).

Councillor McNamee proposed the recommendation and stated that any percentage increase should be kept to the lower side of the consumer price index figure next year.

Councillor McGuigan seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council that the proposed scale of charges as outlined in report be approved for 2024/25.

E006/24 Street Naming and Property Numbering

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

Site off Bellshill Road, Castledawson

Proposed by Councillor McGuigan
Seconded by Councillor Kelly and

Resolved That it be recommended to Council to name development off Bellshill Road, Castledawson as Cottage Close.

Site off Glen Road, Maghera

Proposed by Councillor McGuigan
Seconded by Councillor Kelly and

Resolved That it be recommended to Council to name development off Glen Road, Maghera as Cushowen.

E007/24 Entertainment Licensing Committee Protocol

The Assistant Director of Property Services (AD: PS) presented previously circulated report which sought approval on the process to consider an Entertainment Licence taken to Committee for decision.

Councillor Milne joined the meeting at 7.14 pm.

Councillor McNamee proposed the recommendation and that the key point is that a decision will be taken in closed session.

The Chair, Councillor Cuthbertson referred to the same point in that a decision will be taken without speakers present but that they can be present for the discussion. Councillor Cuthbertson asked for some clarity in that when the speakers leave the meeting and the committee moves to a decision if there can be any further discussions at that stage or just a proposal taken. The Councillor also referred to the last time this procedure was used there was an issue in relation to the information provided to the Committee and that he felt all relevant certificates ie. electrical, fire safety etc should be provided to Members within the report.

The AD: PS stated that section 3.3 of the report outlines the process and states that a decision will be taken in restricted session without speakers present. The AD: PS stated that at that point the representatives will already have heard the nature of the discussions and that the Committee will take a decision in their absence and that it is not anticipated that there would be any more debate. In relation to certifications, the AD: PS stated that these are sought by officers as part of the application process and that they can be provided, with redactions, within Members meeting packs. The AD: PS highlighted that it is up to officers to decide whether the certificates provided are valid and that this will be reflected in the report as is the case at the moment.

The Chair, Councillor Cuthbertson stated that there is a lot of reference made to the certificates during discussion of an application and that this information should be included going forward.

Councillor McGuigan seconded Councillor McNamee's proposal.

Resolved That it be recommended to Council to approve the process as detailed in section 3.0 of report to hear Entertainment Licence applications taken to the Environment Committee for consideration.

E008/24 Maghera Public Realm Contract Award - Delegated Authority Request

The Assistant Director of Property Services (AD: PS) presented previously circulated report which sought to approve delegated powers for the award of an IST Capital Contract for the Maghera Public Realm Scheme, if required.

Councillor McGuigan proposed the recommendation as he felt it is important, given the tight timeframe, that there are no delays.

The Chair, Councillor Cuthbertson stated he hoped the public realm works would run more smoothly than previous public realm schemes in Mid Ulster.

Councillor Kelly seconded Councillor McGuigan's proposal.

Resolved That it be recommended to Council that authority is delegated to the February 2024 Environment Committee to approve the award of IST contract for Maghera Public Realm scheme, in the event it is not possible to bring a tender report for the IST appointment to the January 2024 Council meeting.

E009/24 Bus Shelters Update

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

The Chair, Councillor Cuthbertson thanked the officer for getting the policy up and running as it now seemed to be working more smoothly in recent months. Councillor Cuthbertson also welcomed the bus shelter for Moygashel.

Proposed by Councillor McGuigan
Seconded by Councillor Robinson and

Resolved That it be recommended to Council that –

- Bus shelter applications listed under 3.4 in report are recommended for approval and to move from stage 5.
- Bus shelter applications listed under 3.7 in report are recommended for approval to installation this month.
- Bus shelter applications listed under 3.8 in report are recommended for rejection this month.
- Bus shelter applications listed under 3.9 in report are recommended for withdrawal this month.

Matters for Information

E010/24 Environment Committee minutes of meeting held on 4 December 2023

Members noted minutes of Environment Committee held on 4 December 2023.

E011/24 National Tree Week 2023

Members noted previously circulated report which provided update on a number of community engagement events that took place during National Tree Week 2023.

E012/24 All-Ireland Pollinator Plan

Members noted previously circulated report which provided update on Council involvement in the All-Ireland Pollinator Plan.

E013/24 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Annual Report for 2022/23

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Annual Report for 2022/23.

E014/24 Building Control Workload

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

E015/24 Entertainment Licensing Applications

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

E016/24 Dual Language Signage Survey Correction

Members noted previously circulated report which advised on the correction to an error with the result of a survey for Rossmore Road, Dungannon and which was reported to Environment Committee on 12 September 2023.

Councillor McElvogue stated there seemed to be some confusion in relation to this and proposed that the road be re-surveyed.

The Chair, Councillor Cuthbertson advised that another survey cannot take place for 12 months and that the request needs to come from a resident on that road.

Councillor McElvogue asked that because of the confusion if the road could be re-surveyed sooner.

The Assistant Director of Property Services (AD: PS) stated that the report outlines the explanation for the correction but that the policy is clear and that a re-survey could not be undertaken until after 12 months from the date of refusal.

Councillor Robinson stated that mistakes can happen and asked if lessons have been learnt and procedures put in place to ensure this situation would not arise again.

Councillor McAleer stated that the request was first submitted on 23 May 2023 and therefore a re-survey could take place after 23 May 2024.

The Chair, Councillor Cuthbertson asked if a re-survey can take place 12 months after the date of request or date of refusal.

The AD: PS stated that a request to re-survey can be made after 12 months from the date the Environment Committee refused it. The AD: PS stated that there have been lessons learnt from this and measures have been put in place as outlined at 3.5 of the report in order to avoid a repeat occurrence.

Councillor Varsani highlighted some confusion in relation to the dates the application for Rossmore Road was presented to Committee and asked if there was an explanation.

The AD: PS stated that the report references the September Committee but that there is also reference to December and that he would check and advise in relation to the dates presented.

Live broadcast ended at 7.32 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Robinson 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 E017/24 to E023/24.

Matters for Decision

E017/24 Application for Memorial Bench on Council Property
E018/24 Off Street Car Parking Enforcement Contract and Pay on Foot Pilot Update
E019/24 Tender report for the appointment of Vehicle Suppliers

7 – Environment Committee (08.01.24)

Matters for Information

- E020/24 Environment Committee Confidential Minutes of meeting held on 4 December 2023
- E021/24 Capital Framework – ICT Contracts Update
- E022/24 Capital Framework – IST Contracts Update
- E023/24 Capital Projects – Scoping Contracts Update

E024/24 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.07 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

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 9 January 2024 in Council Offices, Circular Road, Dungannon and by virtual means

Members Present

Councillor S McPeake, Chair

Councillors Black*, J Buchanan, Carney, Clarke, Cuthbertson*, Graham, Kerr, Martin*, McConnell, McElvogue, McFlynn*, D McPeake*, Robinson, Varsani

Officers in Attendance

Dr Boomer, Service Director of Planning (SD: PI)
Mr Bowman, Head of Strategic Planning (HSP)**
Ms Donnelly, Council Solicitor
Ms Doyle, Head of Local Planning (HLP)
Mr Marrion, Senior Planning Officer (SPO)
Ms McKinless, Senior Planning Officer
Ms McCullagh, Senior Planning Officer (SPO)**
Mr McClean, Senior Planning Officer (SPO)**
Ms Mhic Iomhair, Planning Officer (PO)
Ms Carson, Trainee Planning Officer (TP)
Mr Brown, IT Support
Mrs Grogan, Committee and Member Services Officer

Others in Attendance

LA09/2021/1475/F - Philip Marshall
LA09/2022/1202/F - Christopher Quinn***
LA09/2023/0012/O - Philip Marshall
LA09/2023/0640/F - Chris Cassidy***
LA09/2023/0930/F - Robyn Nicholl and Tom Stokes
LA09/2023/0405/O - Christopher Quinn***

* 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 5.05 pm.

P001/24 Notice of Recording

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

P002/24 Apologies

Councillor Mallaghan.

P003/24 Declarations of Interest

The Chair, Councillor S McPeake reminded members of their responsibility with regard to declarations of interest.

Councillor S McPeake declared an interest in LA09/2023/0772/F – Change of house type from previously approved LA09/2021/1098/F and garage at approx. 180m SE of Broagh Road, Knockloughrim for Mr Aidan O'Mahony and Ms Clodagh McPeake. The member advised that the planning application related to his daughter.

P004/24 Chair's Business

The Service Director of Planning (SD: PI) said that he wished to raise a few issues. He referred to matter which has been debated quite a few times in relation to Environmental Governance and their dealing of farm waste. The SD: PI advised that concerns in relation to whether adequate Environmental Governance has been carried out by DAERA or NIEA when it comes to the transportation and spreading of chicken manure. He said that members may recall over this past 3 years issues in relation to what the appropriate guidance should be, with a consultation currently taking place on what a trigger would be for an assessment, or an existing guidance at 1 or 0.1 units of ammonium nitrates. Members may recall that there was a move by Shared Environmental Service to change guidance when it did not fall under their authority as this is a matter for NIEA. A challenge by Farmers Union resulted in the Shared Environmental Service removing NIEA has now been challenged for not providing local authorities adequate support and by just relying on out of date guidance. The SD: PI stated that the Office of Environmental Protection issued a Pre-Action Protocol on the matter. This was settled without the need for court action when NIEA agreed to provide consultation responses on each planning application for intensive animal housing based on the locations and merits of the application. The SD: PI said that this was a line that this Council takes, and he welcomed the change by NIEA although he felt that this was a case of slow learning given Mid Ulster had advocated this approach for some time.

The SD: PI referred to the planning statistics and advised that the regional half yearly report was not available which showed where Mid Ulster stood in relation to other local authorities for the period September – April, it showed that Mid Ulster had received 511 applications, which represented third highest in Northern Ireland which was good as many other authorities had a significant fall in applications and was 50% more than neighbouring Councils of Fermanagh & Omagh, Antrim & Newtownabbey, Mid & East Antrim and Derry & Strabane. The SD: PI advised that planning had determined more applications than had been received, reducing the backlog. by 20% from 1062 to 839 In contrast if we look at our neighbouring Councils, six of the other Councils in Northern Ireland had their backlog increased despite the number of applications they were receiving going down. The SD: PI said that although this was good news, everything was not perfect as our average processing time was 16.7 weeks compared to the regional target of 15 weeks and felt that there was an onus on Mid Ulster to be better, but if compared to the regional average, it was sitting at 19.2 weeks we were better than more than half of the other Councils.

The SD: PI said that he wished to present a paper to the next Planning Committee on where we currently are and a few of the things which may be of concern for the future that may need to be addressed if proper progress was to be made. He said that it should come as no surprise that Mid Ulster had the highest approval rate, which may be down to having a lot of our applications deferred.

The SD: PI referred to the types of applications as last year everyone was talking about going into recession and Mid Ulster received the greatest number of applications in terms of commercial, civic and industrial which shows our strength in motoring the economy.

In relation to Enforcement, there was a backlog due to Covid and the lack of Officers coupled with other things. Strange things happened during lockdown as complaints increased on unauthorised developments in people's own areas, there was an increase in the number of cases, with 84 cases being received and 116 closed, which was good news clearing backlog.

The Chair said that this was all good news and going in the right direction. He said that he was looking forward to the paper which was to be presented next month on how we can improve further on the planning system.

The SD: PI 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 further information to be submitted for an office meeting/further consideration/withdrawn –

Agenda Item 5.5 – LA09/2023/0005/F – Dwelling and detached domestic garage at approx. 55m NE of 72 Finulagh Road, Dungannon for Michael Doran

Agenda Item 5.6 - LA09/2023/0012/O Dwelling and garage on a farm at approx. 120m W of 27 Tycanny Road, Garvaghy, Dungannon for Neville Robinson

Agenda Item 5.12 – LA09/2023/0786/F – Demolition of 1-2 William Street, retention of No.s 5-7 William Street, the erection of 14 no. residential units, including 8 no. two storey townhouses and 6 no. assisted living bungalow dwellings, car parking, alterations to an existing access, the creation of a community riverside biodiversity greenway, community open space area and all associated site works for Ballyscullion Property Investments Ltd

Agenda Item 5.14 - LA09/2023/0943/O – Site for dwelling and garage at 90m NE of 6 Anneeter Road, Moortown for Christine Toner

Agenda Item 6.2 – LA09/2020/1380/F – Retention of dwelling adjacent & 100m E of 18 Shantavny Road, Garvaghy, Ballygawley for Ciaran Owens

Agenda Item 6.3 – LA09/2020/1423/F – 1 no. two-bedroom apartment and 2 no. one-bedroom apartments at 28m NE of 30 Augher Road, Clogher for RMS Civils

Agenda Item 6.12 – LA09/2023/0405/O – Farm dwelling & domestic garage at lands 170m S of 82 Bancran Road, Draperstown for Aidan Coyle

Agenda Item 6.13 – LA09/2023/0592/F – Off-site replacement dwelling and garage adjacent and S of 5 Legane Road, Aughnacloy for Mr & Mrs Chris Potter

Proposed by Councillor Kerr
Seconded by Councillor Clarke and

Resolved That the planning applications listed above be deferred for an office meeting/further consideration/withdrawn.

Matters for Decision

P005/24 Planning Applications for Determination

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

LA09/2021/1435/F Housing development of 37 dwellings (7 detached & 30 semi-detached) using existing access to main road with associated landscaping at lands to the SE of Cove Close & Ashleigh Park, Ballyronan, Magherafelt for Canavan Construction Ltd

Members considered previously circulated report on planning application LA09/2021/1435/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Varsani and

Resolved That planning application LA09/2021/1435/F be approved subject to conditions as per the officer's report.

LA09/2021/1475/F Free range poultry shed with 2 feed bins, a storage shed and associated site works (Poultry shed to contain 8000 free range egg laying hens) at Land Approx. 100m NW of 9 Soarn Road, Stewartstown for Mr Jeremy Baird

Members considered previously circulated report on planning application LA09/2021/1475/F which had a recommendation for approval.

The Strategic Director of Planning (SD: PI) said that he took the liberty of taking this application back to committee rather than a decision going out on it. He said that the reason was due to earlier discussion regarding NIEA changing its line on each and every application being considered on its own merits. The Officer's report suggested that there were particular lines and policies on things which we never sat down and agreed and wanted to make sure that there were no sweeping statements within the report which could be misconstrued, and proper line being put forward. The SD: PI advised that he seen nothing wrong with the consideration which was presented the

last time to committee, this was an approval and the key issue related to a condition. This was chicken litter which was going across the border to be dealt with by an anaerobic digester in Kildare and suggestion made that if destination of the chicken litter was to change then basically another submission would have to be made for Officers to access it. He felt that our concerns could be understood in that firstly, NIEA grant licences for the transport and storage of such things and if they were not happy with the destination, they have the ability to deal with it. Secondly, if the litter was no longer to be transported there and be spread on farms in Northern Ireland, then it would strike him that DAERA would have a responsibility and would be very important that these Government Departments take on these responsibilities. The SD: PI referred to another issue which would really concern him, the notion of jurisdictions, here we are in Northern Ireland and somehow staking our regulation towards the Republic of Ireland which where this was going, they are an independent state and also have the responsibilities under exactly the same European legislation and would find it exceptionally paternalistic for us to decide that we need to intervene in their affairs.

The SD: PI advised that Officers did consult and no objection was received. He said that members needed to bear in mind that this was the thought regarding this application, there may be another application come forward with a different situation and different set of considerations and would say to members that this needs to be considered at that time, not a policy, but more in line with reasonings for the planning application.

Proposed by Councillor Cuthbertson
Seconded by Councillor J Buchanan and

Resolved That planning application LA09/2021/1475/F be approved subject to conditions as per the officer's report.

LA09/2022/1202/F Detached dwelling at 20m E of 8 Park Avenue, Cookstown for Mr Kieran Leadon

Members considered previously circulated report on planning application LA09/2022/1202/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Varsani and

Resolved That planning application LA09/2022/1202/F be approved subject to conditions as per the officer's report.

LA09/2022/1489/O Residential development - maximum 210 units at 15m NE of 67a Donaghmore Road, Dungannon access onto Greers Road, Donaghmore Road and Quarry Lane (approved under M/2014/0572/O) at 15m NE of 67A Donaghmore Road, Dungannon for D Mallon, E Herron and R Donnelly

Members considered previously circulated report on planning application LA09/2022/1489/O which had a recommendation for approval.

Councillor Varsani advised that there were previous applications approved over the past two decades and was great to see that this is ready and should be for approval. The member hoped that this would progress and not be held as long again for the sake of people who need homes and the whole process.

Proposed by Councillor Varsani
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2022/1489/O be approved subject to conditions as per the officer's report.

LA09/2023/0005/F Dwelling and detached domestic garage at approx. 55m NE of 72 Finulagh Road, Dungannon for Michael Doran

Agreed that application be deferred for further consideration earlier in the meeting.

LA09/2023/0012/O Dwelling and garage on a farm at approx. 120m W of 27 Tycanny Road, Garvaghy, Dungannon for Neville Robinson

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

LA09/2023/0208/F Function room building in substitution of previously approved marquee function room under planning reference LA09/2018/0526/F at 38 Trewmount Road, Laghey Corner, Killyman for Paul & Emma Quinn

Members considered previously circulated report on planning application LA09/2023/0208/F which had a recommendation for approval.

Councillor Cuthbertson said that it would be useful to have some background information regarding this application and although he was aware that there were no objections made from third parties, there had been an objection received from HED and felt that it would be beneficial to get some clarity before moving on.

Mr Marrion (SPO) provided members with an overview of the application.

Proposed by Councillor Carney
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0208/F be approved subject to conditions as per the officer's report.

LA09/2023/0586/F Car parking and designated pedestrian crossing for the sole use of Tobermore Concrete Products Limited at approx. 100m NE of 2 Lisnamuck Road, Tobermore Concrete Products Limited

Members considered previously circulated report on planning application LA09/2023/0586/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2023/0586/F be approved subject to conditions as per the officer's report.

LA09/2023/0590/F Extension of the Tobermore offices to accommodate the growing numbers of staff for the following years at 2 Lisnamuck Road, Tobermore for Tobermore Concrete Products Ltd

Members considered previously circulated report on planning application LA09/2023/0590/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0590/F be approved subject to conditions as per the officer's report.

LA09/2023/0640/F Farm dwelling and garage approx. 140m S of 130 Coolreaghs Road, Cookstown for K Black

Ms McKinless presented previously circulated report on planning application LA09/2023/0640/F which was recommended for an approval.

The Chair advised that requests to speak had been received, one in favour and one against.

The Chair invited Mr Ross to address the committee.

Ms McKinless (SPO) advised that the person speaking against the application was supposed to be at the meeting in person tonight but has not turned up. The SPO advised that she had been in touch with the agent this morning and he was aware of the venue and time of the meeting tonight.

The Strategic Director of Planning (SD: PI) advised members that as the agent representing the objector has not shown up, there should be no reason why this application be delayed any further as there was no opportunity to listen to the objector's case.

The Chair advised that as the agent for the objector hadn't attended the meeting tonight, retrospectively the decision has been made to proceed with the recommendation.

Mr Cassidy who was speaking in favour of the application said that he was happy to proceed to the recommendation.

Proposed by Councillor Clarke

Seconded by Councillor J Buchanan and

Resolved That planning application LA09/2023/0640/F be approved subject to conditions as per the officer's report.

LA09/2023/0772/F Change of House Type from previously approved LA09/2021/1098/F and garage at approx 180m SE of 28 Broagh Road, Knockloughrim for Aidan O'Mahony and Clodagh McPeake

The Chair, Councillor S McPeake withdrew from the meeting due to declaration of interest earlier in the meeting regarding this application.

The Vice-Chair, Councillor Black took the Chair.

Members considered previously circulated report on planning application LA09/2023/0772/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2023/0772/F be approved subject to conditions as per the officer's report.

Councillor McPeake returned to the Chair.

LA09/2023/0786/F Demolition of 1-3 William Street, the erection of 14 no residential units, including 8no. two storey townhouses and 6 no. bungalow dwellings, car parking, alterations to an existing access, the creation of a community riverside biodiversity greenway, community open space area and all associated site works (amended description) at lands at and to the SE of 1-7 William Street, Bellaghy for Ballyscullion Property Investments Ltd

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

LA09/2023/0930/F Application under Section 54 of the Planning Act (Northern Ireland) 2011 to vary condition 17 of planning permission ref: LA09/2022/0600/F - erection of a battery energy storage system facility 100MW (BESS) and associated 33KV transformers, including 2 switch houses with control rooms lighting and closed-circuit television (CCTV) columns, new site boundary fencing and landscaping proposals, use of existing access and ancillary development works, including underground cabling route linking the site to Tamnamore main substation to the W at lands immediately East of Tamnamore Substation and Circa 260m SW of 167 Ballynakilly Road, Coalisland, for Heron Storage Ltd

Mr Marrion (SPO) presented previously circulated report on planning application LA09/2023/0930/F which had a recommendation for approval.

Councillor Varsani said that she wished to speak on this particular application. The member said that she understood that there have been amendments from previous applications and also the consultation response from the Fire Service included in tonight's documentation as a late addendum and all of that seems to be in order. The member advised that she wished to seek some reassurance on behalf of the nearby residents that all measures have been taken to make sure that any noise or humming or any other issues have been and will be monitored for the future.

The Strategic Director of Planning (SD: PI) stated that this was a good point raised by the Member as there was a growing misconception that planning permission is allowed, similar to chicken litter, noise etc. and planning looks after it thereafter. If there was a nuisance which had occurred, the normal route would be involving Environmental Health Department, but felt that this was a good question as there could be a situation of a humming noise from an electricity line. There could be an instance of a humming noise but may not be necessarily refused due to the fact that it being an annoyance to one person and not being noticed by others. There has been nothing raised at Officer level to say that there is a concern, but if there was a situation that there were sparks, noise and loud bangs etc. it would not be planning that would step in but Environmental Health. One of the things that would concern him which would be addressed in the paper being brought to the next committee meeting, would be the increasing tendency to see if planning were using conditions on things to sort out everything for the future which would be of a concern as planning wouldn't have the adequate expertise on things.

Proposed by Councillor Varsani
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0930/F be approved subject to conditions as per the officer's report.

LA09/2023/0943/O Site for dwelling and garage at 90m NE of 6 Anneeter Road, Moortown for Christine Toner

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

LA09/2023/0981/O 2no. semi-detached dwellings with car parking and rear amenity space to be booked ended by the main A505 roadway within an existing cluster of development at lands directly adjacent and S of 1 Oakland Villas, Drum Road, Cookstown for Mr Ryan Glasgow

Members considered previously circulated report on planning application LA09/2023/0981/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor J Buchanan and

Resolved That planning application LA09/2023/0981/O be approved subject to conditions as per the officer's report.

LA09/2020/0896/O Infill dwelling and garage at 20m W of 6 Five Mile Straight, Draperstown for Joe McWilliams

Members considered previously circulated report on planning application LA09/2020/0896/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2020/0896/O be approved subject to conditions as per the officer's report.

LA09/2020/1380/F Retention of dwelling adjacent & 100m E of 18 Shantavny Road, Garvaghy for Ciaran Owens

Agreed that application be deferred for further consideration earlier in the meeting.

LA09/2020/1423/F 1no. two-bedroom apartment and 2no. one-bedroom apartments at 28m NE of 30 Augher Road, Clogher for RMS Civils

Agreed that application be withdrawn earlier in the meeting.

LA09/2021/0719/F Farm dwelling and garage at approx. 25m E of 25 Creagh Hill Road, Toomebridge for Brendan Mulholland

Ms Doyle (HLP) presented a report on planning application LA09/2021/0719/F advising that it was recommended for refusal.

Councillor Cuthbertson said that by listening to the report that it was clear that the application does not meet policy and proposed to accept the recommendation.

The Chair said that although the case officer raised some valid points regarding the distance from site, advised that he had attended the site meeting and felt that the position below the road adjacent to other housing wasn't have been a bad site. He said that he did take on board HLP's point regarding the distance from the cluster but did feel that the site did sit below the road.

The Strategic Director of Planning (SD: PI) advised that the problem is not whether it integrates, but the judgement of it being a cluster and whether it meets the policy, there is always some leeway but perhaps not as much as people think. All of the policies for development in the countryside are under the umbrella of CTY1 and this tells us that you can get approval if you meet those, and if you don't you have to demonstrate that this is essential. The policy test of the cluster says that it has to be identifiable identity and although there may be focal points within the area, but if not in that cluster you can take it which is one of the reasons why we have dispersed

rural communities and certain areas in the rural countryside which are recognised and a special policy for those areas. The SD: PI said that he understood the frustration of members but would ask them to trust the Officer's recommendation.

Proposed by Councillor Cuthbertson
Seconded by Councillor Graham and

Resolved That planning application LA09/2021/0719/F be refused.

LA09/2021/1106/O Single storey dwelling & garage (sight lines added) at approx. 60m NW of 45 Lisnastrane Road, Coalisland for Niall O'Neill

Members considered previously circulated report on planning application LA09/2021/1106/O which had a recommendation for approval.

Proposed by Councillor Carney
Seconded by Councillor Kerr and

Resolved That planning application LA09/2021/1106/O be approved subject to conditions as per the officer's report.

LA09/2022/0112/O Dwelling & garage at 60m S of 29 Lisnagowan Road, Feroy, Dungannon for Mr Derek Montgomery

Members considered previously circulated report on planning application LA09/2022/0112/O which had a recommendation for approval.

Proposed by Councillor J Buchanan
Seconded by Councillor Robinson and

Resolved That planning application LA09/2022/0112/O be approved subject to conditions as per the officer's report.

LA09/2022/0201/O Single storey dwelling adjacent to 64 Reaskmore Road, Reaskmore, Dungannon for Kieran MC Gartland

Members considered previously circulated report on planning application LA09/2022/0201/O which had a recommendation for approval.

Proposed by Councillor Varsani
Seconded by Councillor McElvogue and

Resolved That planning application LA09/2022/0201/O be approved subject to conditions as per the officer's report.

LA09/2022/0670/F Dwelling and garage on a farm at 151m N of 36 Keady Road, Swatragh for Declan McNicholl

Members considered previously circulated report on planning application LA09/2022/0670/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Clarke and

Resolved That planning application LA09/2022/0670/F be approved subject to conditions as per the officer's report.

LA09/2022/1413/O Site for a dwelling and garage on a farm at 90m N of 2A Brackaghreilly Road, Maghera for Thomas Convery

Members considered previously circulated report on planning application LA09/2022/1413/O which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/1413/O be approved subject to conditions as per the officer's report.

LA09/2022/1743/O Dwelling and garage at approx. 30m W of 5 Carrydarragh Road, Moneymore for Randall Crooks

Members considered previously circulated report on planning application LA09/2022/1743/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Clarke and

Resolved That planning application LA09/2022/1743/O be approved subject to conditions as per the officer's report.

LA09/2022/1777/O 2 storey dwelling and detached garage on a farm adjacent to and S of 14 Tullylinton Road, Dungannon for R Hopper

Members considered previously circulated report on planning application LA09/2022/1777/O which had a recommendation for approval.

Proposed by Councillor Varsani
Seconded by Councillor McElvogue and

Resolved That planning application LA09/2022/1777/O be approved subject to conditions as per the officer's report.

LA09/2023/0405/O Farm dwelling & domestic garage at Lands 170m S of 82 Bancran Road, Draperstown for Aidan Coyle

Ms McKinless (SPO) presented a report on planning application LA09/2023/0405/O advising that it was recommended for refusal.

The Strategic Director of Planning (SD: PI) said that these were quite difficult applications and was aware that the agent Mr Quinn was in attendance to provide his summary in favour of the application but suggested it may be helpful for him to hear what he had to say first.

The SD: PI advised that the first real concern was that there was only one building there and by looking at it asked if there was any reason why it looks like a quite an old building but could safely say that there was one building at the location. This was very frustrating for members as it looks like it's not a bad site to go next to that building from what the SPO was saying, but we also know of legal cases, one affecting a Belfast authority and one affecting ourselves and you cannot turn around and say "that's harsh, that building is good enough" you have to have a very good reason why only one was being accepted. Policy states you need buildings in the plural and are onto that awful fallback position where you don't meet what the policy says, you are then down to a test why this is essential. The SD: PI felt that it was useful to bring this to the fore primarily as it gives the person representing the chance to say something in response.

The Chair advised that a request to speak in support of the application had been received and invited Mr Quinn to address the committee.

Mr Quinn thanked the SD: PI for the advice and said that he had some notes written down but felt that Ms McKinless (SPO) had covered most of them. He wished to reinforce that it is the applicant's intention to develop the farm site as it is at the minute and intention to erect a 30x60 ft dry bedding and machinery shed on the site. He said that it would be greatly appreciated if time was allocated to submit a planning application in which they were in the process of preparing for submission and hopefully mean that the application would be viewed more favourably.

Mr Quinn advised that they would be open to a pre-commencement condition if it was possible to be put on the application that the development of the dwelling could not be done until a group of buildings had been established at the site and the applicant is happy to accept that if there was a possibility or a mechanism to get the application over the line. He also stated that the applicant would be open to a site meeting if it was deemed necessary.

The SD: PI referred to the proposed building and asked Mr Quinn where he was proposing it should go.

Mr Quinn advised that the building was proposed to be erected adjacent to the existing livestock shed.

The SD: PI enquired if the applicant was ready to submit that as a planning application.

Mr Quinn advised that this could be prioritised and anticipated having this submitted by the end of the month if possible.

The SD: PI felt that there was a problem which the applicant may face in that the policy when applying for a farm building it is supposed to be going next to buildings on the farm, but by listening to the debate he felt it would be reasonable to allow a couple of months to submit the planning application for assessment without any commitment one way or another to the outcome of either the application or this.

The Chair enquired if it was not the case that the first farm building up is permitted development for any subsequent buildings.

The SD: PI said that there is permitted development where you go next to existing buildings on the farm where you demonstrate that there is a need for it.

The Chair said that it was his understanding that you only need permission for the first one providing there was so many metres from the road neighbouring properties.

Mr Marrion (SPO) presented policy on Planning General Permission on Permitted Development Class A – (Development Not Permitted) part A1(c) *the nearest part of any building or structure so erected or extended is more than 75m from the nearest part of a group of principle farm buildings*. The SPO advised that buildings related to the plural.

The SD: PI doesn't necessarily mean to say that there is only one group of principal buildings on a farm but didn't think that it meets the permitted developments regulations. He felt that it may still be reasonable to allow the opportunity to make that application.

Councillor Clarke felt that this was a good way forward and by looking at the farm maps, it looks to be a scattered farm with fields in different places. The proposed site seems to be in the location of the largest part of the farm, a bigger area than any other part of the fields and would propose to what has been discussed and move forward on that basis.

Councillor Cuthbertson said that he was happy enough for it to wait but sought clarification on whether the application would be sufficient, or would it have to be approved and the shed actually built, or could it be taken into consideration that it may never be erected.

The SD: PI advised that the policy is what is written which is clear. We have the ability to give consideration to other factors which are material, but what we cannot do is write policy of the tops of our heads and only assess what is put before us. The SD: PI said for example it could be stated one building and there could be a couple of small buildings which qualifies, but there could be a massive building and then claim it didn't qualify and whilst you could take into consideration the size of the structure, but in this instance what he was basically saying was if there was a proper operational requirement to put a building there and a proper operational requirement in relation to the farmhouse being built where that group is to be, then consideration can be given to that. What he wouldn't be doing would be giving what the consideration outcome would be as it would be pre-exempt what the judgement of the application would be as it would be making policy here.

Councillor Cuthbertson said that he was content with the clarification given as he remembered before discussion taking place on an infill site, where there was permission for other sites and consideration was not permitted to be given as they were not built.

Proposed by Councillor Clarke
Seconded by Councillor S McPeake and

Resolved That planning application LA09/2023/0405/O be held pending the submission of a planning application for a new farm building.

LA09/2023/0592/F Off-site replacement dwelling and garage adjacent and S of 5 Legane Road, Aughnacloy for Mr & Mrs Chris Potter

Agreed that application be deferred for further consideration earlier in the meeting.

Matters for Information

P006/24 Minutes of Planning Committee Meeting held on 5 December 2023

Members noted previously circulated minutes of Planning Committee held on 5 December 2023.

P007/24 Receive Appeal Decision

Members noted update regarding dismissal of appeal for 6 dwellings approximately 90m east of 96 Davagh Road by Planning Appeals Commission following a decision by the Planning Committee to refuse planning permission for the proposed development.

The Chair wished to state his personal point of view and the appreciation of the committee in the work Ms Doyle and Ms McKinless carried out in defending our position on this as it wasn't an easy decision at the time, but we all listened attentively, and he believed the decision which had been taken were vindicated by the PAC. The Chair wished to place on record our thanks to the Officers for carrying out the diligent work on behalf of the Committee and on behalf of the Council in defending it.

Councillor Clarke agreed that this was a difficult decision for Planning Committee to take at that time, we talked long and hard about it and discussed it at length, a decision was taken which was vindicated when it was taken to planning appeal. The member on his own behalf as a member of the Planning Committee wished to congratulate this Committee on their original decision and evidently with hindsight now of planning appeal decision, which was also a wise decision. The member wished to place on record his thanks to the Planning officials who carried out the work on defending the case and being very successful.

The SD: PI said that it was always important to recognise that our Planning Officers are professionals and remember saying to them before the appeal, not to be concerned regardless of whatever if there may be a difference on the Committee's view and what an Officer's view may be, but were there to represent the Committee and the Council, which is to be expected from a professional.

The Chair said that it would be interesting to see sometime the PAC different ratios in terms of ourselves and all other cases in which were taken.

The SD: PI advised that he wasn't aware of any stats, but we have the lowest number of planning appeals in Northern Ireland, given our high approval rate there were cases brought where appeals have been upheld, however these were few and far between. If an appeal was upheld, it would change our interpretation of policy, then Officers would advise Committee on the interpretation of policies of Planning Appeals and Commission in this way. What we are most active in is Enforcement, not always but sometimes, that when an Enforcement Notice is served, we get a planning appeal and from memory only a couple cases were lost because new information had been submitted in which we Planning didn't have in the first instance. The SD: PI would say to Planning Committee to not put too much interpretation on this as people always have the right to planning appeal. It is much easier to make a planning appeal than put a case forward, due to the fact that something is appeal and it's contested, this can only be done in courts which is very intimidating and could end up very expensive.

Live broadcast ended at 6.20 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Kerr

Seconded by Councillor Clarke 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 P008/24 to P012/24.

Matters for Decision

P008/24 Receive Report on Modification of a Planning Approval

Matters for Information

P009/24 Confidential Minutes of Planning Committee held on 5 December 2023

P010/24 Enforcement Cases Opened

P011/24 Enforcement Cases Closed
P012/24 Any Other Business

P013/24 Duration of Meeting

The meeting was called for 5 pm and concluded at 6.35 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, Dungannon 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: 9 January 2024

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

Chairs Business – performance statistics

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ITEM	INFORMATION RECEIVED	ACTION REQUIRED
5.13	Response from NIFRS Received	Members to note, NIFRS comment remains the same as for the previous batteries.
6.12	Late Supporting Information	Members to note

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 10 January 2024 in the Council Offices, Burn Road, Cookstown and by Virtual Means

Members Present	Councillor McNamee, Chair Councillors Black*, W Buchanan, F Burton*, Clarke, Corry*, Forde*, Gildernew, McLernon*, McQuade*, Milne* (7.21 pm), Molloy* (7.15 pm), Monteith*, Quinn*, Wilson
Officers in Attendance	Mr Black, Strategic Director of Communities & Place (SD: C&P) Mr Clarke, Neighbourhood Development Manager (NDM) Mr Gordon, Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) Ms McKeown, Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP)** Miss Thompson, Committee and Member Services Officer
Others in Attendance	Agenda Item 5 – Deputation – Volunteer Now Ms Hayward – Chief Executive Ms Gribbin – Community Engagement Manager

- * Denotes Members present in remote attendance
- ** Denotes Officers present by remote means
- *** Denotes Others present by remote means

The meeting commenced at 7.04 pm.

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

D001/24 Notice of Recording

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

D002/24 Apologies

Councillor Bell.

D003/24 Declaration of Interests

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

Councillor Wilson declared an interest in Go Success as Chair of Cookstown Enterprise Centre.

D004/24 Chair's Business

The Chair, Councillor McNamee referred to additional paper circulated in relation to Schools Sports Facilities Access Grants.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) presented previously circulated report which sought approval for the Schools' Sports Facilities Access Grants.

Proposed by Councillor Buchanan
Seconded by Councillor Forde and

Resolved That it be recommended to Council to approve the successful grant applications as detailed in section 3.5 of the report.

D005/24 Deputation – Volunteer Now

The Chair, Councillor McNamee welcomed Ms Gribbin and Ms Hayward from Volunteer Now and invited them to make their presentation (appendix 1).

Ms Hayward made presentation on the work of Volunteer Now. Volunteer Now are a charity who work to promote, enhance and support volunteering across Northern Ireland. Ms Hayward also outlined the key challenges and trends in volunteering particularly since the pandemic.

Ms Gribbin explained the work of Volunteer Now on the ground and sought support in relation to encouraging organisations in the Dungannon area to work with them. Mr Gribbin highlighted that in other Council areas Volunteer Now are involved in Community Planning, Local Action Groups, Age Friendly Networks etc and felt there is an opportunity to work with Mid Ulster Council more closely on these matters. Ms Gribbin also referred to the digital support platform "Be Collective" which is free for organisations to use.

The Chair, Councillor McNamee referred to the volunteering statistics and that it was interesting to note the drop in volunteering since the pandemic. Councillor McNamee stated that Mid Ulster covers the legacy Dungannon, Cookstown and Magherafelt areas and that Volunteer Now works in the Dungannon area, the Councillor asked if Volunteer Now have any influence in the Cookstown and Magherafelt areas.

Ms Hayward advised that Mid Ulster Volunteer Centre cover the Cookstown and Magherafelt areas and that Volunteer Now cover the Dungannon area.

Ms Gribbin advised that there are organisations from across the Mid Ulster area who work with Volunteer Now and are able to avail of their training.

The Chair, Councillor McNamee thanked the representatives for the explanation and was glad that Cookstown and Magherafelt areas were not being left behind.

Councillor Clarke stated he was surprised to hear that volunteering dropped during Covid as he was aware of a huge volunteering effort at that time and that GAA clubs had made a big commitment into supporting their own communities.

Ms Hayward stated that initially figures did not go down but that as time has gone on volunteers have fallen away as people have returned to work after the pandemic. It was advised that Volunteer Now are not alone in seeing this trend as a similar trend has been seen across Europe, America and Australia.

The Strategic Director of Communities & Place (SD: C&P) referred to the previous work with Council in the Dungannon area and that hopefully this can be strengthened going forward. The SD: C&P advised of the Community Development Strategy for the District which Council hopes to embark on, subject to Committee consideration, and that part of this work will look at all the support organisations that are operating in the District and how these can be co-ordinated and maximised.

The Chair, Councillor McNamee thanked Ms Gribbin and Ms Hayward for their attendance following which they withdrew from the meeting at 7.27 pm.

Councillors Milne and Molloy joined the meeting during the presentation.

Matters for Decision

D006/24 Development Report

The Neighbourhood Development Manager (NDM) presented previously circulated report which sought approval for the following –

- Rolling Community Grants
- Community Grants Review and Policy 2023 – 2024
- Pitches Strategy new Grant Programmes
- New Foodbank/Hardship Resourcing Process (Social Supermarket Proposal)
- Forest Schools Project 2023 -2025

Members made comment under the following –

Community Grants Review and Policy 2023-2024

Councillor Burton referred to the proposal to replace the rolling grants (with the exception of the Sports Representative Individual & Team Grant) process to three timebound windows with opening and closing deadlines.

The NDM stated that officers appreciated there will be a need to communicate the three opening/closing dates so that organisations can forward plan to meet the deadlines.

Councillor Burton referred to money running out for a number of the grants this year and asked did officers know how many people/organisations Council were not able to facilitate so that Members have some idea when going into the rate setting process.

The NDM stated that approximately 20-30 applications would have come in since monies were expended in October. The NDM stated that every grant is subject to available budget and it will be important for organisations to forward plan.

Councillor Molloy asked if there will be a similar budget for the three grant rounds.

The Strategic Director of Communities & Place (SD: C&P) advised that officers are currently looking at budgets as part of rate setting process for next year and that there has been some initial engagement with parties. The SD: C&P advised that at this stage the proposal is that the grants will remain static ie. There will be the same amount of money next year as there is in this current financial year, but that this will be subject to political consideration as part of the rate setting process.

Councillor Gildernew referred to the three different opening times for the grants and asked if a grant is fully expended in round one whether there will be rounds two or three or if the grant budget will be split in three.

The SD: C&P advised that there will be one overall pot for each of the individual grants and it will be advertised that a grant will be available subject to monies being exhausted. The SD: C&P stated that if all the money for a grant is expended in round one then rounds two and three will not open.

The Chair, Councillor McNamee stated it is hoped that organisations will forward plan and not all come in at the one time.

Councillor Burton asked how much is in the pot going forward.

The SD: C&P stated he did not have the exact figure but that it will be included in the report being issued to Members as part of the estimates. The SD: C&P advised that the amount of money being budgeted for the next financial year is the same amount as was allocated for the current financial year.

Councillor Burton stated that she would be concerned that if monies ran out this year then they will more than likely run out next year as well if the same amount is allocated. The Councillor stated that the grants do a lot for Mid Ulster in terms of bringing events/people to the area.

Councillor Monteith stated that he did not feel it makes a lot of sense to split the grants into three rounds as all organisations will apply in round one and there will be no money left for rounds two or three.

The SD: C&P stated that there is a risk but that there will always be a risk because there is not an endless pot of money. The SD: C&P stated that having three open calls as opposed to a rolling call is that at the end of each round it allows officers to understand how much resource is available for rounds two or three and that this is difficult to do at the moment because it is unknown how many applications are going to come in each month.

Councillor Monteith stated that there is the potential for organisations to lose out because they have followed the advice of officers.

The SD: C&P stated it was no different to what is happening now in that if an organisation wanted to have an event in March they may not apply until the October or November they are operating in.

The Chair, Councillor McNamee stated that there were some groups that lost out this year and felt there is a need to look at having some sort of safety net and that there can be monies set aside to ensure that situation did not arise again.

Councillor Burton stated she would not be confident that officers were aware of how many groups missed out on funding this year and that one of the things this Council gets credit for is providing grants but that there is a need to ensure that the situation does not get any worse than it is at the moment.

The Chair, Councillor McNamee referred to earlier comment in relation to Community Development Strategy and that part of the strategy will be to review the Grants Policy and that Members will all have an opportunity to input into this when the time comes.

Councillor Wilson referred to Council's strategic events which come through the grants process such as Cookstown 100 and Clogher Valley Show etc and stated that Council do not pay a lot of money for these and that they are the events which attract a large number of people to the area. Councillor Wilson stated that he felt the grant given towards Cookstown 100 is a pittance when considering their huge insurance costs etc and the number of people that come to the District for the event and that all strategic events should be given greater consideration.

The NDM stated that officers will take all comments on board and that hopefully the new Community Development Strategy will inform all this going forward.

Pitches Strategy new Grant Programmes

Councillor Monteith stated that when the Pitches Strategy was first discussed it was felt there would need to be work, particularly in urban areas, in the Development Plan for the zoning of land for recreational space and specifically pitches. The Councillor stated that one of the issues in urban areas is the prohibitive price of land for clubs to provide more pitches and asked for a report on any discussions between Development and Planning on this issue. Councillor Monteith referred to the maximum £50k grant available and asked if this can be used towards the purchase of lands or if the monies have to be used towards the construction of a pitch.

The NDM stated that the grant does not cover the purchase of assets or land.

Foodbanks/Hardship Funds Process (including Social Supermarket Funding)

Councillor Gildernew referred to the Social Supermarket model outlined in the report and asked if the criteria can be widened out as she felt it does not cover working families who do not fall under the listed categories. The Councillor stated there are a lot of working families in difficulties and are going to a foodbank as a last resort however they do not fall into the criteria. Councillor Gildernew stated that a number of families who are in difficulties are reaching out as a last resort however the situation is not of their making and that wording such as poor budgeting and financial

mismanagement might put them off coming forward. The Councillor referred to the eight week support and asked if someone asks for help do they get it at the start of the eight weeks, end of the eight weeks or for the eight weeks.

The NDM stated that those who are in crisis will get immediate support until the situation has stabilised and that the Social Supermarket model will kick in after this initial phase and will look at a programme of support. The NDM stated that those who are in work are not excluded but highlighted that support organisations are having to make harder choices as to who gets support and who doesn't.

Councillor Burton felt that the wraparound idea is much better as she was unsure as to the need of some people who use the foodbank. The Councillor asked how much Council has in the budget for this fund as it is important to know for the rate setting process.

The NDM advised that for the current year, the monies are all from central government and there has been no money coming from Council but that it is something to consider going forward.

Councillor Corry asked if it is a mandatory requirement to complete the debt management programmes as in some cases peoples wages are simply not going far enough.

The NDM advised there is no mandatory requirement for anyone to complete the debt management programme and that it is more the relationship between the support organisation and the individuals needs and trying to maximise the support for them.

Councillor Monteith stated he had previously asked for a breakdown of what is available in each area from the groups that Council has funded and that he has no issue with the wraparound concept but asked that if this goes out to tender how does one organisation deliver all that is outlined in the report and how can it be ensured that there is a geographic spread. The Councillor stated that all the organisations currently have different criteria for how often support can be availed of and stated that one size does not fit all and that he was unsure how the system outlined will reflect that.

The NDM stated that government policy is relying on charities and organisations providing support and it is down to the individual organisations on how they provide support and it is difficult for Council to dictate what they should or shouldn't be doing but that he would be confident that each organisation would have the best interests of trying to support those who ask for help but highlighted that demand is currently outstripping resource. The NDM stated that if money became available to appoint a co-ordinator then that person could work with the groups to co-ordinate what support was needed in a situation.

Councillor Monteith asked if officers were 100% sure that the groups can deliver this support in every postcode in the District because that was not happening at the moment.

The NDM stated that there is geographical spread across the District in terms of the organisations Council are working with but took the point that there will be some rural areas where a person will have to actively seek help.

Councillor Gildernew responded to earlier comments and stated she did not believe there was anyone that goes to a foodbank who is not in need and that she did not have issue with people not taking foods that are not going to be used. The Councillor stated that children with autism or people with other medical conditions may be able to eat some foods and not others and it did not come down to being picky. Councillor Gildernew stated that anyone who goes to a foodbank is in need and should be supported.

Councillor Burton stated that she was not against anyone who is in need of food but felt that if there are food boxes put together and a person does not want an item in that box then they should give it back and not pick what they want out of another box. The Councillor stated that the wraparound service should provide more help for the families and less stress on those trying to provide at a foodbank. Councillor Burton stated that she would like to know how much Council money is available to provide the services and what money is coming from the department as it is coming to the rate setting process.

The Chair, Councillor McNamee referred to concern that the services will not cover every postcode area but that he had not seen a solution that will cover every postcode area and felt that if everyone was made aware of what is available close to them then there is not much more Council can do. Councillor McNamee stated that Members will have to wait to see what monies come from central government but that there is also opportunity to discuss the matter in party groupings and with officers.

Councillor Monteith stated that if a person makes contact with a foodbank then they will do their best to help the person or refer them on but that there is a perception that if a foodbank is in a certain location then a person from outside that area may not make contact as they feel there will be no support for them there. The Councillor stated that there needs to be a mechanism of advising people where they can go for help and that communications need to be better.

The Chair, Councillor McNamee asked that officers find out what monies is likely to come to Council and that discussions need to take place on this before setting the budget.

The SD: C&P thanked Members for their comments which were useful and will be taken on board. The SD: C&P stated that there is not a one size fits all and that one of the biggest issues will be communication and how Council continues to network with organisations. The SD: C&P stated that the report focuses on process but that running parallel is the funding of the grants and managing Council budgets along with lobbying central government and that this detail will be made available to Members as part of the rates discussions on the basis that it is known before the rate is struck.

Forest Schools Project 2023 -2025

Councillor Corry stated that the Forest Schools is an excellent programme which is highly subscribed each time it comes out. The Councillor stated that the Forest School is currently based at Hill of The O'Neill and that she had previously asked that other areas such as Iniscarn be considered.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) advised that there are plans for Forest Schools to be implemented before the end of March in different areas across the District and that he would gather the information and circulate to Members.

Development Update – PCSP

Councillor Quinn referred to the RAPID bin being moved in Coalisland and asked that this be promoted as some people may not be aware of what a RAPID bin is.

Arts Festival

Councillor Quinn stated that there had previously been discussions in relation to a Mid Ulster Arts Festival and that there was a keen uptake amongst the arts groups for this however this interest waned when the groups realised that they would not get any extra money to partake in such a festival. The Councillor asked if officers are still investigating this and if there are monies available to encourage groups to put on performances as he felt if the initiative could be driven forward it would not only help the arts but also local businesses.

The SD: C&P advised that officers are still exploring the potential for an arts festival but that resourcing is a challenge. The SD: C&P stated that officers are looking for funding opportunities particularly under Peace+.

The Chair, Councillor McNamee stated that officers will contact the PCSP Manager in relation to promoting the RAPID bin and its re-siting in Coalisland.

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

- Resolved** That it be recommended to Council –
- To approve the assessment panel recommendations under the Good Relations grant as set out at appendix 1 of report.
 - To approve the Community Grant Aid Policy 2024 – 2025 as set out at appendix 2 of report.
 - To approve the approach for the 2 new grant programmes under the Pitches & Recreational Strategy as set out in report.
 - To approve the revised approaches for the Foodbanks/Hardship Funds Process (including Social Supermarket Funding) – Subject to funding as set out at appendix 3 of report.
 - To approve the Council participation in the Forest Schools Programme 2023-2025.

D007/24 Extension to the Partnership Liaison Officer post shared between Councils and HSENI

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) presented previously circulated report which provided information on the extension request for the Partnership Liaison Officer (PLO) post between the Health and Safety Executive for Northern Ireland (HSENI) and district Councils and to seek approval to continue with Mid Ulster District Council's financial contribution until 31st March 2026.

Proposed by Councillor Burton
Seconded by Councillor Corry and

Resolved That it be recommended to Council to continue with the provision of annual funding towards the Partnership Liaison Officer until 31st March 2026.

D008/24 Economic Development Report – OBFD

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

- Digital Transformation Flexible Fund 2024-26
- Go Succeed Grants 2024-25
- DfE Consultation on Draft Tourism Strategy for NI – 10 Year Plan

Councillor Gildernew proposed the recommendations and as Chair of the Tourism Development Group she thanked officers for their work in putting together a very robust response to the consultation on Draft Tourism Strategy for NI – 10 Year Plan.

Councillor Burton seconded Councillor Gildernew's proposal.

Councillor Wilson stated that he felt there were very few KPIs within the Draft Tourism Strategy and that whilst he agreed that Council's response to the consultation is very detailed it should include reference to the need for more KPIs within the Strategy as they are a useful tool to have and measure against.

The AD: EDT&SP advised that the consultation response highlights that measures are essential and should be built into the strategy but agreed to look at the wording within the response and strengthen it accordingly.

Councillor Wilson stated that he did not feel the wording within the consultation response regarding measures was strong enough at the moment and should be reconsidered to include KPIs.

Resolved That it be recommended to Council –
• **Digital Transformation Flexible Fund 2024-26**
That delegated authority be granted to the Chief Executive to approve the payment of grants to successful applicants from the Mid Ulster Council area in line with the Letters of Offer. A report will be brought to

the Development Committee thereafter to update Members on the outcome of assessment and to note approved projects.

- **Go Succeed Grants 2024-25**

That delegated authority be granted to the Chief Executive to approve the issuing of Letters of Offer to successful applicants. A report will be brought to the Development Committee thereafter to update Members on the outcome of assessment and to note approved projects.

- **DfE Consultation on Draft Tourism Strategy for NI – 10 Year Plan**

To approve Mid Ulster Council's draft Consultation Response to DfE's Draft Tourism Strategy for NI – 10 Year Plan as set out at appendix to report, to include additional wording in relation to KPIs and; Grant delegated authority for Council's Chief Executive to submit MUDC's Consultation response to DfE, by the deadline of Friday 12 January 2024, prior to Council Meeting on 25 January 2024.

Matters for Information

D009/24 Minutes of Development Committee held on 6 December 2023

Members noted Minutes of Development Committee held on 6 December 2023.

E010/24 Environmental Health Service Update

Members noted previously circulated report which provided an update on the work of the Environmental Health Service during November and December 2023.

Councillor McLernon asked if there was an update in relation to the dredging of the River Blackwater.

The AD: EDT&SP advised that updates in relation to this were being taken through the Environment Committee but that she was aware of a further meeting being co-ordinated between Mid Ulster Council, Armagh, Banbridge and Craigavon Council and DfI.

Councillor Monteith referred to air pollution and previous meetings in relation to the two worst areas for this being Moy and Dungannon. The Councillor stated that there had been conversations that vegetation and billboards on Council property at New Well Road in Dungannon could be making air quality issues worse in this area and asked for a report back or that a meeting take place in respect of this matter.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) agreed to Councillor Monteith's request and highlighted that officers are looking at organising a meeting for the air quality action plan update but were waiting on confirmation of availability from statutory external partners.

Councillor Molloy referred to publicity regarding abandoned dogs and stated that he had recently visited Dungannon Park and Windmill Wood and that there were a number of dogs off the lead and that there was also dog fouling. The Councillor

stated that he had been approached by a number of people who will not walk their dog at Windmill Wood because of other dogs off the lead and asked officers to look at this and seek a way forward in reminding people that dogs should be on a lead and that dog fouling should be cleaned up.

The Chair, Councillor McNamee agreed with Councillor Molloy's comments and that the matter be brought forward to the relevant officers.

Councillor Burton expressed concern at the condition of some of the footpaths and referred to 86 year old lady who had fallen this week on Main Street, Caledon due to the condition of the footpath at that location. The Councillor asked for a report on what Council plans to do in relation to this matter as she stated that some of the footpaths are in a very bad condition.

The Chair, Councillor McNamee stated that officers had noted the issue and would advise the relevant department.

Councillor Quinn referred to the footpaths in Coalisland town centre and that these footpaths have been slippery since the public realm scheme has finished. The Councillor referred to the Council policy which states that there needs to be three consecutive days below zero before gritting of the footpaths will take place and stated that he would like to see this policy reviewed.

The Chair, Councillor McNamee stated that every town is the same and that there are similar issues in Cookstown but that officers would pass the comments on.

Councillor McLernon agreed with Councillor Quinn's comments and felt that the policy of three days below zero before gritting takes place does need to be looked at and that consideration should be given to preventative measures as there had been a number of falls in Coalisland recently.

Councillor Burton clarified that the fall in Caledon was not due to frost but because of a broken flagstone.

E011/24 Centre for Ageing Better UK Annual Conference

Members noted previously circulated report which provided update on an Age Friendly best practice opportunity – the Centre for Ageing Better UK Network of Age Friendly Communities Annual Conference 2023.

E012/24 Update on Concept for lands at Mullagh Road, Maghera

Members noted previously circulated report which provided update from Outdoor Recreation NI (ORNI) on a concept for lands at Mullagh Road, Maghera that focuses on the potential development of lands between Mullagh Road / Tobermore Road as an outdoor recreational green space for the Maghera area.

Councillor Corry stated she welcomed the concept plan circulated and the future public consultation. The Councillor felt that the scheme will be a fantastic asset to the Maghera area.

E013/24 Economic Development Report - OBFI

Members noted previously circulated report which provided update on the key activities as detailed below –

- Mid Ulster Labour Market Partnership (LMP) Minutes – 14 September 2023
- Mid Ulster Labour Market Partnership (LMP) Update
- NIBSUP / Business Start Up Performance 2023/24
- Town Centre Spruce Up Scheme

Councillor Monteith asked if there was any further update in relation to opening up the Spruce Up Scheme to other settlements and towns. The Councillor also referred to the town centre boundaries for this scheme and that he did not see any maps within the report of the areas included/not included as he was aware that this has caused difficulties in the past.

The Assistant Director of Economic Development, Tourism and Strategic Programmes (AD: EDT&SP) advised that officers had contacted DAERA to determine if they had funding available to assist with rolling out of the Spruce Up Scheme to rural areas across Mid Ulster. The AD: EDT&SP stated that DAERA advised they have no funding available in the current financial year and could not comment on budget availability for the next financial year as their budgets are not yet known. In relation to town centre boundaries the AD: EDT&SP advised that officers have strongly lobbied for the boundaries to be stretched out to the 30mph limits of each town in order to be inclusive of as many businesses as possible but on each occasion DfC had refused to accommodate such requests. The AD: EDT&SP advised that there have been a number of meetings with DfC officials in relation to this matter and stated that they will not move from their position that the town centre boundaries need to mirror the boundaries as identified within the Area Plans for the four towns. The AD: EDT&SP stated that officers are aware of Members views and entirely agree with them but stated it has not been possible to achieve this and highlighted that if Council wants to avail of DfC funding, then it must abide by DfC guidelines in terms of the eligible boundaries.

Councillor Quinn stated there are businesses on the edge of the town boundary in Coalisland who are just missing out and that if the boundary could be stretched to the 30mph it would be more inclusive. The Councillor asked if this is something DfC could move on or whether Council would have to wait on a Minister being in place to lobby them directly.

The AD: EDT&SP advised that DfC have indicated their policy position and are not willing to move from it. The AD: EDT&SP stated that if a Minister was in place, then there may be an opportunity to lobby again for a change to the current policy. Councillor Monteith stated that Council then becomes the bad guy and that there is no good news story as the same people consistently miss out. The Councillor stated that town centre boundaries has been an issue whether there has been a Minister in place or not and that the DfC's comment that the town centre boundary has to mirror the area plan does not match some of the documents produced by DfC which show different town boundaries. It was also highlighted that the area plan for Dungannon is 30 years old. Councillor Monteith stated that DfC keep moving the goalposts and

that there is no consistency and that whilst Council has to deliver the scheme for those that can avail of it he felt that if DfC want to implement the rules then they should do the grant scheme.

The Chair, Councillor McNamee stated that the people that can avail of the grant do appreciate it and that Council does not have much option but to proceed under the DfC rules.

The live broadcast ended at 8.47 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Gildernew
Seconded by Councillor Wilson and

Resolved In accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public in accordance with Section 42, Part 1 Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst members consider items D014/24 to D016/24.

Matters for Information

D014/24 Confidential Minutes of Development Committee held on 6 December 2023
D015/24 Economic Development - CBF
D016/24 Mid South West Growth Deal Update

D017/24 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.50 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.

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 11 January 2024 in the Council Offices, Burn Road, Cookstown and by Virtual Means

Members Present

Councillor Corry, Chair

Councillors Bell*, Brown*, F Burton*, J Burton*, Cahoon, Gildernew*, McAleer, McFlynn*, McLernon*, S McPeake*, Molloy*, Totten*, Wilson

Officers in Attendance

Mr McCreesh, Chief Executive**

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

Mrs Campbell, Strategic Director of Environment (SD: Env)**

Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance (SD: ODSP)

Ms Dyson, Head of Human Resources (HoHR)**

Mr McGuckin, Head of Strategic Services and Engagement (HoSS&E)

Ms McNally, Assistant Director of Corporate Services and Finance (AD: CS&F)**

Mr O'Hagan, Head of IT (HoIT)

Mr Tohill, Strategic Director of Corporate Services & Finance (SD: CS&F)

Mrs Grogan, Committee and Member Services Officer

Others in Attendance

Councillor McConnell***

Deputation:

Integrated Education Fund – Future Schools Project

Ms Fiona McGinn and Mr Sean Pettis

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

PR001/24 Notice of Recording

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

PR002/24 Apologies

Councillors Johnston and and McLean.

PR003/24 Declarations of Interest

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

PR004/24 Chairs Business

None.

PR005/24 Deputation: Integrated Education Fund – Future Schools Project

The Chair, Councillor Corry advised Ms Fiona McGinn and Mr Sean Pettis from Integrated Education Fund – Future Schools Project were in attendance and invited them to make their presentation (appendix 1).

The representatives advised that the Future Schools Project has been undertaken by researchers from the School of Education, Ulster University in a project partnership with the Integrated Education Fund.

The core aim of the Programme is “To support initiatives that put people at the centre of decision making (regarding the provision of education) in Northern Ireland.

Ms McGinn and Mr Pettis provided members with a brief synopsis of the project which included:

- Why the Future Schools Project was developed
- How the Future Schools Project can support communities
- The Future Schools Toolkit
- How Future Schools Project can link with the Independent Review of Education in Northern Ireland

Ms McGinn said what they would really like was if there was any members here tonight who thought there were any primary schools in their area which were not sustainable and would possibly like more information about the Future Schools Project and how support can be given to their communities or schools, to discuss other options and try to find a way forward to make their provision more sustainable, then they could contact herself.

Ms McGinn stated if members would like more information about the role of Ulster University or to discuss the Toolkit, to contact Ms Jessica Bates who would be happy to assist with any comments or queries.

The Chair thanked Fiona and Sean for their very interesting presentation and asked for members comments.

Councillor Wilson said that it would be useful if the overhead presentation could be circulated to members.

Councillor Wilson referred to the risk of closure of country schools as people would not be supportive of that.

Ms McGinn said that they understood completely that schools are the heart of the community and very important to communities and would rather the community having a say in what was happening to the schools and coming to some sort of agreement together rather than leaving things until it's too late and things being imposed on them from the top where a community could lose their school.

Councillor F Burton asked when talking about sharing did they mean that this related to schools which are working separately but sharing teachers as a resource, so each school doesn't have one Maths or English teacher. The member said that in her own area there is partnership working from different schools where teachers teach subjects between schools which helps with running costs.

Councillor F Burton referred to St. Mary's Primary School in Fivemiletown which was under threat of closure and where the Fivemiletown community as a whole really got behind the school and fought to keep it open. The member said that this was very important as schools are the focus of many rural areas and want to try and ensure that going forward that any support that we can get for primary schools in rural location is obtained. The member also said that it was vitally important that admission numbers do not dwindle down if possible so it becomes a less viable option and if any information is available could this be forwarded on to Council as this would be much appreciated.

Mr Pettis advised members that copies of the Toolkit were available here tonight in booklet form or alternatively online and set out some of what the potential options are. He said that certainly schools sharing resources might be the outcome of a community conversation, like some kind of federation, both hard and soft federations, and all types of models which were possible. He said from their point of view they do not predetermine an outcome and was up to the communities to figure out what works and would help with that process in terms of exploring what the options are. In referring to the situation in Fivemiletown, he said that this was a good example of a community coming together and preventing a decision being made which would have affected the community as a whole. There could be multiple possibilities like amalgamation, a new jointly managed school or an existing school within the community would be ideal and all kids could access that. There are many possibilities and all they were trying to do was to create a process to enable those conversations to happen with no predetermined outcome.

Councillor F Burton referred to Aughnacloy and Caledon being cross-border areas and enquired if this could possibly work for teachers and students who come here to study and asked if this would be an option for the group to support also.

Mr Pettis advised that community conversations would tend to be centred around a geographic area where there were some schools and if a school is drawing families and children from across the border, he felt that this could be part of the conversation. He said that he was unsure if there was legislation for the planning authorities to work at schools on a cross-border basis but for families moving, he did not see why they couldn't be part of the conversation.

Councillor F Burton said that going forward it would be important to make everything as viable as possible and working together on that process and not ruling out opposed to

adding to. The member said as a rural Councillor she wants to make sure that rural families and rural schools are part of the community as they are the lifeline of that community and in the event of that being lost, it would be very hard to get that back again. She said that it was very important that everyone has what they need in terms of adequate education.

Mr Pettis agreed that it was important to engage on what possibilities that there are, but at the end of the day it was the planning authorities which take forward a suggestion and really important that communities are well consulted and part of that decision making.

Councillor S McPeake thanked Fiona and Sean for their presentation and said that he had listened attentively to the discussion and felt that anything that gives communities an earlier and better say in the sustainability of the schools was to be welcomed. He said that in the past we have seen too often examples where these changes were thrust upon communities, parents and the school estate without proper engagement and he would be certainly open to what is being proposed about having early discussions. He said that it would be important that everything is on the table i.e. pooling resources, sharing resources, doubling up and avoiding duplication and anything which would bring that conversation to the fore is very much to be welcomed and wished the group well in their future endeavours.

Ms McGinn and Mr Pettis withdrew from the meeting at 7.20 pm.

Matters for Decision

PR006/24 Elected Member Development Working Group

The Head of Strategic Services and Engagement (HoSS&E) presented previously circulated report which sought approval for the recommendations of the Elected Member Development Steering Group and actions contained, held on 8 December 2023 to include:

- Continue to retain Charter Status and Explore Charter Plus Officer and Member commitment
- Personal Development Plans be progressed
- Code of Conduct Training be progressed
- Terms of Reference

Proposed by Councillor McAleer
Seconded by Councillor Brown and

Resolved That it be recommended to Council to approve the report and recommendations of the Elected Member Development Steering Group meeting and actions contained from meeting held on 8 December 2023 to include:

- Issue of Personal Development Plans
- Code of Conduct Training be progressed
- Terms of Reference of Working Group
-

PR007/24 Requests to Illuminate Council Properties

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

- NI Chest Heart and Stroke: National Heart Month 1 February 2024 – Colour: Red

Proposed by Councillor Brown
Seconded by Councillor F Burton and

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

- NI Chest Heart and Stroke: National Heart Month 1 February 2024 – Colour: Red

PR008/24 Member Services

No issues.

Matters for Information

PR009/24 Minutes of Policy and Resources Committee held on 7 December 2024

Members noted Minutes of Policy & Resources Committee held on 7 December 2024.

Live broadcast ended at 7.22 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McAleer
Seconded by Councillor Cahoon 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 PR010/24 to PR022/24.

Matters for Decision

PR010/24 Staffing Matters for Decision
PR011/24 Land and Property Matters
PR012/24 Lumfords Glen – RIBA Stage 3
PR013/24 2024/25 Insurances Update
PR014/24 Financial Management System – Technology One
PR015/24 Members Allowances Update
PR016/24 Provision of An Employee Assistance Programme and Healthcare Cash Plan

Matters for Information

- PR017/24 Confidential Minutes of Policy & Resources Committee held on 7 December 2023
- PR018/24 Staffing Matters for Information
- PR019/24 2024/25 Rate Estimates
- PR020/24 Financial Report for 8 Months ended 30 November 2023
- PR021/24 Contract and DAC Registers
- PR022/24 Industrial Strike Action

P023/24 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.25 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

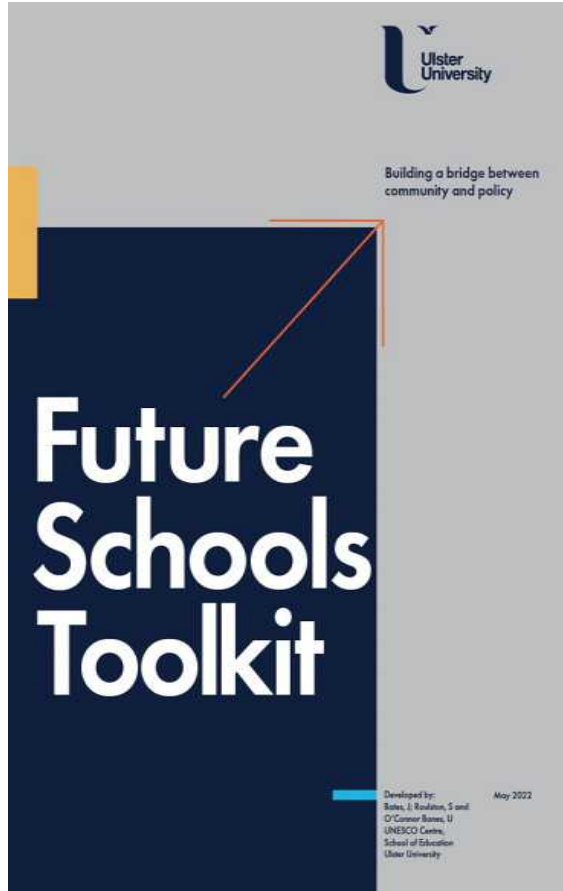
Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

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- 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.



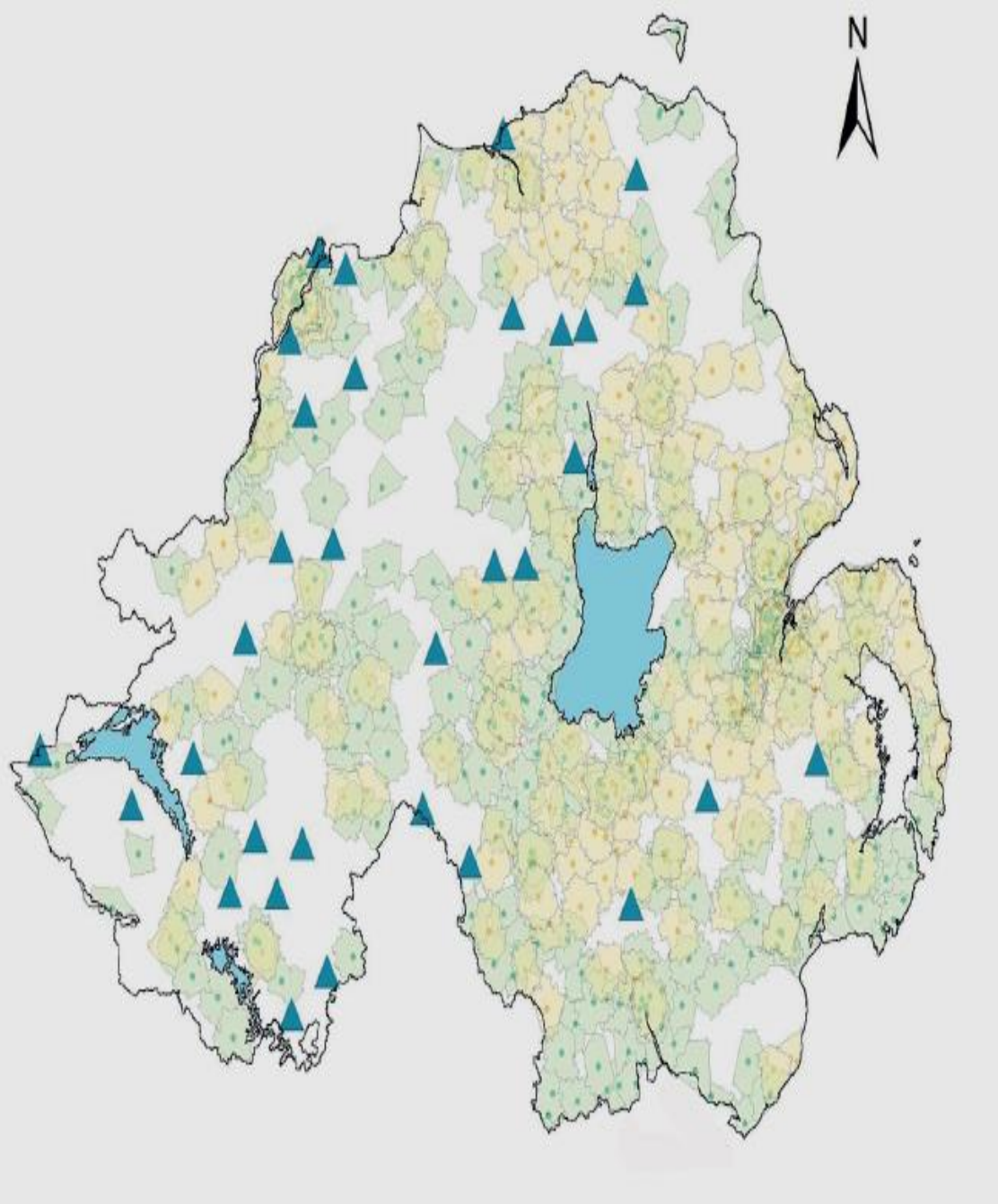
What is the Future Schools Project and its associated toolkit?

- *The Future Schools Project has been undertaken by researchers from the School of Education, Ulster University in a project partnership with the Integrated Education Fund.*
- *The core aim of the Programme is: “To support initiatives that put people at the centre of decision making (regarding the provision of education) in Northern Ireland.”*

Why was the Future Schools Project developed?

The education system has a diversity of school types, each with its own distinctive ethos and values. However, it is not sustainable. (New Decade, New Approach, 2020)

- The Future Schools project has been designed to support schools and communities who wish to explore whether there might be a more sustainable approach to primary school provision in their local area.
- Well documented historical factors have led to the development of a system of education in Northern Ireland that, on the whole, reflects the enduring community division. This situation means that many local areas may be served by two (or more) primary schools.
- According to the DE Sustainable Schools Policy there are too many school across Northern Ireland and surplus places.
- In 2020/21 there were 220 primary schools below the minimum thresholds (EA Strategic Area Plan 2022-27). 21 primary schools had fewer than 30 pupils (IRE , Volume 2).
- Schools Planning Bodies are currently involved in an Area Planning process to create a network of sustainable schools. This has led to a number of recent school closures.
- School Planning Bodies have been engaged with the Future Schools Project as it aligns well with their direction of travel for Area Planning.



- A study by Ulster University in 2019 examined the duplication of primary school provision in Northern Ireland.
- This duplication typically occurs when a Controlled school and Maintained school are located close to one another, often in small settlements.
- They identified 32 isolated pairs of primary schools which were of different management types and located less than one mile apart and more than 3 miles from another school of the same management type.
- In 26 of these pairs, at least one school was not sustainable.
- The study concluded that were the schools to find arrangements to remove duplication and become more sustainable, they would be more likely to avoid closures which would benefit local communities of all backgrounds.

How can the Future Schools Project support communities?

The Project supports school communities who wish to explore whether there might be a more sustainable solution to primary school provision in their geographic area and to provide guidance on how they could move forward with this in practice.

Support



Future Schools has, at its heart, a vision that primary schools, parents and the local community will work together to identify area-based solutions with the potential of ensuring sustainable local school provision. The aim is to engage communities to ensure that everyone who lives in the area can have their views heard regarding education preferences.

Engage

Page 69 of 112



The Future Schools Project does not seek to pre-determine pathways for specific schools or communities but rather to empower and support them to determine (in conjunction with the EA, CCMS, CSSC Department of Education and other key stakeholders) what option is most likely to lead to a sustainable future.

Vision

Future Schools Toolkit

The Future Schools Toolkit

A detailed toolkit has been created as part of the project which highlights three main facets:

1. The first section provides guidance to schools to self-assess and explore their own sustainability by assessing it against the DE Sustainable Schools Policy and other relevant policy documents.
2. The second section provides a mechanism and guidance to support school communities who wish to have a community conversation. This offers communities an opportunity to engage about options for school provision that would provide a sustainable and high-quality education in their local area, particularly where current provision may not meet the sustainable schools' criteria.
3. The final Pathways and Processes section of the Toolkit identifies alternative options that may be available to a community seeking to find a sustainable solution.



How does the Future Schools Project link with the Independent Review of Education in Northern Ireland?

- The Review highlights the concerning number of ‘non-viable small schools’ and recommends a new approach to area planning.
- It recommends ‘strict adherence’ to the minimum enrolment thresholds of 105/140 in rural/ urban primary schools.
- It recommends the establishment of an Independent Planning Commission which will develop a plan for a new network of schools based on sustainability and jointly managed schools.
- It suggests increasing the number of integrated schools or jointly managed community schools.
- The new model suggests the creation of 99 new or reconfigured jointly managed community primary schools and 22 post primary schools.
- The modelling of this reconfiguration of schools suggests that running costs will reduce by £94 million per annum.
- The review suggests that The Department of Education should encourage this change by allocating £1 billion of capital funding and £135 million over a period of ten years for schools making the transition.

For further information on the Future Schools Project, please contact Fiona McGinn, Future Schools Officer at: fiona@ief.org.uk



For further information on the toolkit, please contact Dr Jessica Bates, Ulster University at: j.bates@ulster.ac.uk



Report on	Conferences, Seminars & Training
Date of Meeting	25 January 2024
Reporting Officer	Joseph McGuckin, Head of Strategic Services & Engagement
Contact Officer	Eileen Forde, Committee & Member Services Manager

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

1.0	Purpose of Report
1.1	Provide an update on seminars and conferences received. To seek approval for (i) elected member attendance and the payment of registration/ attendance fees and associated costs, as incurred and, (ii) council officer approvals.
2.0	Background
2.1	Costs associated will be set against 2023-2024 member Conference, Seminar and Training allocations.
3.0	Main Report
3.1	Approval for Consideration of Attendance by Elected Members There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Members are asked to consider engaging in training opportunities as outlined in Appendix A.
3.2	Officer Approvals There are occasions when it is beneficial to the council for Officers to attend conferences and seminars. Approval for attendance as detailed in Appendix B to this report is sought.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications Financial: Costs to be set against Members 2023/2024 conference/seminar/training allocation. Any costs incurred above annual allocation to be incurred by Member

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

Member Training

Provider/Course	Date & Time	Location	Costs	Attendee Requests
Excellence in Local Government	12 & 13 March 2024	Shrigley Hall Hotel & Spa Pott Shrigley, Nr Macclesfield, Cheshire,	Free Attendance* Travel & Subsistence *cancellation fee may apply	

Oscar Krane

WE ARE ENGAGEMENT

EVENT PROGRAMME

Tuesday 12th & Wednesday 13th March



EXCELLENCE
IN LOCAL
GOVERNMENT



Doing more with less sounds like an advert for one of the high street supermarkets, but it's what every council across the United Kingdom is having to do. With less money being distributed by central government, councils are having to find innovative ways to save money, increase efficiency and generate income. Many councils are well on their way to achieving either or both of these things whether it be combining and sharing resources with another council, renting out office space to SME's or everything in between. Change is here and changes will continue to happen!

However, this isn't the end of collaboration and issues, with more powers continuing to be devolved to local councils and the creation of so called "super councils" but with no extra funding, it would appear that things will become more challenging before they get easier.

During this meeting, all attendees will be able to share their own experiences and the challenges they are currently facing. In addition, you will then have the opportunity to look at different ways of addressing these problems and an overall look at where we were, where we are and what needs to be done to get to where we need to be.

Topics to be discussed include:

- Collaboration
- Citizen engagement and experience
- Managing cyber security risks
- Avoiding S114 notices
- Prioritising services
- Digital Transformation
- Developing online services
- How to work with Commissioners
- Staff retention and recruitment
- Shifting from on prem to cloud or visa versa
- What role does AI / Automation have to play?
- Delivering projects with little to no funding
- Understanding and using data to drive improvement



Shrigley Hall Hotel & Spa
Pott Shrigley,
Nr Macclesfield,
Cheshire,
SK10 5SB
United Kingdom

TUESDAY 12TH MARCH

15:00 - 18:00 HOTEL CHECK-IN AND FREE TIME

18:45 - 19:30 REGISTRATION AND DRINKS RECEPTION

19:30 - 22:00 NETWORKING DINNER

WEDNESDAY 13TH MARCH

07:15 – 07:50 REGISTRATION, TEA, COFFEE & PASTRIES

07:50 – 08:00 CHAIR'S WELCOME AND OPENING REMARKS

08:00 – 08:30 MANAGING S114 AND COMMISSIONERS



With the growing pressure on local authority budgets, an increasing number of authorities are facing severe challenges with some tipping into s114 territory and government intervention. While each authority's circumstances are unique there are some common factors. This session will explore some of these factors and will use Birmingham's experience to provide some approaches to avoiding s114 and if it does happen how to respond effectively.

Graeme Betts, *Strategic Director Adult Social Care*



08:30 – 09:00 DIGITAL TRANSFORMATION – OUR JOURNEY SO FAR



Kent County Council, like most of us, are in financially challenging times, further compounded by the challenges of our unique geographical location. We will talk about how we have begun our Digital Transformation journey, that puts 'Improving residents experience' at the heart of everything we do despite our challenges. We will discuss our journey so far, current priorities and our aspirations moving forward, reflecting on what's worked well but more importantly the lessons we have learnt so far.



Dave Lindsay, *Chief Digital Officer*
Emma Rudd, *Digital Services Transformation Manager*
Zoe Galvin, *Digital Programme Manager*



09:00 – 09:30 ESTABLISHING A TARGET ARCHITECTURE TO ENABLE CULTURAL CHANGE AND TRANSFORMATION



During the session Jon will draw on research from innovators across the industry to show how cultural change is needed to adopt new technologies and ways of working. The establishment of a new Target Architecture for Manchester City Council will accelerate a shift from traditional Monolithic + Procurement + Waterfall approach to continual development using Agile + Product + Platform delivery.

Jon Burt, *Head of Enterprise Architecture*



09:30 - 10:00

TRANSFORMING DIGITAL AND DATA TO TRANSFORM SERVICES FOR RESIDENTS



In March 2022 Stockport Council launched its Radically Digital Stockport Strategy, the goal of which was simple, to keep Stockport at the forefront digital to enable the maximisation of the opportunities the digital era offers whilst ensuring that everyone is included in this digital journey.

Stockport Council identified early on that data would underpin its wider Digital Transformation plan as the correct use of data delivers time, which would otherwise be lost, to users and citizens alike.

Kathryn will discuss a couple of core data tools and projects which have been implemented so far and what is next on their list of improvements.

Kathryn Rees, *Director of Strategy*



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

10:00 - 10:30

CASE STUDY PRESENTATION

10:30 - 11:30

TEA, COFFEE & NETWORKING BREAK

11:30 - 12:00

WORK IN PROGRESS - THE LATEST IN READING'S DIGITAL TRANSFORMATION JOURNEY



For Reading Borough Council, digital is a critical enabler of the change needed to deliver service improvement and its strategic objectives. Like many other authorities, they are charting and navigating a course through the challenge of achieving change in the face of competing pressures and increasing constraints on both time and money. Martin will set out where the organisation is on that journey, including some lessons learned from where it has been, and his current view on where it is going.

Martin Chalmers, *Chief Digital Information Officer*



12:00 - 12:30

WELLBEING AT WREXHAM - ONE DOOR TO A RANGE OF SUPPORT SERVICES



This will be an opportunity to share learning from an exciting project recently implemented at Wrexham County Borough Council. In collaboration with colleagues from Children's Social Care, Health and third sector partners the Digital team have developed an early intervention referral system that enables service users to only tell their story once!

Removing technical barriers between organisations a shared services portal has been created that enables referrals to be fast-tracked to the organisation that can offer the best support. This has created efficiencies and removed paper processes while transforming the user experience.

Kay O'Flaherty, Head of Service Digital



12:30 - 13:00

CASE STUDY PRESENTATION

13:00 - 13:45

LUNCH

13:45 - 14:15

TEA, COFFEE & NETWORKING BREAK

14:15 - 14:45

INNOVATION IN LOCAL GOVERNMENT, IMPROVING OUTCOMES FOR RESIDENTS



Tim will discuss how Oxfordshire County Council are improving outcomes for residents by innovating and transforming in order to improve the services it delivers for residents thus increasing engagement and satisfaction levels.

Tim Spiers, Director – IT, Innovation, Digital and Transformation



14:45 – 15:15

ENSURING CYBER RESILIENCE IN AN EVER CHANGING WORLD



Cliff Dean will discuss the current challenges around agile working and cyber security, including:

- Cyber security – the colleague starting point
- Where we currently are
- The technical IT response
- How it may change in the future



North Kesteven
DISTRICT COUNCIL

Cliff Dean, *Chief Information Officer*



15:15 – 15:45

CASE STUDY PRESENTATION

15:45 – 16:30

TEA, COFFEE & NETWORKING BREAK

16:30 – 17:00

USING BUSINESS INTELLIGENCE AS A PERFORMANCE INDICATOR AND IMPROVEMENT TOOL



Identifying efficiencies in organisations is tough before you even factor in the time taken to do this and even when you do identify an area how quickly can this be addressed?

Matt will discuss how Buckinghamshire Council have implemented a BI strategy to monitor all aspects of the authority and drive through improvement.

Matt Everitt, *Director of Business Intelligence and Community Support*



17:00 - 17:30

USING THE WHITE HEAT OF TECHNOLOGY TO REGENERATE AND REIMAGINE A PLACE



When considering the key components of the Runcorn Town Deal and levelling up, Halton Council wanted to ensure that as well as reimagining the public spaces and buildings of the town it ensured technology sat at the heart of its vision. Ensuring that strong links existed between developments in the town centre and the world class technologies at Sci-Tech Daresbury and the Heath bringing job opportunities to our most disadvantaged communities along the way.

This session explains the work Halton Council are doing with their Town Deal and how they wanted to do much more than just regenerate the place but also to regenerate people and communities taking advantage of the technological advances in the town maximising innovation to tackling unemployment and disadvantage.

Wesley Rourke, *Executive Director – Environment and Regeneration*



17:30 - 18:00

TRANSFORMING PROCUREMENT - DELIVERING POLICY THROUGH PROCUREMENT



This session will highlight Surrey County Council's procurement journey in a time of increased demand for public services and a decrease in resources. The team have been transforming their operating model for public sector procurement to deliver enhanced value and reduce procurement risk, as well as demonstrating a forward-thinking approach by implementing a 'Policy through Procurement' Framework. This framework brings together a myriad of policy objectives and strategies to ensure responsible and sustainable procurement practices are embedded from the start whilst seeking to eradicate modern slavery from their supply chains and meet the dynamic needs of their community.

Darron Cox, *Director of Procurement and Fleet*
Anne Epsom, *Head of Policy and Improvement*



18:00 - 18:10

CHAIR'S CLOSING REMARKS AND EVENT FINISH

Conferences –**Approval:-**

Details of Conferences	Service/ Directorate	No. Attending	Cost	Date	Location
N Ireland Waste & Resource Management Conference	Environment	1	£120 (early bird rate to 31/12/23)	20/6/24	Belfast
CIEH Air Quality Conference	Comms & Place	1	£70	31/1/24	Online

Report on	Consultations notified to Mid Ulster District Council
Date of Meeting	25 January 2024
Reporting Officer	Joe McGuckin, Head of Strategic Services & Engagement
Contact Officer	Ann McAleer, Policy Engagement and Equality Officer

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

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

Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DFI	Water and sewerage charges – Options for revenue raising	This consultation outlines different options to generate revenue from charging for water and sewerage services in Northern Ireland, with a focus on creating sustainable public finances.	13 March 2024	No
	Link to Consultation	https://www.infrastructure-ni.gov.uk/consultations/water-and-sewerage-charges-options-revenue-raising		
	Delegated Authority 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 Title	Issue	Closing Date	Response Currently Being Developed
The Northern Ireland Utility Regulator	RP7 Price Control Draft Determination published for Consultation	This consultation relates to the Draft Determination on the NIE Networks' Business Plan for the period April 2025 – March 2031.	22 March 2024 at 12:04	No
	Link to Consultation	https://www.uregni.gov.uk/consultations/rp7-price-control-draft-determination-published-consultation		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DFI	Consultation on the review of The Planning (Development Management) Regulations (Northern Ireland) 2015	The Department for Infrastructure is inviting views from the public and stakeholders to identify and inform potential changes to The Planning (Development Management)	3 March 2024	TBC

		Regulations (Northern Ireland) 2015. The consultation focuses on a review of the existing classes of development and the corresponding thresholds for local, major and regionally significant development; proposals to make pre-determination hearings discretionary for councils; and proposals to provide for in-person and online/electronic engagement as part of pre-application community consultation process.		
	Link to Consultation	https://www.infrastructure-ni.gov.uk/consultations/consultation-review-planning-development-management-regulations-northern-ireland-2015		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	No		
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
DAERA	Public Consultation for Waste Electrical and Electronic Equipment (WEEE)	This consultation and call for evidence relates to a proposed producer responsibility system for Waste Electrical and Electronic Equipment (WEEE). The responses will be used to determine the best policy options to help achieve a reduction in our e-waste, and promote the re-use of electrical items before they become waste.	7 March 2024	No
	Link to Consultation	https://www.daera-ni.gov.uk/consultations/consultation-and-call-evidence-reforming-producer-responsibility-system-waste-electrical-and		

	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department for the Economy	Onshore Petroleum Licensing Policy	The Department has launched a consultation on onshore petroleum licensing policy in Northern Ireland. The Department has developed a range of policy options for onshore petroleum licensing policy. This has been informed by independent research from Hatch Regeneris on the environmental, social and economic impacts of onshore petroleum exploration and production in Northern Ireland and other relevant international research. The preferred policy option is a moratorium and eventual legislative ban on exploration and production of all forms of onshore oil and gas in Northern Ireland.	12 April 2024	No
	Link to Consultation	https://www.economy-ni.gov.uk/consultations/onshore-petroleum-licensing-policy		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?		No	
Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed

NIHE	Research Study Investigating future provision for victims of violence and those at risk/under threat of violence including victims of domestic abuse within the NI Housing Selection Scheme.	An independent research team are identifying and exploring options for future provision for victims of violence and those at risk/under threat of violence, within the Housing Selection Scheme. The researchers are seeking feedback from key interested parties from Government and wider stakeholder groups. They are interested to hear suggestions on solutions and alternative options, particularly in terms of how all victims of violence should be prioritised and verified in a fair, equitable and consistent manner using a robust verification framework.	9 th February 2024	Yes, via Elected Member request.
	Link to the consultation	No link available. The Consultation Questionnaire was issued to members via email on 3/1/24 in order to facilitate to original January submission deadline.		
	Delegated Authority required to be granted to a Committee if Council agrees that a response should be made (where an extension is not given)?	Yes- Delegated Authority for approval of a draft response should be provided to the February meeting of the P&R Committee.		

Report on	Correspondence to Council
Date of Meeting	Thursday 25 January 2024
Reporting Officer	J McGuckin Head of Strategic Services & Engagement
Contact Officer	E Forde, Committee & Member Services Manager

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

1.0	Purpose of Report
1.1	Provide an update on correspondence received for attention of Council.
2.0	Background
2.1	This paper refers to correspondence to be brought to the attention of Council. Items are referred to in 3.0 below.
3.0	Main Report
3.1	<p>Correspondence from Department of Education: Childcare Provision</p> <p>The Chair received a letter from Department of Education in response to Council's letter regarding a childcare strategy to address the costs of childcare for families. This correspondence was emailed to Members on 14 December 2023. Refer to Appendix A</p>
3.2	<p>Correspondence from Northern Ireland Office</p> <p>The Chair received a letter from Northern Ireland Office in response to Council's letter regarding a childcare strategy. This correspondence was emailed to Members on 14 December 2023. Refer to Appendix B</p>
3.3	<p>Correspondence from Department for Communities: Arts Funding</p> <p>The Chair received a letter from the Permanent Secretary in response to Council's letter regarding funding for the Arts. This correspondence was emailed to Members on 14 December 2023. Refer to Appendix C</p>
3.4	<p>Correspondence from Newry, Mourne and Down District Council</p> <p>Correspondence has been received from Newry, Mourne and Down District Council regarding a motion passed in relation to Cystic Fibrosis Medication. Refer to Appendix D</p>

3.5	<p>Correspondence re Life Long Learning</p> <p>The Chair has received responses from Patsy McGone MLA and Deborah Erskine MLA in relation to correspondence sent regarding Life Long Learning. Refer to Appendix E</p>
3.6	<p>Correspondence from Southern Health and Social Care Trust</p> <p>The Chair has received a response from Southern Health and Social Care Trust in relation to correspondence sent regarding ‘Respite Provision for Adults With Complex Needs’. Refer to Appendix F</p>
3.7	<p>Correspondence from NI Water</p> <p>The Chair has received a response from NI Water in response to letter regarding contacts within NI Water. Refer to Appendix G</p>
3.8	<p>Correspondence from Northern Ireland Commissioner for Children and Young People (NICCYP)</p> <p>The Chief Executive has received correspondence from the NICCYP offering the opportunity on training session with regards to Children’s Rights. Refer to Appendix H</p>
4.0	<p>Other Considerations</p>
4.1	<p>Financial, Human Resources & Risk Implications</p>
	<p>Financial: not applicable</p>
	<p>Human: not applicable</p>
	<p>Risk Management: not applicable</p>
4.2	<p>Screening & Impact Assessments</p>
	<p>Equality & Good Relations Implications: not applicable</p>
	<p>Rural Needs Implications: not applicable</p>
5.0	<p>Recommendation(s)</p>
5.1	<p>That Council notes and considers, as necessary, the correspondence received.</p>
6.0	<p>Documents Attached & References</p>
	<p>Appendix A: Department for Education Appendix B: Northern Ireland Office Appendix C: Department for Communities</p>

Appendix D: Newry, Mourne and Down District Council Appendix E: MLA's Life Long Learning Appendix F: Southern Health & Social Care Trust Appendix G: NI Water Appendix H: Northern Ireland Commissioner for Children and Young People

**From the Permanent Secretary
Mark Browne**



Rathgael House
43 Balloo Road
Rathgill
BANGOR
BT19 7PR

Tel: 028 9127 9309
Email: mark.browne@education-ni.gov.uk

Councillor Dominic Molloy
Eileen.Forde@midulstercouncil.org

Our Ref: SCORR-0603-2023

Your Ref: C227/23

12 December 2023

Dear Councillor Molloy,

Thank you for your e-mail of 27 November 2023, calling for a comprehensive childcare strategy to address the costs of childcare for families.

The Department of Education leads on the development of an Executive Early Learning and Childcare (ELC) Strategy. The ELC Strategy has dual aims:

(i) supporting child development and (ii) promoting parental employment. The affordability and accessibility of childcare for families, alongside other actions to stabilise the early learning and childcare sector, are being considered as part of the development of the Strategy.

Significant work has been done to identify and cost a range of high-level options for early learning and childcare services in NI, informed by extensive stakeholder engagement and the findings from commissioned external reviews. In addition, my officials continue to liaise with colleagues from other UK jurisdictions and Ireland to better understand their models of support. As actions involve input from a range of Government Departments, cross-departmental sign-off will be required.

A Review of Childcare Services in NI commissioned by the Department of Education was published on 22 June 2023 and it sets out the key challenges which the Strategy needs to address. It can be accessed at [RSM \(2023\) DE Review of Childcare Services in NI - Final Report.PDF \(education-ni.gov.uk\)](#).

The timeline for publication and implementation of the ELC Strategy requires Executive agreement on significant policy decisions, including its scope and budget.

I hope you find this information helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Mark Browne", with a long horizontal stroke underneath.

MARK BROWNE (Dr)



Northern
Ireland
Office

Steve Baker MP
**Minister of State for Northern
Ireland**

1 Horse Guards Road
London
SW1A 2HQ

Erskine House
20-32 Chichester St
Belfast
BT1 4GF

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

Dominic Molloy

By email: Eileen.Forde@midulstercouncil.org

12 December 2023
Our reference: MC/23/573

Dear Dominic,

Thank you for your letter dated 27 November on behalf of the Mid Ulster District Council regarding the challenges facing the childcare sector in Northern Ireland. I am responding on behalf of the Secretary of State for Northern Ireland, the Rt Hon Chris Heaton-Harris MP.

As the Council will be aware, childcare policy is devolved in Northern Ireland, and therefore for the Executive to take forward. It is clear that the absence of a functioning Executive in Northern Ireland is exacerbating the challenges faced by families with regards to childcare.

As the Secretary of State and I have continued to make clear, our focus remains on encouraging all parties in Northern Ireland to work together to restore fully-functioning power-sharing institutions as soon as possible. I remain convinced that a devolved, power-sharing government, in line with the vision of the Belfast (Good Friday) Agreement, where locally elected representatives can address the issues that matter most to the people of Northern Ireland, remains the best framework to deliver governance and prosperity.

Thank you once again for writing to the Secretary of State on this important issue.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Baker', with a horizontal line underneath it.

**STEVE BAKER MP
MINISTER OF STATE FOR NORTHERN IRELAND**



Department for
Communities
www.communities-ni.gov.uk

An Roinn
Pobal

Department fur
Commonities

From: Colum Boyle
Permanent Secretary

Level 9
Causeway Exchange
1-7 Bedford Street
BELFAST
BT2 7EG

Telephone: 028 90 823301
E-mail: colum.boyle@communities-ni.gov.uk
Our Ref: PSC 0884.23
Date: 12 December 2023

Councillor Dominic Molloy
Chair
Mid Ulster District Council

Via email: Eileen.Forde@midulstercouncil.org

Dear Councillor Molloy,

FUNDING FOR THE ARTS SECTOR IN NORTHERN IRELAND

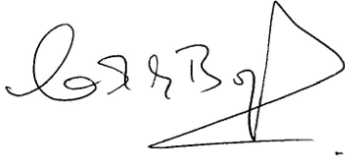
Thank you for your letter of 27th November about funding for the arts sector in Northern Ireland: I have noted the concerns raised by your Council at its November meeting.

The Department recognises and values the impact of the arts sector in areas as diverse as social inclusion, health, education, regeneration, good relations, tourism, the wider economy as well as on the enrichment of the quality of life of people here.

The 2023/24 budget required very difficult decisions to be taken across the public service. In terms of your reference to the future funding position, the Budget process for 2024-25 has not started yet but the position is likely to be at least as challenging as this year.

In that context, I can assure you that the Department will continue to seek to support all sectors within its remit, including Arts, to the greatest extent possible.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Colum Boyle', with a large, stylized flourish extending from the end of the signature.

Colum Boyle
PERMANENT SECRETARY

Marie Ward
Chief Executive



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
Newry, Mourne
and Down
District Council

Our ref: C/250/2023

13 December 2023

Mid Ulster District Council
Dungannon Office, Circular Road
Dungannon
BT71 6DT

Dear Chief Executive

Re: Notice of Motion – Cystic Fibrosis Medication

At a Meeting of Newry, Mourne and Down District Council held on 4 December 2023 the following Notice of Motion was unanimously agreed:

"That Council notes with extreme concern proposals by NICE to remove its NHS recommendations for Kaftiro, Orkambi and Symkevi due to rising costs; calls upon NICE to reconsider this proposal without hesitation to make such medication available to all in need; and will write to the Department of Health to request an assessment of the efficacy of this drug to help save lives since its introduction in January 2022; and to consider amending the minimum age for recipients of this medication to 2 so as to ensure that all those who suffer from cystic fibrosis have the best start in life."

It was also agreed that Council would write to the other 10 Councils in Northern Ireland and the Prime Minister highlighting Council's opposition to the removal of these drugs and to reverse the decision".

The proposer of the motion asked that the motion be circulated to the other 10 Council Chief Executives asking them to table at a future meeting of their Council.

I would ask that you give this matter serious consideration and I look forward to your response.

Yours faithfully

**Marie Ward
Chief Executive**

Dear Cllr Molloy,

Thank you for your correspondence regarding Mid Ulster Council's decision to agree to support the motion adopted by Ards and North Down Brough Council regarding Lifelong Learning Campaign.

I can assure you that I, and the SDLP, fully support the Lifelong Learning Campaign.

We recognise the importance of lifelong learning, including non-formal education, in addressing social issues, strengthening communities and building civic engagement.

We also agree that part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive, and green economy.

At the last Assembly election, the SDLP was the only major party who gave a Manifesto commitment for an above inflation pay rise for teachers.

It is also our clear position that the essential contribution of FE staff must be fairly recognised in their pay and conditions.

If we want to provide the best lifelong education then we need to invest in our schools and colleges, and in formal and informal part-time education.

That's the message the SDLP Opposition will be carrying into any restored Assembly.

I will be happy to consider joining an All Party Group on Lifelong Learning to support and evidence a best practice informed approach to policy making, in collaboration with adult education bodies and other stakeholders to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

Kind regards,

Patsy McGlone MLA



Deborah Erskine MLA

1 Quay Lane, Enniskillen, BT74 6AG

028 6632 0722 – deborah.erskine@mla.niassembly.gov.uk

Eileen Forde
Committee & Member Services Manager
Dungannon Office
Mid Ulster Council

Our Ref: DE2413

3 January 2024

Dear Eileen

Re: Ards and North Down Borough Council motion

I want to thank you for the communication my office received on 2nd January 2024, regarding support for a motion originally passed by Ards and North Down Borough Council. The motion refers to support for access to education within our communities and the need to emphasise the opportunities that exist for lifelong learning.

I fully agree with the sentiments expressed within the motion. We all have a role to play in fulfilling action in regard to promotion of education. Here in this Council district we can boast of excellent, world leading facilities for learning such as the South West College. I know the Council have good links with the College and it is important that we do everything we can to support South West College and all other educational organisations, so that they can promote the courses on offer and indeed provide more training in this area.

Furthermore the importance in organisations on the ground such as First Steps Women's Centre, help provide training for many in society and have been calling for extra funding support to be able to deliver such programmes. They are essential for helping people from a range of backgrounds gain extra skills. I hope the Council can continue to give such support.

As we know in such a rural Council area, having training facilities nearby will help develop our local economy significantly. With training taking place on our doorstep, it does attract businesses towards a where there are increased levels of highly skilled residents. We must do more to promote that. We must also ensure that there is a removal of stigma for those who would like to learn later in life. It is important that gaps are identified and I would suggest, if not already done by the Council, that they work with South West College to understand where these areas may be – whether that is within certain age groups, particular areas of deprivation or indeed culturally.

For my part as a locally elected MLA I will continue to make the case for educational access and for promotion of the educational provision we have in this part of the world, which aids to our overall economy.

Therefore, I support the aims of the motion.

Yours sincerely

A handwritten signature in black ink that reads "Deborah Erskine". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

Deborah Erskine MLA
Fermanagh and South Tyrone

Quality Care - for you, with you

Our Ref: MOK/SW/LMcG

Your Ref: C200/23 & C137/23

4th January 2024

Via email only Eileen.Forde@midulstercouncil.org

Councillor Dominic Molloy
Chair, Mid Ulster District Council
Dungannon Office
Circular Road
Dungannon

Dear Councillor Molloy,

RE: RESPITE PROVISION FOR ADULTS WITH COMPLEX NEEDS

Further to your letter of 2nd November 2023 I am writing to provide an update, as requested, in respect of short break and respite provision across Children and Young Peoples Services, Adult Mental Health and Disability and Adult Community Services. Apologies in the delay in responding to your queries, your original correspondence from August 2023 did not reach my office for action.

Short breaks Adult Learning Disability

Current Provision:

Adult Learning Disability Short Breaks Service has a total of 23 short break beds available for those with a learning disability:

8 statutory beds and 15 independent sector beds.

This is made up of:

- Page 2

- 2 Residential Care independent sector providers with a total of 9 short break beds.
- 3 Nursing Care independent sector providers with a total of 6 short break beds.
- 1 statutory facility with a total of 7 Complex Nursing / Challenging Behaviour beds and one bed in a single occupancy unit.

The SHSCT does not commission short break beds for those with a physical disability, however these can be arranged on a spot purchase basis where the need for short break has been identified through assessment/ review. Alternatively, a flexible short break direct payment can be paid to a service user instead of bed based short breaks. For some service users/ families, this is their preferred short break service.

Rebuild of Short Breaks and Current Issues /Actions

Prior to the COVID-19 pandemic, the Adult Learning Disability Service had access to 19 commissioned short break beds with independent sector providers, along with 8 statutory beds, totaling 27 beds. Post-COVID-19, 6 beds were withdrawn by residential and nursing homes, mainly in the Newry and Mourne area. The Trust has prioritized rebuilding short break capacity and has in the last 12-months been successful in commissioning 7 nursing and residential beds from new providers, bringing the current bed based short break capacity to 23 (inclusive of the statutory service).

Demand continues to outstrip supply and there has been an increasing number of individuals and their families/carers seeking bed based short break provision. To this end, the Trust is continuing to seek to grow short break capacity, with negotiations ongoing with several independent sector providers. With a rising number of individuals requiring short break respite provision, this has unfortunately resulted in a small reduction in frequency of short break allocations in some careplans. Age

appropriate short break capacity for younger service users is also an area of challenge for the Trust and going forth, we will be seeking to commission beds from independent sector providers with a range of ages in their long term resident population. There is ongoing service improvement work through scheduling and capability/needs planning to maximize short break capacity, as well as offering Direct Payments as a short break option.

Service User / Carer / MLA Feedback

The Trust has received a small number of enquiries, including Assembly Questions and Freedom of Information Requests, alongside a small number of complaints regarding adult learning disability short breaks. Content is usually around case specific issues, frequency of short break offers and questions on how short breaks are offered. All issues have been addressed in line with Trust processes.

Short Breaks Mental Health and Memory Services

Current Provision:

Short breaks are either provided in a care home/residential facility or temporary increase in commissioned services i.e. SDS/domiciliary care (Respite at home).

Rebuild of Short Breaks and Current Issues / Actions

The Trust continues to develop short break services in a variety of means to meet growing demand. The Trust is challenged if short breaks consist of domiciliary care increases due to the pressures on availability and bed based provision is dependent upon availability in the independent sector.

Short Breaks Adult Community Services

In relation to Adult Services, the respite/short breaks provision currently remains as it did pre-COVID-19. However, the number of short break beds available by category of care e.g. nursing and residential care within the independent and statutory Care Home sector is not ring-fenced by Adult Community Services.

The availability of respite/bed-based short breaks in any Independent Sector Care Home facility can change on a daily basis, whereby the category of care available will depend on any vacancies within that particular Care Home. When planned or emergency respite/bed-based short breaks are identified following an assessment, contact is made with the individual Care Home of choice to seek confirmation on availability. In addition to the Independent Sector, short breaks are also provided across the Trust's four Statutory Residential Homes for Older People as required.

Short break requests across all four Statutory facilities and Independent Sector Care homes have been slow to recommence following COVID-19 but anyone assessed and requiring a short break has been facilitated.

There are challenges to providing short-breaks/respite as some Independent Sector Care Homes will only facilitate the booking of planned respite/bed-based short breaks a maximum of two weeks in advance. The choice of facility is determined by the Service User and their carer. If there are no beds available in the facility of their first choice, Service Users may be reluctant to attend a different facility.

Availability of Care Packages

There is significant work ongoing in relation to monitoring and reviewing of existing domiciliary care packages within the SHSCT in order to ensure that all care being provided is required. In instances where care is no longer required, resources are

immediately allocated to other individuals awaiting domiciliary care. The Trust currently remains in a position whereby the demand for domiciliary care is outweighing the capacity.

Whilst recruitment and retention of domiciliary care staff remains a challenge across all sectors, the Trust has continued to be proactive in its efforts to build and maintain capacity within its workforce to meet the increasing levels of demand. In 2023, the Trust organised 3 recruitment fairs, in Banbridge, Dungannon and Newry.

96 individuals were cleared to work from these recruitment fairs, with 90 individuals having commenced. An additional 41 recruits commenced as a result of a rolling programme of advertising vacancies throughout the year.

Issues for the Social Care workforce/sector have been highlighted to NISCC and SPPG regarding rates of pay, complexity of the job, increasing demand for care packages, lone working, costs of running a vehicle and increase in fuel prices, non-contracted staff, and competition elsewhere within the job market e.g. in retail.

Independent Domiciliary Care Agencies in the SHSCT area are also raising issues regarding challenges of retaining and recruiting staff and continue to hand care packages back to the Trust.

Short Breaks Children and Young People's Service

Children with Disabilities Service provides short breaks via 2 residential facilities – Oaklands (Statutory facility) and Willowgrove (Voluntary provider). There are 3 beds available per night in Oaklands and 4 beds available per night in Willowgrove. number of beds per home which can be utilised on any night varies, dependent on the specific

needs of the children being accommodated. The facilities are Trust wide services and placements are matched based on assessed need.

The Children with Disabilities Service also provides overnight short breaks provision via a current compliment in excess of 23 Short break Fostering Placements.

Short breaks provision has returned to business as normal following the COVID-19 pandemic. Both the above facilities have actually increased the number of short breaks currently offered via extended opening and this has now been mainstreamed via additional and recurrent investment in both Oaklands and Willowgrove.

In addition, the Children with Disability Service is continuing to upscale Short Breaks provision via family based fostering services and capacity will increase dependent on successful recruitment of short breaks foster carers.

I hope this information is useful in your discussion around short breaks/respice provision. The Trust remains committed to working with individuals and carers to best meet their needs and looks forward to the outcome of your discussions.

Yours sincerely



DR MARIA O'KANE
CHIEF EXECUTIVE

Northern Ireland Water

PO Box 1026
Belfast
BT1 9DJ
www.niwater.com
Tel: 0345 7440088



Eileen.Forde@midulstercouncil.org

16 January 2024

Dear Dominic

Re: Your ref: C239.23 - NI Water queries from Council - Reinstatement works

Thank you for your letter, which I received on 2 January 2024, reference above.

I was glad to read of the Council's satisfaction with NI Water's presentation in November, and I will pass the members' thanks on.

On the query which you mentioned had not been fully addressed, from Cllr Kerr regarding the perceived improper completion of surface reinstatements by NI Water contractors; I would first confirm that there is no external contact for our Estates Management Team, who in any case would not be the department overseeing such contractor works.

Any and all queries for NI Water should be addressed to Waterline via our centralised e-mail inbox, waterline@niwater.com. Elected Representatives can also always make use of our dedicated phone number for them on 0345 3006461.

I would also advise that in many cases, ground and surface reinstatements carried out by NI Water contractors following jobs requiring excavation are often temporary, in the first instance. Sometimes the ground is required to settle after and excavation is backfilled, before permanent reinstatement can be successfully completed. In these cases, a temporary reinstatement is carried out, which the contractor may leave, sometimes for as long as 28 days, although they will generally aim to carry out spot-checks in the interim, before they return again to carry out permanent reinstatement.

If Cllr Kerr has any queries about any specific areas where unsatisfactory permanent reinstatement has been completed, necessitating our contractor returning again at additional expense, we would request he please contact us regarding these, as above.

I hope you find this response helpful on this point.

If you or the Council have any further queries, please of course do not hesitate to contact us again.

Yours sincerely



Sara Venning
Chief Executive



EMAIL

chief.executive@midulstercouncil.org

Adrian McCreesh
Chief Executive
Mid Ulster Council

Ref: 24/CJS/MMcC/013

17 January 2024

Dear Adrian

As you will be aware the Office of the Northern Ireland Commissioner for Children and Young People was established in 2003, the principal aim of which is ‘to safeguard and promote the rights and best interests of children and young people’. In carrying out the functions of the office, the Commissioner is to have regard to the UN Convention on the Rights of the Child and to raise awareness on same.

I am pleased to inform you that NICCY has worked with colleagues across Europe to develop the ENOC¹ Statement on Undertaking Child Rights Impact Assessments (CRIAs) in relation to the development of legislation, policies and strategies affecting children. ‘Introduction to Children’s Rights’ and ‘Conducting Child Rights Impact Assessments’ training modules (also on the NICS LInKs Training platform) are now available on the NICCY website for access by our Councils across NI.

Resources can be accessed using the following links.

- **‘Introduction to Children’s Rights’ and ‘Conducting Child Rights Impact Assessment’ Training Modules – [can be found here](#)**
- **NICCY’s ‘CIA Guidance’ and ‘CIA Template’ – [can be found here](#)**

We have also included on our website, a ‘Child Rights Explainer’ which is a short animation providing an overview of adults’ role in delivering children’s rights.

¹ European Network of Ombuds’ and Commissioners for Children comprising 42 Institutions across 34 Countries.

We hope these resources may inform your work and that of colleagues working with / for children and would encourage you when developing / changing policies and strategies, to apply CRAs (following the Child Rights training) as good practice going forward.

Should you wish us to deliver a short introductory session on same, please contact us via training@niccy.org

Similarly should you have any queries or comments, we are happy to hear from you.

Yours sincerely



Mairead McCafferty PQH LLM
Chief Executive