



14 December 2023

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, 14 December 2023 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 Ireland Local Government Association

Matters for Decision

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| 6. | Council minutes of meeting held on 23 November 2023 | 3 - 26 |
| 7. | Environment Committee minutes of meeting held on 4 December 2023 | 27 - 34 |
| 8. | Planning Committee minutes of meeting held on 5 December 2023 | 35 - 50 |
| 9. | Development Committee minutes of meeting held on 6 December 2023 | 51 - 62 |

10. Policy & Resources Committee minutes of meeting held on 7 December 2023 63 - 68

Matters for Information

11. Consultations 69 - 76
12. Correspondence Report 77 - 86

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

13. Council Confidential minutes of meeting held on 23 November 2023
14. Audit Committee minutes of meeting held on 28 November 2023
15. Environment Committee confidential minutes of meeting held on 4 December 2023
16. Planning Committee confidential minutes of meeting held on 5 December 2023
17. Development Committee confidential minutes of meeting held on 6 December 2023
18. Policy & Resources Committee confidential minutes of meeting held on 7 December 2023
19. Document for Sealing: Execution and Sealing of Deed of Surrender: Cahore Playing Fields: Dungannon & STBC and Ballygawley Sports and Leisure Trust (CLC001-0101)
20. Document for Sealing: Execution and Sealing of New 25 Year Lease with possibility of extension: Cahore Playing Fields - Errigal Ciaran GAC & MUDC (CLC001-0101)
21. Document for Sealing: Connecting Pomeroy – Civil Trail development (IST Contract)

Matters for Information

Minutes of Meeting of Mid Ulster District Council held on Thursday 23 November 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, Gildernew, Graham, Groogan, Johnston, Kelly, Kerr, Mallaghan, McAleer*, McConnell, McElvogue, McFlynn, McGuigan, McLean*, McLernon, McNamee, D McPeake*, S McPeake*, McQuade*, Milne*, Monteith, Quinn, Robinson, Totten*, 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)
Mr McGuckin, Head of Strategic Services and Engagement (HoSSE)
Mr McKeown, ICT
Mr Moffett, Assistant Director of Organisational Development Strategy and Performance (AD: ODSP)
Mrs Forde, Committee and Member Services Manager

Others in Attendance **Representatives from NI Water**
Dr Steve Blockwell
Mr David McGrath

* 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.

C212/23 Notice of Recording

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

C213/23 Apologies

Councillor Martin
Ms Canavan, Strategic Director of Organisational Development Strategy and
Performance (SD: ODSP)

C214/23 Declarations of Interest

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

Councillors Kerr declared an interest in Coalisland Fianna GAC

Councillor Quinn declared an interest in PR184/23 Request to Illuminate Council properties

C215/23 Chair's Business

The Chair, Councillor Molloy said, “the first six months of my term as Chair have gone by so fast and it seems hard to believe that we are on the countdown to Christmas and our seasonal events to come this weekend and next, more of which later. I very much enjoyed the Halloween celebrations which I attended since the last Council meeting. It was wonderful to see our residents sharing the fun and fireworks across the district. I'd like to say a word of thanks to all the staff involved in the delivery of these events. There are months of work involved behind the scenes, and staff come together from across the Council to make sure that everyone safely enjoys everything on the night.

I have also been out and about in the district this month and have been lucky to meet some of our residents, including helping Donaghmore Historical Society to celebrate their 40th anniversary at the Hill of The O'Neill and Ranfurly House. I also met up with the Baltic Together Group, in Dungannon, where I heard about how the group is helping with community integration through social interactions.

Meanwhile, a staggering total of 700 people attended events as part of Enterprise Week, a turnout from local businesses which is the highest since we first launched the week back in 2019. This speaks volumes about how the theme of this year's event – 'Challenge, Adapt, Succeed' – struck a chord with local businesses, and is testament to the Council's commitment to continue to deliver for and support our small business sector.

For anyone who missed any of the events, I'd encourage you to visit the Council's YouTube channel from this Monday - the twenty seventh -, where you can catch up with all the recordings, including seeing my A.I. avatar – a fantastic experience to be involved in. All in all, it was an excellent week which shows that Mid Ulster's enterprising spirit is very strong and is as always, ready to get to work. Our Mid Ulster Labour Market Partnership has also been busy at work, and I was delighted to attend a celebration evening for their 2022 to 2023 programme participants just last week. Many of those participants have taken the difficult step of returning to the jobs market and have found the support of the LMP programmes to be invaluable in doing so.

A new suite of programmes, opening in the coming weeks, will be available for both those who may have missed out last year and for first-time applicants. Between them

the five programmes will help increase employment in the district, create a more skilled workforce here and enable some of the most stereotypically disadvantaged groups to enter or re-enter the workplace. Speaking of that enterprising spirit, Christmas is by far one of the busiest times of the year for town centres and as in previous years, we want to make shopping easy, accessible and affordable for those who are supporting our local economy, shops and traders. Once again, our 10p parking promotion will assist with this. Reduced parking will help our residents take time and enjoy what our town centres have to offer this Christmas, without the worry of costly parking while doing their Christmas shopping.

Finally, this weekend sees the start of the Christmas light switch-ons in our five main towns of Cookstown, Dungannon, Magherafelt, Maghera and Coalisland. We know that civic events such as these help family, friends and communities to come together and share in this most special of seasons, so I'm looking forward to seeing everyone on the night."

Councillor Carney highlighted that Brocagh Emmets were celebrating their Centenary year in the coming week and extended congratulations to them and wished them luck for the next 100 years.

Councillor Robinson spoke of the commitment of the undernoted groups in the Clogher Valley area and their dedication to the public during covid. He requested that the Chair write to congratulate them

- Fivemiletown Royal British Legion: Receiving King's Award
- Glenageeragh LOL (loyal Orange Lodge) 908: Celebrating Centenary Glenageeragh Pipe band; and
- Carricklongfield LOL 748: Celebrating Bicentenary

Resolved That the Chair send a letter of congratulations to: Fivemiletown Royal British Legion: Receiving King's Award; Glenageeragh LOL (loyal Orange Lodge) 908: Celebrating Centenary; Glenageeragh Pipe band 75th Anniversary and Carricklongfield LOL 748: Celebrating Bicentenary

Councillor McFlynn extended congratulations to South Derry footballers from local clubs namely Brendan Rodgers, Gareth McKinless, Conor McCluskey and Shane McGuigan on achieving All Star status and said she hoped to nominate them in the forthcoming civic recognition procedure. She also congratulated Aine McAllister on being named the PWC intermediate camogie player of the year which was a huge achievement and to Lavey on winning the Junior Football Championship.

Declaration of Interest

Councillor McFlynn, Burton and Corry declared an interest in Agewell.

Councillor McFlynn spoke of Agewell and how it delivered 700 calls in the Mid Ulster area to vulnerable people. She shared that the group was under pressure due to the reduction in funding but that Council Officers had been working with them and it was hoped to set a meeting up in December for all involved. She concluded that the area could not afford to lose this vital service.

Resolved That Council Officers continue to work with Agewell in relation to funding reductions.

The Chair, Councillor Molloy said the comments would be taken on board.

Councillor Kerr spoke of the recent heavy rain and the floods in his own area of Torrent such as Reenaderry Road. Derryvale and Kings Row where some homes had been left unlivable. He said many families and businesses had been impacted and that those impacted the same way in Newry were receiving additional monies. Councillor Kerr proposed that Council lobby for better compensation for those in the district impacted.

The Chair, Councillor Molloy said that Council officers had taken this on board as it had been discussed at the environment committee.

Councillor Burton supported Councillor McFlynn and said that Agewell do a fantastic job. She said if the organisation did not receive funding it would be disastrous. Councillor Burton also supported Councillor Robinson's remarks about the Fivemiletown groups and said that the Royal British Legion Fivemiletown receiving the Kings Award was well deserved especially for their work during covid. She concluded that it would be good to have the awards up and running again.

Councillor Corry reiterated comments in relation to Agewell she said it would be a serious detriment to the community if the service was lost and stated that Council should do all in its power as sometimes Agewell was the only contact people had with the world outside their homes.

The Chair, Councillor Molloy concurred.

C216/23 Deputation: Northern Ireland Water

The Chair, Councillor Molloy welcomed Dr S Blockwell and Mr D McGrath to the meeting.

The representatives delivered presentation at appendix one detailing NI Water investment, challenges and development constraints in Mid Ulster together with an update on mast at Hill of The O'Neill.

The Chair, Councillor Molloy thanked the representatives for their presentation and welcomed the news that some restrictions may soon be lifted in towns and villages to allow more development. He reminded Members that an email had been sent regarding the raising of issues. The Chair in relation to the Hill of The O'Neill asked how long the process would take to the appointment was made. In response Dr Blockwell said it was hoped to make the appointment prior to Christmas and that it would take six months to complete the works.

Councillor Wilson apologised stating that he had submitted an email but had not realised it had bounced back, thus he sought an update on the proposed sewage pipes for Cookstown that were scheduled to commence in 2024. He also spoke of major problems at a housing development at Coolreaghs Road, Cookstown and

requested clarity on Article 161. Councillor Wilson said he was happy to receive a follow up response.

Councillor Cuthbertson agreed that major investment was required over a number of years to bring infrastructure to an acceptable level but said that until Northern Ireland stopped wasting money for example on levelling up and growth deals the money would not be available. He acknowledged that the Mid South West Growth deal had made provision for some infrastructure. He said infrastructure was crucial and as money was being wasted houses could not be built, businesses could not expand and the country would crumble. He welcomed works in Dungannon and said he had submitted an email to NI Water regarding same. In relation to the proposed 'sludge station' he asked would waste water come from other parts to Dungannon and sought clarity with the references made during the presentation in relation to planning applications regarding same.

In response Dr Blockwell said that it was the NIEA who had determined the requirement to improve sludge management as it uses a lot of chemicals and there had to be a management centre. He said it was an enforcement action and NI Water must carry out the works and if the planning application did not go through in December it would have a potential knock on effect. He said the sooner planning permission was granted NI Water could expand the treatment process. He concluded it was a fundamental step in the area of which there are many challenges and said there was also a 6 year plan for drainage in Dungannon.

Mr McGrath said that better management of sludge would ease constraints in Dungannon but said it would need £20m investment and it was imperative that the planning application aforementioned goes through in December.

Councillor Kerr requested a contact for someone in the estate management team of NI Water as he had submitted questions that had not been followed up. He also asked if NI Water carry out audit on repair works. He said that in the Torrent area compensation claims regarding recent flooding had been deferred from Department for Infrastructure to NI Water but ultimately any successful claims would be rate payers' money and it would have been better if the problems had been fixed.

In response Mr McGrath said that within a two-year period any claims goes to the contractor as they are liable but with NISRAN system there is a failure as they have a maintenance responsibility of either two or three years.

Councillor Burton raised ongoing concern in relation to Bohatton Lane in Fivemiletown where there is raw sewage lying in drains which comes from Willow Crescent direction. She said she had photographic evidence and asked what could be done in the long-term suggesting a multiagency approach as residents are totally fed up with the situation. Councillor Burton also referred to a housing development in Aughnacloy, near the police station, which had been left half completed due to sewage difficulties.

The Chair, Councillor Molloy stated that any further DEA issues should be emailed to Member Services.

Councillor McConnell welcomed the treatment works but asked if there was scope for Augher to be included as the sewers there were at maximum capacity and sought an update on Augher 'waste water' treatment.

Dr Blockwell said there was certain allocations in PC21 and some to PC27 and the aforementioned could be considered then. He said that investment is driven by compliance to the NIEA and some works would be part of the PC27 business plan. He said that NI Water works in 6 year cycles and the current funding does not begin to address the need.

Councillor Johnston said as the second largest contributor to pollution on Lough Neagh what actions are NI Water taking to reduce the pollution.

Dr Blockwell said that all actions of NI Water are approved by the Northern Ireland Environment Agency, he also stated that they look at catchments in terms of standards and some may be tightened by the Environment Act if it is brought to Northern Ireland. He stated that there are a few measures NI Water can use but there were other contributors to the matter such as agricultural input and that of business.

The Chair, Councillor Molloy extended thanks to colleagues of Dr Blockwell who had engaged with Council recently in meetings regarding Lough Neagh.

Councillor McFlynn sought an update on her submitted query regarding the Loup outlining planning permission had been granted for 60 homes in a rural location but the treatment plant needed refurbishment. She sought clarity as to whether there were plans to upgrade and if they were short or long term.

In response Dr Blockwell said there would be some basement plans but it was quite a small works with no electricity source but that NI Water were working towards an appraisal study.

Mr McGrath said that NI Water had six sites under consideration but emphasised there was a serious limit to treatment works and if all the planning was granted for the six sites the works currently operate for 255 people and this would rise to 850. He said if the size of the works was increased it would impact Lough Neagh and to allow the Loup to grow significant continuous investment was required. He concluded that at the moment there were no viable options other than that for major capital investment.

Councillor Robinson welcomed the investment and improvements in his DEA of Clogher Valley.

Councillor McLean spoke of the issue in relation to the process to offset developments especially within towns. He stated the cost of doing the offsetting is significant and puts a huge burden on the developer but there was a greater pain and that was reaching that point. Councillor McLean stated he had opportunity on three occasions to speak with consultants and the time frame for responses to get through the process was simply unacceptable. He said in speaking to five consultants they said the responses are poor, NI Water people on the ground are

hard to make contact with and sometimes it could be up to a month to get a response.

Mr McGrath welcomed the feedback and said there was some good news on response times in that there was now a dedicated member contact line and all calls would go through to developer services. He said they were dealing with a complex situation. He drew attention to comments about the Lough and said that NI Water has to work to allow growth but not make the situation at the Lough any worse. He said the alternative for developers is for NI Water to say no to more homes but that the offsetting work in many areas had been successful. He concluded by emphasising that it is essential for developers to approach NI Water first, even before they purchase sites, as sometimes the issues are complex and there is no answer other than to await capital funding.

Councillor McLean asked for a one-to-one meeting with Mr McGrath to outline an email chain he referred to, he said the follow up times were abysmal and if Mr McGrath could tell him different, he would apologise. He said that there were constraints on town centres and Council was working hard to bring about economic growth but in relation to NI Water issues it can be 2-3 years to find a solution. He said he could bring the consultants referred to, to the meeting. Mr McGrath said he would welcome the meeting.

Dr Blockwell said it is a difficult situation and he understood Members frustration but NI Water simply did not have the money to invest.

Councillor McLean said he worked in construction and understood the lack of investment but the lack of response from NI Water was simply frustrating.

Councillor Clarke in relation to Loup said that he too found it difficult to get a response, but he would make contact with NI Water again. He said issues with the Loup were historical that developments there were approved but investment in Loup had been left to one side for 30-40 years.

The Chair, Councillor Molloy thanked NI Water representatives for the presentation, and they withdrew from the meeting at 8.04pm.

Councillor Mallaghan referred to Councillor Cuthbertson's comments about levelling up funding and Mid South West growth deal being a waste of money and sought clarity on same.

Councillor Cuthbertson said he was talking about various projects across Northern Ireland and some would question if they are worthwhile. He said he was aware money was marked for the A29 but unless there was investment into wastewater every town and village are suffering and would suffer more as a lack of housing was pushing up rents.

The Chair, Councillor Molloy said there is infrastructure projects within the schemes and the cause of the problems NI Water highlighted had been a significant lack of investment for many years.

Matters for Decision

C217/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Council Meeting held on 26 October 2023

Proposed by Councillor Kerr
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Council held on Thursday 26 October 2023 (C186/23 – C202/23 and C211/23 transacted in Open Business having been printed and circulated were considered and adopted.

C218/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Planning Committee Meeting held on 7 November 2023

Proposed by Councillor Varsani
Seconded by Councillor Mallaghan and

Resolved That the Minutes of the Planning Committee held on Tuesday 7 November 2023 (P114/23 – P122/23 and P127/23) transacted in Open Business having been printed and circulated, subject to the foregoing were considered and adopted.

C219/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Policy & Resources Committee Meeting held on 9 November 2023

Declaration of Interest

Councillor Quinn declared an interest in PR184/23 Request to Illuminate Council properties

Councillor Quinn drew attention to PR184/23 Request to Illuminate Council properties and said, “While we do get a lot of requests to light up Council buildings, we usually don’t talk much about the causes but I would like the chance to highlight the request for Kawasaki Disease, as it’s something that I sadly know all too well. Back in May, just the Tuesday before election day, all elected representatives in the room were out knocking doors and talking to voters trying to get those last ‘1s and 2s’, I however was not. I was in the Childrens A&E with my 2-year-old daughter who had been running a high temperature all day and had a swollen lymph node. It wasn’t until around 10am on the Wednesday morning before the doctors finally told me that she just had a bad viral infection and gave her some anti-biotics to take and sent us home.

On Thursday as we set about getting ready for voters, I got a call from my wife to tell me that Ellie had started developing a rash and that she was rushing her back over to Children’s A&E. There she met the consultant who had seen her on Tuesday and he ordered her to the ward right away.

We both went with Ellie to the ward on Thursday night where they started her on a new anti-biotic drip as her condition started to get worse. Ellie went from being a lively, active and very cheeky 2-year-old to a limp, bed ridden, dozy 2-year-old who if she wasn't sleeping was crying out in pain to both mummy and daddy just to take her home to her blanky and bed.

On Friday while we were counting votes and looking at transfers, I was getting messages to say that they may have to transfer her from Craigavon to the Royal but she was too sick to move, on Sunday, with her condition getting worse, she stopped eating, stopped drinking, her temperature continued to spike and despite a shot of morphine there was no sign that she was going to recover and it was now looking like we were facing the worse possible outcome.

On Tuesday the tops of her fingers and toes started to turn purple and her skin started to peel. It wasn't until Wednesday that the doctors where finally able to give us an explanation, and that explanation was something we had never heard off, Kawasaki disease. Kawasaki Disease effects about 8 children under 5 in 100,000 in the UK. It causes the blood vessels in the body to swell and it can cause serious heart conditions up to and including death if not caught early.

It was that Wednesday that the doctors had no choice but to give her an immunoglobulin transfusion, which meant replacing all her white blood cells because her wee body could no longer fight the infection. That marked the lowest point for us all. On the Thursday a special team from the Royal arrived to look at her heart to access the damage done. It wasn't until the Saturday that Ellie started to show signs of recovery but it was slow... and it was a few days later, and a slice of hamburger cheese sneaked into the ward by her Granda Quinn that she started eating something. Don't ask... I don't understand it either.

I know most people in this chamber will never have heard about this disease, but it is an important message that we need to get out to the public. The symptoms I have mentioned, high temperature, sore throat, swollen glands, red/purple fingers, rash. This is a disease that is not well known, but it can cause massive damage to a child who catches it. We were lucky that CAH have seen cases like this before and once the diagnoses was clear, they worked around the clock to try and cure Ellie. In total she spent over 3 weeks in hospital. We are so thankful to all the hospital staff who treated Ellie so well in that time.

I don't tell this story for sympathy, I don't tell it scare people, I tell it because it's a condition that the public as a whole should know more about. Our GP didn't know anything about it and its only been in the last few months that people have talked to us that it was something their sister, their brother, their cousin, their friend had suffered from. I am glad to say that Ellie is now back to be a lively, overly cheeky 3-year-old, but she has had to go over regular checks on her heart, which have all come back positive, I also have to thank her for letting me again borrow her "pink iPad" for the council meeting. I am delighted we are highlighting this issue for World Kawaskai Disease Awareness Day. I hope that this short message can go out to help at least 1 other parent who can get their child to hospital."

The Chair, Councillor Molloy thanked Councillor Quinn for sharing and said that often Members don't understand the reasoning for lighting up but there is always a personal story behind it and Council should endeavour to support.

Proposed by Councillor McLernon
Seconded by Councillor Corry and

Resolved: That the Minutes of the Policy & Resources Committee held on Thursday 9 November (PR179/23 – PR188/23 and PR200/23) transacted in Open Business having been printed and circulated were considered and adopted.

C220/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Environment Committee Meeting held on 14 November 2023

Councillor Kerr drew attention to E248/22 Town Centre Footpath snow/ice clearance agreement: He requested that in relation to Coalisland the areas listed for inclusion be revisited as some key areas had been missed for example pathway at Barrack Street including Chapel area, Platers Hill, Main Street.

Resolved E248/22 Town Centre Footpath snow/ice clearance agreement: That in relation to Coalisland the areas listed for inclusion be revisited as some key areas had been missed for example pathway at Barrack Street including Chapel area, Platers Hill, Main Street.

Councillor Kerr also concurred with Councillor Cuthbertson's comments regarding the modernisation of waste recycling and grass cutting services working group and stated that upon completion of the groups task list in December 2023 the minutes and reports of the working group should be brought into the public domain.

The Chief Executive stated that within the practice of working groups the reports go back to the parent committee for agreement following which when the task is completed at which time, they can be made public when appropriate.

Councillor Cuthbertson said he made the proposal to lift the item out of confidential business as the focus was on three areas and the work regarding recycling centres was done, it was going to the parent committee, and it was the committee who would make the decision. He stated in relation to the next two pieces of work, one being in relation to public conveniences, that they listened to current pressures, and it was decided to have DEA meetings but to date there was no word of same. In relation to grass cutting Councillor Cuthbertson said he had requested maps regarding the grass cutting over two weeks ago and still had not received a response. He concluded that every Member in the room should be consulted regarding the issues outlined.

Proposed by Councillor Varsani
Seconded by Councillor McGuigan and

Resolved That the Minutes of the Environment Committee held on Tuesday 14 November 2023 (E236/23 – E255/23 and E265/23) transacted in Open Business having been printed and circulated were considered and adopted.

C221/23 Receive and Consider Minutes of matters transacted in “Open Business” at the Development Committee Meeting held on 16 November 2023

Councillor Cuthbertson drew attention to D171/23 Partnership Proposal and said that costs and income are always discussed when it comes to the rates setting and in his opinion this proposal would lead to a drop in income. He cautioned that it may set a precedent and that although he was not overly familiar with Maghera, he was familiar with for example if a charity was to book a gymnasium it was expensive and posed the question was this value for money.

The Chair, Councillor Molloy stated that as a Member of the Development Committee he would advise there was much debate and concluded it was a good opportunity to develop working relationships.

Proposed by Councillor Corry
Seconded by Councillor McLernon and

Resolved That the Minutes of the Development Committee held on Thursday 16 November 2023 (D164/23 – D181/23 and D190/23) transacted in Open Business having been printed and circulated were considered and adopted.

C222/23 Conferences, Seminars and Training

The HoSS&E sought approval for the previously circulated report on conferences, seminars and training as outlined in Appendix A and B of the report.

Proposed by Councillor Kerr
Seconded by Councillor McNamee and

Resolved That approval be given to submitted requests for conferences, seminars and training as outlined at Appendix A and B to the report.

Matters for Information

C223/23 Consultations

Members noted consultations received for attention of Council.

Councillor Mallaghan stated that Council should make response to SONI (System Operator for Northern Ireland) Transmission Development Plan 2023-2032: to include that where possible any cabling should be underground. Members concurred.

Resolved That Council make a response to SONI (System Operator for Northern Ireland) Transmission Development Plan 2023-2032: Closing Date 22 December 2023. (The response to include that where possible any cabling be underground)

C224/23 Correspondence

Members noted update on correspondence received for attention of Council.

Councillor McLernon drew attention to letter from Derry and Strabane District Council and proposed that council accept the offer to engage in meetings in relation to exploring the potential of legally recognised Rights of Nature for Lough Neagh and/or if there are any other existing forums that are dealing with Lough Neagh at which this matter could be explored.

Proposed by Councillor McLernon
Seconded by Councillor Mallaghan and

Resolved That Council write to Derry & Strabane District Council accepting the invitation to participate in meeting in relation to exploring the potential of legally recognised Rights of Nature for Lough Neagh and/or if there are any other existing forums that are dealing with Lough Neagh at which this matter could be explored.

C225/23 Notice of Motion

Councillor Quinn moving the motion stated, "Once again we find ourselves in a position where we must talk about cuts to the Arts. While we continue to suffer in many ways from the lack of a Stormont government and we are at the mercy of a discredited Tory party in London, the arts remain the first port of call for any money to be cut. I know members here are sick and tired of me going on about the arts, but I make no apology for bringing this motion forward tonight. When we think about the arts, people talk about films, and Ireland of course led the way at the Oscars last year with *The Banshees of Inisherin*, written and directed by Martin McDonagh. Many of you may not know, that McDonagh started his career in a local theatre writing admitted some of the finest plays in the modern era. Plays that our local theatre here, The Bardic have performed now just on their stage but in Russia. When we talk about the arts, we think of poetry, no better example of our own Seamus Heaney, Nobel winner born in Bellaghy who's talent was nurtured here because of those people who knew his talent and love of the arts.

When we talk about the arts we might talk about local success like Francis Fee, born just a stone's throw from here in Killyman and who has went on to share the screen with the likes of Russell Crowe, Eddie Redmayne, Jeremy Renner and my personal favourite Vincent D'Onofrio. Where did he get his start? Down the road in Bardic theatre and their youth groups, encouraged by his father Frank who is an acclaimed local actor in his own right.

What we don't talk about when it comes to the arts is the 100s of children that take part in Craic Theatres youth theatre every weekend. We don't talk about the 1000s of children right across the north who are in youth theatres every night. We don't talk that because of this for these children the theatre is the only safe place for them during the night, it may also be the only warm place they have outside of school. We don't talk about those children with disabilities that find it hard to fit in at school or in society, yet when the stage light is shining on them, they find they have skills that many of us here could only dream about. For some of those children, and adults the arts are their only form of communication. In the words of Edward Hopper "If I could say in words there would be no reason to paint"

We don't talk about the hours and hours that facilitators give to teach those children, many times outside their paid hours because local theatres are struggling to pay them due to the uncertainty of funding. We also forget about the many people, young and old who take part in musical groups, comhltras groups, pipe bands from both traditions such as Clonoe Pipe Band who became All-Ireland champions this year, who find that this is their only outlet in life where they feel truly alive.

During the troubles, the one thing that brought our communities together was the arts, the theatre and music halls but instead of recognising this, we have cut the funding. This motion talks about the 5% cut, which easily could have been 10 as previously proposed earlier in the year. It's about the 5% now, the 5% last year, the 2% the year before, the 30% over the last decade and God knows what it will be next year. The arts here are dying, and you can be forgiven for saying it's been a death from 1000 cuts. Our government simply doesn't count the arts as something worth investing in, our youth not worth investing in. I can point to the fact that when it comes to musical theatre our two local theatres in Craic and Bardic regularly compete against and beat the biggest theatres not just in the north but right across the Island of Ireland.

Our one saving grace in Mid-Ulster has been our council. The Council have always supported the arts, and indeed have put 'their money where their mouth is' with investment, even as we have found it tough over the last few years. I think our officers need to be commended for this effort and long may it continue but it's simple not sustainable without help from either Stormont or Westminster. We have seen today about the 57 million being withheld because of Stormont being done, some of that money would be going to the arts. One of those great Irish Artists once said, "I regard theatre as the greatest of all the art forms, the most immediate way in which a human being can share with another the sense of what it is to be a human being."

All the worlds a stage, and all the men and women merely players; they have their exits and their entrances, and one man in his time plays many parts, well it's time for government to start playing there's and reverse these cuts and start to invest."

Councillor Quinn moved the motion –

That this Council -

- Is alarmed at proposed 5% cut in funding to arts organisations funded by the Department for Communities through the Arts Council NI;
- Commends Equity NI, the arts community, its supporters, and the community at large for resisting these proposed cuts, including over 12,500

individuals signing Equity's petition which asked for more investment in the arts, not less.

- Notes that Arts Council NI funding has decreased, in real terms, by 30% over the last decade, despite evidence that investment in the arts has a real terms economic benefit for the city and the North as a whole.
- Further notes that the Department for Communities has indicated that it may implement further cuts in arts funding in FY '24-'25.
- Recognises that Stormont Permanent Secretaries are being forced to take, without mandate, difficult decisions that should be taken by locally elected Ministers and a devolved Executive and Assembly.
- Further recognises that too often the Council is forced to step in and financially support arts and cultural organisations who have lost funding from Stormont Departments, putting pressure on our ability to deliver existing arts and cultural schemes.
- Calls for a reversal in cuts to the arts and agrees to join as a signatory to Equity NI's latest open letter to the Permanent Secretary of the Department for Communities.
- Further calls for the restoration of a reformed Executive and Assembly to take decisions which can future proof the arts sector and protect funding in the future.

Councillor Johnston seconded the motion.

Councillor Gildernew added her support for the motion and stated that funding was essential to protect the arts. She stated that many groups were in danger due to lack of funding and highlighted in her own constituency the Brantry Bard would not survive without funding. Councillor Gildernew concluded that the cuts to the arts should be resisted and where possible should be reversed.

Councillor McNamee said that any cuts to the arts would have a detrimental impact on the community. He stated that the arts were cross community bringing people of different religious backgrounds together and was often the glue that keeps communities together. He stated that it was not right that non-elected civil servants were taking decisions that was the remit of MLA's. He concluded that the NI Assembly needed to reconvene.

Councillor Monteith supported the motion and said whilst he did not agree with all its points the Arts needed to be both protected and promoted. He said he did not share the confidence of others that either the Westminster government or the NI Executive would alleviate the current cuts.

Councillor Forde said that it was good to see a motion impacting local groups and asked the question as to how much the Council contributed to the Arts, sought clarity as to where the city was at point three of the motion and suggested that the motion was simply a 'cut and paste'. She stated that comments in relation to pressures on budget and the NI Executive not sitting were well rehearsed and that the DUP had no issue with funding of the arts. Councillor Forde speaking on the Council's budget for the arts said a significant portion was allocated to the Irish Language yet Council was struggling to cut the grass and keep toilets open. She concluded posing the question as to where the money would come from?

Councillor Wilson said he too could agree with the thrust of the motion and was personally a great supporter of the arts. He said that the 5% cut would have a devastating impact and more and more artists were forced to seek new careers. He said that the arts nurture theatres, céili bands, marching bands, it's in schools, pubs etc he said that the arts were not a luxury as there was no substitution to the contribution it gives to society and it should be recognised. He outlined the contribution per head of population in Scotland £15, Wales £16, Ireland £21.90 and Northern Ireland £5.21 and it was time the arts received better.

The Chair, Councillor Molloy said that without the arts society doesn't exist as it is all around. He said famous actors, musicians, artists do not appear out of nowhere, they have grass roots in local communities. He said should it be the stage, creativity, festivals or young farmers clubs all of these things feed into the arts.

Councillor Brown said that as his party colleague had indicated the DUP would broadly support the motion and had sought clarity as to whether the motion was a cut and paste. He said however, they had had enough of the constant sniping in relation to the NI Executive and that there were other things that needed money also. He concluded the DUP would abstain from the motion.

The Chair, Councillor Molloy called for a vote

For	27
Against	0
Abstain	11

Councillor Totten was not present for the vote.

The Chair, Councillor Molloy declared the motion carried.

Councillor Qunn thanked Members for their support and said it was a 'cut and paste' and that he was sad to see the DUP abstaining on a motion that impacts all especially when their colleagues in Belfast had supported it. He said people needed to realise how fundamental the arts were, he spoke of how it helped those struggling with many issues and commended Councillor Wilson in how eloquently he had supported the motion. Councillor Quinn said that Councils strategic partners were going from strength to strength, but more funding was needed. Regarding comments in relation to the NI Executive he said it was not sniping but frustration. In response to Councillor Monteith's comments he concurred the motion would not solve all, but he hoped it would help.

C226/23 Notice of Motion

Councillor Kerr moving the motion said, "I decided to bring this motion tonight due to the extreme amount of innocent Palestinian civilians murdered by the Israeli Forces. It now stands at approximately 13,000 people having been massacred from the recent escalation of violence from October. What is unfolding is a modern-day holocaust where one state who has superior weapons, technology, navy and air

force has had a free reign of murdering innocent civilians including many women and children. The Zionist rogue state known as Israel has carried out many war crimes and breached many rules in its conduct in this recent phase of violence and has created a humanitarian issue by restricting substantial amounts of aid getting into the country together with restriction of fuel and cutting water into the Gaza strip.

We have the South African government along with Bangladesh, Bolivia, Cumar and Djibouti have submitted the referral to the International Criminal Court to investigate the levels of ferocious violence against the people of Gaza. The 26-county government has recently referred other nations to the International Criminal Court and its equally important they be seen as the first nation of the so-called western democracies to do so. There can be no double standard Benjamin Netanyahu should face justice just like the Nazi leaders did during the Nuremberg trials.

I also ask for unequivocal support for the council to contact the United Nations body the Responsibility to Protect and request they open an immediate investigation to the crimes we are witnessing in Gaza and Palestine. These two bodies have previously provided evidence against atrocities committed in Rwanda and the Balkans. A part of their mandate and both offices work together to advance national and international efforts to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity as well as their incitement. The two offices also collect information, conducts assessments of situations worldwide and alerts the general secretary and relevant actors to the risk of atrocity crimes as well as their incitement.

Councillor Kerr moved the motion –

That this Council resolves to contact the 26 County government and request they refer Israel to the International Criminal Court due to its recent genocidal violence against the people of Gaza and Palestine as we note the growing concerns domestically and internationally.
We also request the Council contacts the UN office of Genocide Prevention and the Responsibility to Protect and request they open an investigation immediately.

Councillor Kerr concluded it was strictly a humanitarian issue.

Councillor McElvogue seconded the motion.

Councillor Brown said it was sad to see Councillor Kerr once again spouting the usual 'diet of tripe.'

The Chair, Councillor Molloy stated that Councillor Brown should be respectful when speaking about other Members.

Councillor Brown stated the DUP would not support the motion.

Councillor Corry welcomed the news of the ceasefire and release of hostages but emphasised that a longer-term solution was required. She stated that under international law all should exercise the right to call for investigations into war crimes

and genocide and Council must take a stand against this. Councillor Corry said it was horrific to watch the bombing of schools and said that Palestine had stopped counting the dead. Councillor Corry concluded that today it is Palestine but it could be somewhere else tomorrow and that Sinn Féin would support the motion.

Councillor Wilson said that once again this was a motion for publicity and in Northern Ireland people would take sides. He said that HAMAS was a terrorist organisation, and it must be dismantled by it by Israel or Gaza. He said that both Israel and HAMAS are bound by the same rules and that HAMAS had embedded themselves with no regard for their own people. Councillor Wilson said that no one could be but moved by the suffering and welcomed the ceasefire. He concluded that the Member moving the motion had not called out Russia nor sought support to have them referred to the International Criminal Court.

Councillor Quinn said he had brought a similar motion last month that the Unionists would not support and stated no one could be but moved when you see a man saying goodbye to his child. He said he condemned death on both sides and that Israel is murdering indiscriminately and dropping bombs on people as they flee. He said looking at the mass graves reminds you of what happened to the Jewish population during the second world war, and something needed to be done. He said that Councillor Wilson was right that it may not make a difference but said that the Dunnes Stores workers who took a stand against apartheid were appreciated by the South African people. Councillor Quinn said Council had called for the release of hostages and a cease fire which was happening all be it on a temporary basis, but he said there was most definitely war crimes.

Councillor Quinn proposed an amendment in that Council contact both the Irish and British governments.

Councillor Quinn said he had attended a rally at Anne Street in Dungannon when all had spoken from a humanitarian perspective and that Council needed to support.

The Chair, Councillor Molloy asked Councillor Kerr if he accepted the amendment.

Councillor Kerr said no.

Councillor Varsani said that in international law self-defence cannot be claimed by someone entering another country. She said the current situation in Gaza had been compared to the killing fields in Cambodia. Councillor Varsani said that as elected representatives they should use whatever voice they had to speak up.

Councillor Monteith said he had attended events in solidarity of Palestinian people and had been humbled when marching the streets of Dublin but tonight O'Connell Street is being used for hateful activity on the news screens this evening. He said countries that are carrying out atrocities want the world to look and not to speak. He said that collective punishment is wrong there is always a choice and in this instance, Israel do not have to blanket bomb. Councillor Monteith said that the impact of every life lost on all sides matters and is of value and quoted statistics that in Ukraine 6% of those killed during the war have been children whilst in Gaza it is 50%. He posed the question as to how you can go to war against people who have

no army, navy, airforce and 50% of the population is under 16. He said if the issues are not discussed why is any Member in the chamber. He said the motion doesn't mention HAMA's nor does it mention how Israel has slaughtered people long before HAMA's. Councillor Monteith urged everyone to support the motion.

The Chair, Councillor Molloy said that on a humanitarian basis watching reports of the ongoing conflict and genocide within Palestine and Gaza you could not fail to be moved. He spoke of people fleeing to find refuge and then being bombed in tented cities highlighting that there had been some 300 indiscriminate attacks and bombs dropped on highly populated areas. He said it could not be termed as self-defence by a highly weaponed modernised army from a nuclear state. The Chair concluded that Members must raise their voices as in the past no one spoke up for example for the Jews and communists.

Councillor Cuthbertson said he had read an article regarding the civil war in Syria and said if Members had a duty to speak this had never been mentioned. He said that some 350k people had been killed in Syria, but the President is backed by Iran and Russia and that Council was picking and choosing who to make mention of. He said Council could not fix the situation and should concentrate on local issues.

The Chair, Councillor Molloy called for a vote on the motion.

For	26
Against	13
Abstained	0

The Chair, Councillor Molloy declared the motion carried.

Councillor Kerr thanked Members for supporting the motion and said if other Members want to bring motions in relation to other areas such as Syria they should do so. He said he would have hated to be a Councillor and ignored fascist Germany during World War two. He said that hear and see no evil is no good.

Councillor Cuthbertson left the meeting.

C227/23 Notice of Motion –

Councillor Carney moving the motion said, "When it comes to the provision of childcare and early education, Sinn Fein demands a great deal. We demand quality provision that puts the best interests of the child at its core. For our children, we want care that enhances early years development, addresses disadvantage, promotes wellbeing, and improves the life chances of the next generation. But as well as quality, parents need childcare to be affordable and that's the focus of this motion.

At a time when household bills are rising, hikes in interest rates for those with mortgages, and income falling due to inflation. The cost-of-living crisis has now made childcare a luxury.

We live in a society where, for most families, running a household requires both parents to be working but we don't have the infrastructure to support that. We urgently need a childcare strategy that addresses that anomaly. Here, in this council area, families are now paying up to £1000 of their monthly income for childcare, many now asking the question is it worth their while working full time.

The provision of childcare underpins parents access to employment and supports their professional advancement throughout parenthood. For those who simply cannot obtain affordable childcare, this often means they cannot work in the way that they want or need to, and ultimately, cannot progress their careers.

Childcare providers are now struggling to meet demand while maintaining good quality care. There's no point developing a strategy that reduces costs for parents but puts providers at risk of closure. That's what the Tories did in England. Government underfunding of childcare places resulted in thousands of nurseries closing, leaving parents struggling to find places.

Sustainable childcare is about recruiting and retaining sufficient staff and that means improving terms and conditions as well as providing training.

The development of a childcare strategy by the Department of Education is long overdue. The restoration of the NI Executive is an imperative to make change happen.

I urge support for this motion.

Councillor Carney moved the motion –

This Council recognises that -

- The costs of childcare in the North of Ireland are unaffordable for many and hard-working families are struggling every month to meet these costs;
- Access to childcare in this district is an issue, with providers struggling to meet demands whilst remaining sustainable and maintaining high standards of care;
- Parents, particularly women are being forced out of the workforce leading to a negative impact on the labour market, skills and wider economic output;
- An Executive must be re-established urgently so that parties can work together to make childcare a priority;

And that this Council will:

1. Write to the Education Department urging them to progress a comprehensive childcare strategy without delay; and
2. Commit to delivering new fully registered childminders in the area through their labour market partnership scheme.

Councillor Gildernew seconded the motion and said that for many parents' childcare costs were simply unaffordable with women being the most impacted. She said that as a working mother she knew only too well the pressures parents were under and the pressures of childcare workers and providers struggling to deliver a service. Councillor Gildernew concluded that the NI Assembly needed to be restored.

Councillor Johnston speaking on the motion said, "Stormont's failure to function is an impediment to solving one of the biggest issues facing families in Northern Ireland. The cost of childcare is currently one of the most pressing issues in Northern Ireland. In recent years costs have skyrocketed to the point where many parents, especially women, are leaving or considering leaving the workforce to care for their child, because they do not make enough to justify their childcare costs. All the time we are speaking to talented people who feel forced to abandon careers they are passionate about and have invested years into through education and training. For too long the situation with childcare has been allowed to spiral out of control. The cost-of-living crisis has brought matters to a head with added pressures for both parents and childcare providers, but we cannot simply stand by and do nothing about it, even if the failure of Stormont to function has made meaningful change all the more difficult.

The SDLP has for many years been campaigning on this issue, we are currently supporting the call from Melted Parents NI for a childcare strategy to be placed on the agenda of the first meeting of any incoming Executive, along with a commitment that a timeframe for delivery will be published in the first 100 days of a new government here.

"The families driving the Melted Parents campaign have been tireless advocates for affordable and accessible childcare in Northern Ireland and their tenacity and sheer hard work in consistently raising this issue with those in power is inspirational. A survey they carried out laid bare the crisis facing parents, over 80% of respondents saying that their childcare costs were higher than their mortgages. That the immense costs of childcare are pushing huge numbers of hard-pressed parents - especially women - out of the workforce and acting as a handbrake on our economy. We in SDLP believe that when Stormont returns it must be ready to make the necessary changes so that childcare is affordable for every family and that providers can offer their services while making ends meet.

In Westminster Claire Hanna is determined to use the NI Affairs Committee as a meaningful driver of policy change and has proposed it hold an inquiry into childcare which will give us the chance to hear from campaigners and providers about what will make a real difference to the lives of people here. If the Executive is not in place, it will commence this inquiry early next year and the SDLP Opposition team will use its findings to help inform childcare proposals for when the institutions return." In the meantime, and at local level, and in the absence of an executive we owe it to our hard pressed parents to use whatever mechanisms available to carry out the preparatory work so that we can hit the road running when eventually the DUP end this obstinate and senseless obstruction of governance.

Councillor Cahoon said, "In Northern Ireland our childcare costs are significantly above the UK average and on a par with central London as identified in a recent Northern Ireland Childcare Survey 2021 by Employers for childcare.

Whether people work in policing, education, healthcare, or industry once there is more than one child in the house, serious discussions take place about the affordability of work.

It is essential that work pays. Northern Ireland, like elsewhere in the UK requires significant investment in childcare infrastructure. Childcare governance falls between the Department of Health and Education in Northern Ireland but with a budget shortfall, the seismic assistance needed in this sector is well beyond the firepower of a devolved Assembly.

The DUP is the only party pushing the Government for reform of how the NI Assembly is funded.

The final bullet point in this motion calls for the Executive to be re-established urgently. Let's be clear, this again is little more than political point scoring. Unless funded properly, the Assembly could be back in the morning and there would be little change as there are many competing priorities.

We broadly agree with the rest of the motion, however will abstain on the basis of the final bullet point.”

Councillor Graham said, “childcare costs for many working families are out of reach and so many, mostly women are forced to stay at home to take over childcare. In very basic terms we need to find a way to make childcare affordable for those that work. Another point which needs addressed is time slots for working parents should be more accessible. It is hard enough for two parent families and single parent families just don't have a chance. The Ulster Unionist Party have and are, consistently working with all relevant departments, agencies, and others to find a solution that works for everyone. Children are our future, and we all want the best start for them that they can have, so we need to make childcare and the issues surrounding it a priority and not just talk about it. We need a functioning executive who can progress this and so we in the UUP are happy to support the motion.

Councillor Monteith said that anything Council could do to support this should be done. He said that he did not share that the NI Executive or Westminster would make much difference but with the situation at Stormont the childcare issue had become much work. He said it was deliberate as it suited the British government as they were trying to make families smaller the main evidence of which was two child limits on universal credit which was social engineering. He said there was hidden powers who wanted the situation to continue. Councillor Monteith said he was happy to support the motion.

Councillor McFlynn said she was happy to support the issue that families were struggling and whilst food was plentiful families had to use food banks. She spoke of people getting married wanting to buy a house, taking on a mortgage and then with the childcare costs akin to a second mortgage and in some cases more expensive. Councillor McFlynn said parents were having to give up paid work, but they were entitled to dignity to have a family and work to provide for them. She spoke of Kilronan Special School which was now operating at double its capacity and when the Board had met a Permanent Secretary, he had advised that children in Northern Ireland per head of population are underfunded in education.

Councillor McFlynn said this is discrimination and proposed an amendment that the third bullet point of the motion include that Council 'write to the Secretary of State and ask that the 30 hours free childcare be implemented in Northern Ireland.'

Councillor McFlynn concluded that children and families in Northern Ireland should not be discriminated against.

Councillor Carney accepted the amendment.

Councillor Quinn said that the speakers had mainly been female, but this impacts all parents and said he had friends in Dublin whose childcare costs outstripped their mortgage. He said he was fortunate in that grandparents mind his children as they simply could not afford to pay five days childcare. Councillor Quinn concurred with Councillor McFlynn on the call for 30 hours free childcare and with Councillor Monteith in that it was not a crime to have a family. He referred to earlier comments by the DUP in that motions should focus on local people yet two of the motions had and they had abstained on both because they impact the Stormont issue.

The Chair, Councillor Molloy said that the narrative ‘women stay at home to look after children’ must be challenged and it was the duty of all to change it. He concluded that the matter of affordable childcare needed to be addressed.

The Chair, Councillor Molloy put the motion with the amendment to the vote.

For	28
Against	0
Abstained	10

The Chair Councillor Molloy declared the motion carried.

This Council recognises that -

- The costs of childcare in the North of Ireland are unaffordable for many and hard-working families are struggling every month to meet these costs;
- Access to childcare in this district is an issue, with providers struggling to meet demands whilst remaining sustainable and maintaining high standards of care;
- Parents, particularly women are being forced out of the workforce leading to a negative impact on the labour market, skills and wider economic output;
- An Executive must be re-established urgently so that parties can work together to make childcare a priority;

And that this Council will:

1. Write to the Education Department urging them to progress a comprehensive childcare strategy without delay; and
2. Commit to delivering new fully registered childminders in the area through their labour market partnership scheme.
3. Write to the Secretary of State and ask that the 30 hours free childcare be implemented in Northern Ireland.

Councillor Carney thanked all those who supported the motion and supported the restoration of the NI Executive.

The live broadcast concluded at 9.20 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 Quinn and

Resolved That items C228/23 to C232/23 be taken as confidential business.

Matters for Decision

- (i) Council Confidential minutes of meeting held on 26 October 2023
- (ii) Planning Confidential minutes of meeting held on 7 November 2023
- (iii) Policy & Resources Confidential minutes of meeting held on 9 November 2023
- (iv) Environment Confidential minutes of meeting held on 14 November 2023
- (v) Development Confidential minutes of meeting held on 16 November 2023

C233/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 9.23 pm

Chair _____

Date _____

Annex A - Introductory Remarks from Chairperson

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

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

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

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

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

Minutes of Meeting of Environment Committee of Mid Ulster District Council held on Monday 4 December 2023 in Council Offices, Burn Road, Cookstown and by virtual means

Members Present

Councillor Cuthbertson, Chair

Councillors J Burton, J Buchanan, Cahoon, Kelly, Groogan, Mallaghan, McAleer, McElvogue, McGuigan, McNamee, Milne*, Quinn, Robinson, Varsani

Officers in Attendance

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

Mr Lowry, Head of Technical Services (HoTS)**

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

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

Mr Kennedy, ICT

Mrs Grogan, 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.

E266/23 Notice of Recording

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

E267/23 Apologies

Councillor Martin.

E268/23 Declarations of Interest

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

E269/23 Chair's Business

None.

Matters for Decision

E270/23 Keep Northern Ireland Beautiful (KNIB) Support for 2024/25

The Assistant Director of Environment Services (AD: ES) presented previously circulated report which sought agreement in relation to continue providing funding support to Keep Northern Ireland Beautiful.

Proposed by Councillor Robinson
Seconded by Councillor McNamee and

Resolved That it be recommended to Council to approval be granted to continue providing financial support to Keep Northern Ireland Beautiful (KNIB) for delivery of the Eco Schools Programme and Live Here Love Here Small Grants Scheme in 2024/25 at a total cost of £23,975.

E271/23 Bus Shelters Update

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

Councillor Quinn referred to the bus shelter at Lineside, Coalisland and enquired if there would be any safety checks carried out due to its size and how far back it can go as it was on a dangerous part of the road.

Councillor McElvogue referred to bus shelter at Altaglushan/Reclain Road, Galbally and advised that he had been speaking to someone today and it was hoped that a suitable site would be located tomorrow.

The HoTs in response to query in relation to Lineside, Coalisland advised that discussions had taken place with DfI Roads in relation to the safety aspect of the location. He also said that a further meeting was to take place on 13 December with DfI Officials and this issue would be raised again, with an update being reported back to committee.

The HoTS in response to implementation of bus shelter at Altaglushan/Reclain Road, Galbally advised that a site meeting was due to take place tomorrow to find a suitable location.

Proposed by Councillor Quinn
Seconded by Councillor Groogan and

Resolved That it be recommended to Council –

- That the following applications move from stage 5 of the process -
 - Altaglushan/Reclain Road, Galbally – 8Nr passengers
 - Pomeroy Road, Donaghmore – 27Nr passengers

- Knockmany Crossroads, Augher – 12Nr passengers
- Newtownkelly, Coalisland – 15 passengers
- That the following applications are approved for installation -
 - Moydamlaght / Moneyneany Road, Draperstown
 - Lineside, Coalisland
- That the following applications be refused for installation:
 - Platters Hill/Church View, Coalisland
 - Mourne Avenue, Coalisland
 - Mourne Crescent, Coalisland

D272/23 Consultation on Energy Efficiency Requirements and Related Areas of the Building Regulations

The Assistant Director of Property Services (AD: PS) presented previously circulated report which sought retrospective approval on the Consultation forwarded by the Department of Finance, inviting a response on the proposed amendments to the energy efficiency requirements and related areas of the Building Regulations.

Proposed by Councillor McNamee
 Seconded by Councillor Robinson and

Resolved That it be recommended to Council to grant retrospective approval for submission of same to meet the consultation response deadline.

Matters for Information

E273/23 Environment Committee minutes of meeting held on 14 November 2023

Members noted minutes of Environment Committee held on 14 November 2023.

E274/23 Environmental Services – Christmas Working Arrangements

Members noted previously circulated report which provided update on working arrangements in respect of refuse/recycling collection and operation of Recycling Centres during the Christmas and New Year holiday period.

E275/23 Northern Ireland Local Authority Collected Municipal Waste Management (LACMW) Report for April to June 2023

Members noted previously circulated report which provided update on Council's performance in relation to recycling and landfill diversion targets as outlined in the NIEA Northern Ireland Local Authority Waste Management Statistics Report for Quarter 1 of 2023/24 from April to June 2023.

E276/23 Building Control Workload

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

E277/23 Dual Language Signage Surveys

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

E278/23 Dual Language Signage Requests

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

Councillor Robinson referred to meeting a few months ago where applications for Dual Language signage was requested in Clogher Valley area. The member sought clarification on whether these requests were made by the resident or by a local Councillor as he was made aware of no requests being made by residents who live on the roads alluded to.

The Chair, Councillor Cuthbertson said that he had seen the same situation arise a number of times and had raised concern highlighting the drain on budget and staff resources when money was so tight.

The Assistant Director of Property Services (AD: PS) advised that Dual Language Requests and Surveys all fit in with the Policy in which Council had adopted. Requests come into Building Control team, and they verify the addresses against the local Electoral Register to confirm that those requesting the signage reside on that road or street.

Councillor Robinson felt that this was a waste on Council resources and efforts. The member said that he found it strange as the three requests were very similar and asked how identification can really be confirmed as it could be a matter of someone anonymously requesting these and not the residents.

Councillor Varsani said that there was a policy in place, and it was quite clear that requests had to be sent in by residents and verified against the Electoral Register. The member found it strange that a local Councillor would submit a request for signage as this has to be submitted and signed by the resident of that road or street. The member advised that this was Council Policy, unless there is a request brought forward to change the current policy. She said that at every opportunity the Irish Language was being raised which was now getting repetitive, we have a policy in place and if Councillors wished to work together to amend it, then this could be considered. The member agreed that everyone was very concerned about money and resources at present but if money was to be saved then this can be done by not attacking the signs and having them replaced.

The Chair said that he would agree with Councillor Varsani's suggestion about reviewing the current Dual Language Policy. The member referred to the Planning Directorate and advised that if a complaint against a neighbouring property is

forwarded to enforcement to investigate, the Enforcement team then liaises with the complainant either by telephone or by writing to confirm identity. The Chair said that verification by electoral register only confirms the residency of the address and people who live there.

The Chair proposed that the current Dual Language Policy is reviewed to give new members an opportunity to put forward their input.

Councillor McNamee proposed that Council keep the current Dual Language Policy as it works well. The member stated requests are made by residents from within their own area looking to have their road or townland recognised in dual language. The member said that it seemed to be that there was an assumption being made that something malicious or fraudulent was being done to have the signage implemented, but in his opinion, the current Policy was working well and was good to see the outcome.

Councillor Robinson concurred with Councillor Varsani's comment about dual language continuously being raised, especially within his area where requests have been made when residents have voted against it. He sought clarification on whether someone is using local residents' identities to get signage passed as he found it very strange.

The Strategic Director of Environment (SD: Env) reminded members that the Minority Language Working Group make the procedures around Policy and any changes would be within their remit to take forward proposals. The SD: Env advised that Officers carry out the verifications as per agreed Dual Language Policy.

The Chair said that it was his recollection that this was a separate matter and was not brought through Minority Languages Working Group but through the Environment Committee.

Councillor Quinn said that he was aware of ongoing discussions regarding Dual Language signage requests but hearing that Councillors were being accused of fraud, which was a serious allegation, felt there was a need to be careful as he was very uncomfortable with the language being used.

The Chair advised that he wasn't accusing anyone of fraud as such, but this was raised when the request came through for signage on identical templates for the three particular roads. It was his recollection that the three roads were Annaloughan, Lisnamaghery and possibly Aughadarragh which he could not be sure about but was confident that it was within the Clogher Valley area.

It was -

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson

That a review of current Dual Language Policy be carried out to allow new members an opportunity to put forward their views.

It was -

Proposed by Councillor McNamee
Seconded by Councillor McGuigan

To retain the Dual Language Policy as it currently stands.

The Chair put the two proposals to the vote:

Councillor Cuthbertson's proposal to Review the current Dual Language Policy was put to the vote:

For	5
Against	10

The Chair advised that his proposal had fallen and Councillor McNamee's proposal was carried to retain the current Dual Language Policy.

Resolved That it be recommended to Council to retain the Dual Language Policy as it currently stands.

E279/23 Entertainment Licensing Applications

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

Live broadcast ended at 7.28 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McNamee
Seconded by Councillor Kelly 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 E280/23 to E284/23.

Matters for Decision

E280/23 Workwear and PPE Public Framework

Matters for Information

E281/23 Environment Committee Confidential Minutes of meeting held on 14 November 2023

E282/23 Capital Framework – ICT Contracts Update

E283/23 Capital Framework – IST Contracts Update

E284/23 Capital Projects – Scoping Contracts Update

E285/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.42 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 5 December 2023 in Council Offices, Circular Road, Dungannon and by virtual means

Members Present	Councillor S McPeake, Chair
	Councillors J Buchanan*, Carney*, Clarke, Cuthbertson*, Kerr, Mallaghan, McConnell, McElvogue, McFlynn*, D McPeake*, Robinson* (5.17 pm)
Officers in Attendance	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 McCullagh, Senior Planning Officer (SPO)** Mr McClean, Senior Planning Officer (SPO) Ms McKinless, Senior Planning Officer (SPO) Mr Stewart, Senior Planning Officer (SPO) Miss Thompson, Committee and Member Services Officer
Others in Attendance	LA09/2023/0851/O Mr Begley***

- * 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 5.01 pm

P128/23 Notice of Recording

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

P129/23 Apologies

Councillors Black, Graham, Martin and Varsani.

P130/23 Declarations of Interest

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

Councillor McElvogue declared an interest in agenda item 5.22 – LA09/2023/0761/O.

P131/23 Chair's Business

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

Agenda Item 5.4 - LA09/2022/0226/F - 19 dwellings (18 semi detached and 1 detached) at existing housing site at the junction of Ardboe Road / Kilmascally Road, E off 87B Kilmascally Road, Dungannon for Mr E Mullan.

Agenda Item 5.7 - LA09/2022/1350/F - Retention of utility storage yard, portacabins, security fencing and all associated site works (temporary use) at 191 Glen Road, Maghera for Geraldine O'Kane.

Agenda Item 5.8 - LA09/2022/1366/F - Retention of farm building at 200m S of 70 Cadian Road, Dungannon for Mr Martin Daly.

Agenda Item 5.9 - LA09/2022/1608/F - Retrospective car sales unit at 50m NE of 50 Ballyronan Road, Magherafelt for Igen Autos Ltd.

Agenda Item 5.10 - LA09/2023/0251/F - 2 storey dwelling with 1 1/2 storey garage attached via carport at 50m E of 55 Killycanavan Road, Dungannon, Ardboe for Eugene Devlin.

Agenda Item 5.13 - LA09/2023/0466/O - Dwelling and garage at land approx. 150m N of 30 Killyfaddy Road, Magherafelt for Mr Arron McMurray.

Agenda Item 5.16 - LA09/2023/0629/O - Gap site for dwelling and domestic garage at lands approx. 60m NE of 45 Derrytresk Road, Coalisland for Mary Daya.

Agenda Item 5.19 - LA09/2023/0714/O - Site for dwelling and garage adjacent to 20 Sessiagh Road, Tullyhogue, Cookstown for Mr Alan Nethercott.

Agenda Item 5.22 - LA09/2023/0761/O - House on a farm at lands adjacent to and immediately NW of 4 Derryvaren Road, Coalisland for James Campbell.

Agenda Item 5.26 - LA09/2023/1031/F - Removal of Condition 4 of LA09/2022/1294/O for a dwelling and domestic garage at lands approx. 35m N of 12 Drumard Road Kilrea for Mr Colm Bradley.

Proposed by Councillor McConnell
Seconded by Councillor S McPeake and

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

Matters for Decision

P132/23 Planning Applications for Determination

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

LA09/2020/1263/F Demolition of existing buildings on site; redevelopment to include the construction of a GF retail unit with apartment above along the street frontage; 5no 2 storey semi-detached residential units to the rear. Amended vehicular and pedestrian access and associated hard and soft landscaping; parking provisions (incurtilage and communal) at 27-33 Main Street, Bellaghy for Mr H Griffin

Members considered previously circulated report on planning application LA09/2020/1263/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor Clarke and

Resolved That planning application LA09/2020/1263/F be approved subject to conditions as per the officer's report.

LA09/2021/1336/O Site for 4 detached dwellings with detached domestic garages at 70m NW of 36 Moss Road, Ballymaguigan, Magherafelt for Sean Cassidy

Members considered previously circulated report on planning application LA09/2021/1336/O which had a recommendation for approval.

Proposed by Councillor Kerr
Seconded by Councillor Clarke and

Resolved That planning application LA09/2021/1336/O 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

Councillor J Buchanan proposed the officer recommendation.

Councillor McFlynn asked to hear the officer report.

Mr Marrion (SPO) presented a report on planning application LA09/2021/1475/F advising that it was recommended for approval.

Councillor McFlynn referred to recent press in relation to poultry sheds that have been approved and stated she would have concern in relation to this application and asked for legal advice on whether the Committee should approve this application or put it on hold until advice is received regarding the press article.

The Chair, Councillor S McPeake advised that an item in relation to the recent press article would be taken in confidential business later in the meeting and stated that this application should be considered on its own merits.

Mr Marrion advised that consultations and assessments have been carried out with no concerns being reported.

Councillor McFlynn asked that it be noted that she was not content for the application to be approved at this time.

Councillor Cuthbertson seconded Councillor J Buchanan's proposal.

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

LA09/2022/0226/F **19 dwellings (18 semi detached and 1 detached) at existing housing site at the junction of Ardboe Road / Kilmascally Road, E off 87B Kilmascally Road, Dungannon for Mr E Mullan**

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

LA09/2022/0558/F **Redevelopment to facilitate the upgrade of existing Waste Water Treatment Works, (WWTW) at 14 Moygashel Lane, Dungannon for Northern Ireland Water Ltd**

Members considered previously circulated report on planning application LA09/2022/0558/F which had a recommendation for approval.

Councillor Cuthbertson declared an interest in the application as he had attended the September meeting of Council in which he had questioned NI Water on the development and NI Water in theory lobbied Council at that time. Councillor Cuthbertson asked if the proposal includes the temporary access.

Mr Marrion advised that the plans do not include any temporary access.

Councillor Cuthbertson stated he was content with this.

Proposed by Councillor Mallaghan
Seconded by Councillor McConnell and

Resolved That planning application LA09/2022/0558/F be approved subject to conditions as per the officer's report.

LA09/2022/0566/F **4 townhouses and in curtilage parking at site to rear of 41 Oldtown Street, Cookstown for Mr Ronnie Nicholl**

Councillor J Buchanan proposed that this application be deferred.

Members agreed to the proposal.

Resolved That planning application LA09/2022/0566/F be deferred for an office meeting.

LA09/2022/1350/F **Retention of utility storage yard, portacabins, security fencing and all associated site works (temporary use) at 191 Glen Road, Maghera for Geraldine O'Kane**

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

LA09/2022/1366/F **Retention of farm building at 200m S of 70 Cadian Road, Dungannon for Mr Martin Daly**

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

LA09/2022/1608/F **Retrospective car sales unit at 50m NE of 50 Ballyronan Road, Magherafelt for Igen Autos Ltd**

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

LA09/2023/0251/F **2 storey dwelling with 1 1/2 storey garage attached via carport at 50m E of 55 Killycanavan Road, Dungannon, Ardboe for Eugene Devlin**

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

LA09/2023/0368/RM **Dwelling and garage at lands adjacent to 6 Tullyveagh Road, Cookstown for Mr Trevor Brown**

Members considered previously circulated report on planning application LA09/2023/0368/RM which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2023/0368/RM be approved subject to conditions as per the officer's report.

LA09/2023/0441/F **2 storey dwelling, including carpark, garden and rear yard with minor alterations to existing dwelling at no.1 Derryvale Park (including new pitched roof) at 1 Derryvale Park and lands SW of 1 Derryvale Park, Coalisland for Mr Kieran Talbot**

Members considered previously circulated report on planning application LA09/2023/0441/F which had a recommendation for approval.

Proposed by Councillor McElvogue
Seconded by Councillor Carney and

Resolved That planning application LA09/2023/0441F be approved subject to conditions as per the officer's report.

LA09/2023/0466/O **Dwelling and garage at land approx. 150m N of 30 Killyfaddy Road, Magherafelt for Mr Arron McMurray**

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

LA09/2023/0499/F **Change of use and extension of existing bar and restaurant to part light industrial part storage or distribution at 9 Corvanaghan Road, Cookstown for Mr Brian McGarrity**

Members considered previously circulated report on planning application LA09/2023/0499/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor Clarke and

Resolved That planning application LA09/2023/0499/F be approved subject to conditions as per the officer's report.

LA09/2023/0597/O **4 luxury apartments and associated car parking at land 30m E of 41 Clabby Road, Fivemiletown for Mr Henry & Jordan McClure**

Members considered previously circulated report on planning application LA09/2023/0597/O which had a recommendation for approval.

Proposed by Councillor McConnell
Seconded by Councillor McElvogue and

Resolved That planning application LA09/2023/0597/O be approved subject to conditions as per the officer's report.

LA09/2023/0629/O **Gap site for dwelling and domestic garage at lands approx. 60m NE of 45 Derrytresk Road, Coalisland for Mary Daya**

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

LA09/2023/0682/F **Retention of Block 2 (21,23,25 & 27) at Castle Lane Mews, Thomas Street, Dungannon for Mr Peter O'Donnell**

Members considered previously circulated report on planning application LA09/2023/0682/F which had a recommendation for approval.

Proposed by Councillor Mallaghan
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0682/F be approved subject to conditions as per the officer's report.

LA09/2023/0711/F **Amendment to site layout including site access (previously approved M/2008/0556/F) at 225m W of 21 Creevelough Road, Carnteel, Dungannon for Mr Tony Rafferty**

Members considered previously circulated report on planning application LA09/2023/0711/F which had a recommendation for approval.

Proposed by Councillor McElvogue
Seconded by Councillor Kerr and

Resolved That planning application LA09/2023/0711/F be approved subject to conditions as per the officer's report.

LA09/2023/0714/O **Site for dwelling and garage adjacent to 20 Sessiagh Road, Tullyhogue, Cookstown for Mr Alan Nethercott**

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

LA09/2023/0758/O **Site for dwelling between 11A and 15A Annaghmore at Annaghmore Road, Coagh for Micheal Ryan**

Members considered previously circulated report on planning application LA09/2023/0758/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Kerr and

Resolved That planning application LA09/2023/0758/O be approved subject to conditions as per the officer's report.

LA09/2023/0760/O Dwelling at lands approx. 600m W of 10B Beaghbeg Road, Cookstown for Stephen McGurk

Members considered previously circulated report on planning application LA09/2023/0760/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Mallaghan and

Resolved That planning application LA09/2023/0760/O be approved subject to conditions as per the officer's report.

LA09/2023/0761/O House on a farm at lands adjacent to and immediately NW of 4 Derryvaren Road, Coalisland for James Campbell

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

LA09/2023/0787/F 2 detached storey and a half chalet dwellings with associated access and car parking at site N of 1 Mullagh Court, Maghera for SC Properties

Members considered previously circulated report on planning application LA09/2023/0787/F which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0787/F be approved subject to conditions as per the officer's report.

LA09/2023/0789/O Dwelling and garage adjacent to and E of Eglis GAA, 108 Killyliss Road, Dungannon for Mr James Muldoon

Members considered previously circulated report on planning application LA09/2023/0789/O which had a recommendation for approval.

Proposed by Councillor McConnell
Seconded by Councillor McElvogue and

Resolved That planning application LA09/2023/0789/O be approved subject to conditions as per the officer's report.

LA09/2023/0851/O Site for dwelling at lands approx. 78m NW of 25 Crosscavagh Road, Galbally for Ms Sinead Kelly

Mr Marrion (SPO) presented a report on planning application LA09/2023/0851/O advising that it was recommended for refusal.

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

Mr Begley referred to the reasons for refusal of the application as being that the cluster is not associated with a focal point and that the site is not bounded on two sides. Mr Begley advised that the cluster is associated with two focal points, these being Sessia Lodge and Crosscavanagh Battle Site and both of these are recorded on the NIEA Historic Monuments register. Mr Begley stated that access to Sessia Lodge and the battle site both form the North Eastern boundary of the proposed site. Mr Begley stated that there was no doubt the proposal could be associated with the focal points mentioned and that this addresses the first refusal reason. Mr Begley referred to the second reason for refusal which is that the site is not bounded on two sides and referred to aerial photograph which shows that the site is bounded on three sides by development these being – agricultural sheds and storage yard, dwelling, chicken run/coop and access to lane to Sessia Lodge. Mr Begley stated that the developments referred to are compliant with the definition of development as defined in the Planning Act and should therefore be considered as such for the purpose of this proposal. Mr Begley stated that as the site can be associated with two focal points and is bounded on three sides he asked that application be approved or if the Committee are were still uncertain he asked that the application be deferred.

The Chair, Councillor S McPeake asked what Sessia Lodge is.

Mr Begley stated that Sessia Lodge is registered as a Listed Building (House).

The Head of Local Planning (HLP) asked if there are any signposts in the locality to indicate Sessia Lodge is a listed building. The HLP also asked what the building is currently used as and if people can visit.

Mr Begley stated that Sessia Lodge is currently used as a private dwelling with historic features therein. Mr Begley also referred to the former battle site which is adjacent and stated that it would be widely known that the two places exist and that the public do visit them often according to the applicant.

The HLP asked if the battle site is protected in that it cannot be used for agricultural purposes.

Mr Begley stated that as far as he was aware the site could still be grazed but that more major earthworks would not be permitted.

Councillor Kerr stated that the agent had made some compelling arguments and felt that a site visit would be beneficial and proposed that a site visit take place.

Councillor McElvogue seconded Councillor Kerr's proposal.

Mr Marrion advised that there did not appear to have been any consultation with Historic Buildings or Historic Monuments in relation to this application and stated that if the proposal is close to a battle site he would have some concern that the application has not been fully considered.

The HLP stated she would recommend that the application be deferred in order to consult with Historic Buildings and Historic Monuments.

Councillor Kerr proposed to do both – that a site visit be organised and that in the interim consultations take place with Historic Buildings and Historic Monuments.

Councillor McElvogue seconded Councillor Kerr’s proposal.

Resolved That planning application LA09/2023/0851/O be deferred for a site visit and to consult with Historic Buildings and Historic Monuments.

LA09/2023/1031/F **Removal of Condition 4 of LA09/2022/1294/O for a dwelling and domestic garage at lands approx. 35m N of 12 Drumard Road Kilrea for Mr Colm Bradley**

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

LA09/2021/1011/O **Dwelling and garage at 110m NE of 65 Roughan Road, Stewartstown for Andrew Richardson**

Members considered previously circulated report on planning application LA09/2021/1011/O which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Buchanan and

Resolved That planning application LA09/2021/1011/O be approved subject to conditions as per the officer’s report.

LA09/2022/1098/O **Dwelling & detached double garage at plot of ground in the townland of Aneeter Beg, 50m S of 90 Aneeter Road, Moortown, Coagh for Miss Rachael Devlin.**

Members considered previously circulated report on planning application LA09/2022/1098/O which had a recommendation for approval.

Proposed by Councillor McConnell
Seconded by Councillor Kerr and

Resolved That planning application LA09/2022/1098/O be approved subject to conditions as per the officer’s report.

LA09/2022/1504/O **Site for dwelling and domestic garage at 160m NE of 116 Lurgylea Road, Dungannon for Mr Patrick Clark**

Mr Marrion (SPO) presented a report on planning application LA09/2022/1504/O advising that it was recommended for refusal.

Councillor Mallaghan stated that the site visit was useful and it was clear to see that some work in relation to a hedging and vegetation scheme had already commenced. The Councillor stated he did not believe the field was that large compared to others in the locality and that small bungalows with a garage are typical of what is seen in the area. Councillor Mallaghan stated that the focal point issues have been addressed following the site visit. The Councillor stated that this is an open part of

the countryside but felt that circumstances would allow for a small dwelling at the proposed location. Councillor Mallaghan referred to the cattle handling facility and the comments from the officer that it does not exist on previous maps and felt that this could be a stumbling block in terms of whether it needs to be made lawful but that it would not be unusual to see at this type of location. The Councillor stated he recognised the policy refers to dwellings but stated he felt there are enough buildings in the area ie. Garages, Church, dwellings, buildings associated with hobby farming. Councillor Mallaghan stated that he felt the application meets the spirit of the policy and was still of the view that it should be approved and proposed same.

The Head of Local Planning (HLP) stated that the policy is for new dwellings in existing clusters and that the Committee have taken decisions in the past in which exceptions have been made in which, for example, four of the six criteria are met. The HLP advised the Committee to proceed with caution as officers have identified that there isn't a cluster of which three are dwellings. The HLP accepted that there are a number of buildings but that there are not three dwellings. The HLP stated that she accepted it is not a large site in terms of a field but when you look at the footprint of what is there it is large. The HLP also referred to the open sided shed on the other side of the road and if this wasn't a lawful building then Members are relying on a building that does not have a Certificate of Lawfulness or planning permission.

Councillor Clarke stated that sometimes what is laid down in policy can be difficult to tie in and referred to the value put on things and that in this case there is a situation where there is a Church and other buildings along with a focal point but that this has not the weight of being a cluster because there are not three dwellings. The Councillor felt that an exception should be made on the application.

The HLP stated that Members may want to consider that the proposal does not meet a cluster in its definition of policy but that there are enough buildings and with the focal point it would be unduly harsh not to approve a dwelling in association with that focal point.

The Chair, Councillor S McPeake stated that he felt Councillor Clarke's comments in relation to differentiation between buildings were valid and whether a Church has more value than a dwelling.

Councillor Mallaghan stated that there are eight buildings around the proposed site and although the definition of policy has not been met in which three dwellings are required he felt there is a definite cluster of buildings and that is where an exception should be made for this application.

The HLP stated it would not only be an exception in terms of definition of a cluster and referred to degree of enclosure around the site and whether Members felt this was sufficient to accommodate a dwelling. The HLP also referred to the shed that doesn't benefit from a Certificate of Lawfulness and that unlawful development should not be relied on.

Councillor Kerr seconded Councillor Mallaghan's proposal.

The Council Solicitor stated that the reasons for making an exception to policy needed to be clear for the purposes of the minutes. On this occasion Members are

proposing to make an exception in relation to two of the requirements of the policy, on the basis that the application meets the spirit of the policy.

The Chair, Councillor S McPeake stated that there are a number of buildings surrounding the site and although not meeting the policy requirement of three dwellings it is felt that the nature and mix of buildings outweighs the requirement for three dwellings and is sufficient to make an exception in this case.

Councillor Mallaghan referred to the vegetation scheme in place and that this can take a few years to grow and that he was content that what is there will provide good screening and integration for a dwelling. In terms of the cattle handling facility the Councillor stated it would be good to get some reassurance on this in terms of permitted development and that farmers can have this type of facility without having to apply for a CLUD. Councillor Mallaghan stated he was not aware of any enforcement on the shed and that there are no objections to the application.

Councillor Clarke asked if the cattle handling facility is in a field on its own on the farm.

Mr Marrion stated that the application site itself is a red line.

Councillor Clarke stated that the field would need access to a handling facility for health and safety reasons.

The HLP advised that the handling facility is not in the field being applied for therefore there may be more than one field in the ownership of the farmer. The HLP advised that without an application for Certificate of Lawfulness it is not known whether this is a first building on the farm which would require a permission and would not benefit from permitted development and in the absence of this information it is hard to make any assumptions.

The Council Solicitor sought clarification from Councillor Mallaghan and he confirmed that from the site visit he was satisfied that the two sides of the site were bounded visually by two farm buildings and that is the relevant justification to make an exception to the requirements set out in the policy on this occasion.

Councillor Cuthbertson stated he was not at the site meeting but that he did have concerns and that the Head of Local Planning and Council Solicitor are not fully content with the proposal to approve the application. The Councillor stated that the application does not meet with policy and that an exception is being made based on a shed which is not legally there. On that basis Councillor Cuthbertson proposed the officer recommendation to refuse the application.

Councillor Robinson seconded Councillor Cuthbertson's proposal.

Members voted on Councillor Mallaghan's proposal –

For – 8

Against – 3

Abstained - 1

Resolved That planning application LA09/2022/1504/O be approved subject to conditions delegated to officers.

LA09/2023/0118/O **Site for a dwelling and domestic garage at lands approx. 60m NW of 61 Sherrigrim Road, Stewartstown, Dungannon for Mr Miller Glendinning**

Members considered previously circulated report on planning application LA09/2023/0118/O which had a recommendation for approval.

Proposed by Councillor S McPeake
Seconded by Councillor Robinson and

Resolved That planning application LA09/2023/0118/O be approved subject to conditions as per the officer's report.

Matters for Information

P133/23 **Minutes of Planning Committee held on 7 November 2023**

Members noted previously circulated minutes of Planning Committee held on 7 November 2023.

Live broadcast ended at 5.58 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 P134/23 to P139/23.

Matters for Decision

P134/23 Receive Enforcement Report

Matters for Information

P135/23 Confidential Minutes of Planning Committee held on 7 November 2023
P136/23 Enforcement Live List
P137/23 Enforcement Cases Opened
P138/23 Enforcement Cases Closed
P139/23 Update on ongoing investigation

P140/23 Duration of Meeting

The meeting was called for 5 pm and concluded at 6.25 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

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

Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Wednesday 6 December 2023 in the Council Offices, Burn Road, Cookstown and by Virtual Means

Members Present

Councillor McNamee, Chair

Councillors Bell*, Black*, W Buchanan, F Burton*, Clarke*, Corry, Gildernew*, McLernon, McQuade*, Milne*, Monteith*, Quinn*, Wilson

Officers in Attendance

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

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

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

Mr O McGuckin, ICT Support

Mrs Grogan, Committee and Member Services Officer

Others in Attendance

Deputation:

Department for Communities – Affordable Warmth Scheme
Adrian Boyce and David Polley

Northern Ireland Housing Executive –
Emma Stubbs

* Denotes Members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

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

D191/23 Notice of Recording

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

D192/23 Apologies

C Linney, Assistant Director of Development (AD: Dev).

D193/23 Declaration of Interests

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

Councillor F Burton declared an interest in Agewell as a member through Council.

Councillor Corry declared an interest in Agewell as a member through Council.

D194/23 Chair's Business

None.

D195/23 Deputation – Department for Communities – Affordable Warmth Scheme

The Chair welcomed to the committee Mr David Polley, Adrian Boyce from Department for Communities (DfC) and Ms Emma Stubbs from Northern Ireland Housing Executive (NIHE) and invited them to make their presentation to members.

Mr Polley provided members with an update on the background to the whole situation and advised that we were coming to the end of the Affordable Warmth Scheme and a decision had to be made what to do. Mr Polley advised that a serious engagement had taken place with Councils alongside DfC deliberating setting their own budgets and although going through different stages, it was still happening at the same time between Christmas and the summer last year. Mr Polley said that the DfC were advised that they were going to have to work within an extremely difficult budget, both in terms of resource running costs and capital which included Affordable Warmth Scheme. DfC prioritised Affordable Warmth Scheme but nevertheless the capital was reduced in the end but were still talking to Councils to decide whether to extend the Affordable Warmth Scheme as the business case was running out in September 2023. A clear message was being received from Councils that given where we had been at the start of the Affordable Warmth Scheme, the amount of referrals they had been expecting there needed to be ability to provide a forward look for a referral model to see what future budgets would be, which would be difficult for Councils to keep involved with the Affordable Warmth Scheme. One Council had already dropped out of the scheme, with another threatening to do so, but other Councils had alluded to their willingness to keep working on the Affordable Warmth Scheme, but all Councils did point out that it was extremely difficult due to the number of referrals continuing to drop, resulting in the amount allocated dropping also, but none the less Council still had to retain staff to operate this scheme. It was going to prove difficult as DfC could not confirm a budget and at the beginning of the year, the DfC's EQIA advised of closing the budget for the Affordable Warmth Scheme, a strong message was received given that fuel prices were very high, the level of fuel poverty and the cost of living crisis that this wouldn't be acceptable. DfC had to do what they could to keep the Affordable Warmth Scheme open which was also the message that Council was giving them as it was costing them, research was carried out and this was confirmed as Councils were subsidising the scheme and were also under pressure. Mr Polley advised that DfC were looking at a budget just to keep the scheme open and at the minute managed to get £14m, although should have been £16m, but most of that was

actually referrals which were made in the previous year, resulting in the amount of referrals being put through to Councils were going to be extremely low and going to lean towards the good nature of Councils. DfC were in a position that they were beginning to lose Councils and along with the general pressure of budgets led them to a position that they decided to move towards a direct application basis for the scheme rather than a referral basis, from the addendum to the business case, and extend the scheme for a further 2 years on an application basis and stop working with Councils. Mr Polley advised that this had been an extremely difficult decision to make as DfC had been working very closely with colleagues in Council for years on the scheme, with a lot of work being done to change the features of the scheme to try and make it better for Councils including targeting so everyone was happy, but within a matter of months targeting was then stopped, which was a hard decision but had to be made due to budget risks and potential closure of the scheme altogether. Savings made the scheme more resilient as it could be kept open this year and, on that basis, worked out a business case from September and provided Councils with 3 months' notice under the Memorandum of Understanding, moving towards an application basis with NIHE from September. Mr Polley said that this had come to the NIHE at very short notice as time was contingent on the business case in order from stopping the scheme and restarting it again and commended the NIHE as they have worked very hard and done very well as this was a very difficult task. The reason it was an addendum and not extended longer, was to ensure that the scheme was kept running and next year a bid will be submitted for extra funding as it was meant to be £16m per year, this year allocation was £14m which was a very low level of activity, next year a business case is being made for £20m which would bring it back more towards the numbers which was in previous years. This would be for 2 years and then move forward towards a different scheme which would be ready for Net Zero as scheme now is about energy efficiency and getting people warmer but does not include carbon zero heat systems and money allocated is not sufficient to do those. In the future the new scheme needs to be much more comprehensive, to include carrying out work and spend on more houses and move up a scale.

The Chair thanked Mr Polley for his presentation and advised that Mid Ulster District Council was one of the most supportive of the Affordable Warmth Scheme and some members were very disappointed when Council lost control of it and transferred to the Housing Executive. The Chair said that members requested that an invite be issued to those running the scheme to come along to committee at a future date to compare stats to see if they have been doing the same equivalent or more than us over the period that was transferred. The Chair said that members were of the opinion that representatives would come along here tonight to compare statistics.

Ms Stubbs advised that it has been a very busy time in Affordable Warmth Scheme and from 1 September – 30 November, 3,740 requests for applications for the scheme had been received and these were all the people which were deemed as eligible on initial phone calls. Phone calls are coming through the Energy Advice line and even if people are not eligible for Affordable Warmth, some energy advice can be provided and direct them to other programmes for support or refer them to energy calculator which can get them insulation and help with energy efficiency costs. In regards to the number of applications which were issued, 8.7% were from Mid Ulster area, which equates to 309 applications, which was previously 9% when the Councils all split evenly. She stated that not as many applications have been returned but still a lot

more than referrals being received, in context within 3 months would have received 440 referrals from Councils, and within these three months NIHE have received 1,181 applications fully completed and returned, with 8.21% being from Mid Ulster which was very much in line with previous applications and referrals being receiving from Council at any case. Once applications are processed, approvals would be issued and under the single provider model, DfC have asked them to look at 'worst first' to include fuel poverty and the measures which need installed, with 12% from Mid Ulster having the overall approvals issued which was slightly higher than the number of enquiries which demonstrates the need and priority which was coming in from the area. Ms Stubbs said that it was still very early days and the full approval rates would be up to the end of August 24, and would continue to get full approvals issued within the budget confirmed for this year.

Mr Polley advised that Mid Ulster demonstrated an area for high fuel poverty and not surprising that there was a high number of approvals compared to other Council areas who may have less.

The Chair said that it would be beneficial to have the representatives back at the end of the year to compare their stats against Council stats.

Councillor F Burton enquired how elected representatives chase up on those still in the pipeline to get support through the Affordable Warmth Scheme, i.e. boiler replacement and asked who should be contacted as she was aware of a few people being still in the pipeline and asked if this could be chased up. The member advised that the applicants had been assured that they were eligible by Council Officers and were sitting waiting on them coming back to them to advise when things would be progressed. The member said that this could be as far back as June last year.

Ms Stubbs advised that Council would have still being making referrals up to the end of August, with 101 referrals being received from Mid Ulster with all of them having already being contacted and a technical inspection being carried out on their home. Anyone who did not get referred from the Council, the Council Officers were provided with a letter to pass on to anyone who was still on the waiting list and wouldn't have been referred, advising that they could contact the Energy Advice Line from 1st September regarding the new process. Anyone which contacted the Energy Advice Line, calls were being picked up and application forms issued and if there were specific people who haven't been contacted, or perhaps in contact with Council and not one of the referrals and unsure of the process, that she would be happy to liaise directly with members to get the relevant details and see where they were on the records. Contact can be made through the local Grants Office which she believed would be the West office who would be able to provide an update on any specific cases members may have.

Councillor F Burton said it may be useful for Ms Stubbs to liaise Council's Member Support Officer to provide a contact email for members. The member said that she couldn't be sure that the applicants have now received their new boiler, but the last time she was in contact with them they were still waiting on an update regarding the process but were confident they were eligible.

Councillor Bell said that given the popularity of the scheme and being able to make direct contact with someone within the scheme, felt that it would be a good idea to have a dedicated elected reps contact line and asked if this could be accommodated.

Ms Stubbs advised that there was not a direct line for elected members, but all of the applications were being processed through the Grants Office which was available to take phone calls and specific queries. Discussions has taken place with DfC on how regular engagements can take place with Councils to keep them up to date on statistics in their area and the level of interest. This would help Councils to promote the scheme to anyone who may benefit from the programme and provide support through the Energy Advice Line.

Councillor Bell agreed that this was very good but asked if it would be possible to inform staff in the Grants Office when elected reps make contact that they have the authority to enquire about specifics.

Mr Polley said that this would need to be checked out due to concerns around GDPR due to the fact of someone discussing another person's application, permission would be needed to do that.

The Chair advised that if time was afforded to Grants staff that they would come back to members with some clarity, as this would allow them the time to check the information which had been requested as there was a need to be careful around data protection.

Councillor Milne thanked the representatives for their presentation here tonight. The member enquired about when a referral is received, in what order do they be prioritised i.e. upgrading of heating, insulation or windows etc. The member also referred to comment in presentation regarding after the next two years and asked what the anticipated future regarding this would be.

Mr Polley advised that the scheme always had priorities with:

- Priority 1 – insulation/ventilation/ draft proofing - loft and cavity wall insulation, hot water jackets, draft proofing doors and windows
- Priority 2 - heating – replacement of solid fuels and boiler replacement
- Priority 3 - replacement windows
- Priority 4 - solid wall insulations

Mr Boyce advised that there would be a two-year policy bridge to allow DfC team to see what would essentially come next. He said that there was an issue in relation to construction inflation and capital costs currently in place which does not meet the measures required in the homes and the replacement of fossil fuels. There is a need to find a balance between carbonisation but also helping low income families with heat and find a whole inhouse approach to have as much insulation as possible without going out windows if ventilation isn't good. There is a concern regarding eligibility criteria as at the moment it is £23,000, the recent Treasury Statement which came out pushed the living wage up to a maximum of £22,800, pension inflation increases of 8% were almost going to lose the working poor within the scheme where it sits at the minute. There is now a need to look at the eligibility scheme at the minute to raise it to

a much more reasonable standard to capture more people and move the scheme forward as part of Net Zero and Climate Action Plan targets set in place. There will be changes and engagement taking place with Councils on public consultation and social reference groups to find out what is needed on the ground which will influence a set of options to hopefully go out this time next year.

Mr Polley said what comes after needed to be a lot more comprehensive in order to get to Net Zero in 2050 and make sure that transition is just which is really important to the Department as there was a need to be doing more houses and more things to the houses, costs to try and get some of the Housing Executive houses ready for solid wall dwellings is approximately £20k, there was a need to take a step back and look more comprehensively at the challenges in which we have and how to address that. He concurred with Mr Boyce regarding the work which has to be completed over the next two years and the challenges ahead regarding increased inflation costs and less funding available.

Councillor Burton said that it should not be lost in the comment regarding the 'working poor' and all the changes in money, it is ensuring that people have warm homes and that they are comfortable in their homes. The member said that for people who have worked all of their lives and all of a sudden when they hit pension age, they are ruled out of these things, we need to make sure that people are not ruled out over the head of things relating to that.

The Chair agreed that the member's comments were very valid.

Mr Polley advised that income criteria had just changed over the last number of years and agreed that this needed relooked at as part of the new scheme due to the fact that things cost more now and wages increased which was not people's fault. He said that there were always some people who just earned too much but there was a need to spend to get Net Zero ready and broaden out the scheme with a focus on fuel poverty as there was so many people who needed this.

The Chair thanked the representatives for their attendance tonight and hoped to see them back at committee after the first year to compare their stats to Council stats and hoped that they would be in par with ours.

The Chair wished the representatives a very Happy Christmas at which they withdrew from the committee at 7.29 pm.

Matters for Decision

D196/23 Development Report

The Strategic Director for Communities and Place (SD: C&P) presented previously circulated report to seek approval for the following:

- Community Grants Rolling Programme
- DFC Hardship Funding – Allocation
- Development Report

Councillor Gildernew said that she would be happy to propose the report but wished to seek clarification on an issue. The member referred to the ten foodbanks in which funding has been allocated to but enquired if Officers could look at the gaps in provision in certain areas as she was aware of an area within Clogher Valley where two foodbanks are in one end of the Clogher Valley. She asked that in the future if funding was sought could communication be made to the people within DEA areas which were not covered to advise them where to go to look for this funding.

The SD: C&P advised the member that this work was already in hand, the ten networks which were selected were done so on the back of money becoming available quite quickly from Department for Communities. It was unknown if this funding was going to be still available within the next financial year but Council were preparing to adopt a new process to help strategic partners going forward should that money become available and would be coming before the committee for consideration in January.

Councillor Monteith said that his query was similar to Councillor Gildernew's as he had raised previously about the gaps in provision. The member said that it was difficult due to having to nearly know down to the very postcode where a person is living and where they go for help and who to contact looking that help. He said that this was not easy for people and extremely intimidating for anyone to reach out for help when you are in dire circumstances and the worst thing that can happen is when someone advises at the end of a phone 'no sorry we do not cover your area or handle that'. This person will not have the confidence or courage to make a second phone call and felt that this was a legacy of money which was coming in and get out the door during covid which he understood we were now long past getting out the door quickly, there needs to be an equity of provision and some indication to the level of support that a family or an individual can expect. The member stated that some of those organisations have different rules about how often they can be contacted, some will pay for some things and not others and were now in a situation where people will need ongoing support not just one-off interventions. The member felt that it was vitally important that we burrow down into this, which hasn't been done before and hoped that January may be an opportune time to do this as we owe it to the people to provide them a with a fair crack of the whip whatever limited resources which were there and everyone should have the opportunity to avail of them, but currently this is not the case.

The Chair said that all comments would all be taken on board.

Councillor Quinn declared an interest in SVP Coalisland as they share part of the funding with SVP Clonoe in which he is a member of.

Councillor Quinn referred to previous comments and advised that Torrent was well catered for but so much in the Ardboe area, although he wasn't 100% sure if Cookstown SVP covered that area but felt that this needed to be further investigated.

Councillor F Burton said that it was her understanding where it was previously stated that these foodbanks may have been chosen quite quickly, but may have possibly picked this up wrong. The member stated that during covid a group which were very key in supporting families and the elderly more so in the Fivemiletown area was not listed to her surprise. The member enquired if this was down to how many reside in the area in terms of the differences in allocation of money and asked how this was all divvied up as it was vitally important for people to know where to go and seek support. The member was aware of the Clogher group doing a lot of work down to the lower Clogher Valley also but was aware of Caledon and Benburb area not having the support unless they go to Dungannon. The member said that there most definitely was a need to look in terms of mileage to see what provision was out there.

The SD: C&P in response to Councillor Burton's point advised that the allocation model which has been used this last number of years, has been a model as far as he understood developed during the covid period on the back of money that became available relatively quickly from the Department for Communities. Taking on board all of the points that members has raised, the reason why from an Officer perspective, we are taking this through a review process should money continue to become available from the Department for 2023/24. The SD: C&P advised members that a more detailed report would be brought back in front of committee in January which will outline a revised approach that would allow organisations from across the district to submit information and proposals to make sure that there is reach right across all parts of the district and across all the DEA's. The SD: C&P stressed to members that this would be subject to funding continuing to be made available from the Department for Communities.

In response to Councillor Burton's query about how the money was divvied up, the SD: C&P advised that this was based on the allocation model which was developed and took into consideration the size of the organisations and the number of referrals that historically had been made. The SD: C&P said that he did not have the specific allocation model in front of him tonight but could share with members after tonight's meeting and certainly in advance of the discussion at the January meeting.

Proposed by Councillor Gildernew
Seconded by Councillor McLernon and

Resolved That it be recommended to Council -

- (i) Agree the Rolling Grant Grant Allocations
- (ii) Agree the Hardship Funding Allocations
- (iii) Note the Development Report Update

D197/23 Economic Development – Renewal of Membership with NI Chamber of Commerce 2024

The Assistant Director of Economic Development, Tourism & Strategic Programmes presented previously circulated report to provide an update on key activities as detailed below:

- **Renewal of Membership with NI Chamber of Commerce 2024**

Proposed by Councillor Wilson
Seconded by Councillor McLernon and

Resolved That it be recommended to Council to approve Corporate Membership with NI Chamber of Commerce costing £3,000+Vat for the period of 1 January 2024 to 31 December 2024.

Matters for Information

D198/23 Minutes of Development Committee held on 16 November 2023

Members noted Minutes of Development Committee held on 16 November 2023.

Councillor Monteith referred to D177/23 Environmental Health Service Update, where it was proposed that a meeting be organised in relation to air pollution and enquired if a date had been arranged yet.

The Assistant Director of Health, Leisure and Wellbeing (AD: HL&W) advised that this was currently being worked upon as Principal Environmental Health Officers were trying to co-ordinate with external agencies to check diaries and afterwards cross-check members diaries to find a suitable date for everyone. The AD: HL&W said that it was unlikely that the meeting would take place before Christmas but the aim was to have a date in diaries before Christmas for a return early in the New Year.

D199/23 Gas Safety Initiative

Members noted previously circulated report which provided an update on Council's participation in a joint 'Gas Safety' initiative between Environmental Health, Health and Safety Executive Northern Ireland (HSENI) and Gas Safe Register which aims to raise awareness of gas safety and the importance of maintenance of gas appliances in commercial catering and in residential care/nursing homes.

D200/23 Economic Development – OBF

Members noted previously circulated report which provided an update on:

- NIBSUP/Business Start Up Performance 2022/23
- Tourism Development Group Minutes – 29.03.23

The live broadcast ended at 7.38 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor McLernon
Seconded by Councillor Corry 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 D201/23 to D202/23.

Matters for Decision

D201/23 Agewell Project – Contract Extension

Matters for Information

D202/23 Confidential Minutes of Development Committee held on 16 November 2023

The Chair wished everyone a very Happy Christmas and Peaceful New Year.

D203/23 Duration of Meeting

The meeting commenced at 7pm and concluded at 7.45 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 7 December 2023 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*, Johnston*, McFlynn*, McLean*, McLernon, S McPeake*, Molloy*, Wilson

Officers in Attendance

Mr McCreesh, Chief Executive**
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)
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP)
Mr O'Hagan, Head of IT (HoIT)
Mr Scullion, Assistant Director of Property Services (AD: PS)**
Mr Tohill, Strategic Director of Corporate Services & Finance (SD: CS&F)
Miss Thompson, Committee and Member Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes others present by remote means

The meeting commenced at 7.00 pm.

The Chair, Councillor 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.

PR201/23 Notice of Recording

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

PR202/23 Apologies

Councillor McAleer.

PR203/23 Declarations of Interest

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

PR204/23 Chairs Business

None.

PR205/23 Deputation – Parent Alienation

The Chair, Councillor Corry advised that the representative was unable to attend tonight’s meeting and that the presentation would be rescheduled.

Matters for Decision

PR206/23 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:

- Samaritans: Winter Solstice: Longest Day: 21 December 2023
- British Porphyria Association: Rare Disease Day 29 February 2024

Proposed by Councillor Brown
Seconded by Councillor Cahoon and

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

- Samaritans: Winter Solstice: Longest Day: 21 December 2023
Colour: Green
- British Porphyria Association: Rare Disease Day 29 February 2024
Colour: Purple

PR207/23 Member Services

No issues.

Matters for Information

PR208/23 Minutes of Policy and Resources Committee held on 9 November 2023

Members noted Minutes of Policy & Resources Committee held on 9 November 2023.

PR209/23 Performance Improvement Six Month Progress Update (Q1 to Q2 – 2023/24)

Members noted previously circulated report which provided monitoring information on the review of Council's performance against the seven statutory and three corporate performance improvement indicators and standards, along with an overview of the Corporate Health Indicators for the first six months of 2023/24. The report also provided a performance progress summary against the Council's four corporate improvement objectives and their associated project plans (known as CIP plans).

Councillor Gildernew referred to NI Council averages for FOI requests responded to within 20 days and stated that there are no figures since 2016 and asked if there was a reason for this.

The Head of Strategic Services and Engagement (HoSS&E) advised that the figures recorded in the report are the response times to FOI requests made to Mid Ulster Council and that this Council would not have the detail of similar figures for other Councils.

Councillor Wilson asked if a report listing all FOI questions sent in to Council can be generated.

The Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP) stated that there is some guidance from the ICO outlining that public authorities should keep a disclosure log of all FOI requests submitted to them and that this is maintained within the Council's CRM. The AD: ODSP stated that whilst Council's disclosure log is not published it can be provided upon request.

Councillor S McPeake stated it may be daunting to see the red status against the planning performance but felt that a lot of the reasoning behind it comes down to getting the planning portal up and running. The Councillor stated that a lot of resources went into the planning portal which is now the envy of other Councils and it was good to see average processing times were coming back on track but felt that the figures deserved some explanation tonight.

PR210/23 Mid Ulster Community Planning: Progress Update and Performance Statement 2021-2023

Members noted previously circulated report which provided an update on activity surrounding Mid Ulster Community Planning from October to December 2023 and including the Mid Ulster Community Planning Performance Statement 2021-2023.

Councillor Molloy stated it was good to see the ongoing activity in relation to Community Planning and felt there is some fantastic work which comes out of it. The Councillor referred to a Dungannon Place Shaping document put forward some years ago but which was never adopted due to one of the partners not signing off on it and asked officers to follow up on this.

Councillor Gildernew referred to the social prescribing service which is working well in the Northern Trust area and asked if there is any opportunity to bring this service to the Southern Trust area as well.

The Assistant Director of Organisation Development, Strategy and Performance (AD: ODSP) stated that the Place Shaping Strategy currently sits within the Communities and Place Directorate but that officers would follow up on it as part of the wider Community Planning framework. In relation to the social prescribing service the AD: ODSP stated that officers would follow up with the Southern Trust Strategic Partner and update Members.

Councillor Wilson stated that there is nothing within the Community Plan in relation to arts and culture and felt that as there is an objective to ensure that Mid Ulster is safe, encourages respect for diversity and values community spirit that arts and culture should be included within the plan.

Live broadcast ended at 7.11 pm.

Local Government (NI) Act 2014 - Confidential Business

Proposed by Councillor McLernon
Seconded by Councillor Brown and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR211/23 to PR220/23.

Matters for Decision

PR211/23 Land and Property Matters
PR212/23 Staffing Matters for Decision
PR213/23 Structure: Planning Department
PR214/23 Procurement of Valuation Services

Matters for Information

PR215/23 Confidential Minutes of Policy & Resources Committee held on 9 November 2023
PR216/23 HR Summary Update Report for the period from 1 April 2023 to 30 September 2023
PR217/23 Staffing Matters for Information
PR218/23 2024/25 Rate Estimates
PR219/23 Financial Report for 7 Months ended 31 October 2023
PR220/23 Contract and DAC Registers

PR221/23 Duration of Meeting

The meeting was called for 7.00 pm and ended at 7.35 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

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

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

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

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

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

Report on	Consultations Information notified to Mid Ulster District Council
Date of Meeting	14 December 2023
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	
	No	x
If 'Yes', confirm below the exempt information category relied upon		

1.0	Purpose of Report
1.1	To update members on the consultations notified to Mid Ulster District Council and to seek approval for a draft consultation response.
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.
3.2.	Members were notified of the consultation on the Draft Transmission Development Plan Northern Ireland and SEA 2023-2032 at November's Full Council Meeting. Appendix B contains a draft response for comment and approval.
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: To be considered as part of any Council consultation response submission.
	Rural Needs Implications: To be considered as part of any Council consultation response submission.
5.0	Recommendation(s)
5.1	Members review and note active consultation and provide comment/approval for the draft response attached.

6.0	<p>Documents Attached & References</p> <p>Appendix A: Details of Current Consultations</p> <p>Appendix B: Draft Consultation Response- Draft Transmission Development Plan Northern Ireland and SEA 2023-2032</p> <p>Appendix C: NIO NI Policing Board Appointments Letter to CE</p>
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Appendix A: Details of Current Consultations

Organisation	Consultation Title	Issue	Closing Date	Response Currently Being Developed
Department of Justice	Anti-Social Behaviour Consultation	<p>The Anti-Social Behaviour Legislation Review Delivery Group has considered the outworkings of the previous consultation and are now seeking views from stakeholders to shape the final decisions for proposals which seek to amend legislation to help address ASB and its effects within our communities. The proposals relate to:</p> <ul style="list-style-type: none"> • Anti-Social Behaviour Orders (ASBOs); • Drinking in Public; • Injunctions Against Anti-Social Behaviour; and • Absolute Grounds for Possession 	4 March 2024	No
	Link to Consultation	https://consultations.nidirect.gov.uk/doj/anti-social-behaviour-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
NIO	Independent Members Appointment to the NI Policing Board Consultation	The SoS for NI is seeking comments on his appointment functions in relation to the appointment of independent Board Members to the NI Policing Board Consultation. The terms of appointment of three Board members expire at the end of March 2024. Therefore the Department of Justice will shortly commence a recruitment process in order to fill these vacancies.	4 December 2023 (an extension has been sought)	A response can be developed following the provision of feedback from members.
	Link to Consultation	No relevant link available. Appendix C contains full details of the issue.		
	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- approved comments to be provided at December's Full Council meeting.		

xx December 2023

TDPNI Consultation 2023

SONI Ltd

12 Manse Road

Belfast

BT6 9RT

Ref: Consultation on Draft Transmission Development Plan Northern Ireland and SEA 2023-2032

To whom it may concern:

Mid Ulster District Council welcomes the opportunity to provide comment upon the Draft Transmission Development Plan Northern Ireland and SEA 2023-2032.

While Mid Ulster District Council agrees with the overall aim for the transmission grid and its infrastructure to be made stronger and more flexible to transport the increases in clean energy generation, the Council feel strongly that transmission lines should be undergrounded where possible.

The Council realise that underground connection will not be possible in every case. As such the Council would not wish to detriment the possibility of achieving such connections, especially in relation to the North South Interconnector. However, in cases where it is possible, the Council would recommend that cabling should be underground.

The Council look forward to receiving the outworking's of this consultation and to engaging in any relevant partnership working in order to ensure that these proposals directly benefit our District.

Yours sincerely

Cllr Dominic Molloy

Chairperson, Mid Ulster District Council

Draft



Northern
Ireland
Office

The Rt Hon Chris Heaton-
Harris MP

Secretary of State for
Northern Ireland

1 Horse Guards Road
London
SW1A 2HQ

Erskin House
20-32 Chichester St
Belfast
BT1 4GF

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

Adrian McCreesh
Mid Ulster District Council

By email: Chief.executive@midulstercouncil.org

20 November 2023

Dear Adrian,

INDEPENDENT MEMBERS TO THE NORTHERN IRELAND POLICING BOARD

Under the terms of the Northern Ireland (Executive Formation etc) Act 2022, during the current period in which there is no Executive, I can exercise certain appointment functions of Northern Ireland Ministers, including those related to the Northern Ireland Policing Board (NIPB or the Board).

As the current terms of appointment of three Board members expire at the end of March 2024, the Department of Justice will shortly commence a recruitment process in order to fill these vacancies.

As you will be aware, there has been significant change at senior level within the Police Service of Northern Ireland (PSNI) over the last number of months, during what has been an unprecedented time for policing. Not only does the Board have a critically important statutory role to secure an efficient and effective police service but it also has the challenge of bringing stability and securing confidence in the PSNI.

It is, therefore, imperative that appropriate appointments are made to the NIPB to ensure it has the required skills and experience to navigate through these challenging times. It is envisaged that the criteria for the competition are likely to include a need for candidates to demonstrate ability in Organisational Leadership; Strategic Focus; Relationship Management and Influence; and Financial Performance.

Paragraph 8(2) of Schedule 1 of the Police (Northern Ireland) Act 2000 requires consultation with the First Minister and deputy First Minister, district councils and such other bodies as are considered appropriate before making any appointment of independent members to the Board.

In seeking to appoint independent members to the Board, I am committed to the principles of public appointments on merit, with independent assessment, openness and transparency of process.

If you wish to provide any comments in relation to this process, I should be grateful if you could provide your response by email to correspondence@nio.gov.uk by 4 December 2023

Yours sincerely,



**THE RT HON CHRIS HEATON-HARRIS MP
SECRETARY OF STATE FOR NORTHERN IRELAND**

Report on	Correspondence to Council
Date of Meeting	Thursday 14 December 2023
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 for Works & Pensions</p> <p>The Chair has received correspondence from Mims Davidson MP, Department for Works & Pensions in response to Council's letter in relation to the Cost of Living Crisis. Refer to Appendix A</p>
3.2	<p>Correspondence from Department for Infrastructure</p> <p>The Chair has received correspondence from the Permanent Secretary of Department for Infrastructure in response to Council's letter of concern with regard to the procedure set out for 'handling correspondence in relation to maintenance defects. Refer to Appendix B</p>
3.3	<p>Correspondence from Environment Protection Agency</p> <p>The Chair has received correspondence from the Environment Protection Agency in response to Council's letter regarding water quality in Lough Neagh. Refer to Appendix C</p>
3.4	<p>Correspondence from Ards & North Down Borough Council</p> <p>Correspondence has been received from Ards & North Down Borough Council with regarding a motion passed in relation to Lifelong Learning. Refer to Appendix D</p>
3.5	Correspondence from Equity NI

3.6	<p>The Chair has received correspondence from Equity NI in response to Council's letter in relation to Arts funding cuts. Refer to Appendix E</p> <p>Correspondence from the Cabinet Office</p> <p>The Chief Executive received correspondence from the Cabinet Office regarding the opportunity to avail of a portrait of HRH King Charles. Refer to Appendix F</p>
4.0	Other Considerations
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	Recommendation(s)
5.1	That Council notes and considers, as necessary, the correspondence received.
6.0	Documents Attached & References
	<p>Appendix A: Department for Works & Pensions Appendix B: Department for Infrastructure Appendix C: Environment Protection Agency Appendix D: Ards & North Down Borough Council Appendix E: Equity NI Appendix F: Cabinet Office</p>



Department
for Work &
Pensions

Ministerial
Correspondence 0207 340 4000
Caxton House
Tothill Street www.gov.uk
LONDON
SW1H 9DA
ministers@dwp.gov.uk

Your ref: C173/23
Our ref: MC2023/81569

Cllr Dominic Molloy
Mid Ulster District Council
Burn Road
Cookstown
BT80 8DT

13 November 2023

RECEIVED BY
27 NOV 2023

DEMOCRATIC SERVICES

Dear Dominic,

As you may know your letter of 2 October to the Prime Minister about Government measures to help people with the rising cost of living has been forwarded to this Department. I am replying as the Minister with responsibility for this policy area.

I would like to thank you for taking the time to write in raising this issue. I write to you with the latest update and I hope you will find the following comments to be helpful.

The concerns you have raised in your letter have transferred to Northern Ireland and are the responsibility of the Department for Communities. However, as the Minister responsible for this policy area in Great Britain, I am replying to set out the position in Great Britain.

The Government recognises the pressures people are facing and has acted, providing total support of over £94 billion over 2022/23 and 2023/24 to help households and individuals with the rising cost of living. In April 2023 we uprated benefit rates and State Pensions by 10.1 per cent, as well as increasing benefit cap levels by the same amount.

Universal Credit awards are formed of a Standard Allowance, paid according to age and family status, plus help with eligible housing costs, which can then be supplemented with additional elements for groups recognised as having additional needs, such as parents, disabled people, and carers.

The rates of benefit are not determined by individuals' living costs and so it is not possible to provide a breakdown of these amounts by reference to separate amounts for specific items of expenditure, such as the TV licence, gas, electricity, and food.

The Government firmly believes claimants should be free to spend their benefit as they see fit, in line with their individual needs and preferences. We do not consider it appropriate to introduce changes that would prioritise one particular area of household expenditure over the cost of other essential goods and services.

The Government is committed to a sustainable, long-term approach to tackling poverty and supporting people on lower incomes. In 2023/24 we will spend around £276 billion through the welfare system in Great Britain including £114 billion on people of working age and children.

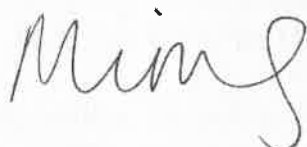
The Government understands the pressures people are facing and are taking action to support them, providing total support of over £94 billion over 2022/23 and 2023/24 to help households and individuals with the rising bills.

Households on eligible means-tested benefits will get up to £900 in Cost of Living Payments, paid in three separate payments of £301, £300, and £299 across the 2023/24 financial year. We have already delivered the first £301 payment to 8.3 million households.

The qualifying period for the second payment of £300 was 18 August to 17 September 2023. Most people who are eligible will be paid between 31 October 2023 and 19 November 2023. As of 3 November, we have already paid 6.4 million households the second Cost of Living Payment, with further payments to be made up until 19 November. There will be a further payment of £299 by Spring 2024 for eligible claimants.

In addition, over six million people across the UK on eligible 'extra costs' disability benefits have been paid a £150 Disability Cost of Living payment and more than eight million pensioner households will receive an additional £300 Cost of Living Payment during Winter 2023/24.

For those who require extra support, the Government is providing an additional £1 billion of funding, including Barnett impact, to enable the extension of the Household Support Fund in England this financial year to continue to provide discretionary support to those most in need with the significantly rising cost of living. It will be for the devolved administrations to decide how to allocate their additional Barnett funding.



Mims Davies MP
Minister for Social Mobility, Youth and Progression

From the Permanent Secretary
Dr Denis McMahon

Your Reference: C200/23
Our Reference: SCORR-0444-2023

Cllr Dominic Molloy
Mid Ulster District Council

Via email:
Eileen.Forde@midulstercouncil.org

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

22 November 2023

Dear Cllr. Molloy

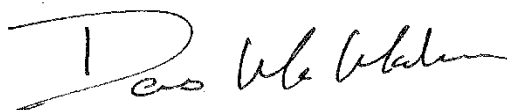
HANDLING CORRESPONDENCE IN RELATION TO MAINTENANCE DEFECTS

Thank you for your email of 2 November 2023 regarding the handling of correspondence in relation to maintenance defects. I appreciate the comments from elected members regarding the hard work and responses of our staff across the range of issues raised.

It is important to stress that it is not the intention of DfI to withdraw from communications with members of the public or elected representatives. There are clearly occasions where concerns that have been raised will benefit from local engagement. However, for those issues requiring more immediate action such as major potholes or fallen trees, the reporting system will allow for the quickest and most effective response to be taken by the Department. The notifications received are checked on a continual basis, with extra staff being made available for monitoring during periods of extreme weather. This preferred approach is designed to provide the best service possible within the resources available and using this system should not result in a lower level of service compared to speaking directly to a staff member.

In these challenging times the Department would be grateful if members of the public and elected representatives, who have access to the internet, report road defects through the DfI online reporting facility provided by NI Direct at: (<https://www.nidirect.gov.uk/information-and-services/travel-transport-and-roads/problems-roads-and-streets>) rather than by direct correspondence with the Department. Or if in an emergency via telephone to 02890 540540 and reports of Flooding can be directed to the Flooding Incident Line 0300 2000 1000 (24 hours a day).

I hope you find this of assistance and take reassurance that the Department remains committed to providing the best service possible with the resources we have.



DR DENIS McMAHON
DfI Permanent Secretary

From: [Pauline Wilson](#)
To: [Eileen Forde](#)
Subject: Water Quality in Lough Neagh - Your Ref C172/23
Date: 20 November 2023 17:05:27
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)

Dear Councillor Molloy

I refer to your correspondence of 02nd October 2023 in relation to water quality in Lough Neagh. As Lough Neagh is wholly situated in Northern Ireland the Environmental Protection Agency does not have a role in monitoring or assessing water quality in the lake. The Northern Ireland Environment Agency may be able to assist you.

Kind Regards,

Pauline Wilson
PA to Director General
Office of Director General, Wexford
PA chuig an Ard-Stiúrthóir
An Oifig an Ard-Stiúrthóra, Loch Garman



053-9167286 (Direct dial) 053-9160600 (EPA Reception)

p.wilson@epa.ie

www.epa.ie





Ards and North Down Borough Council

SR/cd/CS10.10.2023, item 9a

20 November 2023

Mr Adrian McCreesh,
Chief Executive Mid Ulster Council

chief.exceutive@midulstercouncil.org

Dear Mr McCreesh

At a recent meeting of Ards and North Down Borough Council it was discussed and unanimously agreed to put on record that the Council believes:

- Education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.
- Part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive, and green economy.
- Part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, have caring responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.
- Lifelong learning, including non-formal education, addresses social issues, strengthens communities, and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.
- That lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

As a result, Council agreed:

- 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.
- Write to Strangford and North Down MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed.
- Encourage Strangford and North Down MLAs to form an All-Party Group on Lifelong Learning to support and evidence and best-practice informed approach to policy making, in collaboration with adult education bodies and other



**Ards and
North Down
Borough Council**

stakeholders to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

- To write to other Councils in Northern Ireland to take similar action and to write to MPs and MLAs for their respective areas in a similar manner.

I would be grateful if you could please consider this letter and respond accordingly.

Yours sincerely

Stephen Reid
Chief Executive

EQUITY

your ref: C225/23

Reply to: Alice Adams Lemon
National Official, NI
alemon@equity.org.uk
07936 045081

Councillor Dominic Molloy
Chair, Mid Ulster District Council

By email to: Eileen.Forde@midulstercouncil.org

1 December 2023

Dear Councillor Molloy

Equity NI – Resist The Cuts

I write in response to your letter of 27 November 2023, in which you informed me of the Mid-Ulster Council's agreement to calls for a reversal in cuts to the arts and furthermore to agree to join as a signatory to Equity NI's latest open letter to the Permanent Secretary of the Department for Communities.

We thank you for joining an ever-growing list of supporters of our campaign - over 12,500 individuals signed our petition which asked for more investment in the arts, not less; our rally was attended by 250 people; the Department for Communities received over 110 direct mail letters telling them how these cuts would affect individuals and communities who experience inequality.

A growing number of MLAs have pledged publicly to reverse the cuts, Belfast City Council also unanimously voted to co-sign our most recent letter to the Permanent Secretary, and more support comes in every day.

It cannot be acceptable that decisions which threaten to decimate our industry, impacting upon employment, enjoyment and equality, are being taken by un-elected civil servants. It cannot be right that our local Councillors feel the need to step in to fill funding gaps, where they can, from their already limited Council coffers – when there could be more investment in the arts directly from the centre.

We appreciate your support and applaud your decision to join us in our campaign. We will continue to fight until we have more investment in the arts here, not less.

Sincerely,

Lynda Rooke

Lynda Rooke
President, Equity

Cc: Equity Northern Ireland Committee
Alice Adams Lemon, Equity NI Official

Guild House
Upper St Martin's
Lane London
WC2H 9EG T: 020
7379 6000
F: 020 7379 7001
@EquityUK
equity.org.uk

Equity
Independent Trade Union
Incorporating the Variety Artists'
Federation Affiliated to the TUC,
STUC, ICTU and FIA

President Lynda Rooke
Vice Presidents Jackie Clune
Honorary Treasurer Bryn Evans
General Secretary Paul W
Fleming

Trustees: Judi Dench,
Malcom Sinclair, Timothy
West, Penelope Wilton,
Johnny Worthy



Free Portrait of His Majesty The King for Public Authorities

On 1 April 2023, the Cabinet Office issued a [press release](#) to announce a new scheme to allow public authorities across the UK to apply for a free, framed portrait of His Majesty The King to mark the new reign.

The voluntary government funded scheme has now launched throughout the United Kingdom.

The supplier organisation chosen to operate this scheme is Cubiquity Limited. Eligible public authorities can apply for a free portrait using the supplier's link below.

[His Majesty The King's Portrait Scheme URL](#)

All those who fall within scope of the voluntary scheme are welcome to apply and the public authorities who are eligible can request one free framed portrait per authority.

The closing date for applications is **Friday 2nd February 2024**.

Please refer to the [FAQs](#) for any specific questions about the portrait and the scheme itself.

For this scheme, the categories of public authorities in scope are: ministerial and non-ministerial government departments; executive agencies; executive and advisory NDPBs; principal local authorities; maintained schools and education providers (including nurseries and special schools); prisons; courts; police forces; fire and rescue services.

Further details will be provided in due course for public bodies that do not fall within scope of the scheme but wish to purchase a portrait or for public authorities who would like to purchase additional portraits